Offshore Infrastructure Regulator

Design Notifications

Industry information session

11 November 2026

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Acknowledgement of Country

I respectfully acknowledge the Traditional Custodians of the land on which we meet today, the Wurundjeri and Bunurong people, and recognise their enduring connection to land, waters and culture.

I pay my respect to Elders past and present and extend that respect to First Nations peoples here today.



Overview of the design notification scheme

Purpose

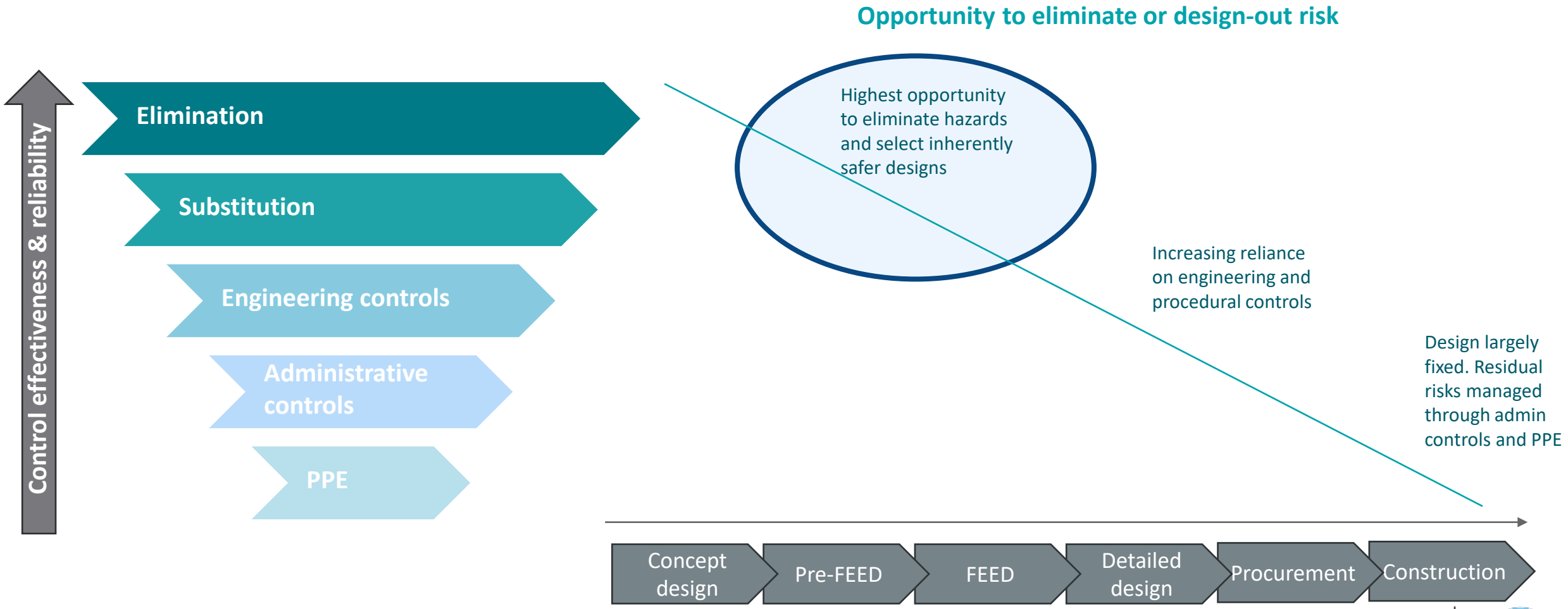
A formalised process for early engagement between OIR and licence holders on design concept and selection.

Opportunity for OIR to provide feedback on design philosophy

Provides opportunity to identify and mitigate risk during the planning and early stages of design

Provides opportunity to consider how projects can be designed to minimise impacts to other marine users.

