

Minister for Energy and Renewables
Minister for Parks
Minister for Sport



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28 OCT 2025

Mr Duncan Spender
Email: ceo@oysterstasmania.org

Dear Mr Spender

I refer to your letter of 3 October 2025, requesting additional information in response to my correspondence of 12 September 2025.

In relation to your query regarding the statutory approvals required to install a 'lean-to' on Crown land, I note that section 46 of the *Crown Lands Act 1976* (CLA) explicitly outlines various activities that may not be conducted on Crown land without lawful authority, including, but not limited to, the erection of "any structure". As noted in my prior correspondence, contemporary Crown agreements require lessees and licensees to seek the Crown's consent to modify or construct new structures within their agreement area, which enables the Parks and Wildlife Service (PWS) to assess whether the proposed works are consistent both with the agreement's Permitted Use and any other terms and conditions.

Proposed developments on leased or licensed Crown land also remain subject to applicable planning laws. I understand that regardless of whether a structure is temporary or permanent, large or small, it can still require planning approval. Whether or not a structure does in fact require a planning permit, however, is determined in accordance with provisions of the *Land Use Planning and Approvals Act 1993* and the Tasmanian Planning Scheme. Queries regarding planning requirements for a proposed structure should be directed to local government as the relevant planning authority.

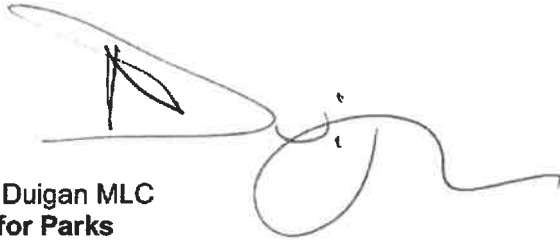
As addressed in my prior correspondence, a landowner may be liable for breach of applicable planning laws by a tenant. You ask consequently whether Crown land can be purchased. I note that planning requirements apply equally to privately owned property, however, should you wish to apply to purchase Crown land, I encourage you to contact Property Services for more information on making such an application. While every purchase application is considered on its merits, and is subject to full assessment and delegated approvals, I think it is important to highlight that it is not the Crown's practice to sell coastal Crown land.

In respect to your comments regarding the *Environment Management and Pollution Control Act 1994* (EMPCA), I note that while PWS does not administer that Act, the Crown is nevertheless required to comply with its provisions. Consequently, PWS will endeavor to ensure that any work activities on Crown land, authorised by it under the CLA, will not be conducted in contravention of EMPCA or any other relevant legislation.

Given the legislative responsibilities of the Crown, it is not possible to provide commitments about timeframes in advance for approval for future dredging or other works, as there may be changes in the environment, or other factors, which need to be considered in each instance. However, as also noted in my prior correspondence, should an oyster farmer wish to pursue an authority that enables multiple dredging activities over a period of years, this could be pursued through a licence, which would require assessment as per normal process, but may also include a requirement for a dredging plan. Should you wish to apply for such a licence, I again encourage you to contact Property Services.

If you wish to discuss this further, then please contact Mr Jesse Walker, Unit Manager (Assessments), Property Services, on 6165 4673 or at jesse.walker@parks.tas.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nick Duigan', with a large, sweeping flourish extending to the right.

Hon Nick Duigan MLC
Minister for Parks