

Storm Bay North Marine Farming Development Plan November 2017



The Crown in right of the State of Tasmania gives no warranty, either express or implied, that the marine farming zone identified in the Storm Bay North Marine Farming Development Plan November 2017 is suitable for marine farming activities.

Persons considering marine farming within the zone contained within this Plan are solely responsible for establishing the suitability or otherwise of the zone for that purpose.

CAUTION: The maps shown throughout this document are not to be used for navigation. For navigation purposes appropriate hydrographic charts should be used.

In this plan "high water mark" means a line between State waters, as defined under section 5 of the *Living Marine Resources Management Act 1995*, and adjacent land, landward of that line.

For the purposes of this Plan the Secretary means the Secretary of the Department of Primary Industries, Parks, Water and Environment or an employee of the Department of Primary Industries, Parks, Water and Environment acting as the agent of the Secretary.

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Marine Farming Development Plan

I The Plan Area

The area covered by the Storm Bay North Marine Farming Development Plan November 2017 comprises one area of State waters bounded by the points defined by Geocentric Datum of Australia (GDA) co-ordinates:

Area I

ID	Easting	Northing	Latitude	Longitude	
1	545995.00	5226250.00	43° 6.9051'	147° 33.9212'	thence to
2	545995.00	5227915.00	43° 6.00552'	147° 33.913'	thence to
3	544320.00	5228171.00	43° 5.87322'	147° 32.6768'	thence to
4	543195.00	5227539.00	43° 6.21858'	147° 31.8503'	thence to
5	543195.00	5226745.00	43° 6.64752'	147° 31.854'	thence to
6	544400.00	5226600.00	43° 6.72168'	147° 32.7433'	thence to
7	544400.00	5226250.00	43° 6.9108'	147° 32.7449'	thence to
1	545995.00	5226250.00	43° 6.9051'	147° 33.9212'	

GDA 94-ZONE 55

Map I shows the Plan Area.



2 Marine Farming Zone

2.1 Zone 1

2.1.1 Location

Zone 1 is located in central north Storm Bay and is approximately 5km south-east of Betsey Island at its closest point.

Map 2 shows Zone 1.

Zone 1 consists of all that area bounded by a line being from points defined by Australian Geodetic Datum Zone 55 (AMG) co-ordinates:

ID	Easting	Northing	Latitude	Longitude	
1	545995.00	5226250.00	43° 6.9051'	147° 33.9212'	thence to
2	545995.00	5227915.00	43° 6.00552'	147° 33.913'	thence to
3	544320.00	5228171.00	43° 5.87322'	147° 32.6768'	thence to
4	543195.00	5227539.00	43° 6.21858'	147° 31.8503'	thence to
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6	544400.00	5226600.00	43° 6.72168'	147° 32.7433'	thence to
7	544400.00	5226250.00	43° 6.9108'	147° 32.7449'	thence to
1	545995.00	5226250.00	43° 6.9051'	147° 33.9212'	

GDA 94-ZONE 55

2.1.2 Zone Area

The area of Zone 1 is approximately 430 hectares.

2.1.3 Maximum Leasable Area

The maximum leasable area within Zone 1 is 273 hectares.

2.1.4 Categories of fish

The categories of fish permitted for culture within Zone 1, subject to the provisions of a marine farming licence, are finfish, shellfish and seaweeds.

2.1.5 Management Controls

The management controls applying to Zone 1 are stipulated in *Section 3* of this Plan.



3 Management Controls

Prepared in accordance with section 24 of the *Marine Farming Planning Act 1995*. Management controls must contain any measures necessary to manage and mitigate negative effects which marine farming operations may have within the plan area.

3.01 Lessees and sub-lessees must comply with any written notice or request given by the Secretary, and must not undertake or cause or permit another person to undertake an activity contrary to the Secretary's written notice or request.

3.02 Lessees and sub-lessees must comply with any written notice or request given by the Director, EPA, and must not undertake or cause or permit another person to undertake an activity contrary to the Director's written notice or request.

3.03 In these management controls:

'Chief Veterinary Officer' has the meaning given by section 3 of the *Animal Health Act 1995*.

'Director, EPA' has the meaning given by section 3 of the *Marine Farming Planning Act 1995*.

