

*Terms of Reference  
Inquiry into Fin Fish Farming in Tasmania*

*To inquire into and report on the planning, assessment, operation and regulation of finfishfarming in Tasmanian, with particular reference to:*

- 1) *The implementation of the Sustainable Industry Growth Plan for the Salmon Industry and its impact on commercial finfish farming operations and local communities, including:*
  - a. data collection and publication;*
  - b. progress in the development of an industry-wide biosecurity plan;*
- 2) *Application of the Marine Farming Planning Act 1995r elating to:*
  - a. preparation and approval process for marine farming development plans, including modifications and amendments to marine farming development plans;*
  - b. allocation of leases, applications for and granting of leases;*
  - c. management of finfish farming operations with respect to the prevention of environmental harm;*
- 3) *Any other matter incidental thereto.*

**Submission to the inquiry by Sheenagh Neill BSc Hons Dip Ed**

**To the chair and panel of the Inquiry into Fin Fish Farming in Tasmania**

Thank you for opening this inquiry and giving interested and concerned persons the opportunity to comment on issues related to the expansion of the finfish farming industry in Tasmania.

With respect to the Terms of Reference for this inquiry I am commenting with respect to Term 2 (c): *management of finfish farming operations with respect to the prevention of environmental harm;*

And Term 3: *Any other matter incidental thereto.*

Re Term 2 (c) I specifically wish to comment about the prevention of environmental harm associated with marine debris. By marine debris, I mean any piece of fin-fish farming hardware and/or consumables that inadvertently or intentionally leave the fish farm lease area and subsequently become flotsam/jetsam that sinks or floats upon coastal waters until it is washed ashore. Historically there is significant evidence (verified by photographs) that fish farm marine debris has included the following:

- Rope, of various diameters and lengths
- Floats, of various sizes, including large cardinal markers

- Whole fish pens, or parts there-of
- Plastic pipe of various diameters and lengths
- Fish food bags
- Plastic shavings
- Fish pen walkways
- Miscellaneous plastic fittings, offcuts etc

While all of these items of marine debris have the potential to cause environmental harm, as per Term 2 (c), some also have the potential to present a real and potentially serious navigational hazard for the increasing number of users of Tasmania's waterways. It is the issue of marine debris as navigational hazard, risk and potential OHS issue that I wish to highlight, under Term 3: *Any other matter incidental thereto*.

## My Background

I have a BSc with Honours in Chemistry as well as a Diploma of Education. I am a cruising sailor with my own yacht and am very familiar with the waters of south-eastern Tasmania. I currently coordinate and run cruises for Bellerive Yacht Club. I have previously held the position of Vice Commodore of the Cruising Yacht Club of Tasmania. I am writing to you as a private individual, not as a representative of these clubs.

## The record of fin fish farms regarding marine debris

I led a clean-up cruise to Great Bay, Bruny Island, in 2017. The participants involved in this cruise collected rubbish along the shores of Great Bay. We were all appalled at the amount of rubbish that was collected and the fact that much of it was fin fish farm debris. In fact, by far the greatest volume of rubbish was ropes from fish farms. Because the fish farms use uniquely colour-coded rope, it was possible to identify ropes from Tassal and Huon Aquaculture. Additionally, there were large items of debris, such as lengths of pipe more than 10 metres long, that could not be transported by dinghy in order to be disposed of. There were also countless fragments of plastic fibres from ropes that could not be readily picked up and ropes entangled in driftwood and partially buried in sand that could not be recovered. These plastic fragments are now permanent features of the marine coastal environment and have the potential to cause environmental harm to marine organisms, as well as being unsightly reminders of poor fin fish farming practices and disrespect for the coastal environment.

Following this cruise, I became aware of marine debris that was collected by other individuals living on Bruny Island, near the D'Entrecasteaux Channel (the Channel) and the Tasman Peninsula. This included examples of all of the items listed above. Over the past two years during the course of my cruising SE Tasmanian waters, I have personally

seen some extraordinarily large items of marine debris washed up on shorelines. These have included:

- A length of black plastic pipe 100 mm in diameter and over 100 m long at Fancy Bay, Bruny Island
- A fish farm cardinal mark 2 m high washed up at Chuckle Head Bruny Island
- A length of pipe, 150 mm in diameter and 70 m long, washed up at Burying Point, Barnes Bay, Bruny Island
- A whole fish pen adrift near Snake Island

I was involved in a reconnaissance visit to Frog Point, near Nubeena, where I witnessed an extraordinary number of items washed ashore from the nearby Tassal salmon lease. This may be seen on a video that was recorded at the site:

<https://www.facebook.com/marineprotectiontasmania/videos/taal-debris-at-nubeena/1430407350409288/>

Fin fish farm debris constitutes a clear environmental harm. Plastic is recognised as a hazard to marine creatures, including birds, fish, marine mammals and turtles. Recently a dead whale washed up in northern Tasmania was found to have died because a rope was tangled around its upper jaw. Plastics are long-lived in the marine environment and can be abraded and broken down into small plastic particles that may impact a wide variety of organisms.