Hierarchy of risk control through project design

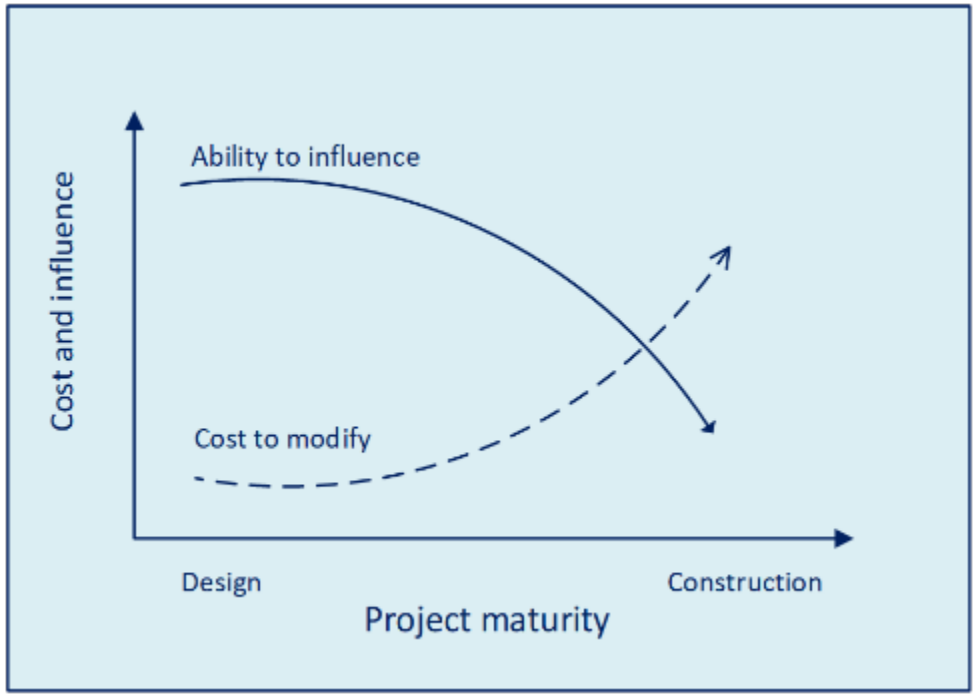


Timing considerations

The regulatory intent of the DN is to decrease uncertainty in approvals process, by engaging on key design aspects ahead of submission of a management plan.

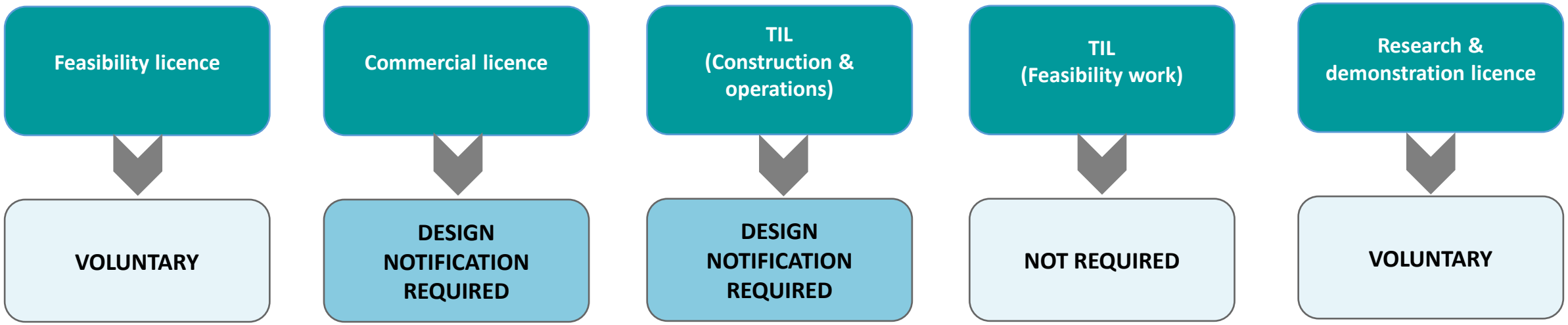
Design notification should be submitted at the preliminary design stage:

- after there is reasonable definition of proposed infrastructure and intended approach to construction and operation.
- before decisions are made which will profoundly affect the levels of risks over the entire life of the project.
- with sufficient time to allow for any matters raised by OIR to be taken into account in final design decisions.



Design notification requirements by licence type

The OEI Regulations (reg. 96) require a design notification prior to submission of a management plan for a Commercial licence or a Transmission & Infrastructure licence.



- Design notification process is intended to address the complete project in a licence.
- Design notification can be provided for each licence, or combined for two or more licences in a project.