'environmental licence' means an environmental licence issued under Division 8 of Part 3 of the *Environmental Management and Pollution Control Act 1994*.

'EPA' means the Environment Protection Authority established by section 12 of the *Environmental Management and Pollution Control Act 1994*.

'inspector' has the meaning given by section 3 of the *Animal Health Act 1995*.

'Manager, Marine Farming Branch', means the person occupying the position of that title within the Department, or any other position notified by the Secretary.

'marine farming licence' means a marine farming licence issued under Part 3 of the *Living Marine Resources Management Act 1995*.

'Marine and Safety Authority' has the meaning given by section 3 of the *Marine Farming Planning Act 1995*.

'notifiable disease' means a List A or List B disease under Part 5 of the *Animal Health Act 1995*.

3.1 General Controls for all Marine Farming Zones

Finfish

- 3.1.1 There must be no significant visual, physio-chemical or biological impacts at or extending 35 metres from the boundary of the lease area, unless otherwise specified by the Director, EPA.
- 3.1.2 Environmental parameters must be monitored in the lease area, 35 metres outside the boundary of the marine farming lease area and at any control site(s) in accordance with the requirements specified in the relevant marine farming licence or in the relevant environmental licence.

Shellfish

- 3.1.3 There must be no unacceptable environmental impact, as specified in the relevant marine farming licence, outside the boundary of the marine farming lease area.
- 3.1.4 Environmental parameters must be monitored in accordance with the requirements specified in the relevant marine farming licence.

3.2 Management Controls Relating to Nitrogen Outputs from Finfish Farming

- 3.2.1 The Director, EPA, may, from time to time, determine the total permissible dissolved nitrogen output (TPDNO), within specified periods, attributable to licenced finfish for a specified area.
- 3.2.2 A specified area may constitute:
- An area or multiple areas covered by this plan, or
 - All the area covered by this plan
- 3.2.3 For the purpose of assessing quantities of dissolved nitrogen output attributable to licensed finfish farming, the Director, EPA may use any method that the Director, EPA is satisfied delivers a proper measure of total dissolved nitrogen output from finfish farming.
- 3.2.4 On making a determination under 3.2.1, the Director, EPA is to apportion the TPDNO, or a portion of the TPDNO, between the leaseholders

licensed for finfish farming within that specified area or if a lease is sub-leased, any sub-lease holders within the specified area.

- 3.2.5 An individual apportionment made under 3.2.4 may be nil.
- 3.2.6 An individual apportionment made under 3.2.4 may be made in respect of two or more leaseholders, as if they were a single leaseholder.
- 3.2.7 On the making of an apportionment under 3.2.4, the Director, EPA is to notify each of the relevant leaseholders or if a lease is sub-leased, any sub-lease holders, in writing of the individual apportionment made in respect of that leaseholder or sub-lease holder.
- 3.2.8 A leaseholder or if a lease is sub-leased, any sub-lease holder notified in accordance with 3.2.7 must comply with that notice.
- 3.2.9 In this section:

‘Finfish farming’ has the same meaning as section 5C of the *Environmental Management and Pollution Control Act 1994*.

‘Licenced’ in relation to finfish farming means authorised under a licence issued under Division 8 of Part 3 of the *Environmental Management and Pollution Control Act 1994*.

3.3 Environmental Controls Relating to Carrying Capacity

Finfish

- 3.3.1 The maximum permissible stocking density of salmonid fish is 15 kg/m³ of caged volume unless otherwise specified in the marine farming licence or environmental licence.
- 3.3.2 Maximum permissible stocking densities for other finfish species may be specified in the conditions of the relevant marine farming licence or environmental licence.
- 3.3.3 Lessees must ensure that farmed areas are fallowed as soon as practicable if bubbles of hydrogen sulphide and/or methane gasses form in the sediment and rise to the surface without physical disturbance of the seabed.
- 3.3.4 Finfish cage nets must be at least 1 metre clear of the seabed at low tide under normal growing conditions unless otherwise specified in the relevant marine farming licence.

3.3.5 The Director, EPA may from time to time, using whatever information the Director, EPA considers appropriate, determine the maximum permissible biomass of finfish that may be stocked within the area covered by this plan or any other specified area within the plan area.

