

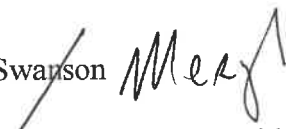


THE HON CHRIS BOWEN MP
MINISTER FOR CLIMATE CHANGE AND ENERGY

MB24-000537

Ms Meryl Swanson MP
Member for Paterson
PO Box 156
RAYMOND TERRACE NSW 2600

Meryl.Swanson.MP@aph.gov.au

Dear Ms Swanson 

I am writing to provide you with information on safety and protection zones in relation to the offshore wind industry in Australia.

The framework for regulating offshore wind energy generation infrastructure under the *Offshore Electricity Infrastructure Act 2021* (OEI Act) is based on the principle of shared use of the marine space. Coexistence with other marine users is important for establishing the offshore wind industry in the Hunter region.

The Australian Government's view of coexistence with recreational fishing is that it is expected that most fishing activities are able to continue most of the time. At times there may be restrictions on access for safety of people, infrastructure and vessels. There may also be a need to restrict certain activities near particular types of offshore wind infrastructure such as cables. Through the feasibility stage I expect project developers to work with existing users of the area on the layout of their project to minimise impacts.

The Offshore Infrastructure Regulator will be responsible for making safety and protection zone determinations. These zones will be determined on a project-by-project basis and will only be approved if there is clear justification for them in the Australian context. The Regulator will seek to ensure that offshore infrastructure is appropriately protected without unreasonably restricting the movements of recreational fishing vessels in accordance with international law and balancing coexistence with other marine users.

I anticipate that recreational fishing vessels will be able to travel and fish within the footprint of a wind farm, similar to offshore wind regulatory models used in countries such as the United Kingdom (UK) and Denmark. Offshore wind farms in UK waters commonly have wind turbines spaced from 1,000 metres to more than 3,000 metres apart. Typically, in these examples, an exclusion zone of 50 metres is established, where fishing vessels cannot enter around individual wind turbines and other pieces of offshore renewable energy infrastructure during their normal operations. It may also be possible in some instances that no exclusion zone is required.

The Offshore Infrastructure Regulator has recently updated its factsheet 'Offshore renewables and interactions with fisheries' to reflect feedback from interested parties. This publication includes more information on how this new industry will apply the principle of coexistence as it is established around Australia. This publication can be found at www.oir.gov.au/news-and-community/brochures-and-fact-sheets. Under the OEI Act, coexistence arrangements will need to be determined during the feasibility stage before a developer can apply for a commercial licence to construct offshore renewable energy infrastructure.

Regulations are currently under development to govern the way OEI licence holders will undertake their projects. I intend for the regulations to require feasibility licence holders to consult with existing users of the area, including with organisations representing recreational fishers whose activities may be affected by the proposed projects. Consultation may include matters such as the location of offshore wind turbines and maximising access during operation. The outcome of this consultation will need to be documented in the licence holder's management plan, including the measures that will be put in place to address adverse impacts.

Under the Hunter declared area legislative instrument, licences are subject to a condition which requires the holder of a feasibility licence to consult with holders of fishing licences in the development of a management plan, including addressing how impacts on these holders may be avoided, mitigated or offset.

If a feasibility licence is awarded in the Hunter, it will also be subject to a specific condition that requires the holder of a feasibility licence to consult with the Newcastle and Port Stephens Game Fishing Club in the development of a management plan, including addressing how impacts on these holders may be avoided or mitigated.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Bowen', written over a white background.

CHRIS BOWEN