



Offshore Electricity Infrastructure (Declared Area OEI-01-2023) Declaration 2023

I, Chris Bowen, Minister for Climate Change and Energy, make the following instrument.

Dated 11 July 2023

Chris Bowen
Minister for Climate Change and Energy

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1 Name

This instrument is the *Offshore Electricity Infrastructure (Declared Area OEI-01-2023) Declaration 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 17 of the *Offshore Electricity Infrastructure Act 2021*.

4 Definitions

Note 1: A number of expressions used in this instrument are defined in section 8 of the Act, including the following:

- (a) commercial licence;
- (b) Defence Minister;
- (c) feasibility licence;
- (d) licence area;
- (e) management plan;
- (f) offshore renewable energy infrastructure;
- (g) research and demonstration licence.

Note 2: For the purposes of the Act, the position on the surface of the Earth of a point, a line or an area is to be determined by reference to the Geocentric Datum of Australia as defined in Gazette No. 35 of 6 September 1995 (GDA94 geocentric data set). See section 49 of the *Offshore Electricity Infrastructure Regulations 2022*.

In this instrument:

Act means the *Offshore Electricity Infrastructure Act 2021*.

Australian Maritime Safety Authority means the Authority within the meaning of the *Australian Maritime Safety Authority Act 1990*.

Bureau of Meteorology means the Bureau within the meaning of the *Meteorology Act 1955*.

Civil Aviation Safety Authority means CASA within the meaning of the *Civil Aviation Act 1988*.

Declared Area OEI-01-2023 means the area specified in Schedule 1.

Department of Defence means the Department administered by the Defence Minister.

5 Declared area

- (1) Declared Area OEI-01-2023 (the **declared area**) is declared for the purposes of the Act.

Simplified map of declared area

- (2) Schedule 2 sets out a simplified map that shows the location of the declared area.

6 Conditions

Note: Licences will also be subject to other conditions: see sections 35, 45 and 54 of the Act.

A licence in relation to which the matters set out in column 1 of the following table are satisfied must be subject to the corresponding condition set out in column 2.

Conditions		
Item	Column 1 Matters	Column 2 Conditions
1	(a) the licence is a: (i) feasibility licence; (ii) commercial licence; or (iii) research and demonstration licence; and (b) the licence is granted in respect of the declared area or any part of the declared area.	The licence holder must ensure that any offshore renewable energy infrastructure does not exceed 260 metres above mean sea level.
2	(a) the licence is a: (i) feasibility licence; or (ii) research and demonstration licence; and (b) the licence is granted in respect of the declared area or any part of the declared area.	The licence holder must: (a) in preparing a management plan for the licence, consult: (i) the Department of Defence; (ii) the Bureau of Meteorology; (iii) the Australian Maritime Safety Authority; (iv) the Civil Aviation Safety Authority; and (v) the holder of an existing petroleum or greenhouse gas title issued under the <i>Offshore Petroleum and Greenhouse Gas Storage Act 2006</i> whose title area overlaps with the licence area, or a

Conditions	
Item	Conditions
	<p>representative nominated by the holder for the purposes of the consultation; and</p> <p>(b) in the management plan for the licence, address the outcomes of this consultation.</p>
3	<p>The licence holder must:</p> <p>(a) in preparing a management plan for the licence, consult:</p> <p>(i) in the case of a concession or licence holder that has nominated a representative organisation for the purposes of the consultation—the representative organisation; and</p> <p>(ii) in any other case—the concession or licence holder;</p> <p>where the concession or licence confers rights that can be exercised in relation to any part, or parts, of the licence area; and</p> <p>(b) in the management plan for the licence, address the outcomes of this consultation, including how impacts on these holders may be avoided, mitigated, or offset.</p>

Schedule 1—Declared Area OEI-01-2023

Definition of “Declared Area OEI-01-2023” in section 4

Declared Area OEI-01-2023 consists of the line commencing at point OEI-P1-1 in the following table and running along the geodesics sequentially connecting the points as described in the table and then along the geodesic to the point of commencement:

Offshore Renewable Energy Area 1		
Item	Latitude	Longitude
OEI-P1-1	32° 43' 01.87" S	152° 41' 27.91" E
OEI-P1-2	32° 56' 15.63" S	152° 18' 07.64" E
OEI-P1-3	32° 56' 38.73" S	152° 17' 58.10" E
OEI-P1-4	32° 56' 59.91" S	152° 17' 48.75" E
OEI-P1-5	32° 57' 21.12" S	152° 17' 38.21" E
OEI-P1-6	32° 57' 41.93" S	152° 17' 27.33" E
OEI-P1-7	32° 58' 04.50" S	152° 17' 15.74" E
OEI-P1-8	32° 58' 24.01" S	152° 17' 05.22" E
OEI-P1-9	32° 58' 46.09" S	152° 16' 52.04" E
OEI-P1-10	32° 59' 08.59" S	152° 16' 38.93" E
OEI-P1-11	32° 59' 35.42" S	152° 16' 21.79" E
OEI-P1-12	33° 00' 00.70" S	152° 16' 05.64" E
OEI-P1-13	33° 00' 32.67" S	152° 15' 42.86" E
OEI-P1-14	33° 00' 57.84" S	152° 15' 24.52" E
OEI-P1-15	33° 01' 26.07" S	152° 15' 02.67" E
OEI-P1-16	33° 01' 48.80" S	152° 14' 44.70" E
OEI-P1-17	33° 02' 11.23" S	152° 14' 25.19" E
OEI-P1-18	33° 02' 36.08" S	152° 14' 03.87" E
OEI-P1-19	33° 03' 03.69" S	152° 13' 39.38" E
OEI-P1-20	33° 03' 28.92" S	152° 13' 14.72" E
OEI-P1-21	33° 03' 48.64" S	152° 12' 55.74" E
OEI-P1-22	33° 04' 09.56" S	152° 12' 34.76" E
OEI-P1-23	33° 04' 30.81" S	152° 12' 11.82" E
OEI-P1-24	33° 04' 54.43" S	152° 11' 46.06" E
OEI-P1-25	33° 05' 14.44" S	152° 11' 22.56" E
OEI-P1-26	33° 05' 36.03" S	152° 10' 56.70" E
OEI-P1-27	33° 05' 50.65" S	152° 10' 38.59" E
OEI-P1-28	33° 06' 10.44" S	152° 10' 13.29" E
OEI-P1-29	33° 06' 30.64" S	152° 09' 46.57" E
OEI-P1-30	33° 06' 45.67" S	152° 09' 26.33" E
OEI-P1-31	33° 07' 06.06" S	152° 08' 57.84" E

Offshore Renewable Energy Area 1

Item	Latitude	Longitude
OEI-P1-32	33° 07' 25.94" S	152° 08' 28.84" E
OEI-P1-33	33° 07' 45.31" S	152° 07' 59.35" E
OEI-P1-34	33° 07' 55.67" S	152° 07' 42.86" E
OEI-P1-35	33° 16' 53.95" S	152° 14' 24.86" E
OEI-P1-36	33° 16' 53.96" S	152° 19' 07.32" E
OEI-P1-37	33° 01' 39.68" S	152° 39' 19.34" E
OEI-P1-38	32° 50' 28.28" S	152° 48' 18.93" E
OEI-P1-39	32° 42' 04.42" S	152° 51' 52.14" E
OEI-P1-40	32° 42' 04.42" S	152° 45' 59.40" E
OEI-P1-41	32° 47' 01.73" S	152° 41' 26.32" E
OEI-P1-42	32° 45' 33.79" S	152° 39' 08.31" E

Schedule 2—Simplified map of declared area

Subsection 5(2)

