

Designing Public-Private Councils Under Korea's Offshore Wind Act

From Subordinate Legislation to Practice

**Ocean Energy
Pathway**

In partnership with



**KOREA ENVIRONMENTAL POLICY
AND ADMINISTRATION SOCIETY**

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Executive Summary

This guide presents the design principles and operational framework for the public-private council under Korea's Offshore Wind Act. Its aim is to establish an institutional foundation for securing social acceptance by overcoming the historic pattern in which sites were selected first and communities were notified afterwards.

The Offshore Wind Act mandates a public-private council in the zone designation process, and its subordinate legislation came into effect in March 2026. What remains is design: how the council is composed, how it operates, and what support it needs. Existing local ordinances and guidelines answer these questions inconsistently, with uneven representation, closed operation, and no dedicated support structures.

Drawing on the six structural factors identified in the companion Case Study Report, this guide sets out the design principles for the council in Chapter 3. Building on these principles, Chapters 4 and 5 present an operational system covering formation, composition, operation, conflict management and mutual benefit, together with the matters to be specified in subordinate legislation and guidelines. The appendices provide draft statutory provisions and a draft operational guideline. The recommendations in this guide were presented to the government as reference material during the drafting of the subordinate legislation; Appendix C sets out how each compares with the enacted provisions.

Design of the Public-Private Council's Operational System

The operational system proposed in this guide is summarised below.

Establishment and Authority: The public-private council is established within three months after the notification of the basic design plan for a preliminary zone and operates as a substantive advisory body that consults on zone designation and the composition of profit-sharing projects.

Member Composition Procedure: A candidate list is prepared based on the results of stakeholder analysis conducted by a third-party specialised agency and the head of the local government performs the final appointment of members.

Number and Ratio of Members: The recommended number of members is between 20 and 25 for a single local government and between 25 and 30 for multiple local governments. The composition ratio should be designed as 50 per cent private members, 25 per cent expert members, and 25 per cent government members.

Decision-Making Structure: The principle of consensus takes precedence yet in cases of deadlock resolutions are passed with the attendance of a majority of registered members and the approval of at least two thirds of members present.

Three-stage Conflict Mediation: Conflicts are managed through a sequence starting with internal adjustment within the council, followed by linkage with a higher conflict management deliberation committee, and concluding with the adjudication procedure of the Offshore Wind (OSW) Commission.

Secretariat and Specialised Agencies: A permanent secretariat is created to take full charge of administrative support and practical affairs while the introduction of subcommittees for scientific data verification is under consideration.

Derivation of Mutual Benefit Measures: A participatory mutual benefit model based on local demands such as income enhancement, welfare, and infrastructure is designed through basic surveys and regional capacity analysis followed by the establishment of an implementation plan.

This guide argues that well-designed public-private councils are more than consultation mechanisms. They are governance institutions that improve the legitimacy, predictability, and effectiveness of offshore wind development by providing a structured process for stakeholder engagement, transparent decision-making, and conflict prevention.

Policy Recommendations at a Glance

This guide makes six recommendations for the subordinate legislation and guidelines under the Offshore Wind Act. Each is developed in full in Chapter 6, with corresponding draft provisions in Appendix A.

01 Mandate fair and effective council design based on preliminary investigation

Subordinate legislation should require stakeholder analysis by a third-party specialised agency before councils are formed (Section 6, First).

02 Establish a permanent, independent support system

A secretary and secretariat, a specialised body for scientific verification and ongoing communication, and subject-specific subcommittees should guarantee expertise, independence, and sustainability (Section 6, Second).

03 Enshrine representative composition in legislation

Councils should comprise 20 to 25 members, with residents and fishers guaranteed around 50% of seats (Section 6, Third).

04 Guarantee procedures for transparent and efficient meeting operation

Advance agenda sharing, disclosure of minutes and materials, and clear decision rules should be specified (Section 6, Fourth).

