

The Hon. Chris Bowen
Minister for Climate Change and Energy PO Box
6022
House of Representatives, Parliament House
Canberra ACT 2600
Sent by email - minister.bowen@dcceew.gov.au

Dear Minister

GOVERNMENT POLICY REQUIRED TO PROTECT FISHING INTERESTS AND THE LOCAL ENVIRONMENT

On 14 February 2024, you issued the Offshore Infrastructure Registrar (OIR) with a [statement of expectations](#). In this statement you made it explicitly clear that you expected regulatory functions related to offshore wind energy to operate in a manner that *builds trust and enhances accountability with stakeholders*. Unfortunately, to date, stakeholder concerns over ongoing access and impacts on our marine environment from offshore wind energy developments have not been appropriately addressed by any of your government's regulatory processes or policies.

Restrictions to ocean access and environmental impacts are at the core of most fishing-related concerns associated to the development of an offshore wind energy industry. Currently, there is a complete absence of any outwardly facing government policy informing wind energy proponents of expectations related to co-existence and localised environmental impacts. Such policy is critical to protect the interests of existing users and marine habitats.

This letter outlines two simple changes to existing guidelines and policies the Albanese government can take to ensure concerns around access and the environment are adequately captured and addressed in policy.

Co-existence with recreational users

In your [announcement](#) declaring the offshore energy area near Bunbury, you advised of an expectation that recreational fishers would be able to travel and fish within the offshore wind zone. You also advised that licences would only be awarded to developers whose projects, among other things, protect and share the marine space. Despite this, the regulatory pathway currently expects project proponents to show they have a plan to co-exist with recreational fishing, rather than imposing government requirements that act in the public interest to minimise restrictions on future access.

Following the Bunbury announcement, you engaged with our Facebook post advising that you were happy to work with Recfishwest to ensure that offshore wind and recreational fishing co-exist. Given your recognition of fishing's value to the community, Recfishwest requests that your government develop a clear, binding policy committing developers to ensure no restrictions are imposed on fishing access around wind turbines once operational. Policy stipulating continued access could easily be incorporated into the merit criteria outlined in the [Guideline: Offshore Electricity Infrastructure Licence Administration – Feasibility Licences](#).

Impacts on critical fish habitat

The Bunbury declaration area contains numerous important and productive fish habitat areas, including breeding areas for key fish species such as WA dhufish and pink snapper. Recfishwest is deeply concerned that offshore wind turbine placement could irreparably damage these areas. As the Minister responsible,

the community expects that you will not issue feasibility and commercial licences to projects that will destroy important habitats or fishing grounds. However, there is currently no government guideline or policy that ensures wind farm proponents will recognise and protect these key ecological values within the declared area.

Recfishwest requests that your government implement a policy that constrains the construction of wind turbines and associated infrastructure to barren, mud, or sand substrates rather than on complex reef structures or seagrass meadows. For example, a policy direction protecting important habitats could easily be incorporated into DCCEEW's [Guidance on Key environmental factors for offshore windfarm environmental impact assessment under the Environment Protection and Biodiversity Conservation Act 1999](#).

Changes to policy aligned with our requests above would make it clear that the Albanese government values the marine environment and the community's ability to access this environment. These changes would provide the fishing community with some confidence that the government has stipulated adequate direction and oversight to support co-existence and the environment. Our proposed changes would also address the fact that there are currently no incentives for developers to act according to the community's expectations regarding ongoing access and the local marine habitats. Indeed, these are the same expectations you have repeatedly outlined in public statements.

Should you require any further information in this regard or wish to hear our thoughts on other ways the governance of offshore energy projects could be improved, please do not hesitate to contact me on 9246 3366.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'A Rowland', written in a cursive style.

Dr Andrew Rowland
Chief Executive Officer

2 October 2024