

Standard Aquaculture Permit Conditions

Schedule 'B' Permit Conditions

Terms used in this Schedule have the same meaning as in the *Fisheries Management Act 1994* ("the Act").

Note that:

1. Information regarding the aquaculture permit and its conditions are available from the Port Stephens Fisheries Institute, Locked Bag 1, Nelson Bay NSW 2315 (02 4982 1232), or local Fisheries Offices of the department.
2. You are reminded that in addition to the conditions of the permit, all provisions of the Act, regulations and other instruments made under the Act must be complied with.
3. An aquaculture permit remains in force until it expires, is cancelled or replaced with another aquaculture permit in accordance with Section 151 of the Act.
4. Failure to comply with any condition in this schedule, without lawful excuse, constitutes an offence under section 152(3) of the Act and may result in the issuing of a penalty notice or prosecution and/or suspension and/or cancellation of the aquaculture permit.

Standard Conditions

General

- 1.1. The permit holder is authorised to undertake aquaculture only in accordance with the application for the permit, including the Commercial Farm Development Plan, and any relevant development consent.
- 1.2. In the event of any inconsistency between the conditions of an aquaculture permit and the application for the permit, including the Commercial Farm Development Plan, the conditions of the permit shall prevail.
- 1.3. The permit holder must not operate a hatchery unless they hold a Class H aquaculture permit.
- 1.4. The permit holder must not cross-breed any species of fish to which this permit applies.
- 1.5. The permit holder must submit a Commercial Farm Development Plan or a revised Commercial Farm Development Plan when directed by the department.
- 1.6. The permit holder must produce this permit to a Fisheries Officer upon demand.

Biosecurity

- 1.7. The permit holder must notify a Fisheries Officer as soon as practical and no later than 24-hours from discovery, of any suspected declared disease, unexplained or unusual significant fish mortality event in the area within which the permit holder is authorised to undertake aquaculture.
- 1.8. The permit holder must provide to a Fisheries Officer on request, samples of any fish held in the area within which the permit holder is authorised to undertake aquaculture.
- 1.9. The permit holder must comply with a notice issued under Section 213 of the Act in relation to the area authorised for aquaculture by the permit.
- 1.10. The permit holder must not use pre-used aquaculture equipment or infrastructure imported from overseas in the area within which the permit holder is authorised to undertake aquaculture.
- 1.11. The permit holder must ensure that fish to which this permit applies do not escape into any waters, other than those waters in the area within which the permit holder is authorised to undertake aquaculture.

Specific Conditions

Lease Based Conditions

- 2.1 The permit holder must maintain public liability insurance to a minimum level of \$10 million covering the area within which the permit holder is authorised to undertake aquaculture.
- 2.2 The permit holder must provide the department with details of the public liability insurance, including the name of the insurer, the nature and level of indemnity, the currency of the cover, and the policy number.
- 2.3 The permit holder must indemnify the State of NSW and its agents to the extent set out in the permit holder's Deed of Undertaking and Acknowledgement.

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