



Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
Canberra ACT 2600

By email: ec.sen@aph.gov.au

15 September 2021

Dear Committee Secretary

Re: Offshore Electricity Infrastructure Bill 2021

The Australian Marine Conservation Society (AMCS) is Australia's peak marine conservation organisation. Representing around 300,000 people from all around the country, we work to protect our oceans and coastal environments for the benefits of the health of our environment, current and future generations of Australians, jobs, and the economy and the health of our nation. For over 50 years, we have worked through scientific research, policy advocacy, communications and on-ground work to achieve our mission.

AMCS is pleased to provide comments on the Offshore Electricity Infrastructure Bill in relation to the declaration of areas for offshore renewable energy infrastructure (OREI). Please note that we are only able to comment on the following important but limited set of matters in the time we have available:

While we are strongly supportive of clean energy and mechanisms to support Australia's rapid transition to net zero emissions, particularly in the energy sector, it is important that there is proper consideration of the environmental, cultural and social impacts of marine infrastructure (and associated activities) in the selection and assessment of areas as suitable for OREI (and indeed any proposed marine infrastructure, including offshore oil and gas infrastructure). This should also apply to the licensing of activities to ensure there are no significant impacts.

To this end, decisions need to be made with adequate information about the environmental, cultural and social values of a marine area and the potential impacts from

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different types of infrastructure, including importantly, the cumulative impacts from existing and planned development and activities (and expected climate change impacts).

It is also critical that a robust strategic planning process is carried out upfront to inform the assessment of areas. In particular, marine spatial planning (MSP) should be undertaken to enable integrated and coordinated planning and management of current and future uses of the marine environment, while ensuring the ongoing health of the marine environment. This would include proactive and early identification of activities and uses that may be compatible or incompatible with the marine environment and with other uses.

MSP should identify areas of conservation importance that should be excluded from threatening processes, including areas that would qualify for protection but that have not yet been afforded that status. This legislation needs to recognise that conservation measures often far behind operational activity, and that scientific understanding of many of the high priority natural values in the marine environment is in its infancy.


The aforementioned analysis should be undertaken at the earliest stage possible to provide the greatest possible opportunity for all parties, including proponents, to understand the values of an area/s and how impacts can be avoided, and to modify the location/design accordingly.

We note that the Bill states that in deciding whether an area is suitable for OREI, the Minister must consider a number of matters, including the potential impacts of the installation, operation etc of OREI on other marine users and interests. While the Minister may also have regard to other matters that the Minister considers relevant, our view is that the Minister should be required to consider the potential impacts of OREI on the marine environment.

Similarly, we note that in addition to the Minister inviting submissions from the public on the proposed declaration area, they are required to consult with the Defence Minister and the Minister administering section 1 of the *Navigation Act 2012*. While the Minister may decide to consult other relevant people in considering whether an area is suitable for OREI, our view is that the Minister should also be required to consult with the Minister administering the EPBC Act.

Thank you for the opportunity to comment on the Offshore Electricity Infrastructure Bill 2021.

Yours sincerely,



Darren Kindleysides
CEO, Australian Marine Conservation Society