

Environmental Standards for Tasmanian Marine Finfish Farming 2023

EXPLANATORY PAPER

The Draft Environmental Standards set out the conditions and offence provisions that must be met under the *Environmental Management and Pollution Control Act 1994* by marine finfish farming activities. The purpose of this Explanatory Paper is to outline the proposed scope of the draft Environmental Standards.

Introduction

The *Environmental Management and Pollution Control Act 1994* (EMPCA) was amended in November 2022 and provides for the making of a new statutory instrument called Environmental Standards.

The Environmental Standards for Tasmanian Marine Finfish Farming 2023 (the Environmental Standards) support sustainable marine finfish farming in Tasmania by establishing the environmental management requirements for industry and the Environment Protection Authority (EPA). The aim is to protect and maintain environmental values and the ecological character of the areas in which the finfish farming sites are located, in an environmentally sustainable manner, and to provide a framework for sustainable finfish farming.

The Environmental Standards outline the best practice requirements for industry to mitigate, manage, avoid, or reduce polluting activities that cause environmental harm. They include specific provisions relating to marine finfish farming, some of which may be required for obtaining a licence or permit, or for operating under a licence or permit.

Where necessary, the Environmental Standards reference Technical Standards that describe acceptable scientific methods for environmental assessment, measurement, monitoring and data management.

The “Director” referred to throughout this document refers to the Director of the Environment Protection Authority as prescribed in section 18 of EMPCA.

Transitional periods will apply to certain sections of the Environmental Standards before full compliance is applied. This is to allow both the finfish farming industry and the regulator (EPA) time to develop and set up the systems and processes necessary to comply with the Environmental Standards. For example, the Director will need to develop Technical Standards and reference sites will need to be determined through monitoring programs.

Regulatory Requirements

Organisations seeking to carry out marine finfish farming operations in Tasmania are required to obtain the following approvals as required:

1. A marine lease or sub-lease issued under Part 4 of the *Marine Farming Planning Act 1995* (MFPA). Referred to as “lease holders” or “holders of a lease” in this document.
2. A marine farming licence issued under Part 4 of the *Living Marine Resources Management Act 1995*.
3. A permit issued under section 12 of the *Living Marine Resources Management Act 1995* (LMRMA). Referred to as “permit holders” in this document.
4. An environmental licence issued under Part 3 Division 8 of the *Environmental Management and Pollution Control Act 1994* (EMPCA). Referred to as “licence holders” in this document.

The following diagram (Figure 1) explains the regulatory framework within which the Environmental Standards sit. The provision to make Environmental Standards is under section 96O of the recently included amendment to the *Environmental Management and Pollution Control Act 1994*. The ability to obtain an Environmental Licence is dependent on compliance with the Act, it’s subordinate legislation (Regulations) and the Environmental Standards.



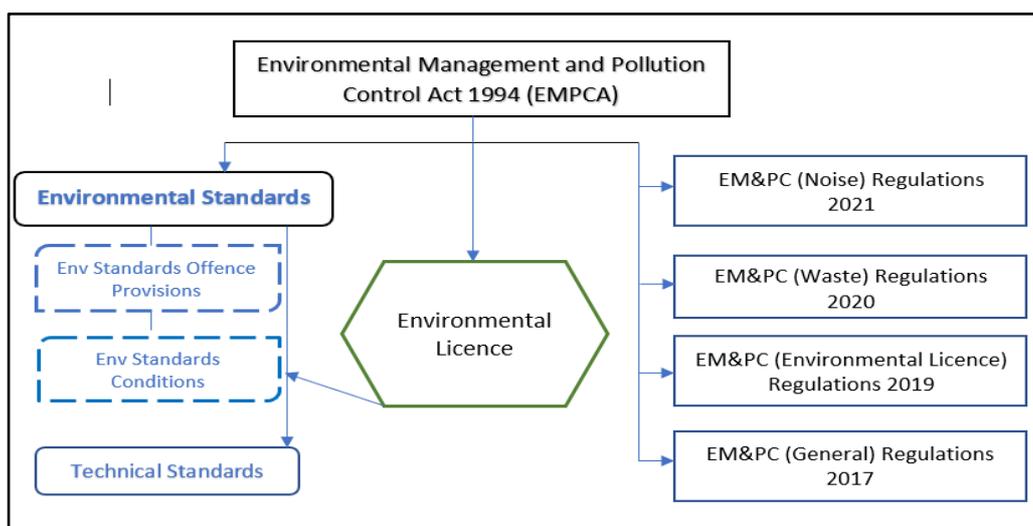


Figure 1: Environmental Regulatory Framework

Structure of the Environmental Standards

The Environmental Standards set out:

Authority

This states the legal authority and provisions granted to the Minister for Environment and Climate Change to make Environmental Standards. It also sets out the purpose, the relevant section of the Act that creates the power to make Environmental Standards and date they come into effect.