Not only does fin fish farm constitute a risk to the environment but also to those that use the marine environment. From tourist boats to rec fishers to surfers sailors and employees of farms debris floating below the surface or submerged can pose multiple issues for water users. Larger shipping vessels are also at risk and with the rise of tourist boats visiting Hobart and the channel the time will come when a prop or rudder is fouled and a catastrophe occurs.

Marine debris from fin fish farms may also pose the following hazards:

- **Risk of fouling a boat's propeller and rudder, thereby putting the whole vessel at risk.** This happened to the motor cruiser *Liberty* off New Caledonia in September 2019. Three men were rescued from their life raft after their boat sank due to a rope getting entangled in their propellers. A runabout in Mercury Passage had both engines fouled by rope in 2019.
- **Risk of damage to the hull following a collision with floating or submerged debris.** This happened to the Hobart yacht *Oskana* not far from Nubeena, on its delivery to compete in the 2017 Sydney to Hobart race. Sailing Vessel *Wayfarer II* sustained damage in the vicinity of Great Taylor Bay in March 2018.
- **Potential catastrophic damage to a fast-moving power boat or jet ski.** A runabout hit a piece of fish farm pipe near Nubeena and sustained engine damage in 2019. If the boat had flipped or stopped suddenly due to the pipe, the consequences would probably have been more serious.

I have been informed of numerous incidents that have involved boats hitting marine debris from fin fish farms. My information is that the boat owners have been compensated for damage to their vessel by the relevant fish farm company on the proviso that they not speak publicly about the incident. My information came from an employee of the Motor Yacht Club of Tasmania who, sadly, is now deceased.

Notices to mariners are issued by Marine and Safety Tasmania (MAST) to warn mariners of unsafe circumstances on the water. In November 2017, 5 of the 6 notices to mariners were related to fin fish farm debris. According to an ABC report, MAST received 128 reports of marine debris in the three years to the end of 2018. (<https://www.abc.net.au/news/2019-04-16/salmon-industry-paying-pittance-for-marine-debris-fines/11020926>)

The fin fish farms in SE Tasmania have a poor record regarding marine debris. I have serious concerns about the hazards posed by marine debris from fish farms and believe that serious incidents will be caused by marine debris, with potential loss of life and/or serious injury, sooner or later.

## Marine debris and the Zero Tolerance Policy

The Tasmanian government introduced a Zero Tolerance Policy towards marine debris in July, 2018. I lobbied for and so applaud the Zero Tolerance Policy to fish farm debris. This is a step forward in making the fin fish farms accountable for their practices. However, it is still unclear to the public how this policy is enacted in practice.

At present, a sailor who has observed marine debris that poses a potential hazard to vessels will notify Tas Maritime using a *securité* callout. The fish farms, on hearing this callout, will eventually collect the debris. After lobbying the fish farms have allocated responsibility for collecting debris in different areas of the Channel and Storm Bay. This sadly doesn't cover all areas debris can wash up and there is no clarity of process around reporting. The app was developed without community input and requires far too much information of the reporter rather than the onus bring on the company. Colour coding of rope is useful to identify the owners but not for whole pens or bigger sections of infrastructure which remain despite repeated requests for tracking devices or stamping, they remain unmarked.

My recommendation is that to further improve identification of debris, fin fish farms should be required to mark with their company name and use tracking devices ( as oil rigs do ) on all of the following :

- buoys
- pipes
- pens
- all rope (at present some rope is colour coded)
- cardinal marks
- walkways
- any other infrastructure with the potential to break away from their lease area.

This is necessary in order to prosecute breaches of the Zero Tolerance Policy. At present this policy has no enforcement structure to make it work. Limitations in availability of the 7 allocated officers ( the only ones who can impose a fine ) has its own issues. The companies ability to argue under section 94 of the act that they were transporting the debris etc is to vsogue for zero tolerance. We need a clear reporting path and harsher penalties. At present none of the stakeholders are clear on this. Despite repeated requests for involvement the industry has refused to appoint a community member to the meeting held between marine farming branch and the industry around marine debris. Which is why the app they created has failed. For zero tolerance to be successfully enforced there has to be a clear pathway to prosecution which is mapped out. The onus should be on the fish farms to clean up their practices not on the innocent recreational boaters to notify others of their breaches.