05 Establish a three-stage conflict management mechanism

Clear, phased procedures for mediating conflicts should resolve deadlocks within the system (Section 6, Fifth).

06 Institutionalise substantive mutual benefit measures



Benefit-sharing centred on mutual profit rather than compensation alone should be a core statutory agenda item, with sustainable implementation governance (Section 6, Sixth).



1 Introduction



1.1 Purpose and Scope

This guide aims to present the design principles and operational framework for the public-private council on offshore wind power in South Korea. While the Special Act on the Promotion of Offshore Wind Power and the Development of the Offshore Wind Industry (hereinafter referred to as the Offshore Wind Act) mandates the formation and operation of a public-private council during the process of designating power generation districts, the specific design of the council—including member composition methods, decision-making structures, conflict management procedures, and profit-sharing models—is delegated to subordinate legislation. This guide provides the necessary analysis and evidence for the design of such subordinate legislation.

The scope of this guide focuses on the institutional design of the public-private council. It covers the timing and procedures for establishment; the categories, number, and selection criteria for members; meeting operations and decision-making methods; phased adjustment structures for conflict resolution; and the principles and procedures for deriving profit-sharing. Technical issues of individual projects or environmental impact assessment procedures are not included within the scope of this guide.

This guide is published following the enactment of the Enforcement Decree. Its content was developed and provided to government while the subordinate legislation was being prepared, including during the legislative notice period; it is published now as the public record of that input and as a reference for the operational guideline, local ordinances and future amendment. Appendix C sets out how the enacted subordinate legislation relates to the recommendations made.

1.2 Linkage with the Case Study Report

This guide is a follow-up to *What Makes Offshore Wind Consultation a Success?: Lessons from South Korean and International Cases* (hereinafter the 'Case Study Report'). The Case Study Report compared and analysed consultation models from the UK, Japan and Denmark alongside South Korean success and conflict cases, deriving six structural factors essential for effective consultation. These factors are: legal enforceability, timing of consultation, representation by organisational unit, information transparency, profit-sharing, and integrated system design.

While the Case Study Report answered the question of 'why consultation is important and what distinguishes success from failure', this guide addresses 'how to implement those principles through the institution of the public-private council'.

1.3 How to Use This Guide

This guide is structured into three distinct layers:

The main body (Chapters 2–6) provides the analytical basis for the design of the public-private council. It diagnoses the limitations of the current system, outlines design principles derived from South Korean and international case studies, and provides an overview of the core structure of the Korean framework. Policy decision-makers can utilise this section to grasp the overarching direction and logic of the design.

Appendix A (Draft Provisions as Proposed to Government) formalises the analysis of the main body into the format of legal provisions, as submitted to policy decision-makers prior to and during the legislative notice period for the Enforcement Decree. It serves as a record of that input and as a provision-level reference for guideline development and future amendment of the subordinate legislation.

Appendix B (Operational Guideline) outlines the step-by-step practical procedures, ranging from the establishment and operation of the council to conflict management and profit-sharing. This is intended as a practical handbook for local government officials and secretariats responsible for the actual formation and operation of the Council on the ground.

While these three documents can be read independently, they are designed as a cohesive package: the main body provides the rationale, the draft provisions establish the institutional framework (Appendix A), and the guideline provides the practical implementation (Appendix B). Appendix C then records how far these recommendations were taken up in the enacted subordinate legislation, and which matters remain for the ministerial notification and future amendment of the Act.

2 Institutional Basis and Current Limitations



2.1 Status of the Public-Private Council under the Offshore Wind Act

Legislative Purpose of the Offshore Wind Act

The Offshore Wind Act for government-led siting came into effect on 26 March 2026. The Offshore Wind Act was enacted to streamline complex and time-consuming licensing and permitting procedures, which previously involved up to 29 different laws and were handled individually by various ministries. The Act was also designed to resolve conflicts with residents and fishers that frequently occurred during site selection processes led by individual developers.

