



Australian Marine Parks

Quarterly Compliance Report

July, August, September 2024



Australian Government
Director of National Parks

OFFICIAL



**Australian
Marine Parks**

Glossary and Abbreviations

Term/ Abbreviation	Explanation
ABF	Australian Border Force
AFMA	Australian Fisheries Management Authority
AFV	Australian Fishing Vessel
AMP	Australian Marine Park
AMSA	Australian Maritime Safety Authority
BBT	Papua New Guinea open narrow dingy style vessel
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
FAD	Fish Aggregating Device
FFV	Foreign Fishing Vessel
HPZ	Habitat Protection Zone
IVO	In vicinity of
MARPOL	Maritime Pollution
MBC	Maritime Border Command
MP	Marine Park
MUZ	Multiple Use Zone
NAVHAZ	Navigational Hazard
NFA	No Further Action
NPZ	National Park Zone
PA	Parks Australia
PIN	Penalty Infringement Notice
RFI	Request for Information
ROI	Record of Interview
RUZ	Recreational Use Zone
SPZ	Special Purpose Zone
SZ	Sanctuary Zone
Type 1	Indonesian traditional fishing vessel 1 sail
Type 2	Indonesian traditional fishing vessel 2 sails
Type 3	Indonesian motorised fishing vessel under 20m
Type 4	Indonesian motorised fishing vessel over 20m
USV	Uncrewed Surface Vessel
VMS	Vessel Monitoring System
Foreign Aerial Sighting - NFA	FFVs sighted by aerial surveillance within an AMP and not considered to be conducting transit passage are referred to ABF for

Term/ Abbreviation	Explanation
	response. When a response asset is not provided, no further action (NFA) is recorded.
Seize Catch/Gear	An FFV that has been physically interdicted and had its fishing equipment and catch seized prior to being directed to exit the AEEZ.
Seize Catch/Gear – Vessel Confiscated	An FFV that has been physically interdicted and had its fishing equipment and catch seized prior to crew being consolidated on another vessel and ordered to exit the AEEZ. The vessel is then forfeit to the commonwealth.
Transit Passage	An FFV exercising innocent passage to transit the AEEZ with fishing gear and equipment stowed.
Educate and disembark	An FFV that has been physically interdicted and found through investigation to be operating in accordance with the law.
Apprehension	An FFV that has been physically interdicted and had its crew apprehended. The crew is returned to the Australian mainland to face prosecution in an Australian court. The vessel, its fishing equipment and catch is forfeit to the commonwealth.
Flag State Referral	Evidence and information are provided via diplomatic channels to the registered Flag State of the vessel, requesting the Flag State to take appropriate action in accordance with international or regional agreements.
NFA – Minor breach	NFA Minor breach refers to incidents in which the offence is relatively minor, the vessel is not fishing, and no further action is required.
Verbal Advice	Verbal advice is reserved for minor infractions where the alleged offence is minor, unintentional and the alleged offender is unlikely to willfully reoffend.
Advisory Letter	An advisory letter forms a formal written record of advice in relation to an alleged offence. Advisory letters are issued in conjunction with verbal advice and are reserved for infractions where the alleged offence is minor in nature and a formal written advice is appropriate.
Warning Notice	A Warning Notice is an official document issued for non-compliance that warns the offender about the alleged offence and outlines the potential penalties. The Notice does not impose a fine on the alleged offender, rather it explains that further breaches may result in a harsher punishment such as issuing a Penalty Infringement Notice or more significant penalties including prosecution.
Infringement Notice	An Infringement Notice is an official document issued for non-compliance that provides an alleged offender the opportunity to

Term/ Abbreviation**Explanation****Authorisation****Terminated****Civil Penalty****Criminal Proceedings****NFA – Insufficient Evidence**

