



The Honourable Nick Duigan MLC
Minister for Energy and Renewables
Minister for Parks and Environment

24 May 2024

Dear Minister,

Environmental responsibilities, and amendments to the Tasmanian State Coastal Policy

Congratulations on your appointment to the Cabinet, and thank you for reaching out with a recent phone conversation.

Oysters Tasmania represents Tasmania's oyster farmers, who sustainably produce around \$40 million of premium product each year across regional Tasmania.

We ask you to ensure that environmental regulation is strong and that oyster farming is appropriately recognised in the update of the Tasmanian State Coastal Policy you have announced.

Environmental responsibilities

Pollution imposes costs on our industry and threatens its future. Growers pay the testing costs to detect pollutants, and when pollution is detected they close, at great cost.

It is a government responsibility to address pollution. As such, we request that the Government either prevent the pollution that affects our oyster-growing environment, or ensure that the costs of detecting and responding to this pollution are borne by polluters, or, failing this, by Government on behalf of polluters.

Preventing pollution

We suggest you use levers available to you, such as the annual letters of expectation, to require the EPA to enforce breaches of environmental law affecting our oyster-growing environment.

- The EPA should be required to act not just where it has sole regulatory responsibility, but also where local government has default regulatory responsibility but the EPA has discretion to step in, in instances where local government is the polluter (e.g. improper stormwater management).



Detecting pollution

Oyster growers currently pay around \$200,000 each year to test for pollution from residences, TasWater, agriculture, and industry. This testing for E. coli, other coliforms, and industrial metals and chemicals, is separate from our testing for naturally-occurring risks like harmful algal blooms. The \$200,000 cost to test for human-induced pollution should be borne by polluters, or failing that, by the Government on behalf of polluters.

Current testing should also be supplemented by testing to ascertain the source of human-induced pollution. For instance, whenever E. coli and other coliforms are detected in oysters and oyster-growing waters in excess of regulatory limits, further testing should be done to detect the species whose faeces caused that excess.

Responding to pollution

The oyster industry responds to the detection of human-induced pollution by pausing harvesting, and potentially recalling products in the market, until such time as our oysters are again safe to consume. The Government should independently verify our estimates of these costs and reduce its charges on the oyster industry by this amount.

Amendments to the Tasmanian State Coastal Policy

Oysters Tasmania welcomes your announcement of plans to amend the Tasmanian State Coastal Policy.

We consider that the current policy fails to recognise the unique role oyster farming can play on our coast. Unlike any other activity, oyster farming delivers with respect to the policy's principles of sustainable development and the protection of the natural and cultural values of the coast.

- Oyster farming is sustainable, in large part because oysters are fed by nature such that oyster farming is low-impact, no-feed farming.
- Oyster farming protects natural values because our oysters filter the water and help maintain estuary health.
- Working on water is part of Tasmanian culture, and oyster farmers employ Tasmanians on water year-round.

Given oyster farming's unique role, an amended policy should explicitly encourage oyster farming land bases being near the associated water leases. This is crucial for minimising distances travelled, and minimising the associated noise, labour and fuel costs, and emissions.



More broadly, an amended policy should call for the identification of opportunities for the development of oyster farming whenever strategic planning occurs. This would be consistent with the call in the current policy for the identification of opportunities for tourism development.

The policy should continue to call for monitoring and environmental studies, consistent with what we have outlined in the earlier discussion.

This letter is copied to Premier Rockliff given his state policy responsibilities, Minister Ellis given his land use planning and state policy responsibilities, Minister Abetz given his marine farming responsibilities, Minister Howlett given her food safety and water and sewerage responsibilities, and Minister Street given his local government and water and sewerage responsibilities.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Duncan Spender".

Duncan Spender
CEO, Oysters Tasmania