Stakeholder Consultation System

As significant conflicts arise during the implementation of offshore wind projects, it is crucial to establish measures for resolving stakeholder disputes within the legislation. The public-private council is an essential consultative mechanism established to formally reflect the voices of stakeholders during the site selection process. Pursuant to the Offshore Wind Act, the head of the local government must form a public-private council comprising stakeholders such as fisheries organisations, resident representatives, and relevant experts. Provisions regarding the composition and operation of the council are stipulated in Article 17 of the Act, while specific details regarding its formation and operation are delegated to the Enforcement Decree.

Mandatory Site Selection Procedures

In the site selection process under the Offshore Wind Act, the public-private council serves as a critical gateway for social consensus, linking

government plans with community acceptability. Once the Offshore Wind Power Commission (hereafter OSW Commission) at the central government level designates a Preliminary Zone based on offshore wind siting information and develops a basic design plan, the local government conducts consultations on this plan through a public-private council composed of key stakeholders before the final site is designated as a power generation district. Subsequently, the selected offshore wind developer must include the implementation details of the council's consultation results in its implementation plan to obtain approval from the central government.

2.2 Limitations in Current Ordinances and Guideline

Limitations of Ordinances on the Public-Private Council

Public-private consultation bodies in Korean offshore wind did not begin with the Offshore Wind Act. Prior to its enactment, a number of coastal local governments had already established their own consultative councils for renewable energy projects under local ordinances, and these ordinances defined each council's purpose, composition and operational methods according to regional circumstances. The experience accumulated under these ordinances is instructive for the design of the statutory council: representation and balance vary significantly by region, and controversy over member representation and internal conflicts in several regions demonstrate the critical importance of transparency and fairness in the council's formation.

In some areas, participation in the council was suspended due to disagreements over the selection method for private members; some fisher members criticised the participation of non-fishers as unrepresentative and declared a boycott of meetings, protesting the appointment of civil society figures as private members. Furthermore, while many ordinances stipulate principles of public meetings, the establishment of working-level subcommittees or division subcommittees, and conflict mediation functions, institutional mechanisms to ensure operational transparency and the enforceability of results remain insufficient. Current ordinances also designate the team leader of the relevant department as the secretary, yet this presents limitations in guaranteeing the stability and expertise of the council.

Limitations of the Clustered Development Zone Guideline

In November 2020, the government enacted the Guideline on the Creation and Support of New and Renewable Energy Clustered Development Zones (hereinafter referred to as the 'Clustered Development Zone Guideline') through a notice from the Ministry of Trade, Industry and Energy (MOTIE). Unlike the state-led designation system later introduced by the Offshore Wind Act, the clustered development zone system operates through local-government-led zoning: the local government identifies candidate sites within its jurisdiction, secures community acceptance, and applies for designation, with support from the central government. Under the Guideline, the operation of a public-private council is mandatory when local governments pursue offshore wind projects through this route, and community acceptability

carries a high weight in the evaluation of designation applications. This signifies the institutionalisation of conflict mediation as a core element for project success.

The Clustered Development Zone Guideline contains detailed provisions regarding the composition and operation of the public-private council, but improvements are needed in terms of the fairness of composition and operational efficiency. For instance, the guideline states that the council consists of government members, private members, and public interest members, with the combined number of private and public interest members requiring a majority, and local governments must consult with the Minister of Oceans and Fisheries (MOF) to appoint private members. However, as this government guideline does not provide in-depth investigations of local communities or organic communication procedures, it is difficult for local governments to achieve a balanced stakeholder composition and systematic operation of the public-private council in practice.