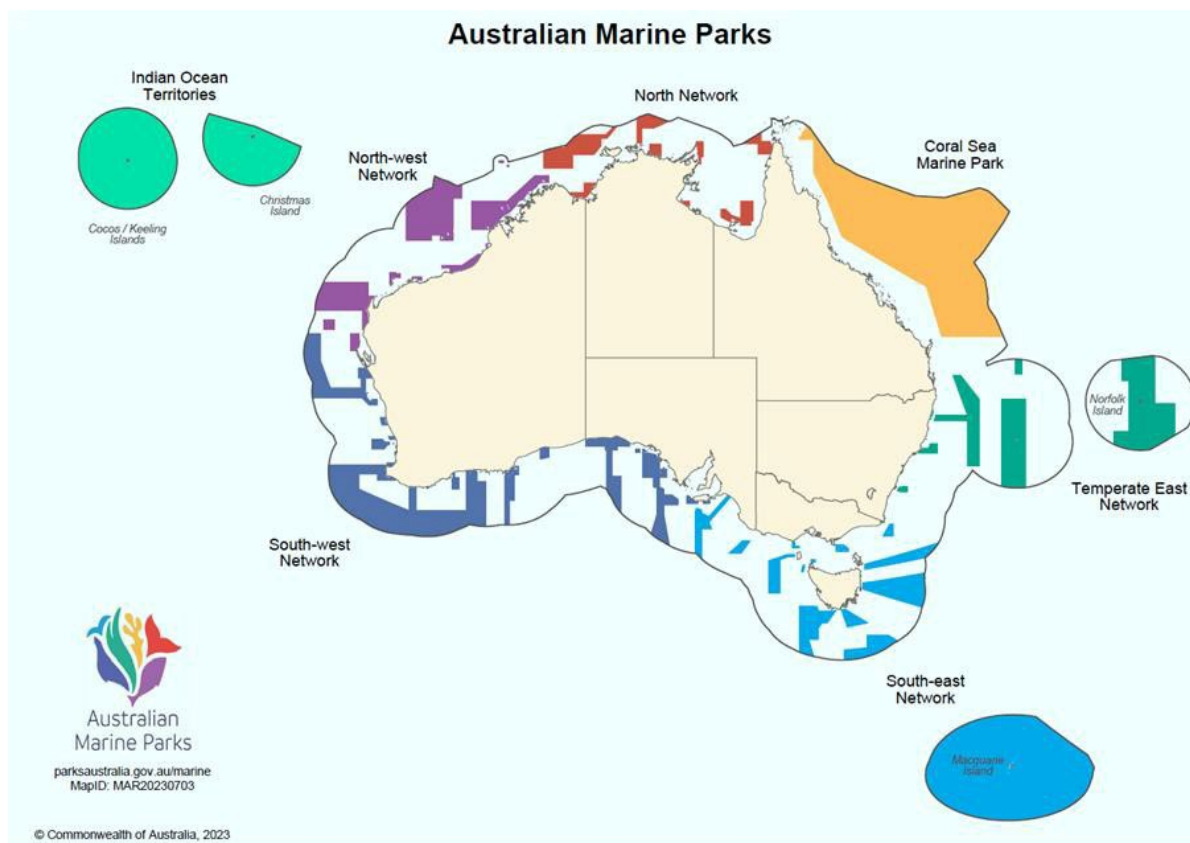
settle the alleged matter without going to court. The notice penalises the offender for an alleged offence, however if the penalty is paid the alleged offender's criminal liability is discharged.

Under r.17.12 of the EPBC Regulations, a delegate may, by written notice, cancel a permit issued by the Director.

Civil penalties reflect the need for economic deterrence to non-compliance and seek to redress the harm done by contraventions. Civil actions initiated by the Minister are heard in the Federal Court.

Criminal proceedings are pursued when, the alleged offence resulted in a significant environmental harm, significant recklessness or intent was involved in perpetrating the offending act, previous administrative or civil enforcement responses have not deterred the person from repeating contravention, or an alleged offender has elected not to pay an infringement notice and to have the matter heard in court.