Part I: Preliminary

Purpose and Objectives

The intent of this section is to make the overall purpose and objectives of the Environmental Standards clear.

These Environmental Standards aim to protect the marine environment and promote sustainability by maintaining environmental values and the ecological character of the areas in which the finfish farming sites are located.

The objectives of the Environmental Standards are to give effect to best practice environmental management in relation to finfish farming by establishing a regulatory framework that manages, mitigates, avoids, and reduces environmental harm.

These Environmental Standards include, in accordance with section 96O of the Act, the following:

- (a) provisions to which the Board or Director must have regard in making certain determinations under the Act
- (b) Environmental Standards offence provisions
- (c) Environmental Standards conditions; and
- (d) provisions that are necessary or convenient for the effective operation of these Environmental Standards.

Interpretation

This section defines terms used throughout the Environmental Standards. These include legal, scientific, technical and management terms.

Part 2: Determinations and Approvals by the Director

The Director will determine the following:

Division 1: Reference Sites and Reference Values

It can be difficult to establish the changes to environmental conditions attributable to the impacts of finfish farming, as opposed to those changes to land and water that occur over time resulting from increasing temperatures, human activity, or any other factors other than finfish farming.

To assist in assessing whether finfish farming is impacting marine environmental conditions, the Director may request reference sites be chosen in the management zones described in Part 4, Division 2: Mapping and Monitoring. Measurements of certain environmental conditions (“reference values”) made at those reference sites can then be compared with measurements of those same reference values elsewhere in the lease area.

The Director will determine the reference sites and reference values lease holders must establish and monitor to measure any changes in environmental conditions in specified management zones in and surrounding the lease. Reference sites will be situated some distance from the area impacted by the fish farms.

The reference sites and values will be determined following a baseline environmental assessment and/or through broadscale environmental monitoring programs as set out in Division 1 and 2 of Part 4.

Division 2: Regional Areas

This Division enables the Director to determine regional areas. A region may contain several fish farming sites. Each regional area will have their own requirements. For example, a total permissible dissolved nitrogen output is typically determined regionally and shared between the fish farms within the region.

Each licence holder will be notified by the Director of the regional area in which their farming operations (and lease) are located.

Part 3: Provision to which the Director and Board must have Regard

Baseline environmental assessments in relation to new leases, variations, or expansions to existing leases must be done before environmental licences are granted to the holders of those leases or where an environmental licence is currently held by the lease holder commencing operations.

The Director and the EPA Board must consider any baseline environmental assessment and report/s (interim and final) undertaken for each licenced lease area.



Part 4: Environmental Standards Offence Provisions

Environmental Standards Offence Provisions establish offences for non-compliance with a provision set out in this section. Failure to comply with the provisions listed below constitutes an offence under section 96U(4) of the Act.

This section applies to environmental licence holders, or to lessees and sub-lessees, as specified in the provisions. Lessees and sub-lessees refer to a person granted a lease and marine farming licence (or permit) under the MFPA and LMRMA which must be obtained prior to application for an environmental licence. A “licence holder” is a person who has been granted an environmental licence under EMPCA and who has met the conditions set prior to the granting of a licence. A permit issued under the LMRMA may also be required.

Conditions and standards referred to in this document address actions required pre and post environmental licence approval. For example, a baseline environmental assessment must be carried out by the lessee or sub-lessee and approved by the Director before an environmental licence will be granted. If a person to whom an Environmental Standards Offence Provision applies fails to comply with the provision, they are considered to have committed an offence.

The main regulatory elements addressed are:

- Baseline Environmental Assessment
- Mapping and Monitoring and determination of a Broad-scale Environmental Monitoring Program (BEMP)
- Seabed
- Total Permissible Dissolved Nitrogen Output (TPDNO)
- Therapeutant Management
- Wastewater Management
- Light Attenuation
- Noise
- Decommissioning.