Regulatory roadmap

For commercial scale offshore renewables projects in Australia under the Offshore Electricity Infrastructure Act Framework*

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Pre-licensing, 12 months

- **Area identification**
- **Area declaration**
- **Invitation to apply for feasibility licences within declared area**
- **Feasibility licence applications assessed**

Feasibility licence, up to 7 years

Relevant state and territory approvals may also be required

- **Feasibility licence granted**
- **Management plan for feasibility activities**
- **Environment Protection and Biodiversity Conservation Act**
  Primary environmental approval requirement
- **Design notification**
  Early engagement and feedback from Regulator through design notification
  This step is mandatory for all commercial projects
- **Management plan**
  A management plan must be approved before a proponent can apply for a commercial licence

Commercial licence, up to 40 years

A management plan for commercial licence activities must be revised periodically, throughout the life of a project

- **Commercial licence application assessed**
- **Commercial licence granted**
- **A management plan is required for activities involving construction, installation, commissioning, operation, maintenance or decommissioning.**

LEGEND

- Opportunities for consultation
- Compliance and enforcement
- Minister for Energy
- Offshore Infrastructure Registrar
- The Department of Climate Change, Energy, the Environment and Water
- Offshore Infrastructure Regulator
- National Environmental Protection Agency

*A transmission and infrastructure licence may also be required, this process is not addressed here

Interface with EPBC approvals



The EPBC Act provides the primary and only environmental impact assessment process under the OEI framework.

The Design Notification:

- does not duplicate or override the EPBC process
- is informed by the EPBC process and the environmental obligations arising from it.

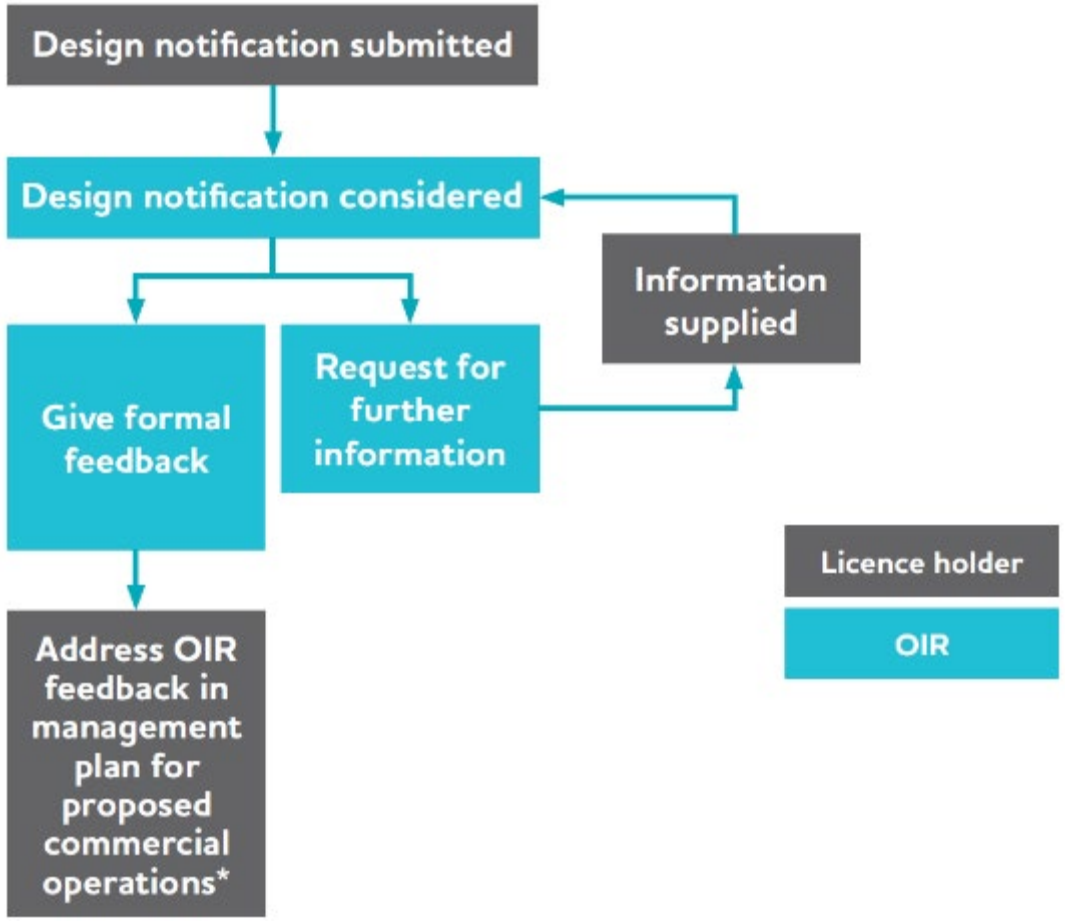
Environmental constraints are design considerations that should be explained in a DN:

- criteria that has influenced the design process
- reasons why certain design options have been progressed or rejected.

