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Dear Dr Butlin

The Department of Primary Industries and Regions (PIRSA) welcomes the opportunity to provide written feedback to the South Australian Productivity Commission on both its review into Tourism Regulation Draft Report; and the inquiry into South Australia's Regulatory Framework Draft Report.

PIRSA is a key economic development agency in the Government of South Australia; and is responsible for growing primary industries and driving regional development. We work closely with industry and our regional communities to understand how we can help in meaningful ways and be more agile with our programs, in order to provide tangible and practical assistance, particularly in challenging times.

Our work is underpinned by several strategies and directives, including (but not limited to) the PIRSA Corporate Plan 2020-21; a new PIRSA Strategic Plan and the inaugural Regional Development Strategy that was published on 20 April 2021. These documents outline our purpose, vision and goals for the next 12 months and beyond; and which provide further detail on how PIRSA develops and manages policy and how we regulate and enforce legislation that we are responsible for.

In addition to the above is PIRSA's role as the lead agency for the Food, Wine and Agribusiness Plan for Growth. Jointly owned by Primary Producers SA (PPSA), Food South Australia (Food SA), the South Australian Wine Industry Association (SAWIA) and the Government of South Australia, PIRSA is a member of the Steering Committee responsible for driving the Food, Wine and Agribusiness Sector Plan. This Sector Plan seeks to stimulate an ambitious growth agenda that contributes revenue of \$23 billion by 2030 to the South Australian economy. Current initiatives include (but are not limited to) \$10 million for the Mobile Blackspot Funding and \$1.1 billion in improved road infrastructure – with both initiatives providing greater services and improvements across regional South Australia.

Through initiatives such as the Regional Growth Fund, that has committed \$160 million over 10 years, funding has been established to unlock new economic activity in our regions whilst delivering critical economic infrastructure that creates direct benefits across regional industries. By doing this, regional communities across South Australia are strengthened and supported as part of the Recharging our Regions policy.

We commend the work done thus far by the South Australian Productivity Commission as part of the Modern Regulation Project; and particularly as part of the Tourism Regulation Review and inquiry into South Australia's Regulatory Framework.

We welcome the opportunity to provide input to the draft recommendations developed by the South Australian Productivity Commission; and where relevant, have provided information to new requests written in both Draft Reports.

PIRSA will continue to engage with the South Australian Productivity Commission as it prepares its Final Reports in October 2021; and will contribute to the development of the Government of South Australia's response(s) later this year.

Yours sincerely

A handwritten signature in cursive script that reads "Michelle Edge". The signature is written in black ink and is positioned above the printed name and title.

Michelle Edge  
**CHIEF EXECUTIVE**

18/9/2021

Enc: PIRSA's response to SAPC SA's Regulatory Framework Inquiry Draft Report and the SAPC Tourism Review Draft Report

# PIRSA

## **South Australian Productivity Commission Review into Tourism Regulation**

Submission from the Department of Primary Industries  
and Regions (PIRSA)



**Government  
of South Australia**  
Department of Primary  
Industries and Regions

# **South Australian Productivity Commission Review into Tourism Regulation – Submission from the Department of Primary Industries and Regions (PIRSA)**

Information current as of 13 September 2021

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# 1. Overview

- The Department of Primary Industries and Regions (PIRSA) welcomes the opportunity to provide a written submission to the South Australian Productivity Commission's Tourism Regulation Review Draft Report that was published on 6 August 2021.
- PIRSA has considered the draft recommendations in the context of the Commission's draft report on its Inquiry into the South Australia's Regulatory Framework and has provided feedback where appropriate.
- PIRSA will continue to be available to assist the Commission in preparing its Final Report for this review.

### 3. Draft Recommendations

PIRSA responses to relevant draft recommendations are provided below.