Division I: Baseline Environmental Assessments

Baseline environmental assessments of the marine lease must be carried out prior to the issuing of a new environmental licence and when there is a variation or expansion to an existing lease. This data will set out the environmental quality of the marine environment in and around a proposed finfish farm before farming begins and be used as a benchmark to assess any future environmental impacts.

The Director must approve the baseline environmental assessment reports – both interim and final reports prior to any farming activity taking place on the lease. These must be done in accordance with any Technical Standards made for the purposes of these Environmental Standards.

Baseline environmental assessments are intended to:

- identify reference sites and establish reference values
- set benchmarks through the establishment of environmental values or concentrations that if affected or exceeded, may indicate that environmental impact is occurring and warrant further investigation or actions to mitigate the impact.

No operational activities such as installing infrastructure and fish can occur until the Director has approved the interim baseline environmental assessment report.



Division 2: Mapping and Monitoring

This Division requires accurate mapping showing the depth of the seabed within and adjacent to each lease area, location of monitoring stations, management zone boundaries and location of pen bay grids and associated pen bays.

Definitions of Management Zones

Farm zone, in relation to a lease, means the area, within the lease boundary of the lease area, that is contained within a pen bay grid or a collection of pen bays, being the expected area of maximum measurable environmental effect from finfish farming.

Depositional zone, in relation to a lease, means the area extending from the boundary of the Farm Zone in relation to the lease to 35 metres beyond the lease boundary, within which environmental effects from particulate waste dispersed beyond the edges of fish farming pens situated in the lease area is likely to be measurable.

Dispersal zone, in relation to a lease, means the area that extends 100 metres from the outer boundary of the Depositional Zone for that lease, or a distance otherwise specified by the Director, within which environmental responses from dissolved nutrients discharged from within the Farm Zone are likely to be measurable.

Regional zone, in relation to a lease, means the area that extends from the outer boundary of the Dispersal Zone in relation to the lease to the outer boundary of the regional area in which the lease area of the lease is situated.

Figure 2 (below) shows the location of management zones described above and defined in the Environmental Standards and in Division 3.

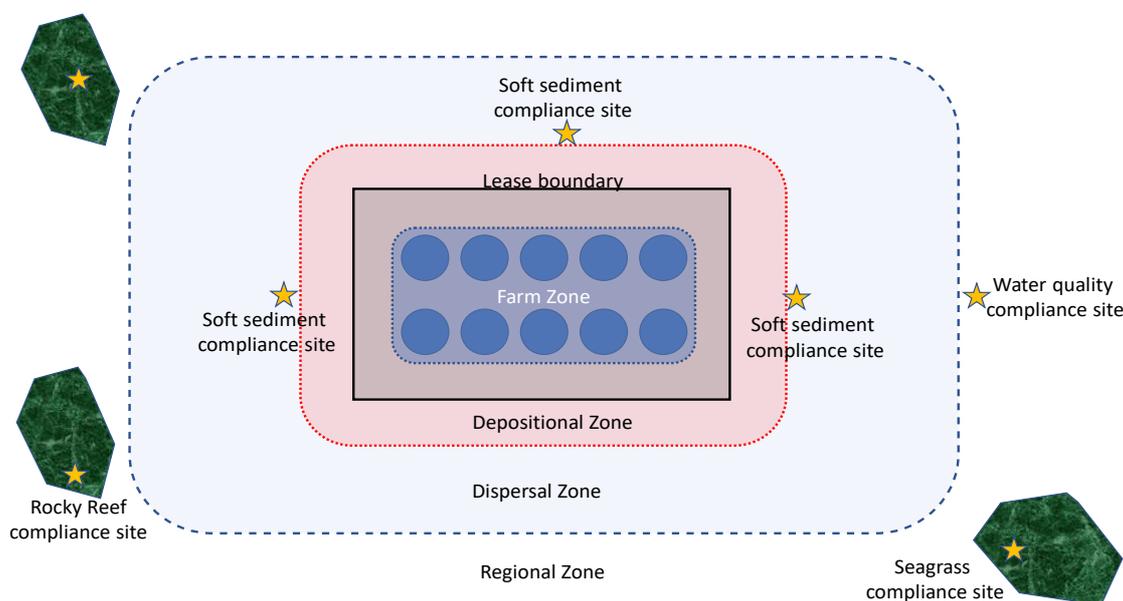


Figure 2: Marine Finfish Farming Management Zones

Sub-division 1: Selection of Monitoring Stations and Determination of a BEMP

A holder of a new lease must install monitoring stations to collect data to carry out:

- particulate depositional modelling
- nutrient dispersal modelling; and
- (if available) biogeochemical modelling.
- The modelling must meet a range of criteria specified in these Environmental Standards.