NFA – Insufficient Evidence, an outcome reserved for incidents in which it appears an offence has occurred however the available evidence or quality of evidence is insufficient to effectively prove an offence has occurred.



North	Coral Sea	Temperate East	South-east	South-west	North-west	Indian Ocean Territories
Arafura	Ashmore Reef	Central Eastern	Apollo	Abrolhos	Argo-Rowley Terrace	Christmas Island
Arnhem	Bougainville Reef	Cod Grounds	Beagle	Bremer	Ashmore Reef	Cocos (Keeling) Islands
Gulf of Carpentaria	Cato Reef	Gifford	Boags	Eastern Recherche	Carnarvon Canyon	
Joseph Bonaparte Gulf	Coral Sea	Hunter	East Gippsland	Geographe	Cartier Island	
Limmen	Coringa Herald Cays	Jervis	Flinders	Great Australian Bight	Dampier	
Oceanic Shoals	Diane Bank	Lord Howe	Franklin	Jurien	Eighty Mile Beach	
Wessel	Flinders Reefs	Norfolk	Freycinet	Murat	Gascoyne	
West Cape York	Fraser Seamount	Solitary Islands	Huon	Perth Canyon	Kimberley	
	Frederick Reefs		Macquarie Island	Southern Kangaroo Island	Mermaid Reef	
	Holmes Reefs		Murray	South-west Corner	Montebello	
	Kenn Reefs		Nelson	Twilight	Ningaloo	
	Lihou Reef		South Tasman Rise	Two Rocks	Roebuck	
	Marion Reef		Tasman Fracture	Western Eyre	Shark Bay	
	Mellish Reef		Zeehan	Western Kangaroo Island		
	Moore Reefs					
	Osprey Reef					
	Saumarez Reefs					
	Shark Reef					
	Tregrosse Reefs					
	Vema Reef					
	Willis Islets					
	Wreck Reefs					

Compliance program

Introduction

Parks Australia's (PA) compliance program aims to achieve high levels of compliance by marine park users with the rules set out in the management plans. The program implements strategies and undertakes compliance actions that focus on achieving voluntary compliance through improving awareness and prevention, effective detection (surveillance and monitoring) and deterrence outcomes. The application of these strategies is informed using a risk-based approach, which enables the targeting of compliance priorities with informed decision-making and responses.

Risk assessments

Compliance risk assessments are undertaken on a biennial basis for each network of marine parks and the Coral Sea Marine Park to identify compliance risk sources and assess priorities. This information informs the preparation of biennial network compliance plans, which in turn define the suite of actions that are to be undertaken by PA to address compliance risks.

Incident detection and activity monitoring

Compliance incidents in Australian Marine Parks (AMP) are detected through a number of sources including:

- **Aerial surveillance** – Maritime Border Command (MBC), the Australian Maritime Safety Authority (AMSA), PA charter flights and state government partnership arrangements
- **Vessel patrols** – Australian Border Force (ABF) / MBC and state government partnership arrangements
- **Vessel Monitoring System** – Australian Fisheries Management Authority (AFMA) and state government partnership arrangements
- **Acoustic monitoring** – Sound traps
- **Direct reporting** – General public (1800 calls or emails) and reports from state or Commonwealth agencies.

Enforcement response

Deterrence of illegal activity through appropriate enforcement action is essential and is guided by the Enforcement Guidelines for Commonwealth Marine Protected Areas. Enforcement action is taken commensurate with the severity of the offence and may include:

- **Administrative actions** – are used for minor offences and includes warning notices, advisory letters, infringement notices or cancellation of a permit or approval.
- **Civil actions** – are used to reflect the need for economic deterrence to non-compliance and seeks to redress the harm done as a result of contraventions. Civil actions are initiated by the Minister and heard in the Federal Court.

