



Offshore
Infrastructure
Regulator

Consultation on offshore renewables management plans



The Offshore Infrastructure Regulator has responsibility for overseeing work health and safety, infrastructure integrity and environmental management for offshore infrastructure activities in the Commonwealth offshore area.

Information in this brochure is intended to assist persons, organisations, communities and groups who may be consulted in preparation of a management plan under the Offshore Electricity Infrastructure Regulations 2022.

Obligations for licence holders to undertake consultation

The Offshore Electricity Infrastructure Regulations 2022 (OEI Regulations) require that licence holders undertake consultation before applying to the Offshore Infrastructure Regulator (OIR) for initial approval of a management plan to ensure that persons, organisations, communities and groups are identified and consulted on proposed licence activities.

The OIR may only approve a management plan if satisfied the licence holder has carried out the required consultation.

What is the purpose of consultation

Consultation is intended to provide persons, organisations, communities and groups with information which allows them to make an informed assessment of the potential affects that a licence holder's proposed licence activities may have on them.

Consultation also provides an opportunity for persons, organisations, communities and groups to share information and raise claims in relation to potential adverse effects that the licence holder may not otherwise be aware of. This allows the licence holder to identify and implement measures to avoid or otherwise mitigate the effects of their activities with a view to improving safety, infrastructure integrity and environmental management outcomes.

What is the process for consultation?

There is no mandatory process set out for how consultation should be carried out, however there are requirements that must be met under the OEI Regulations.

These include:

- reasonable efforts are made by licence holders to identify and consult you.
- sufficient information is given to you to make an informed assessment of any reasonably foreseeable effects that licence activities may directly have on you.
- a reasonable period of time is given to you to consider the information provided and for you to give feedback to the licence holder on potential effects of proposed licence activities.

What constitutes sufficient information and a reasonable period of time will vary according to the specific needs of a consultee. Licence holders should tailor their consultation processes appropriately and at a minimum, must be able to demonstrate that the regulatory requirements have been met.

Consultation is generally a two-way process where information is shared between licence holders and consultees rather than a one-way process of seeking feedback to a fact sheet or high-level information.

Efforts should be made by licence holders to minimise burden on consultees to the extent possible, while ensuring consultation is genuine and meaningful.

Do I need to respond to a request for consultation?

There is no obligation for consultees to respond to a request for consultation from a licence holder.

However, if you are provided an opportunity to participate in consultation and you do not want to be consulted, or you only want to be consulted on specific aspects of offshore renewables projects, then it is best that you communicate this to licence holders as soon as they contact you.

If you do not respond to requests for consultation, licence holders may make many repeated attempts to contact you.



How can I engage effectively in the process?

If you are regularly engaged for consultation, such as a representative body or organisation, publishing your expectations on how you would like to be consulted is encouraged. For example, you may have views or preferences on how consultation should be undertaken with you such as what constitutes a reasonable timeframe or expectations for how you would like information provided to you (e.g. via verbal briefings, presentations and/or videos, written forms or diagrams).

Clear expectations help ensure that all parties understand what is expected and what is not, increasing efficiency while reducing consultation burden and misunderstandings.

For consultees who are resource constrained and regularly asked questions of a similar nature you may wish to publish responses to commonly asked questions to reduce consultation fatigue.

For those who are consulted less often, set your expectations early and ask for additional information or time if you feel you need it to make an informed assessment.

If I am a representative body can I consult on behalf of my members?

The law recognises that interests may be held communally. In some cases, all members of a community may agree that their representative body can consult on their behalf. However, this may not always be the case.

Representative bodies should inform licence holders whether or not they have the authority to consult with licence holders on behalf of all their members.

Representative bodies may also be an initial point of contact for licence holders to seek information about who else they should approach for consultation.

It is the licence holder's responsibility to provide all members of a community who have a shared interest opportunities to participate in consultation. In some circumstances, representative bodies may offer to assist licence holders with this.

Management plan summaries

Once a management plan is approved, licence holders are required to prepare a summary of their management plan for publication on the OIR's website.

Management plan summaries are intended to provide transparency of offshore renewables projects including how activities are to be managed.

Consultees have the right to request that the information they have provided during consultation is not included in a management plan summary.

Stakeholder engagement strategy

The OEI Regulations also require licence holders to prepare and implement a stakeholder engagement strategy.

The stakeholder engagement strategy allows a licence holder to continue to identify and consult persons, organisations, communities and groups in relation to licence activities over the life of the licence.

The stakeholder engagement strategy must be described in a licence holder's management plan and must provide confidence to the OIR that the strategy will provide for ongoing engagement with stakeholders.

Licence holders are required to publish the stakeholder engagement strategy on their project website and ensure that changes to the strategy over the life of the licence are reflected in the published document.

How is my input considered by the Regulator?

The information you provide to a licence holder during consultation must be considered by the licence holder and addressed in their management plan. The OIR will then consider this information in its assessment and decision-making. Where consultees have published their expectations for consultation the OIR will also take this into account.

The OIR will only approve a management plan once satisfied the necessary level of consultation has been undertaken.

The OIR will also conduct regular inspections to ensure a licence holder is complying with commitments in their approved management plan.

More information

The OIR can help you understand the requirements for consultation and how to effectively participate in the process.

Please contact offshorerenewables@oir.gov.au should you have any questions.





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