



# **WESTERN ROCK LOBSTER**

**OFFSHORE RENEWABLE ENERGY**

**INDUSTRY POSITION PAPER**

**NOVEMBER 2023**

## 1. Executive Summary

The West Coast Rock Lobster Managed Fishery (WCRLMF) operates from the North West Cape to Cape Leeuwin in Western Australia. The industry comprises of around 230 vessels that rely on baited pots to catch rock lobster (*Panulirus cygnus*). The WCRLMF boundary is depicted in **figure 1**.

Economically, the WCRLMF is Australia's most valuable single-species wild capture fishery, worth \$440 million p.a. pre-Covid.

The WCRLMF is globally recognised as holding the distinction of being the world's first fishery to receive certification for ecological sustainability from the Marine Stewardship Council (MSC) in 2000. Since then, it has successfully maintained its certification through five recertifications, showcasing its ongoing commitment to the highest standards of responsible fishing practices.

The Western Rock Lobster Council (WRL) is the peak industry body dedicated to representing the interests of the western rock lobster commercial fishing industry. Acting as a collaborative partner with government, WRL plays a vital role in the co-management of the West Coast Rock Lobster Managed Fishery, while providing strategic guidance on crucial matters including resource access security, social license, market resilience, member advocacy, and research and development.

WRL has been closely following the developments of offshore renewable energy in Australia since November 2021, when the Offshore Electricity Infrastructure Bill 2021 passed both houses of Federal Parliament. In December 2021 the bill was given assent by the Governor-General, meaning it became law.

Now the 'Offshore Electricity Infrastructure Act 2021 (Cth)' (OEI Act), establishes a regulatory framework to enable the construction, installation, commissioning, operation, maintenance, and decommissioning of offshore electricity infrastructure in the Commonwealth offshore area.

Importantly, offshore wind farms can only be built in areas approved by the Australian Government. There has been 'priority areas'<sup>1</sup> identified for assessment for area declaration, including:

- Gippsland, Victoria;
- Hunter, NSW;
- Illawarra, NSW;
- Southern Ocean, Victoria;
- The Bass Strait region off Northern Tasmania;
- The Indian Ocean region off South West WA.

WRL maintains that, based on research, renewable energy generated by wind should be land based, rather than offshore, on the basis of economic and environmental impact. WRL does not want to see the ocean industrialised.

However, as at November 2023, there have been two areas announced as 'declared areas'. These are:

- Gippsland, Victoria;
- Hunter, New South Wales.

The next area being proposed by the Australian Government is an offshore wind zone in the Southern Ocean off the coast of Port MacDonnell in South Australia.

WRL understands that wind-generated renewable energy supports the Australian Government's aim to reduce emissions from the electricity sector.

Since the Act has been passed, WRL has been contacted by an increasing amount of project developers that are interested in, or planning, to develop offshore renewable energy projects off the coast of Western Australia.

Accordingly, this position paper helps set out the following:

- WRL's key concerns;
- What WRL requires from project proponents;
- The possibility of co-existence; and
- When and how to engage with WRL.

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<sup>1</sup> Department of Climate Change, Energy, the Environment and Water, *Australia's offshore wind areas* (Web Page) <https://www.dcceew.gov.au/energy/renewable/offshore-wind/areas>.



# WA Fishery Map



## 2. WRL's Key Concerns

**Resource access security** is WRL's primary strategic objective. In simple terms, 'resource access security' means security and certainty for our fishers to access the western rock lobster resource within the WCRLMF. This captures two key issues:

- **Physical access** to western rock lobster; and
- Ensuring that the **western rock lobster life cycle is not impacted in its development.**

### Loss of Access

Financial investment security is necessary to maintain the billions of dollars of asset values that underpin the western rock lobster industry. Fishers need certainty in accessing the WCRLMF resource in order to service their financial commitments. Our fishers are already subject to a number of measures that restrict access to the WCRLMF, including:

- State and Commonwealth marine park zones
  - Sanctuary areas within marine parks prohibit fishing for rock lobsters from accessing particular areas.
- Oil & Gas project activities as well as Co2 abatement and hydrogen storage;
  - Exclusion zones implemented from projects, including those implementing **seismic activities** require exclusion areas for the length of the activity.
- Defence operations
- Shipping channels and anchorages

Fishers' efforts to access the lobster resource is also reduced through **whale mitigation measures** which includes:

- Pot reductions (fishers can only use 50% of their pots from April through to November each year); and
- Gear modifications.

### Impacts on lobsters' development

Similarly, our fishers are concerned about activities that cause mortality or impact lobsters' development. In particular **seismic activities**, including by offshore oil and gas companies along the coast. These activities, when within a

certain range, can cause mortality and negatively impact rock lobsters leading to higher predation. These activities also restrict access to fishers.

Our industry is similarly concerned about **exclusion zones**. WRL express their deep concern that exclusion zones will impact fishers' resource access security, especially when large numbers of wind turbines are located together. This includes during construction and continuous operation. All attempts should be made by project proponents to ensure that exclusion zones are minimised whilst maintaining safety standards. Exclusion zones also pose a risk of increased insurance premiums to our fishers which can have significant financial impact to their operations. Conversely, if turbines are located within a close proximity of one another, fishers' insurers may increase their premiums to an extent that fishing in a wind-farm area may be prohibitively expensive and therefore act as informal exclusion zones.