Report summary

Surveillance

- 13 surface patrols (not including ABF continuous multi vessel presence in northern waters)
- 1058 aerial surveillance flights
- 1038 VMS alerts
- 7 phone calls to our 1800 reporting hotline
- 46 phone calls received by the AMP duty officer

Incidents

- 57 Foreign Fishing incidents detected
- 11 Recreational Fishing incidents detected
- 7 Commercial Fishing Transit incidents detected
- 7 Authorisation incidents detected
- 5 Prohibited Area incidents detected
- 3 Commercial Fishing incidents detected
- 89 Marine Debris incidents detected¹

Outcomes

- 9 Seize catch/gear
- 8 Warning Notices Issued
- 3 Verbal Advice Provided
- 2 Transit Passage
- 1 Seize catch/gear - Vessel Confiscated
- 1 Advisory Letter Issued

¹ May include multiple sightings of same debris

Incidents Occurring During the Reporting Period

Authorisation

- 2 Authorisation incidents detected in Ashmore Reef Marine Park, Recreational Use Zone in July 2024 resulting in Ongoing Investigation.
- 2 Authorisation incidents detected in Ashmore Reef Marine Park, Recreational Use Zone in August 2024 resulting in Verbal advice.
- 1 Authorisation incident detected in Lord Howe Marine Park, National Park Zone in September 2024 resulting in NFA - No Breach.

Commercial Fishing

- 1 Commercial Fishing incident detected in Coral Sea Marine Park, Habitat Protection Zone (Reefs) in July 2024 resulting in NFA - No Breach.
- 1 Commercial Fishing incident detected in Heard Island and McDonald Islands Marine Park, Sanctuary Zone in July 2024 resulting in Ongoing Investigation.
- 1 Commercial Fishing incident detected in Gulf of Carpentaria Marine Park, National Park Zone in August 2024 resulting in Ongoing Investigation.

Commercial Fishing Transit

- 1 Commercial Fishing Transit incident detected in Beagle Marine Park, Multiple Use Zone in July 2024 resulting in NFA - Minor Breach.
- 1 Commercial Fishing Transit incident detected in Freycinet Marine Park, Recreational Use Zone in July 2024 resulting in NFA - Minor Breach.
- 2 Commercial Fishing Transit incidents detected in Gulf of Carpentaria Marine Park, National Park Zone in July 2024 resulting in NFA - Minor Breach.
- 1 Commercial Fishing Transit incident detected in Franklin Marine Park, Multiple Use Zone in August 2024 resulting in NFA - Minor Breach.
- 1 Commercial Fishing Transit incident detected in Tasman Fracture Marine Park, Marine National Park Zone in August 2024 resulting in NFA - Minor Breach.
- 1 Commercial Fishing Transit incident detected in Freycinet Marine Park, Multiple Use Zone in September 2024 resulting in NFA - Minor Breach.

Foreign Fishing

- 2 Foreign Fishing incidents detected in Argo-Rowley Terrace Marine Park, National Park Zone in July 2024 resulting in Ongoing Investigation.
- 1 Foreign Fishing incident detected in Ashmore Reef Marine Park, Sanctuary Zone in July 2024 resulting in Foreign Aerial Sighting- NFA.
- 2 Foreign Fishing incidents detected in Kimberley Marine Park, Multiple Use Zone in July 2024 resulting in Foreign Aerial Sighting- NFA.
- 3 Foreign Fishing incidents detected in Oceanic Shoals Marine Park, Multiple Use Zone in July 2024 resulting in Foreign Aerial Sighting- NFA.
- 3 Foreign Fishing incidents detected in Oceanic Shoals Marine Park, Special Purpose Zone (Trawl) in July 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in West Cape York Marine Park, Habitat Protection Zone in July 2024 resulting in Seize catch/gear - Vessel Confiscated.
- 2 Foreign Fishing incidents detected in Arafura Marine Park, Multiple Use Zone in

August 2024 resulting in Foreign Aerial Sighting- NFA.

