


Overview of the current offshore wind regulatory landscape

Elements and objects with this symbol  have a hover function. Hover over this object with a cursor to get additional information.

Note

- Infographic represents current state as at December 2023
- There may be potential for concurrent approvals or coordinated assessment processes
- Time for approvals may vary per stage in the project lifecycle
- Further legislative reforms are under consideration

Proponents are required to obtain the following key approvals

Aboriginal Cultural Heritage and Native Title

Proponents may also be required to obtain other regulatory approvals:

Commonwealth

- *Biosecurity Act 2015* (Cth)
- *Environment Protection (Sea Dumping) Act 1981* (Cth)
- *Foreign Acquisitions and Takeovers Act 1975* (Cth)
- *Radiocommunications Act 1992* (Cth)

Victoria

- *Heritage Act 2017* (Vic)

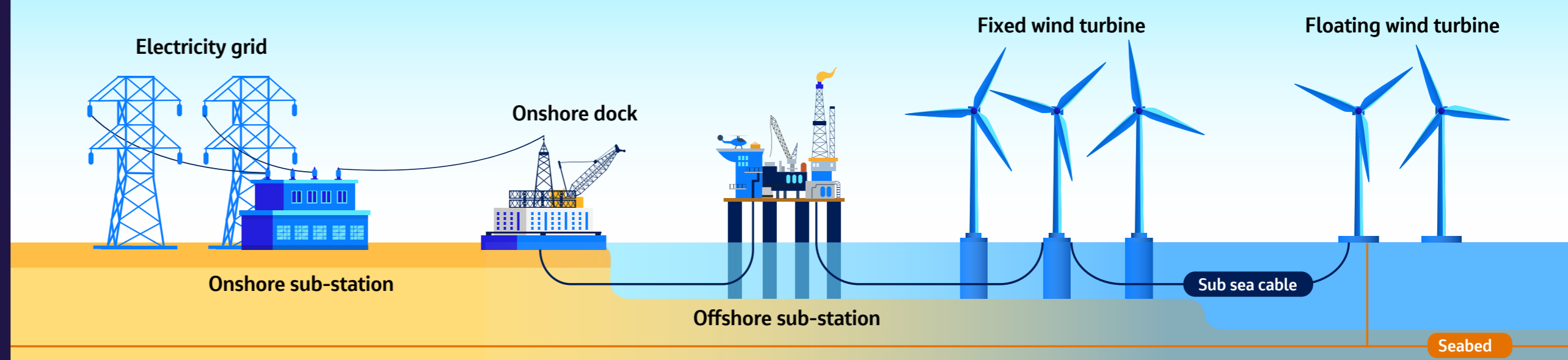
The following legislation may also impose general duties and requirements on projects:




Commonwealth

- *Navigation Act 2012* (Cth)
- *Submarine Cables and Pipelines Protection Act 1963* (Cth)
- *Work Health and Safety Act 2011* (Cth)

Victoria

- *Environment Protection Act 2017* (Vic)
- *Flora and Fauna Guarantee Act 1988* (Vic)
- *Forests Act 1958* (Vic)
- *Heritage Rivers Act 1992* (Vic)
- *Marine Safety Act 2010* (Vic)
- *National Parks Act 1975* (Vic)
- *Occupational Health and Safety Act 2004* (Vic)
- *Pollution of Waters by Oil and Noxious Substances Act 1986* (Vic)
- *Road Management Act 2004* (Vic)
- *Water Act 1989* (Vic)
- *Wildlife Act 1975* (Vic)



<p> Land access and tenure requirements</p>			<p>Minister for Energy declares specified areas suitable for offshore infrastructure activities</p> <p>Minister for Energy invites applications for feasibility licence</p> <p>Offshore Infrastructure Registrar assesses applications and provides advice to the Minister on feasibility licences in relation to declared areas of Commonwealth waters</p>
<p> Development assessments and approvals</p>	<p>Project referred to the Minister for Planning for <i>Environment Effects Act 1978</i> (Vic) assessment. If required, undertake EES process in accordance with EEA (refer to stages) subsequent time for submission and assessment</p> <p>Minister for Environment assesses application for consent under the <i>Marine and Coastal Act 2018</i> (Vic)</p>		
<p> Connecting to the National Electricity Market</p>	<p>Essential Services Commission considers application for licence under the <i>Electricity Industry Act 2000</i> (Vic)</p> <p>Energy Safety Victoria approves management plan under the <i>Electricity Safety Act 1998</i> (Vic) (if applied)</p>	<p>Proponent registers with the Australian Energy Market Operator (AEMO) to connect to the National Electricity Market under the <i>National Electricity Law</i> through the <i>National Electricity (Victoria) Act 2005</i> (Vic)</p> <p>AEMO determines if the application is to be approved for registration under the <i>National Electricity Law</i> through the <i>National Electricity (Victoria) Act 2005</i> (Vic)</p>	
<p>Aboriginal Cultural Heritage and Native Title</p>			<ul style="list-style-type: none"> • Aboriginal Heritage Act 2006 (Vic): provides protection of Aboriginal cultural heritage and Aboriginal intangible heritage in Victoria. • Traditional Owner Settlement Act 2010 (Vic): recognises Traditional Owner groups' rights over public land, supporting Traditional Owners to jointly manage parks and natural resources, as well as providing an opportunity to use public land for cultural purposes and to achieve economic development. • Native Title Act 1993 (Cth): provides recognition and protection of the rights and interests of Aboriginal and Torres Strait Islander people in land and waters according to their traditional laws and customs. • Aboriginal and Torres Strait Islander Heritage Protection Act 1984 (Cth): Aboriginal and Torres Strait Islander peoples may apply to the Commonwealth Minister for the Environment and Water to make a declaration in respect of an area or object (or class of objects) that is a significant Aboriginal area or object (or class of objects), which is under threat of injury or desecration. • Underwater Cultural Heritage Act 2018 (Cth): protects underwater cultural heritage including Australia's Aboriginal and Torres Strait Islander Underwater Cultural Heritage in Commonwealth waters.