NOTE: Maximum permissible biomass may relate to an area however described by the Director, EPA, including without limitation, tonnes per hectare or total tonnes for the plan area.

3.3.6 The Director, EPA is to give notice in writing to any lessees, or if a lease is sub-leased, any sub-lessee, subject to a determination made by the Director, EPA under 3.3.5 and specify the date from which the lessee or sub-lessee must comply with the Director, EPA's determination.

3.3.7 Compliance with 3.3.5 will be calculated for any point in time, according to the following formula, or any other method deemed by the Director, EPA to be equal to it, or better.

- Total Biomass (TB) = Total biomass in tonnes of finfish held by lessees or sub-lessees within the determined area at a single point in time.
- Total Area (TA) = Combined total lease area licensed for the farming of finfish held by lessees or sub-lessees within the determined area at that same point in time.
- TB/TA must be no greater than the maximum permissible biomass, in tonnes per hectare, as determined by the Director, EPA.

Shellfish

3.3.8 In all lease areas used for the farming of shellfish there must not be more than the equivalent of:

3.3.8.1 1.1 km of stocked single backbone longline per hectare of developed lease area¹.

3.3.8.2 All longlines and associated equipment other than moorings for shellfish must be maintained at least 1 metre clear of the seabed.

¹ A single backbone longline relates to that part of a longline from which culture structures hang. Where multiple longlines exist on a single row of buoys each longline represents a single backbone longline.

3.4 Environmental Controls Relating to Monitoring

Finfish

Baseline environmental survey requirements

3.4.1 Lessees must provide a baseline environmental survey to the satisfaction of the Director, EPA. Such a baseline environmental survey must be undertaken prior to the commencement of marine farming operations on those areas;

- where a new lease area is being established; or
- when required as a condition of varying or expanding a lease area; or
- where a marine farming licence is varied to allow the farming of another species not addressed by the existing baseline survey for the lease.

Note: The Director, EPA will use the information from the baseline environmental survey to assess whether the area to be farmed contains any rare or endangered species or any unusual habitat and to determine conditions and requirements relating to environmental management.

Environmental monitoring requirements

3.4.2 Lessees must keep the following records for each lease area held by the lessee and retain these records for a period of 5 years;

3.4.2.1 Lessees or sub-lessees must maintain daily records capable of demonstrating the:

- maximum stocking density of finfish in each stocked cage;
- maximum biomass of finfish in each stocked cage.

3.4.2.2 The type, origin and dry weight of food placed into the lease area on a monthly basis.

3.4.2.3 The names and quantities and date of use, of all chemicals which have been used on the lease area. This must include, but is not confined to, therapeutants, anaesthetics, antibiotics, hormones, pigments, antifoulants, disinfectants and cleansers.

3.4.2.4 Location (to a degree of precision to the satisfaction of the Secretary), size and stocking rates of all cages.

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- 3.4.2.5 The duration that individual cages are held in a particular location.
- 3.4.3 Lessees must provide to the Manager, Marine Farming Branch, the records detailed at 3.4.2 at the request of the Secretary.
- 3.4.4 Lessees must notify the Manager, Marine Farming Branch, within 48 hours of using any therapeutants including antibiotics but excluding vaccines. Information provided to the Manager, Marine Farming Branch must include:
- 3.4.4.1 The names of therapeutants (including trade name and concentration of active ingredient).
- 3.4.4.2 The date of use.
- 3.4.4.3 The location (to a degree of precision to the satisfaction of the Secretary) and identification of the specific cage / cages in which therapeutants have been placed.
- 3.4.4.4 The quantities of therapeutants placed into specific cages.
- 3.4.5 Environmental data is to be collected at each finfish lease area and analysed to specific standards and in accordance with the requirements for collection, reporting and analysis as specified in the relevant marine farming licence or environmental licence.
- 3.4.6 Lessees must comply with any environmental monitoring, data analysis, interpretation, audit and review requirements determined by the Director, EPA or Secretary and notice of which is given in writing, as amended by the Director, EPA or Secretary from time to time, at the lessee's expense using such parties as are approved or nominated by the Director, EPA or Secretary.
- 3.4.7 The Secretary may require from time to time, by notice in writing, a lessee, at the lessee's expense, or a sub-lessee, at the sub-lessee's expense, to engage an independent auditor determined by the Secretary, to undertake an audit, as specified by the Secretary, of a lessee or sub-lessee's business records, and record keeping practices.
- 3.4.8 An audit undertaken under 3.4.7 may include an assessment of the accuracy and truthfulness of records with respect to the physical parameters being recorded under 3.4, for the purposes of determining compliance with any management control or licence condition.

