

Wednesday, 14 July 2021

Fine over illegal artificial reef

A former master of a commercial fisherman has agreed to pay a civil penalty after a vessel was sunk off O'Sullivan Beach in November 2018, to create an artificial reef.

David Alex Blackley has been penalised by the Environment Protection Authority (EPA), and has agreed to pay \$8,400 for disposing of a boat into Gulf St Vincent – an offence under section 22 of the *Local Nuisance and Litter Control Act 2016*. Blackley was also required to pay \$7,500 to a commercial salvage operator in an attempt to recover the vessel.

The penalty is the outcome of an investigation led by the EPA, with support from the Department of Primary Industries and Regions (PIRSA), South Australian Police (SAPOL) and the Onkaparinga City Council.

Evidence obtained by the EPA includes CCTV footage of Blackley launching a vessel at O'Sullivan Beach boat ramp on 18 November 2018. The footage also records another boat arriving at the ramp to tow the vessel into Gulf St Vincent. The trailer used was later found abandoned at Largs North.

EPA officers subsequently searched a Largs North address, locating and seizing a fishing vessel and other items suspected of being used in the operation, and forensic analysis identified a GPS location where the other vessel was thought to have been sunk.

On 17 December 2018, the EPA and SAPOL Water Operations officers went to the GPS location and a grid search using advanced sonar capability identified a vessel on the sea floor, nearly 15 km off O'Sullivan Beach, at a depth of approximately 30 m.

A commercial dive team subsequently surveyed and took video footage of the sunken vessel. The footage revealed the sunken vessel had characteristics consistent with the vessel seen on CCTV being towed at O'Sullivan Beach. EPA officers also matched the sunken vessel to an 8-metre vessel sold through a Facebook advertisement.

EPA Investigations Manager Stephen Barry said the EPA is aware that some fishermen disposed of items at sea to create illegal artificial reefs for their own purposes.

“This practice may have occurred over many years, however in 2016 the Local Nuisance and Litter Control Act introduced penalties for anyone caught doing this. The act also has provisions requiring offenders to pay to recover such items.

“We have heard of scrap metal, whitegoods, shopping trolleys and vessels being towed out and dumped in waters around the state.

“Sunken items can contain pollutants such as oils, greases and chemicals, and pose a risk to navigation and a hazard to commercial fishing equipment.

“This also undermines authorised actions by government to create artificial reefs for habitat restoration and public recreation.”

Anyone with information about illegal disposals in the marine environment should contact the EPA on 8204 2004 or 1800 623 445 (country callers only), or email: epainfo@sa.gov.au