#### Draft Recommendation 8.1

- *The Commission recommends that regulators relevant to nature-based tourism and agritourism have mechanisms, such as external reference groups, for consulting with stakeholders on regulatory matters and practice.*

#### Response

- PIRSA supports the intent of this draft recommendation, noting that PIRSA already has a number of standing advisory groups that assist with policy development and regulator-related functions.
- Where regulation-related changes are proposed, PIRSA consults with affected industry members to ensure that impacts are understood; and feedback can be provided. As an example, PIRSA actively engages with a broad of stakeholders such as authority holders, local and state government officials; and non-government organisations (NGOs) when fishery-related regulatory changes are proposed.
- Methods of engagement also depend on the changes proposed – including (but not limited to) discussion papers; consultation papers; industry and community workshops; workshops with individual regulated entities; online stakeholder engagement sessions; and other informal feedback options (such as Fishcare Volunteers and Fisheries Officers). In addition – PIRSA is mindful of broader Government of South Australia-related requirements, such as the use of YourSAy as a platform to use when undertaking consultation with South Australian communities.

#### Draft Recommendation 8.2

- *The Commission recommends that regulators relevant to nature-based tourism and agritourism, in conjunction with their regulated businesses:*
  - *develop target timeframes for approvals and measures for efficient processes; and*
  - *publicly report their performance against these targets.*

#### Draft Recommendation 8.3

- *The Commission recommends that regulators relevant to nature-based tourism and agritourism undertake periodic reviews of past approval applications, including unsuccessful applications, to identify possible changes to regulatory practice to improve success rates and reduce early cessation of unviable applications.*

#### Response

- PIRSA supports the intention to increase transparency, improve processes and provide better certainty to businesses.

- PIRSA already reports on the administration of a number of services, such as PIRSA's performance on the administration of the *Pastoral Land Management and Conservation Act 1989* (the PLMC Act).
- PIRSA is mindful that draft recommendation of the Commission's Inquiry into South Australia's Regulatory Framework has a similar intent to these recommendations, and while not as specific, provides a framework for setting of intentions, key performance indicators and reporting. PIRSA therefore requests that any new requirements are considered in the context of both the Inquiry and Review final reports.

### **Draft Recommendation 8.5**

- *As the government has emphasised the development of nature-based tourism, the Commission recommends that:*
  - *the Department for Environment and Water (DEW) provide consolidated guidance to prospective nature-based tourism businesses covering all the relevant regulatory requirements, including those from regulators outside the portfolio, and evaluate delivering this guidance through a business concierge.*
  - *Primary Industries and Regions South Australia (PIRSA) provides similar support to agritourism.*

### **Response**

- PIRSA, as lead agency for Regional Development, provides an integrated cross-sector, cross-government and regionally focused approach to improving economic and social outcomes for regions. With officers based in regional locations, PIRSA works to strengthen partnerships between regional communities, businesses and all tiers of government.
- This recommendation would be best addressed in the context of enabling recommendations, as stated above, in the draft Inquiry Report. In particular, recommendation 4.1 of the Inquiry Report is important as it envisages an online register of regulations and 5.1 digital systems enhancement.
- The recommendation should also be considered in the context of draft Inquiry Report recommendation 6.1 which appears to envisage a similar role for Growth State sector leads.

### **Draft Recommendation 8.6**

- *The Commission recommends that the government's digital strategy incorporate the priorities of the tourism sector in regional South Australia by prioritising the roll-out of digital services in those agencies that are most involved with nature-based tourism and agritourism, and regional South Australia.*

### **Response**

- PIRSA supports this draft recommendation. Regional connectivity is one of the strategic priorities of the [Regional Development Strategy](#) developed by PIRSA. This Strategy seeks to identify and enhance digital connectivity through telecommunications and data infrastructure to attract investment and support communities and industries including tourism.

## 4. Information Requests

PIRSA response to relevant information requests are provided below.