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- 3.4.9 The Director, EPA may require from time to time, by notice in writing, a lessee, at the lessee's expense, or a sub-lessee, at the sub-lessee's expense, to engage a specified consultant, scientific institute, or other entity acceptable to the Director, EPA, to conduct environmental monitoring and/or modelling in accordance with any requirements of, and to the satisfaction of the Director, EPA.
- 3.4.10 For leases that have an associated marine farming licence authorising the farming of finfish, lessees or sub-lessees must provide to the Secretary on an annual basis, unless exempted in writing by the Secretary, a production planning report for three years in advance, by lease.

Shellfish

Baseline environmental survey requirements

- 3.4.11 Lessees must provide a baseline environmental survey as specified by the Secretary. A baseline environmental survey must be undertaken prior to the commencement of marine farming operations on those areas;
- where a new lease area is being established; or
 - when required as a condition of varying or expanding a lease area; or
 - where a marine farming licence is varied to allow the farming of another species not addressed by the existing baseline survey for the lease.

Note: The Secretary will use the information from the baseline environmental survey to assess whether the area to be farmed contains any rare or endangered species or any unusual habitat and to determine marine farming licence conditions.

Environmental monitoring requirements

- 3.4.12 Lessees must comply with the environmental monitoring requirements for collection, analysis and reporting as specified in the relevant marine farming licence.

Note: The Secretary will use the information from the environmental monitoring surveys when determining marine farming licence conditions.

- 3.4.13 Lessees farming or taking bivalve shellfish from the lease area for human consumption or for ongrowing for human consumption must comply with the requirements of the Shellfish Market Access Program.

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- 3.4.14 Lessees must measure the growth of samples of shellfish and report to the Secretary in relation thereto, as required by the Secretary, in areas where the growth rates of shellfish have declined and the Secretary is concerned that the carrying capacity of the area is being exceeded.

3.5 Abalone Farm Audit

- 3.5.1 All abalone marine farming must be conducted in accordance with the DPIPW's abalone farm reporting and recording procedures and requirements.

3.6 Chemical Controls

- 3.6.1 All chemical use must comply with the requirements of the *Agriculture and Veterinary Chemicals (Control of Use) Act 1995*.

3.7 Controls on Waste

- 3.7.1 Lessees must dispose of wastes from:

- harvesting;
- processing of produce;
- removal of fouling organisms; and
- production,

in accordance with relevant Acts or regulations and in a manner that the Secretary is satisfied will not cause an unacceptable effect on the ecology of the marine environment or nearby shorelines.

- 3.7.2 All mortalities arising in connection with marine farming operations must be disposed of at a site that has the necessary approvals to receive this material.
- 3.7.3 The licence holder must ensure that blood resulting from the harvesting of fish is fully contained and not allowed to enter the marine environment unless authorised in writing by the Chief Veterinary Officer and the Director, EPA.

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- 3.7.4 Lessees must follow or comply with limits upon the use of a lease area if unacceptable benthic impacts specified in the relevant marine farming licence or environmental licence are identified through routine monitoring.
 - 3.7.5 Lessees must ensure that Black and Grey Water resulting from the servicing of marine farming operations is not released into the marine environment unless otherwise authorised.

