

15 December 2005

The Hon Steven Kons LLB MHA
Minister for Primary Industries and Water
GPO Box 44
HOBART TAS 7001

Dear Minister

MPAs – POLICY ON DISPLACEMENT ASSESSMENT

The following response to your letter of 2 December 2005 and received by me on the 8th is made on behalf of the Tasmanian seafood industry.

Despite the fact that you have said on a number of occasions, in my presence, that the view of Government and indeed yourself, that the licence fee including the Abalone Deed of Agreement does not reflect the true value of the public resource it provides access to and that its purpose is purely a regulatory one, and; it is not designed to give “ownership” of the resource – that is not a view shared by the seafood industry!

I note in the policy that the Government has received advice on the matter of “ownership” from the office of the Solicitor General and that advice is in support of the Government’s view.

However, the reference in the policy to the issue of “displacement” as it was addressed during the development of the *Tasmanian Marine Protected Areas Strategy* in 2001 and comments on the public record made by your colleague the Minister for Environment and Planning, the Hon Judy Jackson MHA, left the seafood industry with an expectation there would be payments for those directly affected by the establishment of MPAs. Therefore, this is an issue that requires further negotiation with Government and, if a mutually acceptable position cannot be achieved, the seafood industry reserves the right to challenge, through all legal avenues available to it, the Government’s position.

To lend further weight, if it is needed, to the Tasmanian seafood industry’s position on this matter, we need look no further than the current process adopted by the Commonwealth as it seeks to both restructure those fisheries it administers and to introduce MPAs in water it controls. Similar parallels can be drawn with the restructuring of fishing activity in both South Australia and Queensland. In each of these cases the governments and their officials acknowledged the “traditional rights” of people who had been actively involved in fishing activity, in many cases for

generations. Thus the process applied by them was designed to allow people to exit the seafood industry with “dignity” where the need arose.

A second point of serious concern contained in the policy is the composition of the Assessment Panel. It is absolutely unacceptable to the Tasmanian seafood industry for the panel to consist entirely of people who are effectively employed by the Government. Furthermore, it is likely that at least two of those panel members were actively involved in advising the Government and in the drafting of the policy. This is not in any way to be interpreted as criticism of those people as the seafood industry has a high regard for their professionalism and personal integrity. Rather, it is a criticism of the inequitable nature/balance of the panel as it is currently proposed.

The Tasmanian seafood industry proposes an alternative position on the composition of the Assessment Panel to that contained in the policy. We believe the panel should be chaired by an independent person with a judicial background and have as members, a person who has professional fisheries management experience, but not currently working for the Tasmanian Government, and, a person with extensive experience and an acknowledged background in the seafood industry, but not someone currently in an official/highly active role with a particular sector or organisation. We also believe there needs to be a process of appeal.

Minister, it is obvious from the above that the Government’s position and that of the Tasmanian seafood industry are at absolute odds on this important matter. Therefore, I seek as a matter of urgency a meeting with you and your officials with the view to negotiating a more satisfactory outcome. This issue has the potential along with other activities of government, both State and Commonwealth, to seriously destabilise the Tasmanian seafood industry and to threaten its ongoing commercial viability.

Yours sincerely

Neil Stump
PRESIDENT