- 3 Foreign Fishing incidents detected in Argo-Rowley Terrace Marine Park, Multiple Use Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Arnhem Marine Park, Special Purpose Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Arnhem Marine Park, Special Purpose Zone in August 2024 resulting in Seize catch/gear.
- 2 Foreign Fishing incidents detected in Christmas Island Marine Park, National Park Zone in August 2024 resulting in Transit Passage.
- 7 Foreign Fishing incidents detected in Kimberley Marine Park, Multiple Use Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 5 Foreign Fishing incidents detected in Kimberley Marine Park, Multiple Use Zone in August 2024 resulting in Seize catch/gear.
- 1 Foreign Fishing incident detected in Mermaid Reef, National Park Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 9 Foreign Fishing incidents detected in Oceanic Shoals Marine Park, Multiple Use Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Oceanic Shoals Marine Park, Multiple Use Zone in August 2024 resulting in Seize catch/gear.
- 1 Foreign Fishing incident detected in Arafura Marine Park, Special Purpose Zone (Trawl) in September 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Argo-Rowley Terrace Marine Park, Multiple Use Zone in September 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Argo-Rowley Terrace Marine Park, Multiple Use Zone in September 2024 resulting in Ongoing Investigation.
- 1 Foreign Fishing incident detected in Argo-Rowley Terrace Marine Park, National Park Zone in September 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Ashmore Reef Marine Park, Recreational Use Zone in September 2024 resulting in Foreign Aerial Sighting- NFA.
- 4 Foreign Fishing incidents detected in Kimberley Marine Park, Multiple Use Zone in September 2024 resulting in Foreign Aerial Sighting- NFA.
- 2 Foreign Fishing incidents detected in Kimberley Marine Park, Multiple Use Zone in September 2024 resulting in Seize catch/gear.
- 1 Foreign Fishing incident detected in Oceanic Shoals Marine Park, Multiple Use Zone in September 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Foreign Fishing incident detected in Oceanic Shoals Marine Park, Special Purpose Zone (Trawl) in September 2024 resulting in Foreign Aerial Sighting- NFA.

Marine Debris

- 9 Marine Debris incidents detected in Argo-Rowley Terrace Marine Park, Multiple Use Zone in July 2024 resulting in Net/Debris Not Recovered.
- 11 Marine Debris incidents detected in Argo-Rowley Terrace Marine Park, National Park Zone in July 2024 resulting in Net/Debris Not Recovered.
- 1 Marine Debris incident detected in Cocos (Keeling) Islands Marine Park, National Park Zone in July 2024 resulting in Net/Debris Not Recovered.
- 2 Marine Debris incidents detected in Cocos (Keeling) Islands Marine Park, National Park Zone in September 2024 resulting in Net/Debris Not Recovered.
- 2 Marine Debris incidents detected in Kimberley Marine Park, Multiple Use Zone in July 2024 resulting in Net/Debris Not Recovered.
- 3 Marine Debris incidents detected in Oceanic Shoals Marine Park, Habitat Protection

Zone in July 2024 resulting in Net/Debris Not Recovered.

