

Department of Natural Resources and Environment Tasmania

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Mr Mark Ryan
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Dear Mr Ryan

MACQUARIE HARBOUR BIOMASS DETERMINATION COMMENCING 1 JUNE 2022

On 29 May 2020, Mr Wes Ford, as Director, Environment Protection Authority (EPA), made determinations regarding production limits for salmonids in Macquarie Harbour for the period 1 June 2020 to 31 May 2022. Those determinations were made under the *Macquarie Harbour Marine Farming Development Plan October 2005* (the Plan). Mr Ford made the determinations under management controls 3.3.1 and 3.3.5 of the Plan, being a delegate of the Secretary under the *Marine Farming Planning Act 1995*.

I am aware that the Director, EPA, wrote to you on 27 May 2022 regarding the timeframe for his consideration of future production limits in Macquarie Harbour beyond 31 May 2022. In that letter Mr Ford detailed that he anticipates his determination of those future limits to be finalised by late July 2022.

As the existing determinations made by Mr Ford end on 31 May 2022, and given the expected timeframe outlined by Mr Ford for transferring the biomass determinations into the Environmental Licences, it is appropriate for the production limits imposed by the existing determinations to continue until the new arrangements are finalised.

The delegation of power under the Plan to the Director, EPA, ceased on 1 December 2021 when the EPA transitioned to a separate agency. For consistency, and for the avoidance of doubt for industry and stakeholders, I have determined that it is appropriate that I extend the existing determinations until 31 August 2022, noting that they may be withdrawn once the Director, EPA, has finalised the new arrangements.

In making a new determination I recognise that from 1 February 2019, Petuna and Tassal entered into a Joint Venture Agreement for salmonid aquaculture in Macquarie Harbour and the Director wrote to you on 28 May 2021 regarding continuation of this arrangement. I understand that that arrangement has now ceased to be effective and have, therefore, made separate determinations for Petuna and Tassal. If the separation of the determinations does not match the current Joint Venture arrangements, please let me know and I will consider making a joint determination. I understand that Mr Ford will further consider separate allocations for Petuna and Tassal as part of his consideration of future production limits.

Management Control 3.3.1 of the Plan allows me to determine the maximum permissible stocking density of finfish held within any fish cage, within the area covered by the Plan or any other specified area within the plan area. The maximum permissible stocking density I have determined for areas leased or sub-leased by Tassal Operations Pty Ltd and Aquatas Pty Ltd for the period commencing 1 June 2022 to 31 August 2022 is set out in Attachment 1.

Management Control 3.3.5 of the Plan allows me to determine the maximum permissible biomass (tonnes per hectare) within the area covered by the Plan, or any other specified areas within the plan area. The maximum permissible biomass I have determined for leased areas operated by Tassal Operations Pty Ltd and Aquatas Pty Ltd for the period commencing 1 June 2022 to 31 August 2022 is set out in Attachment 2.

The Director, EPA, has indicated to you that a reduction in biomass limits for the harbour from July 2022 onwards is likely, hence any smolt introductions to Macquarie Harbour will need to be undertaken conservatively with due consideration of a likely reduction in biomass limits.

As the determination of future production limits remains primarily an environmental management matter, please direct any correspondence on this matter to the Environment Protection Authority.

Yours sincerely

A handwritten signature in black ink, appearing to be 'J. Jacobi', written in a cursive style.

Jason Jacobi
ACTING SECRETARY

31 May 2022

ATTACHMENT I

DETERMINATION - MAXIMUM PERMISSIBLE STOCKING DENSITY OF FINFISH THAT MAY BE HELD WITHIN ANY FISH CAGE WITHIN THE AREA OF LEASE NOS. 214, 219, 266 BEING AN AREA WITHIN THE AREA COVERED BY THE *MACQUARIE HARBOUR MARINE FARMING DEVELOPMENT PLAN OCTOBER 2005*

In accordance with Management Control 3.3.1 of the *Macquarie Harbour Marine Farming Development Plan October 2005* ("the Plan"), I have determined that within the total area covered by all of the following leases:

- marine farming Lease No. 214 (sub-lessee Tassal Operations Pty Ltd);
- marine farming Lease No. 219 (lessee Aquatas Pty Ltd);
- marine farming Lease No. 266 (lessee Tassal Operations Pty Ltd);

being an area within the area covered by the Plan, the maximum permissible stocking density of finfish held within any fish cage that may be stocked is as specified in column 2 of Table 1, in respect of the period specified in column 1 of that table.

Table 1

Period	Maximum permissible stocking density (kg per m ³) held within any fish cage within the area of leases 214, 219, 266
1 June 2022 to 31 August 2022	15 kg/m ³ which is extended for up to 40% of the cages of the current harvest year class biomass of salmonid fish (inclusive of those cages already harvested) to a maximum of 17 kg/m ³ at any one time, as long as the average for the total number of nets being held on the applicable sites does not exceed 15 kg/m ³ .

The date from which Tassal Operations Pty Ltd and Aquatas Pty Ltd must comply with my determination is 1 June 2022.

Dated: 31 May 2022



Jason Jacobi
ACTING SECRETARY

ATTACHMENT 2

DETERMINATION - MAXIMUM PERMISSIBLE BIOMASS (TONNES PER HECTARE) OF FINFISH THAT MAY BE STOCKED WITHIN THE COMBINED AREA OF LEASE NOS. 214, 219, 266 BEING AN AREA WITHIN THE AREA COVERED BY THE *MACQUARIE HARBOUR MARINE FARMING DEVELOPMENT PLAN OCTOBER 2005*

In accordance with Management Control 3.3.5 of the *Macquarie Harbour Marine Farming Development Plan October 2005* ("the Plan"), I have determined that within the total area covered by all of the following leases:

- marine farming Lease No. 214 (sub-lessee Tassal Operations Pty Ltd);
- marine farming Lease No. 219 (lessee Aquatas Pty Ltd);
- marine farming Lease No. 266 (lessee Tassal Operations Pty Ltd);

being an area within the area covered by the Plan, the maximum permissible biomass of finfish that may be stocked is as specified in column 3 of Table 1 in respect of the period specified in column 1 of that table.

Table 1

Period	Description of the category of salmonids that the maximum permissible biomass (tonnes per hectare) for the plan area applies to	Maximum permissible biomass (tonnes per hectare) that may be stocked within the combined area of Leases 214, 219, 266
1 June 2022 to 31 August 2022	All salmonids	10.26 t/ha

It is a requirement of this determination that when the biomass reaches 9 tonnes per hectare the company must submit biomass calculations and forward projections to the Director, EPA, on a weekly basis.

The date from which Tassal Operations Pty Ltd and Aquatas Pty Ltd must comply with my determination is 1 June 2022.

Dated: 31 May 2022



Jason Jacobi
ACTING SECRETARY