



Fact sheet



Offshore Electricity Infrastructure Act 2021

If your project involves the development of offshore renewable energy or electricity transmission infrastructure such as windfarms, solar farms, wave energy plants or undersea interconnectors in Commonwealth offshore areas in Australian waters, you must comply with this Act.

1. What approvals do I need?

Licences are required to construct, operate or decommission offshore renewable energy or transmission infrastructure in Commonwealth offshore areas under the [Offshore Electricity Infrastructure Act 2021](#) (OEI Act). Commonwealth offshore areas include the sea and seabed starting three nautical miles from the coastline, extending to the boundary of Australia's exclusive economic zone.

A licence for offshore renewable energy infrastructure can only be granted in an area declared as suitable for development. The Department of Climate Change, Energy, the Environment and Water (DCCEEW) is responsible for leading the area declaration process. The Minister for Climate Change and Energy makes all area declaration decisions.

Licence applicants must demonstrate they satisfy suitability and merit criteria to be granted a licence.

Licence types are as follows:

- **Feasibility licences** permit the holder to assess the feasibility of a commercial offshore infrastructure project, for up to seven years. Further details are available in DCCEEW's [guideline document](#)^[PDF].
- **Commercial licences*** allow offshore infrastructure projects, including commercial generation of electricity, for up to 40 years.

- **Transmission and infrastructure licences** permit installation and operation of undersea interconnectors to store, transmit or convey electricity or a renewable energy product that may cover one or more areas outside of a declared area.
- **Research and demonstration licences** enable short-term projects of up to 10 years to trial and test new offshore renewable energy technologies, systems or processes.

*a feasibility licence is required before applying for a commercial licence.

An approved **management plan** must also be in place prior to the commencement of any activities. Management plans permit the licence holder to undertake any offshore infrastructure activities and other activities that are to be carried out under the licence. Requirements for management plans are specified within the [Offshore Electricity Infrastructure Regulations 2022](#) and the Offshore Infrastructure Regulator's [guidelines](#)^[PDF] on management plan content.

In most cases, environmental approvals under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and other approvals will also be required during the feasibility licence period.

Detailed [guidance](#) on environmental approval requirements for offshore windfarms is available from DCCEEW.

2. Who provides the approvals?

The Minister for Climate Change and Energy makes licencing decisions under the OEI Act, supported by the Offshore Infrastructure Registrar.

The Offshore Infrastructure Regulator is responsible for assessing and approving management plans.

The Minister for the Environment and Water makes decisions on primary environmental approvals required under the EPBC Act.

3. How do I apply for the approvals?

Licence applications must be submitted to the Offshore Infrastructure Registrar in accordance with the [guidelines](#) available on its website. The preferred method of submission is online via the [National Electronic Approvals Tracking System](#).

Management plans are submitted to and assessed by the Offshore Infrastructure Regulator using the Regulator's online [application portal](#). Guidelines on the submission process are available on the Offshore Infrastructure Regulator's [website](#).

4. More information

Department of Climate Change, Energy, the Environment and Water

Further information on the regulatory requirements for offshore renewable electricity infrastructure is available on the DCCEEW [website](#).

For general queries, DCCEEW's Offshore Renewables Team can be contacted by email at offshorerenewables@dcceew.gov.au.

Major Projects Facilitation Agency

If you would like assistance to identify potential Australian Government regulatory approvals required for your project, please refer to the [Major projects help tool](#) self-assessment.

The MPFA team can be contacted by email at MPFA@industry.gov.au.