Lease holders must provide the results to the Director who will evaluate the outputs and select the monitoring stations required to supply data for the required models. The locations of all recommended monitoring stations are to be provided to the Director.

Sub-division 2: Management Zones Maps

Accurate, electronic maps of the lease area and surrounds must be provided to the Director within 60 days. Electronic maps must be prepared using a coordinate reference system specified by the Director. These electronic maps must provide an outline of the four following management zones on and adjacent to each lease:

- i. the **Farm Zone** showing depth contours with pen bay grid and centroids of pen bays identified on the electronic map and given a unique identifier to each pen bay within the lease area.
- ii. the **Depositional Zone** showing depth contours with the electronic map showing all monitoring stations at the Depositional Zone boundary
- iii. the **Dispersal Zone** showing depth contours, with the electronic map depicting all monitoring stations at the Dispersal Zone boundary; and
- iv. the **Regional Zone** showing depth contours across the region, including the lease area and all monitoring stations within the Regional Zone.

Updated electronic maps must be supplied to the Director, when lease boundaries are modified and pen bay grids, pens and compliance monitoring stations are moved within a lease.

Sub-division 3: Broad Scale Environmental Monitoring Program (BEMP)

The Director may require licence holders to prepare and implement a Broadscale Environmental Monitoring Program (BEMP).

The BEMP must be carried out by suitably qualified persons authorised by appropriate permits specific to the work and reviewed every five years. The *Living Marine Resources Management Act 1995* requires a permit to carry out monitoring while the *Threatened Species Protection Act 1995* requires a permit to take any specimen of a listed taxon of flora or fauna.

It is an offence not to comply with the request to develop a BEMP in accordance with any Technical Standards made for the purpose of these Environmental Standards. The BEMP must be relevant to the region in which finfish farming is being undertaken.

Division 3: Seabed

Environmental Standards within this Division are intended to ensure that the level of finfish farming on the lease area does not exceed the capacity of the seabed environment to process particulate waste through natural break down and assimilation of organic material.

There are three “zones” that require monitoring and management by licence holders.

Sub-division 1: Farm Zone

This is the area within the lease boundary that contains the collection of pen bays. The licence holder must monitor this zone for spontaneous gas bubbling from sediments and to ensure there is no excessive feed spillage. If either situation is found to exist, the licence holder must take mitigation measures as set out by the Director, fallow the pens, repeat monitoring, and not restock the pen until the Director grants approval.

Sub-division 2: Dispersal Zone



This is the area extending out 100 meters from the outer boundary of the depositional zone. Monitoring is required to establish the presence or not of fish feed pellets, spontaneous gas bubbling from sediments, opportunistic polychaetes (bristle worms) and/or a reduction in the environmental condition of the seabed. If results reveal the presence of any of the above the Director will require further monitoring and mitigation measures be adopted by the licence holder.

Environmental effects resulting from dissolved nutrients discharged from the Farm Zone may still be measurable within this zone.

Sub-division 3: Regional Zone

This zone extends from the outer boundary of the dispersal zone to the outer boundary of the regional areas in which the lease is situated. Licence holders must ensure that there are no significant changes in the health of rocky reef and seagrass ecosystems including any significant changes in the:

- presence of opportunistic algae – algae that utilises excess nitrogen in the environment and outcompete other seaweed species. They can produce blooms, forming mats on the mud surface. Dense algal mats can have harmful effects on underlying mudflat sediments and fauna, other algae, seagrass, and saltmarsh).
- habitat extent
- plant cover
- community composition.

The Director will require a licence holder to prepare and implement a mitigation plan to restore these ecosystems to their previous condition and ensure measures are taken to prevent future damaging impacts.

