

## **Huon Aquaculture gets a (very minor) slap on the wrist for breaking environmental protection rules.**

Tasmania's industrial fish farmer, Huon Aquaculture, has got away with it almost scot free.

A company with revenues of \$145 million will have to stump up a mere \$40,000 fine for six breaches of Tasmania's environment protection regulations - one of which included dumping 80,000 litres of contaminated water considered toxic to marine life ... on land right beside the Huon River.

That's the result of a criminal court case against Huon Aquaculture that wound up in the Hobart Magistrates Court yesterday (Monday, May 4).

The company claimed the breaches were errors created by managers who were unaware of environment protection notices (EPNs) designed to avoid exactly what happened.

A fine of \$40,000 might well be considered "just the cost of doing business" for a multi-million-dollar business.

And if the company was caught out repeatedly between January and May of 2018 - which it was on at least three occasions - it's reasonable to ask what other breaches have not been uncovered before, after and during this period.

According to the company's lawyers these criminal actions to which the company has now pleaded guilty and been convicted, were the result of accidents and oversights.

On one occasion a centrifuge broke down, on another a stormwater drain overflowed with contaminated water because of unexpectedly heavy rains, on another occasion fish pens brought ashore to be cleaned of toxic antifouling paint were not properly covered because "the weights were not heavy enough".

Because the company eventually admitted the offences and pleaded guilty there was no open court hearing at which evidence could have been presented and challenged - so we never heard from the managers who the company says didn't know what the regulations were.

A full court hearing might have seen senior management in the witness box defending the company's environmental practices - and then being cross-examined on them.

The whole affair leaves a lot of questions unanswered - particularly since the original changes were watered down after confidential discussions between the Environment Protection Authority, the prosecution service and the company.

The magistrate, F.M. Daly, was pretty scathing in his judgment: it was "a mystery", he said, why environmental protection notices were "not at the forefront of the company's operations".

Mr Daly said the company had "deliberately dispersed" water in ignorance of the notices; it was obvious the company was obligated to heed the notices and had not done so; the company was slow to respond once the breaches had been uncovered; and "no satisfactory reason" had been given as to why responsible company employees were unaware of the environmental conditions imposed on them.

Despite this, the \$40,000 penalty amounts to less than a pinprick for Huon.

What's more, its reputation is hardly dented because of the abysmal lack of coverage of the case in the media.

One might ask: “So what’s new?” Answer: not much.

Huon Aquaculture, Tassal and Petuna still appear to be very much a law unto themselves, supported by major political parties in thrall to their financial muscle, governed by poor regulation, supervised by underfunded agencies and reviewed by politically-influenced boards.

Our guess: Huon may have been convicted on six criminal charges of putting our waterways in danger but there’ll be champagne corks popping in celebration at Huon’s headquarters in the aftermath of the court case.

This news has been reported by the [Tasmanian Times](#) and the [Hobart Mercury](#) (paywalled)

### **Huon Aquaculture pleads guilty to serious pollution charges**

The industrial fish farming company, Huon Aquaculture, has admitted to five charges of breaching environmental conditions placed on its operations on the Huon River. It also admitted to one charge of depositing pollutant where environmental harm could result.

Huon Aquaculture pleaded guilty to six charges under the Environmental Management and Pollution Control Act which carry penalties of more than \$150,000 each. The decision on penalties will be given on May 4. Until last week, Huon faced more serious charges but the charges had been reduced following negotiations between Huon Aquaculture and the EPA. The offences occurred between January and May 2018.

The prosecutor said the offences indicated a systemic failure, that appropriate staff were not aware of the environmental conditions imposed on them, that the company had not trained and educated its personnel, and had failed to take its environmental obligations into account.

The lawyer for Huon Aquaculture said the company wished to issue an apology to the wider community and that it took full responsibility for the offences. However, he argued the volume and scale of the incidents was not large, the company had fully coöperated with the investigators, and that action had been taken to make employees aware of environmental conditions under which they work. More details are available in [TAMP's report on proceedings](#) (3 pages, PDF).

The Tasmanian Alliance for Marine Protection (TAMP) and Neighbours of Fish Farming (NOFF) welcomed the guilty plea by Huon Aquaculture and called for full disclosure of the nature of the negotiations that led to the downgrading of the charges.

NOFF president and co-chair of TAMP, Peter George, said in a [press release](#) (2 pages, PDF) that previous penalties have amounted to little more than a slap on the wrist for companies that are multi-million dollar earners, and that the offences to which Huon Aquaculture has pleaded guilty are merely the tip of the iceberg.

*We all want to see greater transparency and more oversight of fish farm operations Mr George said. It’s not just crucial to our marine environment but to Tasmania’s excellent reputation throughout Australia and the world.*