3.8 Disease Controls

- 3.8.1 Lessees must notify an inspector of any suspicion of a notifiable disease in accordance with the *Animal Health Act 1995*.
- 3.8.2 Lessees must remove dead fish from cages and report mortalities in accordance with any direction from the Secretary or Director, EPA.
- 3.8.3 Lessees must participate in any fish health management plan or fish biosecurity program as directed in writing by the Chief Veterinary Officer or Secretary.
- 3.8.4 In making any application for the grant, renewal or variation of a marine farming licence relating to finfish, a lessee is to provide evidence to the satisfaction of the Secretary of a biosecurity and fish health plan relevant to the species to be farmed and proximity to other marine farming areas.
- 3.8.5 It is a condition of a marine farming licence issued following the provision of evidence under 3.8.4 that the licence holder at all times operates in accordance with that biosecurity and fish health plan.
- 3.8.6 Unless otherwise authorised in writing by the Secretary, a licence holder who farms Atlantic salmon must:
 - 3.8.6.1 Maintain physical separation between fish of different year classes at a distance no less than 4km.
 - 3.8.6.2 Maintain physical separation between fish of the same year class but stocked outside the “window period” at a distance of no less than 3km.
 - 3.8.6.3 Not place Atlantic salmon smolt into a zone if Atlantic salmon of a different year class have been held within 4km of that zone at any time within the previous eight (8) weeks.
 - 3.8.6.4 Not place Atlantic salmon into a zone if Atlantic salmon of a

different year class have been held within 4km of that zone at any time within the previous six (6) weeks.

- 3.8.7 The Secretary may, from time to time, determine an area to be a single year class area for one or more species of fish.
- 3.8.8 Upon making a determination under 3.8.7, the Secretary is to notify any leaseholders within the area that is the subject of the determination or, if a relevant lease is sub-leased, any sub-lessees, of the determination.
- 3.8.9 A leaseholder or, if a lease is sub-leased, any sub-lessees notified in accordance with 3.8.7 must not possess more than one year class of a relevant fish species within that single year class area.
- 3.8.10 A leaseholder, or if a lease is sub-leased, any sub-lessees notified in accordance with 3.8.7 must only introduce relevant fish to the lease area during any period specified by the Secretary.
- 3.8.11 A leaseholder, or if a lease is sub-leased, any sub-lessees notified in accordance with 3.8.7 must remove all relevant fish from the lease area before any date specified by the Secretary.
- 3.8.12 The Secretary is to ensure that any determinations under this management control have regard to and are coordinated with any adjacent marine farming development plan areas.
- 3.8.13 Unless otherwise authorised in writing by the Secretary, a lessee who transports fish into or out of the marine farming development plan area must ensure that all fish and the water they are transported within is transported via a contained transport method (such as a well-boat) such that the water and fish is wholly contained during the transport of those fish from their source to their destination.
- 3.8.14 For the purposes of this management control:

‘relevant fish’ means any species of fish that is the subject of a determination by the Secretary under 3.8.7;

‘single year class area’ means an area determined by the Secretary to be a single year class area under 3.8.7;

‘year class’ means those fish first placed into State waters within a calendar year;

‘window period’ is the period in which smolt are transferred to the relevant site and is not more than 4 months.

3.9 Visual Controls

- 3.9.1 Lessees must ensure that all marine farming structures and equipment on marine farming lease areas conform to the following controls:
 - 3.9.1.1 All fish cages, buoys, netting and other floating marine farming structures and equipment on State Waters, other than that specified for navigational requirements, must be grey to black in colour, or be any other colour that is specified in the relevant marine farming licence.
 - 3.9.1.2 Marine farming structures and equipment must be low in profile and be of a uniform size and shape to the satisfaction of the Secretary. The Secretary will determine what constitutes a low profile and uniform size and shape.
 - 3.9.1.3 The lease area must be kept neat and tidy to a standard acceptable to the Secretary.
 - 3.9.1.4 Lessees are to ensure, to the satisfaction of the Director, EPA, that light generated from marine farming operations does not create a nuisance.

3.10 Access Controls

- 3.10.1 Lessees must mark the external boundaries of the lease area in whatever manner is required by the Secretary and the Marine and Safety Authority.
- 3.10.2 Lessees must identify the lease area in a manner specified by the Secretary.
- 3.10.3 Anchors and mooring lines that extend outside the lease area must be at least 5 metres below the surface at the boundary of the lease area and must not extend outside a marine farming zone.

3.11 Odour Controls

- 3.11.1 Lessees must ensure, to the satisfaction of the Director, EPA, that odour generated from marine farming operations does not create an odour nuisance.

3.12 Fish Escapes

- 3.12.1 Lessees must not intentionally release into State waters fish of the species authorised in the relevant marine farming licence unless authorised to do so by that licence.
- 3.12.2 Lessees must report to the Manager, Marine Farming Branch any significant incident of fish escapes within 24 hours of becoming aware of the escape. A significant escape is defined as any loss of licensed species to the marine environment in excess of 500 individuals at any one time.
- 3.12.3 Lessees must recover escaped fish when and in a manner as directed by the Secretary.

