



DISPLACED EFFORT WORKING GROUP

COMMUNIQUÉ — MEETING No. 8

Tuesday 2 February 2010

The objective of the Displaced Effort Working Group (DEWG) is to advise on the development of policy, processes and mechanisms for dealing with the effects of any displaced commercial fishing and/or aquaculture effort arising from the dedication, zoning and management of South Australian marine parks, or any other matter referred to it by the Minister for Environment and Conservation (as per the Group's Terms of Reference).

The following DEWG members were present at the eighth meeting of the DEWG, held on Tuesday 2 February 2010: Martin Hernen, Peter Welch, Justin Phillips, Christian Pyke, Michael Tokley, Mark Cody, Andrew Hogg, Gary Morgan, Leanne Burch, Chris Thomas, Lambertus Deluca-Lopez (proxy for Mehdi Doroudi). Michael Fooks and Catherine Barnett attended as observers. Greg Leaman chaired the meeting.

This meeting was a follow up to a DEWG meeting held 6 January 2010 and particularly considered the following issues:

1. The establishment of a methodology for compensating for inconveniences created to businesses through partial displacement that may result via the introduction of marine parks. This will include (but not be limited to) increased operating costs, loss of revenue and capital redundancy, and will take into account differences between sectors involved in commercial fishing;
2. Amending component C of the revised formula for acquisition of licence/quota/endorsement (which relates to compensation for costs incurred as a result of zoning) to ensure it is equitable, fair and reasonable;
3. Providing principles for compensation for all affected statutory authorisations as provided in section 21 of the *Marine Parks Act 2007*, rather than those relating solely to the fishing industry;
4. Terminology relating to component D of the acquisition formula (regarding a "solatium" or "ex gratia" payment); and
5. The review and appeal provisions provided under part 8 of the Marine Parks Regulations (Qld) and how it may apply to the appeal process for compensation in South Australia.

As a consequence of discussion it was resolved to:

- (a) through DEH, obtain specialist advice with regard to 1 and 2 above; and
- (b) have further discussions with Parliamentary Counsel (and, if necessary seek to involve Christian Pyke as the DEWG industry representative) with regard to providing further clarification around component C of the new formula for acquisition of licence/quota/endorsement.

The DEWG will aim to meet again in late February/early March, depending on the availability of the parties from whom advice will be sought.

The DEWG noted the development of the zoning regulations as a parallel activity to the development of the displaced effort regulations, as well as the commitment by government to have both sets of regulations in place prior to Local Advisory Groups having detailed discussions on management planning which involves the zoning propositions.