Division 4: Total Permissible Dissolved Nitrogen Output (TPDNO)

Nutrients occur naturally in most water bodies and support ecosystem functions. The release of material from marine finfish farms, in the form of fish faeces and urine or uneaten pellets, has a range of associated consequences including the discharge of significant amounts of nutrients, most importantly nitrogen. If not managed appropriately, these discharges can increase growth of opportunistic algae and otherwise negatively impact on ecosystems.

The purpose of this Division is to provide for the setting of methods to assess and regulate the output of dissolved nitrogen attributable to finfish farms. Setting a total permissible dissolved nitrogen output effectively limits the scale of finfish production within a given area.

The Director may determine a TPDNO level within a specified area for fixed time periods. The Director may apportion the TPDNO between the holders of leases that relate to lease areas within the specified area, or, if a lease that relates to a lease area that is within the specified area is sub-leased, any sub-lessees in relation to the lease.

Lease holders need to assess the output of dissolved nitrogen attributable to finfish farms at and around farming sites. This must be done in accordance with any Technical Standards made for the purpose of these Environmental Standards. If no such standard is available, methods outlined in the TPDNO Explanatory Paper Compliance Assessment Methodology are to be used. [TPDNO Compliance Assessment Methodology - Explanatory Paper.pdf \(epa.tas.gov.au\)](#)

Levels must not exceed any TPDNO set by the Director.

Division 5: Therapeutant Management

Therapeutants are chemical substances used on veterinary advice that have a remedial effect used for the purpose of combating animal diseases. They are generally administered through fish food. Measures are applied to monitor therapeutant residues released into the environment including reporting requirements related to treatment events.



The Director must be notified prior to any medication of the fish. Monitoring and reporting data of therapeutic residue must be provided to the Director after a medication event. This is to be done in accordance with any Technical Standards made for the purposes of these Environmental Standards or a monitoring schedule prescribed by the Director.

Division 6: Wastewater Management

Wastewater is a normal by-product of finfish farming and must be treated and managed to minimise harm to the marine environment. There are three main types of wastewaters: black, grey and blood water. All wastewater types must be disposed of in an approved wastewater treatment plant or other approved facility. Wastewater must be stored appropriately until it can be disposed of at an approved facility.

Division 7: Light Attenuation

Marine finfish aquaculture infrastructure and vessels operating within, and around, a marine lease use artificial outdoor lighting to enable the operations to occur without risk to workers' health and safety.

Light spill and glow generated directly from operating artificial outdoor lighting, or indirectly from reflection, has the potential to become obtrusive, causing both physiological and psychological effects to neighbouring residents.

If the Director determines that there is potential for coastal residents to be impacted, licence holders will be required to engage a light pollution expert to establish a 'Light Attenuation Management Plan' (LAMP) for the Director's approval. The Plan must contain descriptions and purpose of all light sources; a risk assessment of light emissions; proposed mitigation measures; proposed light monitoring methodology/s and timetable for implementation of mitigation measures.

The licence holder must submit the Plan to the Director for approval within 60 days after receiving a written notification from the Director. The licence holder must implement the approved plan within the required timeframe.

Division 8: Noise

If the Director forms the view that emissions from vessels operating outside the lease are causing environmental nuisance, the licence holder may be directed to undertake an investigation to assess and adequately manage such emissions.

The licence holder must comply with any written direction from the Director requiring a noise nuisance investigation and an assessment of noise impacts. This includes investigating and assessing noise impacts resulting from one or more vessels travelling to or from a lease area to which the licence relates.

A noise investigation will involve a description of the type and function of the vessel; noise measurements of the vessel; transit routes and proximity to noise sensitive premises (NSPs); noise measurements or predictions at NSPs and if possible, noise modelling.

An assessment of noise volumes at NSPs are required and must not exceed the levels set out in the Environmental Standards for the differing time periods. Mitigation measures must also be identified.

A noise impact assessment report containing the results of the investigation, assessment and mitigation measures must be prepared and submitted to the Director within 60 days from the date of completion of the noise assessment or by a date specified in writing by the Director.

The licence holder must carry out the mitigation measures approved by the Director.

Division 9: Decommissioning

This Division applies to the licence holder or the former licence holder.



The Director must be notified within 30 days of becoming aware of any event or decision to end all finfish farming at a lease.

A decommissioning plan must be submitted to the Director for approval within 60 days of notification of the planned cessation or by a date specified in writing by the Director.