3.13 Other Controls

- 3.13.1 Lessees must comply with the *Marine Farming Planning Act 1995* and with any other Act or regulations that may affect the lease area or the marine farming operations in that lease area.
- 3.13.2 Lessees must comply with guidelines on noise emissions issued by the EPA for marine farming operations.
- 3.13.3 Lessees must maintain marine farming structures and equipment in a serviceable condition on lease areas held by them.
- 3.13.4 Lessees must remove fouling organisms from marine farming equipment as directed by the Secretary or Director, EPA in a manner that the Secretary or Director, EPA is satisfied will not cause an unacceptable effect on the ecology of the marine environment or nearby shorelines.
- 3.13.5 Lessees must remove redundant, dilapidated or loose marine farming structures and equipment from State waters, as directed by the Secretary.
- 3.13.6 If any part or parts of marine farming structures or equipment break away from the lease area, lessees must take action as soon as is reasonably possible to recover those structures and equipment and return them to the lease area or otherwise dispose of them in an appropriate manner.
- 3.13.7 Lessees must permit persons authorised by the Secretary or the Director, EPA to enter into and inspect the lease area at all reasonable times.
- 3.13.8 Lessees must comply with all lawful written requirements of the Secretary or the Director, EPA.

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- 3.13.9 Lessees must not undertake or cause or permit another person to deliberately interact with wildlife except in accordance with the *Nature Conservation Act 2002*.
 - 3.13.10 Lessees must comply with any operational requirements notified by the Secretary in relation to managing, mitigating or avoiding interactions with wildlife as defined by the *Nature Conservation Act 2002*.
 - 3.13.11 The Secretary may, from time to time, determine requirements for the marking and monitoring of marine farming equipment.
 - 3.13.12 Upon making a determination under 3.13.11, the Secretary is to notify any lease holders or, if a lease is sub-leased, any sub-lessees of the determination.
 - 3.13.13 A lease holder or, if a lease is sub-leased, any sub-lessees notified in accordance with 3.13.12 must comply with that notice.
 - 3.13.14 Vessels, other than vessels that enter the lease area on a transient or itinerant basis, must not be located within a marine farming lease area unless authorised under the relevant marine farming licence.
 - 3.13.15 A lessee who becomes aware of a potential hazard to navigation must, as soon as practicable after becoming aware of the hazard, notify the Marine and Safety Authority and take any other action directed by the Marine and Safety Authority and / or considered necessary by the lessee.
 - 3.13.16 In making any application for the grant or renewal of a marine farming licence, a lessee is to provide evidence to the satisfaction of the Secretary that the systems, capabilities and equipment applied or to be applied by the lessee, or sub-lessee are appropriate to the risks associated with occupation or activity under the lease, including (and not limited to), vessels, moorings, preparedness for unexpected events, training and practice, recovery and salvage and any matters, and/or to any standards specified by the Secretary.
 - 3.13.17 In making any application for the variation of a marine farming licence to authorise a vessel under 3.13.14, a lessee is to provide evidence to the satisfaction of the Secretary that the systems, capabilities and equipment applied or to be applied by the lessee, or sub-lessee are appropriate to the risks associated with location of the relevant vessel within the lease area, including (and not limited to) preparedness for unexpected events, training and practice, recovery and salvage and any matters, and/or to any standards specified by the Secretary.

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- 3.13.18 It is a condition of a marine farming licence issued following the provision of evidence under 3.13.16 and/or varied following the provision of evidence under 3.13.17, that the licence holder at all times maintains the systems, capabilities and equipment to the standard on which the evidence was based.
- 3.13.19 For the purpose of assessing compliance with 3.13.18, the Secretary may require from time to time, by notice in writing, a licence holder, at the licence holder's expense, to engage a specified person or other entity acceptable to the Secretary, to review the systems, capabilities and equipment applied at that time or any earlier time and provide an opinion as to whether they meet or met the standard on which the evidence was based.
- 3.13.20 At the cessation of marine farming and in the event the holder of the Environmental Licence is unable or unwilling to remediate or monitor the lease area, the Director EPA may impose a remediation or monitoring plan.