- 1 Marine Debris incident detected in Oceanic Shoals Marine Park, Habitat Protection Zone in July 2024 resulting in Ongoing Investigation.
- 1 Marine Debris incident detected in Oceanic Shoals Marine Park, Special Purpose Zone (Trawl) in July 2024 resulting in Net/Debris Not Recovered.
- 3 Marine Debris incidents detected in Argo-Rowley Terrace Marine Park, Multiple Use Zone in August 2024 resulting in Net/Debris Not Recovered.
- 17 Marine Debris incidents detected in Argo-Rowley Terrace Marine Park, National Park Zone in August 2024 resulting in Net/Debris Not Recovered.
- 3 Marine Debris incidents detected in Cocos (Keeling) Islands Marine Park, National Park Zone in August 2024 resulting in Net/Debris Not Recovered.
- 5 Marine Debris incidents detected in Oceanic Shoals Marine Park, Multiple Use Zone in August 2024 resulting in Net/Debris Not Recovered.
- 1 Marine Debris incident detected in Oceanic Shoals Marine Park, Multiple Use Zone in August 2024 resulting in Ongoing Investigation.
- 3 Marine Debris incidents detected in Oceanic Shoals Marine Park, Special Purpose Zone (Trawl) in August 2024 resulting in Net/Debris Not Recovered.
- 12 Marine Debris incidents detected in Argo-Rowley Terrace Marine Park, Multiple Use Zone in September 2024 resulting in Net/Debris Not Recovered.
- 13 Marine Debris incidents detected in Argo-Rowley Terrace Marine Park, National Park Zone in September 2024 resulting in Net/Debris Not Recovered.
- 1 Marine Debris incident detected in Kimberley Marine Park, Multiple Use Zone in September 2024 resulting in Net/Debris Not Recovered.

Prohibited Area

- 2 Prohibited Area incidents detected in Ashmore Reef Marine Park, Sanctuary Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 1 Prohibited Area incident detected in Cartier Island Marine Park, Sanctuary Zone in August 2024 resulting in Foreign Aerial Sighting- NFA.
- 2 Prohibited Area incidents detected in Ashmore Reef Marine Park, Sanctuary Zone in September 2024 resulting in Foreign Aerial Sighting- NFA.

Recreational Fishing

- 1 Recreational Fishing incident detected in Solitary Islands Marine Park, National Park Zone in July 2024 resulting in Ongoing Investigation.
- 4 Recreational Fishing incidents detected in Solitary Islands Marine Park, National Park Zone in July 2024 resulting in Warning Notice.
- 1 Recreational Fishing incident detected in Cod Grounds Marine Park, National Park Zone in August 2024 resulting in Ongoing Investigation.
- 1 Recreational Fishing incident detected in Cod Grounds Marine Park, National Park Zone in August 2024 resulting in Warning Notice.
- 1 Recreational Fishing incident detected in Oceanic Shoals Marine Park, National Park Zone in August 2024 resulting in Warning Notice.
- 2 Recreational Fishing incidents detected in Cod Grounds Marine Park, National Park Zone in September 2024 resulting in Ongoing Investigation.
- 1 Recreational Fishing incident detected in Cod Grounds Marine Park, National Park Zone in September 2024 resulting in Verbal advice.

Incidents Previously Reported but Finalised During the Reporting Period

Authorisation

- 1 Authorisation incident previously reported in Coral Sea Marine Park, Habitat Protection Zone (Reefs) and finalised in August 2024 resulting in Advisory Letter.

Pollution

- 1 Pollution incident previously reported in Argo-Rowley Terrace Marine Park, Multiple Use Zone and finalised in August 2024 resulting in NFA - Insufficient Evidence.

Commercial Fishing Transit

- 1 Commercial Fishing Transit incident previously reported in Gulf of Carpentaria Marine Park, National Park Zone and finalised in July 2024 resulting in NFA - Minor Breach.
- 1 Commercial Fishing Transit incident previously reported in Western Eyre Marine Park, National Park Zone and finalised in July 2024 resulting in NFA - Minor Breach.

Recreational Fishing

- 1 Recreational Fishing incident previously reported in Cod Grounds Marine Park, National Park Zone and finalised in July 2024 resulting in Warning Notice.

Other

- 1 Vessel Grounding incident previously reported in Arnhem Marine Park, Special Purpose Zone and finalised in July 2024 resulting in NFA - No Breach.
- 1 Vessel Grounding incident previously reported in Coral Sea Marine Park, Habitat Protection Zone (Reefs) and finalised in September 2024 resulting in Warning Notice.

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