EPBC obligations should not be used as a justification for introducing or tolerating significant risks to safety or infrastructure integrity that would be reasonably practicable to design out.

Application and assessment process

- Submitted by a licence holder via the OIR application portal
- Assessment undertaken in a consistent manner, based on information provided, in accordance with regulatory requirements and aligned with published guidance
- Review by OIR, supported by technical advisors as required
- Requests for further information, engagement
- OIR to give feedback on design notification
- 60-day feedback period, plus extensions if required
- Cost recovery – assessment fee



Management plan interface

The design notification is not approved or refused.

If a Design Notification is mandatory, the management plan cannot be submitted unless the OIR has provided feedback (regulation 96)

The OIR may only approve the management plan if satisfied that the licence holder has adequately addressed the feedback (regulation 86). The content of the management plan must:

- describe how the feedback has been addressed by the licence holder
- state whether the project is broadly consistent with the design notification, or
- identify the extent of the inconsistencies and evaluate and describe how the inconsistencies have affected the project.

Content requirements and key considerations

Design notification content requirements

- Design notification must include and describe various aspects of the project, the infrastructure, and the process for selecting the design of the infrastructure.
- Information required by subregulations can be roughly grouped into three categories:
  - **Infrastructure**
  - **Risk**
  - **Process**
- The level of detail is not defined in the regulation, but the DN should contain enough details to provide the necessary context and information to support itself across sections.



Infrastructure and environment descriptions



Layout and location



Seabed and soil conditions



Metocean conditions



Construction methodology



Operations and maintenance



Decommissioning and removal

Design notification must describe what and how

The design notification ***must*** include / describe:

- a plan of the licence area showing the intended locations and layout of the licence infrastructure.
- the seabed and subsoil conditions at the intended locations of the licence infrastructure.
- metocean conditions the licence infrastructure may foreseeably be subject to.
- how the planned licence infrastructure will be constructed.
- the operation and maintenance strategy of the planned licence infrastructure.
- how the licence infrastructure will be decommissioned and removed at the end of its operational life.

Significant hazards, risks, and controls

The design notification ***must*** describe any significant risks or hazards that may arise from the locations, design, construction, operation, maintenance, decommissioning or removal of the licence infrastructure.

The design notification ***must*** also describe the proposed control measures to deal with those hazards and risks.

The required description of significant hazards, risks, and controls applies to ***any*** significant hazard or risk, meaning environmental impacts and infrastructure integrity must also be described, not just WHS issues.

What is a significant risk?

- "Significant" is undefined in legislation.
- Consider including a summary description of how the licence holder has identified risks as "significant" as part of the description of design selection process.
- Systematic identification of the risks should improve the clarity and consistency of the design.



WHS duties of designers

- Awareness of the WHS duties of designers is important context for a discussion about infrastructure design.

If you design plant, structures, or substances that will be used, or could reasonably be expected to be used, at workplace…

You must ensure, so far as is reasonably practicable, that these things are designed to be without risks the health and safety of people who use, handle, store, or construct the plant, structures, or substances at a workplace

This includes people who are at, or in the vicinity of, the workplace and are exposed to plant, structures, or substances at the workplace or whose health and safety may be affected by use or activity

- Reasonably practicable = ways of eliminating risk have been fully considered before moving on to prevention or mitigation measures.

Environmental considerations

- EPBC approval process may influence design decisions to deal with potential significant environmental impacts – these things should be described in the design notification.
- Consultation is not specifically required for the DN process or content, but a licence holder is likely to already have ongoing consultation with various stakeholders.
- Consultation might have identified significant hazards or risks, such as damage to cultural heritage, and result in some proposed measures to deal with the risk of damage to cultural heritage, which should be captured in the design notification.



Examples of specific risks

Cybersecurity	Supply chain disruption and manipulation
Asbestos	Preventing asbestos from being used in Australian offshore windfarms
Subsea cables	80% of insurance claims are related to failed cables

Cybersecurity

FAQ: Are there any restrictions on country of origin for wind farm plant?

No specific prohibition on country of origin for renewable energy components.

