

Fair Ocean Access

Minimising fishing impacts from offshore operations



Information Sheet | June 2021



Introduction

Licensed commercial fishers and petroleum title holders have lawful rights and obligations to carry out their activities safely and without interference. Beach is committed to *Fair Ocean Access* by minimising impacts from its offshore activities to commercial fishers.

Beach's *Fair Ocean Access Procedure* sets out commitments by Beach to genuine consultation with fishers to understand and minimise safety, environmental and economic impacts.

Where impacts cannot be minimised by Beach, and a fisher has acted to avoid risks and impacts to a Beach project, Beach's *Fair Ocean Access Procedure* includes a simple and fair process for a fisher to claim compensation for an economic loss, and a rapid approval and payment process.

Safety

Safety is Beach's first priority and operating safely will sometimes require restricted access for relatively small offshore areas over short periods. Beach will consult with fishers to seek to minimise potential disturbance to areas that are regular fishing grounds and where the fisher has no alternative fishing options.

Environmental Protection

Beach's projects are subject to stringent assessment and mitigation of potential environmental impacts. Beach must prepare Environment Plans for its offshore projects. These identify all environmental and socio-economic impacts and set out mitigation measures to reduce impacts, so they are "as low as reasonably practicable" and acceptable by regulators. Mitigation measures may include compensation where impacts on the commercial fishing industry cannot be minimised and where these impacts cause an economic loss.

Assessment of impacts includes identifying State and Commonwealth commercial fisheries that are actively fished in Beach's project areas and any biological or economic impacts to those fisheries. Consultation with commercial fishers is an important part of Beach's environmental assessment process.

Genuine consultation

Beach will consult with openness, transparency and mutual respect with fishers who may be directly impacted by Beach's projects. Beach will use its best endeavours to consult with all potentially impacted fishers during preparation of its Environment Plan for a project, and before projects commence.

Respecting the representative role of fishing associations, Beach will seek engagement with potentially impacted fishers via the relevant association. Beach will also engage directly with a fisher if they are not a member of an association, or where they request direct engagement with Beach.

Where a fishing association or fisher believes they will be impacted by a Beach project, Beach will share its fishing impact assessments, validate that with fishers, and discuss their specific circumstances with the objective of minimising potential impacts.

If project avoidance and impact minimisation is not possible, Beach will provide a copy of its full *Fair Ocean Access Procedure* and discuss mitigation options set out in the procedure, as appropriate to the individual fisher or association.

Economic loss

Beach is committed to the principle that a fisher should not suffer an economic loss as a direct result of a Beach project. Losses may occur for different reasons such as:

- reduced catch from fishing in a new area in order to avoid a Beach project
- reduced catch due to impacts to a fishery from the project activities
- steaming costs to avoid a Beach project area
- costs to repair or replace fishing gear.

Acting in good faith

Beach is committed to a fair, simple and transparent process for a fisher to claim compensation, where the fisher has consulted with Beach in good faith before a project, and provided the fisher has:

- acted to avoid risks and impacts to a Beach project
- acted to mitigate any economic losses to their business that may arise from avoiding risks and impacts to a Beach project
- evidence of fishing in the Beach project area during the same time of year as the project timing, for at least three years within the last five years, unless there are genuine fishery or fishing practice reasons for lesser periods
- historical and current catch and effort evidence and the ability to demonstrate an economic loss, as set out in Beach's *Fair Ocean Access Procedure*.

Making a claim

The *Fair Ocean Access Procedure* sets out a simple claim form and describes the evidence required for a claim, such as historical catch and effort records, current catch and effort records, and fish prices.

Claims must be made within 60 days of completion of a Beach project unless there is evidence that the project has caused an impact to the fishery which has impacted future catch and caused an economic loss.

The *Fair Ocean Access Procedure* sets out timeframes for the rapid assessment and payment of successful claims and for ensuring the fisher is kept informed.

Beach will nominate a single point of contact at Beach for a fisher to liaise with.

Claims and evidence will be managed in accordance with Beach's Privacy Policy which can be found on Beach's website.

If a claim is not approved, Beach will provide written reasons for the decision.

Resolving disagreements

Where a fisher and Beach cannot agree on a fisher's claim, the *Fair Ocean Access Procedure* includes steps for appointing an independent expert to resolve the matter. Beach will pay the reasonable costs of the independent expert, as set out in the *Fair Ocean Access Procedure*.

We welcome your questions and feedback

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