

Table 1 - RTI 057 marine debris data attributable to finfish aquaculture – 1 January 2022 to 1 January 2026

Summary of Finfish Aquaculture marine debris reports

Number of Marine debris reports and corresponding category type
 Fine and penalties applied

IN – Infringement Notice

The number of marine debris reports received does not directly correspond to the number of fines or penalties issued, as investigations may determine that the available evidence is insufficient to meet the threshold required to progress enforcement action in some cases.

Category	HUON	TASSAL	PETUNA	<i>Total</i>
Rope	17	14	5	36
Penalty	12 IN 1 Caution	12 IN	4 IN	28 IN 1 Caution
Buoy (General)	2	2	0	4
Penalty	1 IN	1 IN	N/A	2 IN
Mooring Buoy/grid can	6	1	1	8
Penalty	2 IN	1 IN	1 IN	4 IN
Feed Pipe	4	2	1	7
Penalty	2 IN	1 IN	1 IN	4 IN
Large Structures	1	3	0	4
Penalty	1 IN	3 IN	N/A	4 IN
Corner Mark	0	0	0	0
Penalty	N/A	N/A	N/A	0
Multiple Items	7	6	0	13
Penalty	5 IN	4 IN	N/A	9 IN
Pipe (General)	1	0	0	1
Penalty	N/A	N/A	N/A	0
Small Items (miscellaneous)	0	2	0	2
Penalty	N/A	2 IN	N/A	2 IN
Other	1	1	0	2
Penalty	0	1 IN	N/A	1 IN
<i>Total Notifications</i>	39	31	6	77
<i>Total - IN</i>	23	25	6	54
<i>Total - Caution</i>	1	0	0	1

Table 2 – RTI 057 marine debris data attributable to non-fish aquaculture – 1 January 2022 to 1 January 2026

Summary of non-fish marine debris reports

■ Number of Marine debris reports and corresponding category type
■ Fine and penalties applied

IN – Infringement Notice

The number of marine debris reports received does not directly correspond to the number of fines or penalties issued, as investigations may determine that the available evidence is insufficient to meet the threshold required to progress enforcement action in some cases.

Category	Shellfish	Aquaculture - Other	Not marine farming related	Unknown Origin	Total
Rope	0	0	5	6	11
Penalty	0	N/A	0	0	0
Buoy (General)	6	0	1	1	8
Penalty	2 IN	N/A	0	0	2 IN
Mooring Buoy/grid can	0	0	0	0	0
Penalty	N/A	N/A	N/A	N/A	0
Feed Pipe	0	0	1	0	1
Penalty	N/A	N/A	0	N/A	0
Large Structures	0	0	0	0	0
Penalty	N/A	N/A	N/A	N/A	0
Corner Mark	5	1	1	0	7
Penalty	1 IN 2 Caution	1 Caution (Seaweed)	0	N/A	1 IN 3 Caution
Multiple Items	7	0	4	3	14
Penalty	3 IN 1 Caution	N/A	0	N/A	3 IN 1 Caution
Pipe (General)	0	0	5	7	12
Penalty	N/A	N/A	0	N/A	0
Small Items (miscellaneous)	1	0	0	2	3
Penalty	0	N/A	N/A	0	0
Other	5	0	9	4	18
Penalty	1 IN	N/A	0	N/A	1 IN
Total - Notifications	24	1	26	23	74
Total - IN	7	0	0	0	7
Total - Caution	3	1	0	0	4

Attachment A – RTI 057 Explanatory Notes

Legislation and Policy-

In accordance with the Department's Zero Tolerance Policy for Marine Farming Debris, where marine farming equipment is located in State waters or on the shoreline without lawful authority, and can be clearly identified as the property of a marine farming lease holder or company, Fisheries Officers may, at their discretion, issue an infringement notice to the relevant lease holder or company without the provision of a show-cause process, where no statutory defence provisions apply.

The occurrence of marine debris constitutes the commencement of an investigation into an alleged breach of section 94(1)(b) of the *Marine Farming Planning Act 1995*, which provides that:

94. Location of marine farming equipment

(1) A person, unless otherwise authorised, must not have –

- (a) any rope, cable or other device securing any marine farming equipment outside a marine farming zone; or
- (b) any marine farming equipment, other than any rope, cable or other device securing any marine equipment, outside the lease area.

Penalty: Fine not exceeding 50 penalty units and, in the case of a continuing offence, a daily penalty of 5 penalty units.

(2) It is a defence in proceedings against subsection (1) (a) to establish that, at the time of the alleged offence, the person did not know and could not reasonably be expected to have known that any rope, cable or other device securing any marine farming equipment was outside the marine farming zone.

(3) It is a defence in proceedings under subsection (1) (b) to establish that at the time of the alleged offence the marine farming equipment was being moved, while accompanied by the lessee or an employee of the lessee –

- (a) to a place of harvesting fish for the purpose of harvesting fish; or
- (b) to a place approved by the planning authority under an emergency order; or
- (c) to, from or between lease areas.

Where an infringement notice is issued as the outcome of an investigation, it attracts a penalty of four (4) penalty units, equating to \$820.00 for the 2025–2026 period, as prescribed in Schedule 2 of the *Marine Farming Planning Regulations 2016*.

Investigation Methodology-

Where suspected non-compliance is identified, an assessment is undertaken to determine the appropriate regulatory response, including consideration of any mitigating circumstances. This assessment is documented in a *Reasons for Decision* file note, prepared by the assessing officer and submitted for internal approval.

The file note must clearly document:

- The details of the alleged offence.
- Evidence demonstrating that each element of the offence has been satisfied, sufficient to establish a prima facie case.
- Relevant supporting documentation, including the Company Equipment Register.

This process accounts for discrepancies between the number of notifications received and the number of infringement notices issued, as one or more elements of the offence may not be substantiated in all matters.

Categories-

Multiple Items: This category captures notifications involving mixed items. These typically include reports where domestic waste and marine farming equipment are identified together. The category also encompasses notifications that involve multiple types of marine farming equipment reported concurrently, such as HDPE swarf, identifiable rope, and small buoys.

Small Items (Miscellaneous): This category includes small items of marine farming equipment that do not fall within other defined categories. Examples include small fragments of HDPE, HDPE swarf, short rope tag ends, and pole toppers used to support bird-netting systems.

Other: This category serves as a catch-all for marine debris that does not align with any other defined category. It includes items such as fish bin liners and lids, oil slicks, mortalities, oyster farming equipment, wooden pallets, IBC totes, and marine debris originating from domestic sources or the commercial fishing sector.

Large Structures: This category covers larger marine farming equipment that doesn't fit into existing categories such as stanchions, stanchion protectors, bird net stands and feed hoppers.

Origins-

Aquaculture (Other): Aquaculture operators that fall outside the finfish/shellfish industries such seaweed growers.

Unknown: This category includes marine debris that is suspected to be associated with marine farming activities but cannot be attributed to an individual company (e.g. unmarked HDPE items). It also applies where a shoreline survey was conducted but the reported debris could not be located; where the notifier could not be contacted; where no images were provided with the notification; or where the marine debris had been removed from the reported location prior to investigation by AB.

Not marine farming equipment: This category includes reports that are confirmed not to have originated from the marine farming industry. Examples include marine debris clearly attributable to domestic or other commercial sources; registered recreational mooring buoys; deceased seals; equipment owned by IMAS; marine farming equipment that has been modified for domestic use by a member of the public; oil slicks; material originating from land-based fish processing facilities; and items originating from recreational vessels (e.g. fenders).