



Offshore
Infrastructure
Regulator

Safety and protection zones for offshore renewables

May 2024



The Offshore Infrastructure Regulator (OIR) has prepared this document to provide preliminary information to stakeholders on safety and protection zones under the Offshore Electricity Infrastructure Act 2021 (OEI Act) framework. Persons using this document should be aware that information contained in this document will be subject to change following the finalisation of the Offshore Electricity Amendment Regulations 2024.

Offshore Electricity Infrastructure Act framework

The *Offshore Electricity Infrastructure Act 2021* (OEI Act) framework provides for the establishment of safety and protection zones around offshore renewable energy infrastructure (OREI) and offshore electricity transmission infrastructure (OETI).

The purpose of safety and protection zones is to protect the safety of workers and other marine users and to reduce the risks of damage to infrastructure.

The exact details and duration of these areas will be determined on a project-by-project basis by the Offshore Infrastructure Regulator (OIR).

Safety and protection zones will most commonly be determined (approved), varied or revoked in response to a successful application to the OIR by an OEI Act licence holder. The OIR may also make a determination on its own initiative where considered necessary to do so.

The OEI Act framework operates under the principle of shared use of the offshore marine environment, recognising all users and balancing competing interests. Licence holders will be required to provide appropriate justification for the size and shape of the proposed zones and are encouraged to minimise the size of zones to the extent practicable.

Safety zones

To minimise the risk to the safety of workers undertaking offshore infrastructure activities, and to other users of the marine environment, the OIR may establish temporary safety zones to prohibit all or specified vessels from entering or being present in a specified area surrounding eligible infrastructure.

Safety zones will typically be established during the construction phase of an offshore renewables development when lighting and marking of OREI or OETI may not be operational, and there is a higher than usual number of vessels conducting activities in the field. Safety zones may also be established during major maintenance and decommissioning campaigns to ensure the protection of workers and reduce the risk of vessel collisions and damage to infrastructure.

Once the project is fully constructed and operating normally, long term operational safety zones will only be approved if there is clear justification for them. This is to ensure offshore infrastructure is appropriately protected without unreasonably restricting the movements of transiting vessels in accordance with international obligations and to balance coexistence with other marine users.

Safety zones can extend up to a maximum distance of 500 metres around eligible infrastructure and can only take effect at the commencement of installation and construction activities.

What infrastructure can be covered by a safety zone?

Eligible safety zone infrastructure includes OREI or OETI such as offshore sub stations, wind turbines and cables. Intra-array and export cabling can only be covered by a safety zone where the cable rests on the seabed and connects two or more pieces of OREI within the same licence area.

Protection zones

The OIR may also determine protection zones to prohibit or restrict vessels from conducting certain types of activities such as anchoring, trawling or mining which may result in damage to OREI or OETI.

Protection zones do not limit general access to an area, but may place limits on certain activities that may present a risk to safety or risk damage to OREI or OETI.

Protection zones can extend up to a maximum distance of 1,852 metres (equivalent to one nautical mile) around installed OREI or OETI.

Licence holders will need to provide justification for the proposed protection zone with consideration to coexistence with other marine users to the extent practicable.

Planning and consultation with stakeholders

OEI Act licence holders should communicate and discuss plans for safety or protection zones with existing marine users and relevant government agencies such as the Australian Maritime Safety Authority.

This consultation should be used to inform the licence holder's planning for a safety or protection zone application including what measures should be implemented to reduce potential impacts on other marine users.

What do I need to include in applications for safety and protection zones?

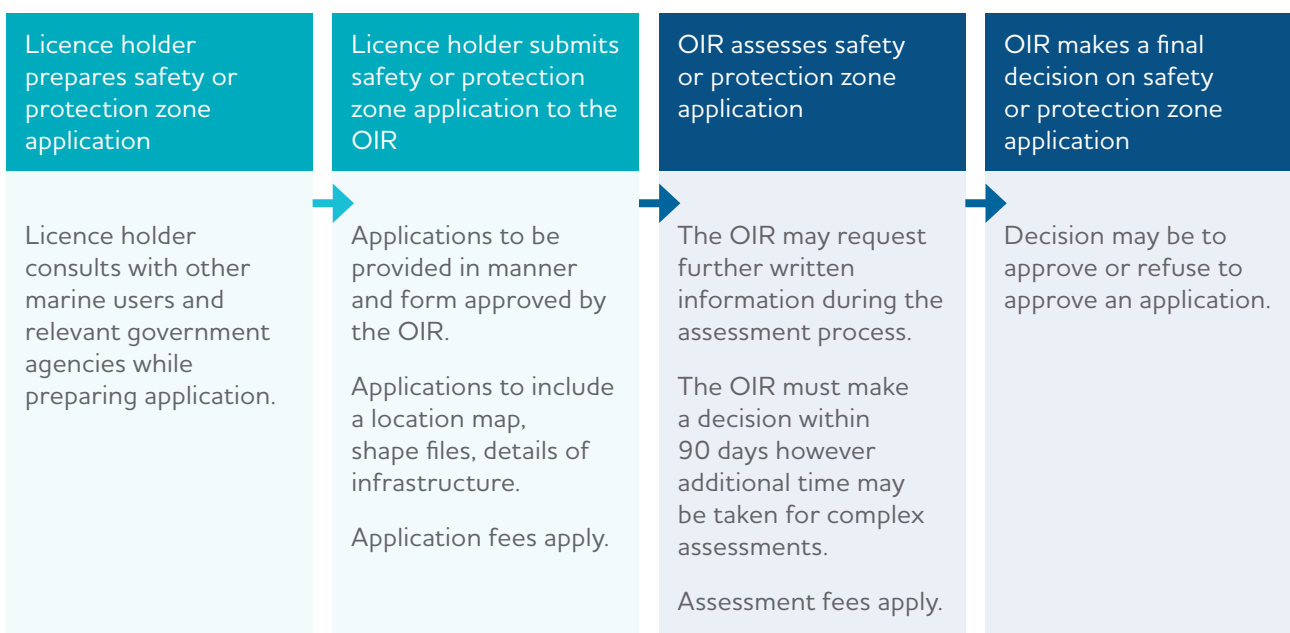
Safety and protection zone applications will need to be provided to the OIR in the approved manner and form as published on the OIRs website.