2.3 Matters to be Specified in Subordinate Legislation

Composition of the Public-Private Council

The issue of representation in the formation of a public-private council can be a primary cause of conflict. Beyond simply including various stakeholder groups, it is necessary to encompass diverse voices within each group (e.g. fishers by fishing method, residents along transmission lines) and to make efforts to identify and resolve internal conflicts regarding their representation in advance. To this end, it is crucial to form the public-private council from the early stages of project conception, opening channels for stakeholders to participate in key decision-making processes beforehand. According to current ordinances, the public-private council is generally chaired by the vice-head of the local government and includes officials, fishers, residents, experts, and developers; however, the representation and balance of its composition vary significantly by region. In the public-private council under the Offshore Wind Act, it is necessary to categorise the types of stakeholders who must participate and clarify the procedures for recommending and appointing members for each sector to minimise such discrepancies.

Operation of the Public-Private Council

The Offshore Wind Act needs to clearly define obligations for the disclosure of meeting minutes, deliberation results, and agreements, as well as procedures for reflecting consultation outcomes in administrative actions. Improvements are also required in terms of ensuring operational sustainability. Under the Offshore Wind Act, the role of the secretary should be institutionalised through a dedicated administrative support body (or secretariat) to guarantee the expertise and stability of the council. Furthermore, while the term of office in current ordinances is typically set at two years (with one possible reappointment), consideration should be given to linking terms with project stages, given the medium-to-long-term nature of offshore wind projects. Alternatively, measures could be established to enhance the continuity and accountability of council operations by allowing reappointments under certain conditions.

Moreover, it is necessary to design a participation process that goes beyond mere listening to empower stakeholders and encourage constructive discussion, and to establish neutral third-party mediation and arbitration procedures when distrust between conflicting parties is deep.



3 Analysis of International and South Korean Cases and Derivation of Design Principles



3.1 Analysis of Structural Factors in South Korean Offshore Wind Conflicts

The structural factors causing recurring conflicts in South Korean offshore wind power are broadly categorised into four types. For detailed descriptions of conflict cases in South Korean local governments, please refer to the Case Study Report.

Lack of Procedural Legitimacy

The most fundamental source of conflict has been a pattern of unilateral site selection followed by post-hoc community briefings, in which stakeholders are informed of decisions already taken rather than participating in making them. Such briefings typically function as procedural formalities rather than genuine consultations, and stakeholders are not afforded substantive decision-making authority. This procedural deficit has continuously eroded trust in all subsequent processes, including mutual benefit agreements, compensation negotiations, and the operation of the public-private council. Where consultation is not institutionalised as a legal prerequisite — as it is under the UK's statutory consultation framework and Japan's statutory council arrangements — these structural problems tend to recur.

Information Asymmetry and Distortion of Representation

Institutional information asymmetry intensified as key project-related

information became concentrated in specific organisations or circulated only through informal channels, rather than being shared systematically with all stakeholders. As this information passed through informal, unofficial routes, it was distorted in the process, and administrative agencies compounded the problem by arbitrarily selecting consultation counterparts or granting full negotiating power to specific individuals. Distorted information combined with an unclear selection of consultation counterparts produced recurring internal conflict over "who holds true regional representation." This leads to cases where the legitimacy of consensus is denied or overturned even after the formation of a public-private council or the signing of mutual benefit agreements. There is an urgent need for mechanisms to institutionally establish representation by organisational unit and balance among stakeholders, such as the Fisheries Liaison Officer (FLO) in the UK, fisheries cooperative associations in Japan, and the Danish Fishermen's Producer Organisation (DFPO) in Denmark.

Infringement on Livelihoods and Limitations of Compensation Systems

The reduction of fishing grounds, damage to fisheries, and navigation restrictions are perceived by fishers as real threats to their right to survival. However, current legal regulations for social impact assessments and compensation systems are insufficient, resulting in a significant reliance on administrative guidelines. Especially in negotiation structures focused on monetary compensation, values such as long-term livelihood stability for local communities or the restoration of marine ecosystems are neglected, and compensation concentrated on specific groups is causing division within the fishing community. Compensation centred on one-off monetary payment therefore has limited capacity to secure acceptance across the wider community, unlike arrangements such as Denmark's renewable energy bonus or the UK's monitoring strategies.

