

TASMANIA

**MARINE FARMING PLANNING REGULATIONS
2026**

STATUTORY RULES 2026, No. 60

CONTENTS

1. Short title
2. Commencement
3. Interpretation
4. Fees and charges
5. Remission of fee or charge
6. Exemption from payment of fee or charge
7. Prescribed offences
8. Special penalty for obstruction of execution of plans
9. Legislation rescinded

Schedule 1 – Fees and Charges

Schedule 2 – Infringement Notice Offences

Schedule 3 – Legislation rescinded

MARINE FARMING PLANNING REGULATIONS 2026

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Marine Farming Planning Act 1995*.

Dated 10 August 2026.

CAROLINE WELLS
Governor

By Her Excellency's Command,

G. B. PEARCE
Minister for Primary Industries and Water

1. Short title

These regulations may be cited as the *Marine Farming Planning Regulations 2026*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

r. 3

3. Interpretation

In these regulations –

Act means the *Marine Farming Planning Act 1995*;

Director has the same meaning as in the *Environmental Management and Pollution Control Act 1994*.

4. Fees and charges

For the purposes of the Act –

- (a) the fees specified in Parts 1 and 2 of Schedule 1 are prescribed as the fees that are payable under the Act in respect of the matters to which they relate; and
- (b) the charges specified in Part 3 of Schedule 1 are prescribed as the charges that are payable under the Act in respect of the matters to which they relate.

5. Remission of fee or charge

- (1) For the purposes of the Act, a person may apply, in the approved form, to the Minister for the remission of a fee or charge within 14 days after the day on which the fee or charge is paid.
- (2) The Minister, by notice in writing to the person, may make a determination that an application under subregulation (1) be approved or refused.

6. Exemption from payment of fee or charge

- (1) For the purposes of the Act, a person may apply, in the approved form, to the Minister for an exemption from the payment of a fee or charge on or before the date on which the fee or charge becomes payable.
- (2) The Minister, by notice in writing to the person, may make a determination that an application under subregulation (1) be approved or refused.

7. Prescribed offences

For the purposes of section 119 of the Act –

- (a) an offence against a provision specified in column 1 of the table in Schedule 2 is a prescribed offence for which an infringement notice may be served; and
- (b) the penalty specified in column 2 of the table in Schedule 2 is prescribed as the penalty payable for the corresponding offence specified in column 1 of that table.

8. Special penalty for obstruction of execution of plans

- (1) In this regulation –

assigned quantity of dissolved nitrogen
means the quantity of the total permissible dissolved nitrogen output, attributable to marine farming operations in respect of a particular area or part of a

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

r. 9

particular area, that is the quantity apportioned, by a determination of the Director from time to time under a marine farming development plan, to the lessee or sub-lessee;

particular area means an area determined by the Director from time to time under a marine farming development plan.

- (2) In the case of an offence against section 91(1) of the Act, constituted by the holder of a lease or a sub-lease exceeding the assigned quantity of dissolved nitrogen, for the purposes of section 91(3)(b) of the Act, the prescribed method of calculating the amount for the special penalty to be imposed is the sum of –
- (a) \$150 000 for each whole tonne of dissolved nitrogen that exceeds the assigned quantity of dissolved nitrogen; or
 - (b) for each part of a tonne of dissolved nitrogen that exceeds the assigned quantity of dissolved nitrogen, \$150 000 calculated on a pro rata basis to reflect that part of a tonne.

9. Legislation rescinded

The legislation specified in Schedule 3 is rescinded.

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

sch. 1

SCHEDULE 1 – FEES AND CHARGES

Regulation 4

PART 1 – APPLICATION FEES

	Application	Fee (Fee units)
1.	An application under section 16(1) of the Act for approval to prepare a draft marine farming development plan	735
2.	An application under section 47(1) of the Act for an exemption from a provision of an emergency plan	400
3.	An application under section 54(1) of the Act for a certificate of preference	400
4.	An application under section 56(1) of the Act for a lease	1 140
5.	An application under section 61(1) of the Act for an emergency lease	400
6.	An application under section 66(1) of the Act for renewal of lease	250
7.	An application under section 73(1) of the Act for transfer of lease	450
8.	An application under section 74 of the Act for a sub-lease	150
9.	An application under section 81(1) of the Act for an expansion to a lease area	1 090

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

sch. 1

	Application	Fee (Fee units)
10.	An application under section 82(1) of the Act for subdivision of a lease area	720

PART 2 – ANNUAL LEASE FEES

	Matter under Act	Fee (Fee units)
1.	Annual fee for a shellfish farm lease –	
	(a) base fee	90
	(b) each hectare of lease area	45
2.	Annual fee for a finfish farm lease –	
	(a) base fee	1 500
	(b) each hectare of lease area	170

PART 3 – CHARGES

	Matter under Act	Amount (Fee units)
1.	A request under section 33(1) of the Act for amendment of a marine farming development plan	1 140
2.	A request under section 67(1)(b) of the Act to vary a lease	740
3.	A request under section 67(1)(b) of the Act to vary a lease area	1 090

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

sch. 2

SCHEDULE 2 – INFRINGEMENT NOTICE OFFENCES		
		Regulation 7
	Column 1	Column 2
	Provision of Act	Penalty (Penalty units)
1.	Section 12(4)(a)	2
2.	Section 43(6)	2
3.	Section 45(6)	2
4.	Section 64(4)	4
5.	Section 71(2)	2
6.	Section 71(3)	2
7.	section 74(1)	2
8.	Section 76(3)	2
9.	Section 87(4)	2
10.	Section 91(1)(a)	4
11.	Section 91(1)(b)	4
12.	Section 91(1)(c)	4
13.	Section 91(1)(d)	4
14.	Section 92(1)(a)	2
15.	Section 92(1)(b)	2
16.	Section 92(1)(c)	2

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

sch. 2

	Column 1 Provision of Act	Column 2 Penalty (Penalty units)
17.	Section 92(2)(a)	2
18.	Section 92(2)(b)	2
19.	Section 93(a)	2
20.	Section 93(b)	2
21.	Section 93(c)	2
22.	Section 94(1)(a)	4
23.	Section 94(1)(b)	4

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

sch. 3

SCHEDULE 3 – LEGISLATION RESCINDED

Regulation 9

Marine Farming Planning Regulations 2016 (No. 81 of 2016)

Marine Farming Planning Amendment Regulations 2017 (No. 47 of 2017)

Marine Farming Planning Amendment (Infringement Notices) Regulations 2017 (No. 68 of 2017)

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 19 August 2026.

These regulations are administered in the Department of Natural Resources and Environment Tasmania.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) for the purposes of the *Marine Farming Planning Act 1995* –
 - (i) prescribe certain fees and charges payable under the Act; and
 - (ii) provide for the remission, or exemption from payment, of fees and charges payable under the Act; and
 - (iii) prescribe offences for which an infringement notice may be served and the penalties for those offences; and
- (b) rescind the following regulations:
 - (i) the *Marine Farming Planning Regulations 2016*;

Marine Farming Planning Regulations 2026
Statutory Rules 2026, No. 60

- (ii) the *Marine Farming Planning Amendment Regulations 2017*;
- (iii) the *Marine Farming Planning Amendment (Infringement Notices) Regulations 2017*.