Another impact relating to exclusion zones and the flow on effects of excluding particular forms of fishing from project areas, is that of **fish aggregation**. This can lead to an increase in certain species, and result in an altered prey-predator relationship.

Additionally, the western rock lobster has been shown to be affected by underwater seismic arrays, as well as **underwater disturbances** (such as sound by drilling etc.), and electro-magnetic fields generated by wind farms. These activities can cause physiological damage to rock lobster in any of its life stages. Depending on the strength and type of disturbance, rock lobsters can become significantly more susceptible to predation. Further funding is required in this area to adequately research these impacts on rock lobster.

These pressures, along with the increased speculation about offshore wind farm project areas off the west coast of WA has caused a lot of angst and uncertainty in the industry. **That is why project proponents are encouraged to thoroughly consider their project's location in light of these pressures.**

## Project's location

A project location's is a key factor in determining its impact on our industry. It is imperative that project proponents locate project areas that are not used by our fishers in their fishing activities. Figure 2 conveys a density map of fishing activities within the WCRLMF. WRL requests that project proponents locate any proposed project areas outside of highly utilised areas of the WCRLMF.

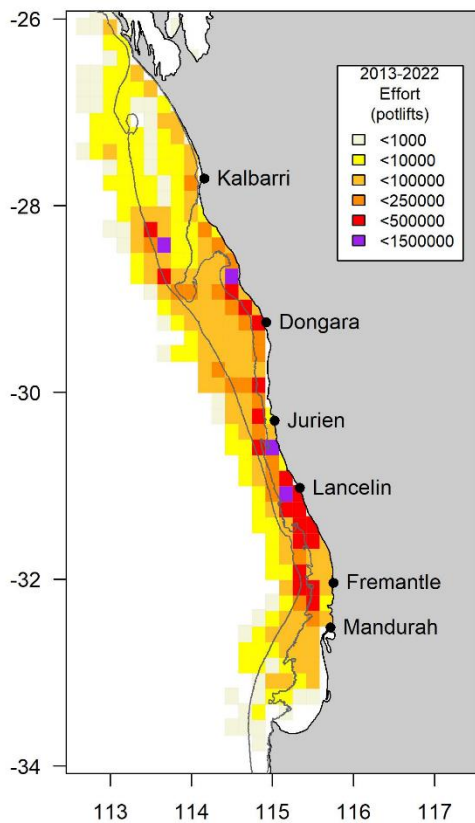


Figure 2

### 3. What WRL require from project proponents

WRL requires the following information from project proponents about their proposed project:

- **Number of turbines;**
- **Spacing distance between turbines;**
- **Benthic habitat documentation** of the project site, including its habitat and biological productivity. This will help WRL understand the area's value to the fishery.
- **Exclusion zone requirements;**
- **What studies are expected** to be undertaken by the proponent (i.e., desktop, seismic surveys, drilling etc.)

- **Cost-benefit and risk analysis** highlighting the proposed site is the best option, including compared to land-based sites;
- **an assessment of impacts** on all stages of the life-cycle of the western rock lobster during construction and operation.
- **Planned measures** to mitigate impacts on the lobster resource and the commercial lobster fishing industry's access to that resource.

All information needs to be provided at a sufficient level of detail to properly estimate the expected impacts of the project site's location on the WCRLMF.

### 4. Co-Existence

WRL have heard from project proponents who espouse efforts to ensure co-existence between offshore renewable energy projects and the fishing industry. WRL believe that co-existence can only occur if project proponents deeply consider and address the issues that we have raised in this paper and propose measures that will seek to prevent them or severely mitigate their consequences. Without these measures, the phrase 'co-existence' carries little, if any, weight or meaning within our industry

### 5. When and how to engage with WRL

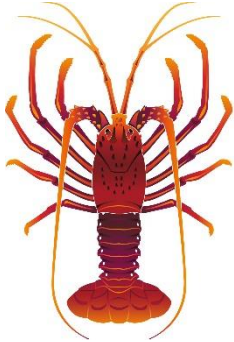
WRL hopes that the information on this position paper has provided you with valuable information about the WCRLMF and its industry's position on offshore renewable energy. WRL is committed to engage in genuine, effective and meaningful consultation with project developers.

This also then avoids unnecessary alarm amongst our industry, especially in these early stages when there are numerous speculative projects being proposed in areas that are not even nominated by the Federal Government as 'priority areas' for wind farms.

All proponents should be aware, that if they seek to engage with WRL, then they will be requested to enter into a service agreement with WRL to compensate WRL for the time and resources that will be expended in the provision of relevant information.

For further information, please contact WRL's Governance, Policy and Resource Access Officer – Carey-Ann Harper at [carey-ann@westernrocklobster.org](mailto:carey-ann@westernrocklobster.org).

**WRL thanks you for taking the time to read this position paper.**



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LOBSTER**

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World leading sustainable fishery