Formalisation of Council Operations

Even when a public-private council is formed, if it lacks substantive authority or if the local government and developers lead its operation, fishers tend to experience participation as a formality in which their input carries no genuine weight. While recent efforts in some regions, including conflict mediation through the council, community funds, and resident-participatory profit-sharing models, represent encouraging developments, their sustainability cannot be guaranteed without a clear legal foundation. Without a clear procedural linkage between council consensus and zone designation, of the kind that operates in practice in Japan, the risk of councils operating as procedural formalities rather than substantive governance bodies is likely to remain.

3.2 Implications of International Stakeholder Consultation Models

International cases demonstrate experiences in managing conflicts between offshore wind and fisheries through systematic governance systems, rather than simply as civil complaint resolution. Reconfiguring the content of the Case Study Report into implications applicable to the design of the South Korean public-private council yields the following:

Establishing Legal Basis and Ensuring Procedural Rigour

Addressing conflicts in offshore wind projects fundamentally requires that consultation procedures carry legal force rather than operating as discretionary recommendations. In particular, as seen in the case of Japan, the linear sequence of 'consultation–designation–bidding' should be maintained in sequence to preserve procedural integrity, ensuring that substantive agreement is reached through a statutory council prior to the zone designation stage. Furthermore, similar to the UK's Statement of Community Consultation (SOCC) system, the consultation process itself needs to be legally documented, enforcing procedural transparency by requiring developers to provide specific proof of whom they consulted and what was discussed. Consequently, substantive discussions among stakeholders become possible only when the council possesses the actual authority to influence zone designation; this requires an explicit statutory linkage between council consensus and zone designation, going beyond even Japan's arrangement, in which council agreement functions as a de facto rather than formal precondition for designation.

Multi-layered Governance Structure and Systematisation of Representation

To reflect the diversity of stakeholders and the multi-layered structure of conflicts, a governance design that subdivides the levels and scope of discussion is required. By establishing a multi-layered consultation system that separates the roles of central, regional, and site-specific levels, which is similar to the UK's consultation working groups and liaison officer structures, decision-making appropriate for each spatial scope can be achieved. In this process, it is essential to ensure the legitimacy and expertise of the consensus by recognising the representation of formal fisheries organisations, such as fisheries cooperatives or village chapters, rather than the fragmented opinions of individual fishers. Furthermore, an integrated governance model in which expert working groups and community-based local knowledge are mutually reinforcing represents a more effective structure for the Korean context.

Strengthening Information Transparency and Establishing Digital Infrastructure

The core of building institutional trust lies in resolving information asymmetry and adhering to principles of transparent disclosure. To this end, an integrated offshore wind information platform should be developed to provide the digital infrastructure where all stakeholders, including fishers, residents, and researchers, can access the same data in real-time, following models such as the UK's KIS-ORCA and Kingfisher Bulletin, and The Crown Estate's Marine Data Exchange. Information disclosure should not be a one-off event but should be conducted through permanent channels operating throughout the project lifecycle, ensuring the constant availability of meeting minutes and technical data. Such a continuous and transparent information-sharing system prevents unnecessary misunderstandings among stakeholders and serves as the foundation for creating a rational consultation environment based on scientific evidence.

Linking Evaluation and Monitoring to Ensure Implementation

To ensure that consultation outcomes are not merely declaratory but are implemented across all stages of the project, they must be linked to

developer evaluation and ex-post management systems. Following the Japanese example, a competitive mechanism should be introduced where items such as regional coexistence plans and the quality of consultation are included in the bidding evaluation for developer selection, thereby creating structural incentives for developers to invest meaningfully in the consultation process. Additionally, like the UK's monitoring strategies, consulted details should be formalised into mitigation measures and long-term monitoring actions to be continuously managed through to the operational stage. In other words, the sustainability of the consultation model can only be guaranteed when legal enforceability, information disclosure, and constant communication and monitoring function together as an organic system.

