

Offshore renewables and interactions with fisheries

June 2023



The Offshore Electricity Infrastructure Framework

Offshore wind is rapidly emerging as a new, large-scale renewable energy generation opportunity that can contribute to Australia's energy mix and support emissions reduction goals.

The *Offshore Electricity Infrastructure Act 2021* (OEI Act) framework provides a licensing scheme to enable the construction, installation, commissioning, operation, maintenance and decommissioning of offshore renewable energy projects in the Commonwealth offshore area. The framework applies from three nautical miles (3NM) from the coastline out to the boundary of Australia's exclusive economic zone.

State/Territory governments remain responsible for licensing and regulating projects and associated infrastructure in their coastal waters (<3NM).

Interactions with fisheries

The OEI Act framework operates under the principle of shared use of the offshore marine environment, recognising all users and balancing competing interests.

International experience indicates that the offshore renewables sector can co-exist with other offshore industries and activities, with many examples of fishing continuing around operational offshore wind farms.

There are also examples where the introduction of offshore renewables has led to changes in fishing areas and activities.

Effective liaison between offshore renewables proponents and fisheries stakeholders is important to understand the interactions between the sectors and to identify, avoid and mitigate any potential impacts such as displacement of fisheries.

What are the opportunities for consultation?

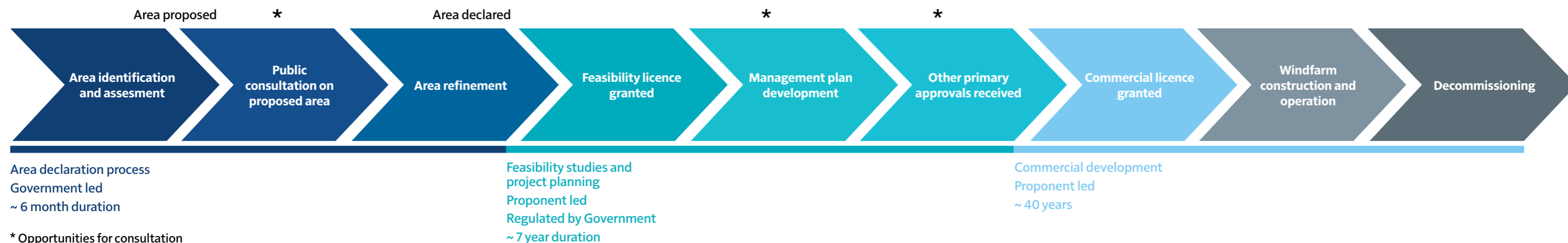
The OEI framework includes a number of opportunities for fishers and other stakeholders to have their say on where offshore renewable energy developments may be located and how they should be managed.

Area identification and declaration process

Areas proposed to be declared for future offshore renewable energy projects are subject to a statutory consultation period of at least 60 days. The Minister for Climate Change and Energy will publish a notice on the Department of Climate Change, Energy, the Environment and Water's (DCCEEW) website that specifies the area being considered for future licensing under the OEI Act. The public will be invited to submit comments and provide feedback on existing uses and interests in, and near, the area under consideration. Feedback will help inform the Minister's decision on whether the proposed area is suitable for offshore renewable energy developments.

Offshore wind is an emerging industry in Australia. It may take up to 10 years from the time an area is declared before an offshore wind farm becomes operational.

Indicative timeframe for an offshore renewable energy development



Project authorisations and activity approvals

Primary environmental approvals for offshore renewable energy projects must be obtained under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Information relevant to these proposals, including potential impacts on commercial fishing, will be published on DCCEEW's website for public comment.

Proponents wanting to undertake an offshore renewable energy project will need to apply for a licence. OEI Act licences provide rights to undertake offshore infrastructure activities in a specified area. The Offshore Infrastructure Registrar is responsible for leading assessment of licence applications under the OEI Act framework.

Before offshore activities involving the construction, installation, operation, maintenance and decommissioning of infrastructure can proceed a licence holder will need to have a management plan approved by Offshore Infrastructure Regulator (OIR).

Management plans will contain details about the operational aspects of a project including outcomes of consultation with other marine users and plans for ongoing stakeholder consultation throughout the life of the project. Revisions of management plans will be required every 5 years or where there is a change or proposed change of circumstances or operations.

The requirements for management plans and consultation are currently under development by DCCEEW. The OIR will provide further guidance on these requirements as they develop.

Restriction zones and existing rights

The OEI Act framework provides for safety and protection zones to be established in and around offshore renewable energy projects. Restrictions may be placed around specific infrastructure to manage safety and protect infrastructure from damage.

The exact details and duration of these restricted areas will be determined on a project-by-project basis by the OIR. There may be opportunities for fishing and offshore wind farms to coexist where safety and infrastructure integrity objectives can be achieved.

Collaboration and engagement

Collaboration across sectors on issues of common interest will be key to the long-term success and sustainability of offshore industries in Australia.

There is an opportunity for collaborative work on developing guiding principles on best practice consultation and co-existence frameworks for the offshore renewables and fishing sectors through regional forums and working groups.

Commercial and recreational fishers through peak bodies are encouraged to publish their expectations for genuine, effective and meaningful consultation, enabling project developers to tailor their engagement with fisheries stakeholders accordingly.

Unless early engagement on commercial-scale projects is requested, project developers should not be undertaking project-specific consultation with stakeholders, or commencing detailed works on a proposed project until they have been granted a feasibility licence under the OEI Act.

More information

- Area identification and declaration processes for offshore renewables visit: dceew.gov.au
- Licensing offshore renewable energy projects visit: offshoreregistrar.gov.au
- Regulating offshore renewable energy projects visit: oir.gov.au



Offshore Infrastructure Regulator

Contact Details

P: +61 (08) 6188 8700

E: offshorerenewables@oir.gov.au

Head office: Level 10, Alluvion Building
58 Mounts Bay Road, Perth WA 6000

oir.gov.au

Offshore Infrastructure Regulator

ABN 22 385 178 289