### Information request 4.8

- *The Commission requests additional feedback regarding the regulation of tourism activity on pastoral lands and in the outback region. That is:*
  - *Are the regulations sufficient to protect the environment and businesses operating in these locations?*
  - *How effectively are regulations enforced?*
  - *Is it clear who is responsible for enforcing the regulations?*

### Response

- The Pastoral Act is currently under review. One of the aims of this review is to provide for diversification of activities on pastoral leases. This includes tourism, with appropriate mechanisms in place to protect land condition and pastoral operations. It should be noted that any approvals granted under the current or future Pastoral Act do not provide approvals for other regulatory requirements such as planning legislation.
- Enforcement of requirements under the current and future Pastoral legislation is the responsibility of PIRSA.
- PIRSA would welcome further discussion on this with the South Australian Productivity Commission.

### Information request 5.1

*The Commission requests feedback from regulators and businesses regarding:*

- *additional issues relating to accessing meat processing facilities by agritourism businesses in South Australia;*
- *the experience of businesses that have attempted to set up meat processing facilities in South Australia (including mobile abattoirs), including guidance from and interaction with regulators; and*
- *how do South Australia's regulatory requirements for mobile meat processing differ from other jurisdictions?*

### Response

- PIRSA has provided additional information regarding accreditation and standards to the Commission.
- PIRSA has provided the number of meat processing facilities that have been established in the last five years to the Commission.
- PIRSA has also confirmed an Australian Standard for hygienic production and transportation of meat and meat products for human consumption is applied in all state and territories in Australia.

### Information request 5.3

- *The Commission requests feedback on:*
  - *whether the Commission's characterisation of issues related to processing and serving fish on charter boats is accurate;*
  - *the experiences of tourism operators who have attempted to obtain fish processing licences; and*
  - *the processes and mechanisms that are available for businesses to provide feedback to the regulators.*

### Response

- PIRSA notes that there appears to be two issues that have been conflated in the Draft Report, as explained below.
- The Draft Report mentions that the Marine Fishers Association (MFA) members are keen to diversify and add value to existing business offerings in the form of processing fish on charter boats, however, the MFA represent commercial fishing businesses in the commercial Marine Scalefish Fishery (MSF). As a result, the context of their core business operations is important in relation to this draft recommendation.
- While established as a Charter Boat Fishery, it should be noted that charter boat fishery licences only authorise the sale of 'charter boat fishing services', not fish. Fish that are caught during charter activities may only be caught by individual recreational fishers who are passengers on the charter and not by the holder of this type of authority.
- Pursuant to regulation 18 of the *Fisheries Management (General) Regulations 2017*, fish that are subject to size limits taken in the course of fishing from a boat cannot be mutilated (includes filleting, but not scaling and gutting) before they are brought to shore or landed, unless they are to be consumed on that boat within 24 hours or used as bait by persons on that boat.
- PIRSA is not aware of any charter boat operators who have applied for fish processor registration for the purpose of filleting at sea during a charter activity.
- PIRSA enters into co-management arrangements with industry associations and regularly engages with these associations. Individual operators are advised of changes to arrangements through notice to fishers. There are statutory requirements for public consultation periods regarding fishery management plan development and for internal review and appeal processes in relation to the variation of conditions on licences.

### Information Request 8.2

- *The Commission requests feedback on the following options for improving coordination between regulators:*
  - *Option 1: Designate a lead coordinator agency for nature-based tourism and a lead coordinator for agritourism initiatives whose role is to coordinate regulatory approvals. This role would be supported through a memorandum of understanding (MoU) between relevant regulators and senior committee of all relevant regulators.*

- *Option 2: Build on Option 1 by authorising Primary Industries and Regions South Australia (PIRSA), as part of its accountability for regional development, to facilitate regulatory coordination in its regions, incorporating local regulators and local government.*
- *Option 3: Establish a lead regulator model for nature-based tourism and agritourism, drawing on the experience of the Department for Energy and Mining (DEM) as lead regulator.*

## **Response**

- While PIRSA plays a significant role in regional communities and is the lead agency for Regional Development in South Australia, expanding this role as per option 2 should be in the context of the draft Inquiry Report recommendations as stated above under recommendation 8.5 of this review.