3.3 Basic Principles for the Institutional Design of the Public-Private Council

Synthesising the implications of international consultation models and the structural factors of South Korean conflicts set out in the Case Study Report (Chapter 2 and Section 3.2 respectively), the institutional design of the public-private council must be founded upon the following principles.

First, consultation must precede decision-making

The starting point of conflicts in offshore wind projects in Korea has almost invariably been a pattern of site confirmation followed by stakeholder persuasion. Consultation that begins only after a site has been confirmed and investment has been made is reduced to a mere formalistic procedure. What international cases consistently demonstrate is that consultation possesses substantive influence only when it is positioned prior to decision-making. The public-private council should be formed before the finalisation of the basic plan, and a structure is required where consultation outcomes are linked as a prerequisite for subsequent administrative decisions.

Second, representation must be designed

A recurring issue in conflict cases was the absence of consensus regarding who represents the region. Representation does not occur naturally. It is necessary to institutionalise the composition procedure itself, which involves identifying groups within the affected area through stakeholder analysis, gathering collective intent through organisational representatives, and ensuring the balanced inclusion of proponents, opponents, and neutral parties. The exclusion of or bias towards specific groups undermines the legitimacy of the consensus and becomes a cause for its reversal even after an agreement is reached.

Third, symmetry of information access should be ensured

Information asymmetry undermines the very premise of consultation. If only one side possesses information, the process becomes persuasion rather than consultation. Meeting materials, minutes, basic design plans, and environmental impact data must be disclosed equally to all participants, and independent expert verification and advice should be provided regarding technical issues. Equitable information disclosure is a foundational condition for substantive consultation.

Fourth, conflict must be managed within the system

Conflict is an inherent characteristic of offshore wind projects. The overlap between fishing areas and energy spaces, as well as the tension between development profits and the infringement of livelihoods, cannot be fully resolved through consultation alone. What matters is whether there are clear procedures to adjust conflicts in stages and ultimately resolve them within the system rather than pushing them outside. A phased pathway starting from internal adjustment within the council, passing through a higher deliberation body, and leading to legally binding arbitration must be designed in advance.

Fifth, a structure for mutual benefit must be designed rather than mere compensation

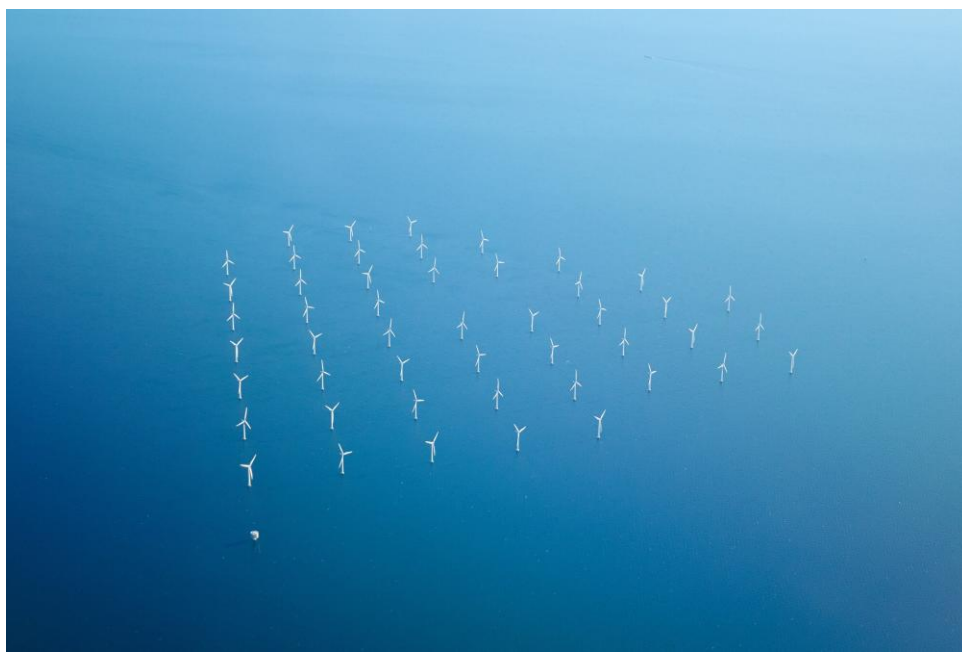
The reason South Korean conflicts result in exhaustive negotiations over the scale of compensation is that the system does not specifically provide options other than monetary payment. International cases create a structure of collective benefit rather than compensation through profit-sharing linked to power generation, resident-participatory investment, regional development funds, and long-term monitoring and adaptive management. The public-private council should function not as a compensation negotiation body but as a platform for designing mutual benefit models.

