

LIVING MARINE RESOURCES MANAGEMENT ACT 1995

GUIDELINE ISSUED UNDER SECTION 75

RESTRICTION ON THE NUMBER OF FISHING LICENCES (MARINE PLANT) AUTHORISED TO HARVEST KELP IN THE NORTH-WEST OF THE STATE (CAPE GRIM SOUTH TO AHRBERG BAY)

I issue the following guideline under Section 75 of the *Living Marine Resources Management Act 1995*.

1. Short title

This guideline may be cited as *Minister's Guideline (limit on number of Fishing Licence [Marine Plant] in north-west Tasmania) 2015*.

2. Related matter

This guideline is issued to maintain status quo while the Department assesses harvesting pressure and management on cast kelp in the north-west of the State.

The statement of reasons for my decision, and consequent issuing of this guideline, is as follows:

- Material questions of fact:
 - Access to cast kelp in the north-west of the State has been largely limited by the policy of land managers in the area.
 - Policy of the primary land manager in the region has been relaxed, thus making possible increased effort in the fishery.
 - To date, there has been no formal management plan for the marine plant fishery.
 - The lack of formalised management arrangements has meant that there has never been a requirement for kelp harvesters to report harvesting activity to the Department.
 - Knowledge of harvesting pressure in specific areas has largely been based on unsubstantiated reports.
 - The fishery in the area from Cape Grim and south to Ahrberg Bay has on occasions been conducted in a disorderly manner.
- Material on which my decision is based:
 - A new management plan is being developed which proposes making reporting of harvesting activities mandatory.

- The Department may for the first time be able to identify the level of activity in specific areas and determine if locations are being fully utilised.
- Management strategies may then be introduced for each area.
- Reasons for my decision:
 - Given the history in the fishery of volatile relationships between stakeholders regarding access to the limited resource, and considering the more cooperative approach demonstrated in more recent times based on an agreement between parties and access constraints, it is prudent to ensure the status quo in the area is maintained until more information on resource availability and harvesting pressure is available.
 - This may become available through the implementation of a management plan.
 - Once sufficient data are available to inform decisions regarding the area, appropriate management strategies can be introduced.

3. To whom guideline is issued

In performing a function or exercising a power relating to any application for the grant of a fishing licence (marine plant), the Secretary or delegate is to take into account, in addition to any other matter the Secretary or delegate considers relevant, the following guideline.

4. Guideline issued

That in the case of an application for the grant of a fishing licence (marine plant) seeking authority to harvest cast kelp from the area from Cape Grim south to Ahrberg Bay, such a licence should only be granted if the total number of such licences will be at any one time no more than eight and the granting of the licence maintains the existing balance between operators that was in place at the time this guideline was issued. This guideline commences on date of signing.

5. Warning

This guideline is an interim arrangement regarding the introduction of the marine plant management plan. Decisions based on new data gathered may see access to areas opened to achieve maximum benefits or possibly restricted to protect the environment and the fishery. Any decisions by stakeholders or potential stakeholders regarding licences or harvesting activity in the area from Cape Grim south to Ahrberg Bay should not be based on arrangements in place in this interim period.

Dated this 21..... day of DECEMBER..... 2015


 Jeremy Rockliff
 Minister for Primary Industries and Water