Australia's Critical Infrastructure Security Centre (CISC) regulates critical infrastructure under the Security of Critical Infrastructure Act 2018 (SOCI Act): asset registration, risk management, incident reporting: *"Energy asset developers and operators are highly vulnerable to supply chain disruptions and manipulation".*

OEI Act s.8 definition of infrastructure integrity ("the ability of infrastructure to perform in accordance with its intended purpose") encompasses cybersecurity.

Where cyber security risks and controls intersect with worker safety, environmental impacts, or infrastructure operability, they are appropriate inclusions to a DN, MP, inspection scope, etc.

Known threats: any connection with external system (vendor remote access channels, internet connection to SCADA systems, grid integration interface).

Known controls: network segmentation with documented zones and conduits between infrastructure systems and external networks to prevent an initial breach in one area spreading across the system.

Asbestos

FAQ: How to prevent asbestos from being used in Australian offshore wind turbines?

- All Australian offshore wind turbines must be designed to be asbestos free.
- However, there is likely to be a gap between this straightforward design choice and the implementation during material selection, e.g. sub-sub-components like service lift emergency brake pads that are manufactured in a jurisdiction where asbestos use is still permissible.
- Beyond the design choice there must be establishment of the requirement “asbestos free” in contract clauses that cascade down to the lowest levels of the supply chain and apply to all components.
- “Asbestos free” clauses are not enough on their own: must be supported with clear accountability and responsibility for QA checks, including ordering some excess stock to allow for destructive testing by accredited laboratories to verify asbestos free.
- Strong controls need to remain in place after construction to ensure the infrastructure remains “asbestos free” during operation stage of the life cycle.
- Particularly where there is a handover from the OEM to the licence holder after 3 or 5 years there is a risk of inheriting asbestos containing spare parts that may have crept in during maintenance.

Subsea cables

"80% of insurance claims are related to failed cables"

Three areas of risk for subsea cables that a design notification should address to demonstrate that cable limits and capacities will not be exceeded:

1. Interface with foundation:
    - Needs to have a suitable transition between seabed and offshore structure that allows for heat dissipation, protection from scour, dropped objects, abrasion, vibration.
2. Soil types that don't allow cable burial
    - Surveys to identify crossing locations, seabed on the cable route with either rocky substrate or mobile sediments, need other systems to protect and stabilise while maintaining cable functionality.
3. Cable protection systems
    - Installation – need to prevent cable limits being exceeded by mechanical loads (crushing, bending, twisting)
    - Service – need protection against marine conditions, free spans, on-bottom stability, seismic activity, dropped objects, maximum temperature.

Design selection process

The design notification ***must*** explain the process used to select the design of the licence infrastructure, including:

- design criteria, philosophy, the project design envelope
- options that are still being carried within the project envelope
- options that have been rejected, and why
- how design decisions are made
- design assurance processes
- industry standards (if any)
- any unresolved aspects of the design
- the process for finalising unresolved design activities
- how environmental protections have been considered
- how the design will facilitate multiple uses of the marine area



Certification and standards

FAQ: "Does a project have to be certified by a third party or apply specific standards?"

- The OEI Act framework is non-prescriptive = no specific regulatory requirement to engage a third-party classification society to "certify" a project or apply certain standards
- OEI Reg 98(1)(c)(i) says a design notification must *"…**explain the process used to select the design** of the licence infrastructure, including **by**: (i) **outlining the** criteria, design philosophy and **standards (if any) that were used** to guide the process;…".*
- The response to this might range from "we did not use any standards" to "we applied our internal engineering standards" to "the entire project will be certified, to a specified standard", or some combination thereof.
- If standards are referenced, tell us what standards you applied, why they were selected and how you applied them.
- Compliance with any given standard or obtaining certification does not necessarily equate to regulatory compliance.

Multiple uses of marine area

FAQ: "Will wind farms lock up big parts of the ocean and prevent fishing in the licence areas?"

- A key principle of the OEI Framework is coexistence with other users of the marine environment.
- Design selection process should include description of how consultation with stakeholders has influenced design and layout.
- Infrastructure layout should be consistent with facilitating multiple uses of the marine area, such as tourism, fishing, and search and rescue (SAR) activities
- Identify if there are any uses of the marine area that are not compatible.
- Include a description of the design features that would be necessary to accommodate the other marine use, and why it is not reasonably practicable to implement.



Questions?

Wrap-up and close

- Our door is always open
- We invite feedback on our guidance materials
- We encourage you to meet with us before making a submission
- Look forward to continued engagement
- We will send a short survey following session today to inform future OIR events



Offshore Infrastructure Regulator

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