Sixth, it must be designed as a linked system rather than a set of individual institutions

Merely creating a good council is insufficient. A structure is required where consultation results are reflected in zone designation, designation conditions are linked to developer bidding, and bidding conditions lead to implementation management during the construction and operation stages. What is confirmed in international cases is not the excellence of individual institutions but the system of linkage where each stage becomes a prerequisite for the next. The design in Chapter 4 is based on this premise of integration.



4 Design of the Public-Private Council's Operational System



Building on the six design principles derived in Chapter 3, this chapter designs the concrete operating system of a Korean public-private council. The draft provisions corresponding to each item designed in this chapter are set out in Appendix A, and the practical operating procedures in Appendix B; readers may grasp the direction and rationale of the design in the main text and consult the relevant appendix as needed. Unless otherwise indicated (i.e. 4.1.1), the arrangements described in this chapter constitute the design proposed by this guide; where a sentence describes an existing requirement under the Offshore Wind Act or its subordinate legislation, the relevant instrument is identified.

4.1 Timing, Procedures for Establishment, and Scope of Authority

4.1.1 Timing of Establishment

Under the Offshore Wind Act, the public-private council is established at the point when the Minister of Climate, Energy and Environment formulates a basic design plan for a designated preliminary zone and notifies the competent provincial governor or the head of a city, county, or district of the details. The Act requires the head of the local government who has received the notification to form and operate, within three months of the date of notification, a public-private council involving stakeholders such as fisheries organisations, resident representatives, relevant experts, and representatives of residents in areas along transmission line routes. Under the Act, this council consults not only on the basic design

plan but also on the future designation, modification, and cancellation of power generation districts, the composition of profit-sharing projects involving residents and fishers, and the revitalisation of the fishing industry and the local economy. For the Minister to designate all or part of a preliminary zone as a power generation district, the consultation procedures of this council must be completed.

4.1.2 Establishment Procedures

South Korean conflict management systems (conflict impact analysis, investigations by specialised agencies), administrative council-related legislation, operational regulations for industrial complex guidelines, and the establishment deadline under the Offshore Wind Act all presuppose the importance of phased establishment, deadlines, and role allocation. Reflecting this, this guide presents the establishment procedure in four stages: preparation, launch/establishment, operation, and termination.

The preparation stage involves stakeholder surveys through specialised agencies, notification of the basic design plan, preparation of operational regulations, and initial consultations with local organisations. The establishment stage entails forming the body within the statutory deadline, appointing members, and establishing the structure comprising the secretary, secretariat, and subcommittees. The operational stage involves establishing the linkage structure between the main assembly and subcommittees, meeting procedures, and criteria for non-voting attendance by central ministries and public institutions. The termination stage clearly defines the adoption and publication of consensus documents and recommendations, along with follow-up consultations and links to renegotiations.