The plan must set out actions and a timeframe for the removal of all fish stock, equipment, vessels, infrastructure, and waste. It should also set out strategies to mitigate potential environmental harm or nuisance arising from decommissioning activities and identify ongoing environmental monitoring and reporting of environmental conditions during and after decommissioning to demonstrate recovery of the seabed.

The Director may require additional matters to be addressed. Decommissioning must be carried out in accordance with the approved plan, as may be amended from time to time with written approval from the Director.

Part 5: Environmental Standards Conditions

These conditions set out the baseline environmental licence requirements to be carried out for a range of finfish farming operations. The intent is to set out a suite of environmental conditions in clear, consistent wording that can be applied to multiple licences. Environmental Standards conditions may be imposed on a licence by reference to the name of the condition.

Below is a summary of each of the conditions made under Part 5.

Division 1: Baseline Environmental Assessment

The licence holder must undertake a baseline environmental assessment for the purpose of establishing reference environmental conditions on and around the marine farming activity. This is to occur before finfish farming has started or recommences.

The intent is to collect a suite of baseline environmental data that can be used to establish trigger values for 'Farm Zone Seabed Monitoring', and investigative trigger levels for the 'Dispersal Zone Boundary Monitoring', and the 'Broadscale Environmental Monitoring Program'. This information establishes environmental conditions prior to commencement of finfish farming, thereby providing benchmarks for finfish leases so that biological functioning is maintained within the Farm Zone, and that a healthy and functioning environment is supported at, and adjacent to, the Dispersal Zone boundary.

Management zones will be established to provide defined spatial areas with different levels of protection. Environmental indicators and trigger levels will be applied to each management zone to control the spatial extent of environmental effects. Monitoring against these indicators and triggers will provide a basis upon which to measure compliance and ensure sustainable farming of each lease area.

The licence holder must prepare a baseline environmental assessment report to submit to the Director for approval. The person carrying out the baseline environmental assessment and preparing the report must be suitably qualified and have obtained all necessary permits.

These are to be made in accordance with any Technical Standards made for the purposes of these Environmental Standards.

Division 2: Finfish Pens

The purpose of this condition is to establish a minimum distance that finfish pen nets must be kept above the seabed at low tide.

The purpose of this is to:

- allow adequate flow of oxygenated water to move across the seabed



- prevent nets from disturbing the seabed; and
- prevent abrasion of the nets – that may lead to fish escapes.

Division 3: Seabed Monitoring

The intent is to require monitoring during peak feed input periods when the fish pens are stocked, and the fish are close to their peak harvesting size. Monitoring is required as this is a period of significant environmental risk. Monitoring allows active management of the lease area such as pen movements to protect the health of the seabed ecosystem.

Sub-Division I: Seabed Monitoring Conditions

1. The peak feed input period is defined as the 30-day period commencing when a licence holder has fed 80 percent of the planned feed for a production cycle onto the lease. Where more than one pen bay grid is present on a lease, peak production is to be determined separately for each pen bay grid as if it were a lease.
2. Monitoring of the management zone (Farm and Dispersal) seabeds during this period must be conducted in accordance with any Technical Standard made for the purpose of these Environmental Standards.
3. Prior to introducing fish onto a lease the licence holder must notify the Director of the amount of feed planned to be fed onto the lease over the production cycle and the likely timing of peak feed input period.
4. The licence holder must notify the Director of any changes during the production cycle that would materially alter the timing of peak feed input period.

Division 4: Feed and Calculated Nitrogen Output Reporting

For the Director to ensure compliance with the TPDNO that has been apportioned to the lease holder, record and reporting procedures are required to provide accurate and timely feed and protein content information.

This includes keeping accurate records of the amount of feed used each day and in each pen bay; reporting the calculated nitrogen outputs each month to the Director; reporting feed input data, feed type, its protein content and any other information that demonstrate the monthly nitrogen outputs. Self-assessment reports are required to show compliance against the specified TPDNO.

The licence holder must maintain a centralised database containing all the raw data that support TPDNO calculations and make this data available upon request to the Director. Representative feed samples should be regularly analysed at an approved laboratory to determine nitrogen content with reports supplied to the Director upon request.

Division 5: Waste Management Plan

Licence holders are required to develop a waste management plan to minimise the environmental effects of deposition and dispersal of various waste products and dissolved nutrients released due to finfish farming operations. The requirements of the waste management plan contribute to operational transparency allowing for the regulation of appropriate management actions.

