

Seafood Industry Australia

Ocean Access Policy – Extract

Finalised May 2023.

Background

Australian waters are facing increasing pressure from activities such as oil and gas exploration and decommissioning, marine protected area expansion, the effects of climate change, indigenous title, coastal developments and, more recently, the emerging offshore renewable energy sector. These activities have the potential to affect commercially important fin-fish and invertebrate species, and their food sources. They have resulted in loss of access for the commercial fishing industry, and it is expected they will increasingly continue to do so to the detriment of commercial fishers.

Unlike the terrestrial environment, fishers do not hold defined property rights over their fishing grounds, which means there is currently almost limitless scope for displacement. There is also no recognition of cumulative impacts, or clarity for managing them.

Governments' current approach to managing new and emerging industries is to promote 'coexistence', where all users must share the area with other users and interests. However, this premise is fundamentally flawed given the wide range of legislative instruments available to other sectors - but not to the fishing industry - to exclude and impact others, without adequate safeguards protecting existing operators.

Policy Summary

Cumulative Impacts

All governments need to understand and acknowledge the cumulative impacts of all marine-based developments on the fishing industry.

Policy and regulatory environment

Government decision-making and approval processes must align with governments' legislative obligations to be based on best available scientific information and knowledge to ensure informed decision-making.

Consistency and transparency

Proposals for marine developments should be integrated across sectors and jurisdictions to ensure coordinated and consistent decision making in terms of the evidence-basis of trade-off decisions that are made. This includes communication and coordination among state and national government agencies, fishing industry associations, indigenous title holders and oil and gas and renewable energy proponents.

Co-existence and minimising impacts

It is critical that all sectors work to avoid direct impacts on fishing businesses and rights holders or, where this is not possible, ensure impacts to fishing are minimised as much as possible.

Genuine Consultation

Stakeholder engagement and consultation in relation to any activity that has the potential to impact other marine users must be recognised as a legally binding obligation on governments.

Capacity building

Capacity to conduct marine spatial planning be enhanced at all levels, including government agencies, industry bodies and local communities. This includes education and training, data and information sharing and research and development.

Compensation

Compensation should be paid to commercial fishers* by both business proponents and non-business parties where a potential direct impact to commercial fishers cannot reasonably be avoided.

* rights holders, catchers, processors and sellers

Please refer to the full SIA Ocean Access Policy, [available here](#).

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