



The Honourable Nick Duigan MLC
Minister for Energy and Renewables
Minister for Sport and Events
Minister for Parks
Level 10, 15 Murray Street
Hobart TAS 7000

3 October 2025

Dear Minister,

Thank you for your 12 September 2025 reply to our request that specific instances of red tape under your Crown land responsibilities that affect oyster farmers be reduced.

Removable Lean-to

We requested that approval from the Parks and Wildlife Service (PWS) not be required for lessee activities on Crown land leases, such as the installation of a removable lean-to.

Your reply implicitly rejected this request, but did not clearly explain why, nor base any explanation on the public interest. Your reply made no reference to the installation of a removable lean-to.

1. Your reply stated that the Crown Lands Act 1976 (CLA) sets out activities that must not be undertaken on Crown land without lawful authority. Does the CLA include the installation of a removable lean-to as such an activity?
2. Your reply referred to breaches of the *Land Use Planning and Approvals Act 1993* (LUPAA). Does the Government consider that the installation of a removable lean-to can be a breach of the LUPAA? If so, does the Government believe that it is in the public interest that the installation of a removable lean-to can be a breach of the LUPAA?
3. Your reply stated that the Crown can be liable for acts undertaken by a tenant on a Crown land lease that breach the LUPAA. Does the Government consider that such acts include the installation of a removable lean-to? If so, can you please advise whether, because of this complication, you would consider the conversion of the Crown land leases into private land?



Silt removal

We requested that the PWS provide its approval of routine silt removal from channels immediately seaward of the high-tide line, within thirty days of an application, and with open-ended effect.

Your reply rejected this request, with reference to silt removal at Boomer Bay.

1. Your reply stated that the PWS provided its approval in 2022 to silt removal at Boomer Bay within eight weeks of receipt of an application that was satisfactory to the Department. Can you commit to such approval in future being provided within thirty days?
2. Your reply stated that the initial application was considered unsatisfactory as it was not accompanied by information from local government and the EPA advising that the proposed silt removal met the requirements of the Environment Management and Pollution Control Act 1994 (EMPCA). As the PWS is not responsible for the EMPCA, can you direct the PWS to provide its approval without going beyond its area of responsibility, so as to leave compliance with EMPCA to local government and the EPA?
3. Beyond environmental issues covered by the EMPCA, it is not clear what, if any matters, would prompt the PWS to withhold its approval for silt removal from a channel immediately seaward of the high-tide line. Can you please advise of any such matters, or commit to the PWS providing its open-ended approval — covering only its area of responsibility — to all future applications?

Yours sincerely,

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

Duncan Spender
CEO
Oysters Tasmania