The waste management plan will be required to address waste types as prescribed by the Director and includes:

- Nets and other farm infrastructure waste
- Feed related waste
- Medicated feed waste
- Fish mortalities
- Bloodwater
- Biofouling removed from vessels or infrastructure
- Blackwater and grey water



- Fish bathing water
- Vessel biosecurity washdown water containing disinfectant and/or chemicals; and
- Any other waste generated by marine finfish farms.

This plan must also outline the following information about the waste within the lease area:

- Source
- Composition
- Quantity including the high and low periods of waste generation
- Treatment and handling
- Environmental controls for any storage – location, containment measures, spill management, odour management, vermin control and maximum storage volume and time
- Intended destination and relevant authorisations for receipt and management of the waste at that destination
- Record keeping of monthly volumes removed for reuse/recycling.

The Plan and any subsequent variations must be approved by the Director. The licence holder must implement the Plan once approved.

Division 6: Noise

The intent is to provide guidance to assess and manage any noise emissions that have the potential to cause nuisance at noise sensitive premises (NSP). This condition applies across all licences.

NSP include residences and residential zones (whether occupied or not), schools, hospitals, caravan parks and similar land uses involving the presence of individual people for extended periods, except in the course of their employment or for recreation.

Noise Conditions:

Noise Measurement – must be carried out in accordance with the relevant Technical Standards or if none is available, with the Tasmanian Noise Measurement Procedures Manual.

Noise Limits – must not exceed set audible limits for day, evening, and night times. Noise levels must be averaged over ten-minute time intervals, or a time specified to the licence holder by the Director.

Noise Impact Assessment Report and Mitigation Plan – the licence holder must submit to the Director a noise impact assessment report before implementing changes to the finfish farming activity that may cause or increase noise emissions and have the potential for causing environmental nuisance.

The plan must evaluate the impact of the increased noise emissions upon NSP, assess how noise limits are complied with and provide a description of noise sources. Increased noise emissions require a noise mitigation plan that outlines the measures for reducing or avoiding dominant and intrusive noise characteristics on NSPs. The Director must approve the mitigation plan and the licence holder must ensure compliance.

Noise Surveys – The Director can require the licence holder to carry out noise surveys to measure cumulative noise emissions for all noise sources including noise from vessels travelling to and from the lease area to which the licence relates. The noise survey must be carried out in accordance with requirements set out by the Director. The licence holder is to prepare and submit the results in a noise survey report to the Director within 30 days of completion of the noise survey.

It is proposed that noise emission limits will be implemented within an environmental licence where appropriate. The Environmental Standards will provide clear direction on how to monitor, assess and



report on noise emissions using best practice. The Environmental Standards will prescribe ambient noise limits and consider potential intrusive characteristics such as tonality, impulsiveness, modulation, or dominant low frequency noise.

Division 7: Fin Fish Mortality

This condition sets out the recording and reporting requirements for licence holders. The Director requires timely information on significant mortality events which are considered a controlled waste and pose a significant risk of causing environmental harm if not managed appropriately.

Requirements of the licence holder include:

1. Removing dead fish from cages as soon as reasonably practicable.
2. Notifying the Director of any mortality incident over certain rates in any individual pen. Reports must be provided as soon as practicable and no later than 24 hours after the incident.
3. Recording the combined weight of dead fish and submitting these records to the Director monthly.

Environmental Standards Offence Provisions vs. Environmental Standards Conditions

There are two categories of Environmental Standards outlined in Part 4 and Part 5 above. Part 4 describes Environmental Standards offence provisions and Part 5 describes Environmental Standards conditions.

What are the differences and how do the Environmental Standards interact with an Environmental Licence?

Offence provisions apply to all environmental licence holders and holders of a marine lease. They may apply prior to the issuing of an environmental licence. For example, a baseline environmental assessment must be carried out before a licence is issued.

Environmental Standards conditions may apply to an environmental licence by reference in the licence to the relevant condition in the Environmental Standards.

There may also be additional conditions applied to a licence. Failure to comply with conditions set in an environmental licence is an offence under the *Environmental Management and Pollution Control Act 1994*.

The Environmental Standards prevail over any inconsistency in a permit, environmental licence or environmental protection notice.

