

Introduction

Information in this fact sheet reflects the changes made to inland fisheries and environmental legislation through the *Finfish Farming Environmental Regulation Act 2017* (the Finfish Act).

Inland Farming Licences

To conduct an inland (freshwater) finfish farming activity in Tasmania, a person must hold a **Fish Farm Licence** granted under the *Inland Fisheries Act 1995* (IFA).

It is now also necessary to hold an **Environmental Licence** granted under the *Environmental Management and Pollution Control Act 1994* (EMPCA), for an activity:

- having, or intended to have, the capacity to produce 5 tonnes or more per year of finfish; or
- containing, or intended to contain, finfish with a biomass of 2 tonnes or more.

Applications – IFA

Applications for a Fish Farm Licence or an exemption permit, which are granted under exceptional circumstances, should be made to the Director of Inland Fisheries, through the Inland Fisheries Service (IFS). The IFS is responsible for managing inland fish farming in Tasmania, ensuring that adequate safeguards for the freshwater environment are implemented and maintained. Any fish farming proposal that is put forward goes through a rigorous assessment procedure involving consultation and approvals from various Government authorities. A number of forms are available on the IFS website relating to the licensing and management of fish farms, including application forms for flow through and full recirculation fish farms, at [www.ifs.tas.gov.au/Fish Farm Applications](http://www.ifs.tas.gov.au/Fish_Farm_Applications)

Applications – EMPCA

In cases where a new inland fish farm activity is proposed, an environmental licence is required, an application to the EPA may be unnecessary. Where the relevant Local Council requires a permit application under the *Land Use Planning and Approvals Act 1993* (LUPAA), the Council will refer the application to the Board of the Environment Protection Authority (EPA). The Board will undertake an environmental assessment and then grant, or refuse to grant, an environmental licence.

However, for a proposed inland fish farm where the Local Council does not require an application under LUPAA, the proponent must refer the proposal directly to the EPA Board. The Board will undertake an environmental assessment and then grant, or refuse to grant, an environmental licence. Further information on how to refer a proposal can be obtained from the EPA.

Persons operating existing inland fish farming activities, which meet or exceed the above thresholds, are deemed to have applied for an environmental licence, and will be issued with one in due course. It is unnecessary to submit an application. The activity may continue under its existing authorisation until the environmental licence is issued.

Regulation – responsible agencies

The Director, EPA is responsible for regulating the environmental aspects of inland fish farms, and ensuring compliance with the conditions of environmental licences and is supported by the staff of EPA Tasmania.

During the transitional phase, before environmental licences are issued, existing operators are considered to have applied for an environmental licence. However, there is nothing in the finfish legislation to quash existing authorisations before an environmental licence is issued. This means that after the legislation is given Royal Assent, there is no immediate change in environmental regulatory responsibilities for inland or marine fish-farms until an environmental licence is issued – so environmental conditions in council permit or IFS licence are still regulated by council or IFS; existing delegations to the Director, EPA in the marine sector remain in place.

The Inland Fisheries Service is responsible, on behalf of the Director of Inland Fisheries, for regulating the non-environmental aspects of inland fish farms in Tasmania, and ensuring compliance with the conditions of fish farm licences and exemption permits.

The respective agency should be contacted regarding renewal, transfer, variation or surrender of a licence.

Offences and penalties

Penalties are prescribed under both the IFA and EMPCA for offences such as operating without a licence or contravening a licence condition. There are monetary penalties, and individuals may be sentenced to imprisonment.

Further information

Salmon Environmental Management Section, EPA Tasmania
PO Box 1550, Hobart, TAS 7001
134 Macquarie Street, Hobart, TAS 7000
Phone: 03 6165 4599
Email: enquiries@epa.tas.gov.au
Website: www.epa.tas.gov.au

Inland Fisheries Service
PO Box 575, New Norfolk, TAS 7140
17 Back River Road, New Norfolk, TAS 7140
Phone: (03) 6165 3808
Email: infish@ifs.tas.gov.au
Website: www.ifs.tas.gov.au