The approved manner and form will be available upon finalisation of the OEI Amendment Regulations 2024. Generally, applications for safety and protection zones are intended to include:

- identification of the type of infrastructure proposed to be covered (e.g. OREI, OETI)
- the area being requested and proposed duration for the zone
- details of the infrastructure, including the location in datum GDA94
- a layout /map of the infrastructure and proposed zone
- a shape file for the area being requested under the proposed zone
- a summary of consultation undertaken including key matters raised and measures to be put in place to minimise disruption to other marine users.

Safety and protection zone assessment process

The diagram below provides a broad overview of the assessment process for safety and protection zones. The process applies to applications for new zones and applications to vary or revoke determined zones.



Communication of safety and protection zones

Where zones have been determined (approved) licence holders will be expected to bring these to the attention of mariners with as much notice as possible.

The OIR will provide relevant information to the Australian Hydrographic Office for charting of zones where appropriate and maintain a register of determined safety and protection zones on its website.

Determined safety and protection zones will also be published on the Federal Register of Legislation at legislation.gov.au.

Varying or revoking a determined zone

Variations or revocations of safety or protection zones will be determined in response to an application submitted to the OIR by a licence holder when the zone is no longer required to mitigate the risks to safety or infrastructure.

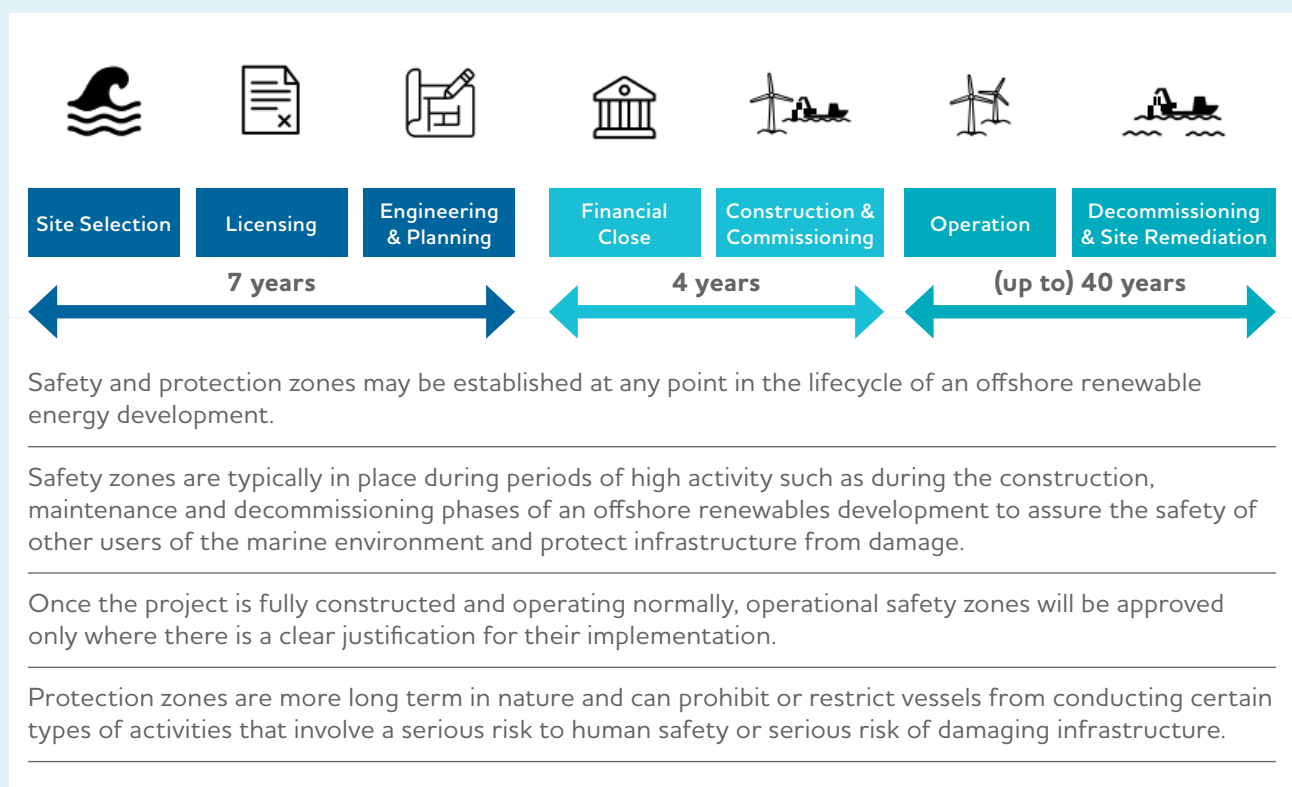
Variations or revocations may also occur at the OIR's own initiative or in other circumstances.

Interactions with Native Title

Where Native Title is claimed in relation to the areas of a determined zone, the OIR will engage with the relevant licence holder and may vary or revoke the determination prior to any Native Title determination being made.

In this circumstance, Subdivision 24N of the *Native Title Act 1993* may be applied including any specified notifications and procedural rights, prior to any new or varied safety or protection zone being determined.

Timeframe for a typical offshore wind farm development







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