### Response from Government in 2018

Adoption of a new “zero tolerance” approach to marine debris and related boating safety issues  
The amount of debris from marine farming operations has been an ongoing concern to the community. Individual companies have been undertaking regular clean-ups and supporting voluntary action. The Government has taken action to ensure greater compliance and accountability. Marine and Safety Tasmania (MAST) officers have been authorised to monitor and respond to breaches, where marine farm equipment is found outside of marine farm lease areas and is causing navigational and safety risks. This has doubled the number of authorised officers under the *Living Marine Resources Management Act 1995* and will bring the total to four DPIPWE officers (who have a wider remit) and four MAST officers. Marine Police from the Tasmanian Police Service remain authorised officers for all issues relating to marine safety. In enforcing the zero tolerance approach, the Government will establish deadlines for the universal adoption of best practice tracking technologies and simple ways to identify the source of debris.

Under a right to information in Oct 2019 (source FOI. OCT 2019, R Woodruff), it was revealed that the salmon farms have received the following penalties relating to marine debris:

2017	1 fine	\$628	
2018	4 fines	\$2445	
2019	9 fines	\$ 5928	
	8 Infringement Notices	\$ 7232	
	1 loss of penalty units		1

Average penalty: \$644. Tabled profit at the same time: \$227 000 000.

Notices to Mariners are littered with fish farm notices and debris announcements, more than any other notice. The Marine Farming Branch has taken over the collection of reported data but there is no rigour to the collection.

Penalties need to include demerit points as well as an increase in fines for successive losses from the same lease site. There should be no excuses for marine debris. True zero tolerance should be applied.

Fin Fish farming companies should be mandated to report all breaches of the marine debris regulations from all sources in their annual reports and to the bodies that give them environmental/sustainable accreditation.

## Industry expansion

It is clear that the industry is not yet capable of meeting the Zero Tolerance Policy with regard to marine debris. Yet the industry expects community support for the expansion of the industry into Storm Bay and other locations. If the industry is to expand, then my recommendation is that the industry should demonstrate to the government and to the community that there are new company policies in place supported by education and resources to ensure that the following occur:

- Company workers and contractors employed by the companies ( more popular) are educated on correct methods of rubbish disposal and debris issues. These should be linked to their assessment/ performance KPI “s
- A weigh in process or similar is used to account for material so losses are noticed and recorded and notified. This is extremely important as they move to automation in places such as Storm Bay which has already seen who leases destroyed and float off into the surrounding water ways.
- A clear expectation all pieces of infrastructure are stamped marked tracked for each company and a public awareness campaign launched to share with members of the public
- A marine debris bins/ collection points be erected at swim beaches to ensure public dispose of collected debris accordingly
- Independent checking of boat logs / shores and marine floors to ensure compliance especially after storm events when debris that has sunk can often be washed up on the shores

- A clear user friendly pathway that allows anonymous reporting ( if wanted) be clearly shared without the use of a industry app. This should be monitored by Marine Farming Branch.
- Marine Farming Branch should move from their current offices to a independent place to avoid public distrust of the proximity to industry vs independence
- Penalties should increased and be progressive for each specific lease area. Zero tolerance is implying no tolerance yet there seems to be clear evidence with the limited number of fines to reports that tolerance is more in operation . Therefore each fine should include a lease penalty as these have a real impact on industry
- Annual reporting to the public of all marine debris fines, penalties and incidents be required as part of their lease operations
- A true community representative ( paid if necessary) is asked to sit on the debris group meetings
- Section 94 of the act be reviewed to make Zero tolerance work and increase the penalty units

## In Summary

### Debris from fin fish farms:

- Causes environmental harm
- Poses a potentially serious hazard to vessels
- Still occurs despite the Zero Tolerance Policy

### Zero Tolerance Policy towards marine debris

- Has not stopped marine debris leaving fin fish farms
- Is not effectively enforced
- Does not provide a great punitive deterrent to the fin fish farms
- Should be taken more seriously by the fin fish farming companies

### Fin fish farming industry expansion

- Will likely increase marine debris
- Should be conditional on meeting obligations under the Zero Tolerance Policy

I am happy to provide all correspondence between the Premier , the director of the EPA , Fiona Bourne Marine Farming Branch , Michael Kinley Director of AMSA, both Huon and Tassal and numerous other agencies that i have written to around this issue. Attached are photos of marine debris for your understanding of what is going on.

Thank you  
Sheenagh Neill



Engine foul up Mercury Passage. TASSAL



Large Pipe washed up on South arm Beach, Huon



C two pens that escaped a lease and hit the moored yacht in Barnes Bay considered a safe anchorage. TASSAL



A bouy reported in last years Sydney to Hobart off Tasman Island HUON

