



Offshore Electricity Infrastructure (Declared Area OEI-03-2024) Declaration 2024

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

Dated 30 August 2024

Chris Bowen
Minister for Climate Change and Energy

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1 Name

This instrument is the *Offshore Electricity Infrastructure (Declared Area OEI-03-2024) Declaration 2024*.

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Note: This table relates only to the provisions of this instrument as originally made.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) Defence Minister;
- (b) feasibility licence;
- (c) licence area;
- (d) management plan;
- (e) offshore renewable energy infrastructure;
- (f) 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-03-2024 means the area made up of:

- (a) Declared Area OEI-03-2024 Part 1 as specified in Schedule 1; and
- (b) Declared Area OEI-03-2024 Part 2 as specified in Schedule 2.

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

5 Declared area

- (1) Declared Area OEI-03-2024 (the **declared area**) is declared for the purposes of the Act.

Simplified map of declared area

- (2) Schedule 3 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: <ul style="list-style-type: none">(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: <ul style="list-style-type: none">(a) in preparing a management plan for the licence, consult:<ul style="list-style-type: none">(i) the Australian Maritime Safety Authority; and(ii) the Civil Aviation Safety Authority; and(b) in the management plan for the licence, address the outcomes of this consultation.
2	(a) the licence is a: <ul style="list-style-type: none">(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: <ul style="list-style-type: none">(a) in preparing a management plan for the licence, consult the Department of Defence; and(b) in the management plan for the licence, address the outcomes of this consultation, including how impacts may be avoided and mitigated.

Conditions		
Item	Column 1 Matters	Column 2 Conditions
3	<p>(a) the licence is a:</p> <ul style="list-style-type: none"> (i) feasibility licence; or (ii) research and demonstration licence; and <p>(b) the licence is granted in respect of the declared area or any part of the declared area.</p>	<p>The licence holder must:</p> <ul style="list-style-type: none"> (a) in preparing a management plan for the licence, consult the Bureau of Meteorology; and (b) in the management plan for the licence, address the outcomes of this consultation, including how impacts may be avoided, mitigated, or offset.
4	<p>(a) the licence is a feasibility licence; and</p> <p>(b) the licence is granted in respect of the declared area or any part of the declared area; and</p> <p>(c) rights under one or more:</p> <ul style="list-style-type: none"> (i) commercial fishing concessions granted under the <i>Fisheries Management Act 1991</i>; or (ii) commercial fishing licences issued under the <i>Fish Resources Management Act 1994</i> (WA); <p>can be exercised in relation to any part, or parts, of the licence area.</p>	<p>The licence holder must:</p> <ul style="list-style-type: none"> (a) in preparing a management plan for the licence, consult: <ul style="list-style-type: none"> (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 (ii) in any other case—the concession or licence holder; <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> (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.

Schedule 1—Declared Area OEI-03-2024 Part 1

Definition of “Declared Area OEI-03-2024” in section 4.

Declared Area OEI-03-2024 Part 1 consists of the line commencing at point OEI-03-2024-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:

Declared Area OEI-03-2024 Part 1		
Item	Latitude	Longitude
OEI-03-2024-P1-1	32° 47' 30.47" S	114° 57' 32.85" E
OEI-03-2024-P1-2	32° 47' 30.41" S	114° 57' 45.29" E
OEI-03-2024-P1-3	32° 47' 30.41" S	114° 57' 45.78" E
OEI-03-2024-P1-4	32° 47' 29.60" S	115° 00' 26.00" E
OEI-03-2024-P1-5	32° 47' 26.48" S	115° 10' 43.90" E
OEI-03-2024-P1-6	32° 47' 24.54" S	115° 17' 07.23" E
OEI-03-2024-P1-7	32° 47' 24.61" S	115° 17' 07.24" E
OEI-03-2024-P1-8	33° 00' 31.31" S	115° 19' 25.96" E
OEI-03-2024-P1-9	33° 09' 20.04" S	115° 14' 20.70" E
OEI-03-2024-P1-10	33° 12' 30.23" S	114° 59' 35.05" E
OEI-03-2024-P1-11	33° 14' 42.69" S	114° 58' 36.45" E
OEI-03-2024-P1-12	33° 19' 10.30" S	114° 46' 17.61" E
OEI-03-2024-P1-13	33° 14' 00.94" S	114° 45' 51.73" E
OEI-03-2024-P1-14	33° 05' 01.09" S	114° 49' 50.55" E
OEI-03-2024-P1-15	32° 56' 31.09" S	114° 53' 35.36" E
OEI-03-2024-P1-16	32° 47' 30.97" S	114° 57' 32.62" E

Schedule 2—Declared Area OEI-03-2024 Part 2

Definition of “Declared Area OEI-03-2024” in section 4.

Declared Area OEI-03-2024 Part 2 consists of the line commencing at point OEI-03-2024-P2-1 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:

Declared Area OEI-03-2024 Part 2		
Item	Latitude	Longitude
OEI-03-2024-P2-1	33° 28' 55.25" S	114° 23' 05.83" E
OEI-03-2024-P2-2	33° 28' 55.08" S	114° 14' 29.65" E
OEI-03-2024-P2-3	33° 28' 52.28" S	114° 14' 28.94" E
OEI-03-2024-P2-4	33° 23' 10.15" S	114° 12' 13.89" E
OEI-03-2024-P2-5	33° 11' 35.48" S	114° 11' 27.14" E
OEI-03-2024-P2-6	33° 05' 39.53" S	114° 12' 22.94" E
OEI-03-2024-P2-7	32° 58' 25.28" S	114° 17' 21.61" E
OEI-03-2024-P2-8	32° 50' 56.35" S	114° 20' 10.26" E
OEI-03-2024-P2-9	32° 47' 41.43" S	114° 21' 23.37" E
OEI-03-2024-P2-10	32° 47' 35.47" S	114° 41' 03.70" E
OEI-03-2024-P2-11	32° 58' 10.81" S	114° 36' 29.26" E
OEI-03-2024-P2-12	33° 08' 15.72" S	114° 32' 06.87" E
OEI-03-2024-P2-13	33° 18' 50.69" S	114° 27' 30.28" E

Schedule 3—Simplified map of declared area

Subsection 5(2)