4.1.3 Authority and Limitations

Reviewing South Korean general administrative councils and overseas offshore wind consultation structures reveals a common approach: while the administrative authority retains the final legal decision-making power over consents or compensation, the council's consensus and recommendations serve as the core basis for approval conditions and policy design. Accordingly, the public-private council is established as a consultative and advisory mechanism with substantive influence, including agenda deliberation, data requests, adoption of consensus documents and recommendations, implementation monitoring, and conflict mediation requests. The proposed design makes clear, however, that the authority to finalise consents and compensation remains within existing statutes and administrative procedures.

This design aims to manage expectations and minimise misunderstandings while maximising the council's realistically achievable influence, such as agenda setting and recommending conditions for mutual benefit.

4.2 Ensuring Representation in Member Composition and Selection Procedures



Section 4.2 sets out recommended criteria for how the public-private council should be composed, specifically regarding who should serve, in what scale and proportion, and according to what criteria, to fulfil its role effectively. It synthesises South Korean offshore wind cases, relevant guidelines and ordinances, overseas council composition methods, and general administrative council jurisprudence to outline core elements: composition principles, selection procedures and criteria, roles, and term of office and replacement.

4.2.1 Composition Principles

Stakeholder Categories

Offshore wind power involves a multi-layered web of stakeholders including residents, fishers, local authorities, government, developers, experts, and civil society. A composition centred on specific groups risks fostering distrust and conflict. The intent of relevant laws and guidelines is to consider directly affected groups, institutional enforcement bodies, neutral verification and oversight bodies, and implementing bodies together. Accordingly, council members shall be categorised as: resident representatives, fisher representatives, local government representatives, government/public institution representatives, experts, civil society, and developers where necessary.

Number of Council Members

Similar South Korean councils typically comprise around 20 members, while those involving multiple local authorities or complex agendas generally have 25 to 30 members. As the offshore wind council encompasses complex issues such as siting, environment, fisheries, co-existence, grid connection, and compensation, excessively reducing the number of members would limit the ability to ensure representation and expertise. Therefore, 20 to 25 members are recommended for a single local government, and 25 to 30 members when multiple local governments participate.

Member Proportions

A minimum requirement for ensuring representation and expertise is confirmed as having a majority of community representative members, at least 20% expert members, and appropriate limits on the proportion of government and developer representatives. Considering concerns that the body might appear government or developer-led, a composition of approximately 50% community representative members, 25% expert members, and 25% government members is recommended. This design aims to ensure a balanced guarantee of acceptability (community representative), neutrality and expertise (experts), and administrative accountability and institutional linkage (government).

4.2.2 Member Selection Procedure

The method of selecting members is crucial to the council's credibility, necessitating procedures that prevent recommendations centred on specific organisations or personal networks and avoid bias towards or against particular positions. To this end, the selection process is organised into four stages: investigation, list compilation, review, and appointment.

Stakeholder Identification and Candidate Discovery

Specialised agencies identify stakeholders through social impact assessments, field surveys, questionnaires, and Focus Group Interviews (FGIs), analysing their positions, spheres of influence, and representation to ensure neutrality and objectivity from the investigation stage.

Compilation of Candidate Lists

A candidate pool comprising two to three times the required number per category is formed. The type, position, and reasons for recommendation are recorded to enable retrospective verification of the selection rationale even after final composition.

Local Authority Review and Adjustment

Local authorities review the candidate list and adjust it by incorporating opinions from regional organisations such as fisheries cooperatives and fishing village associations. Reasons for any changes or exclusions must be documented and notified to higher authorities to curb arbitrary intervention and ensure transparency.

Final Appointment and Chairperson Selection

The final appointment authority shall be vested in the head of the local government to clearly designate the entity responsible for implementing the consultation outcomes. The chairperson shall, in principle, be designated from among the government members of the local government to ensure consultation results lead to implementation linked to consenting, compensation, mutual benefit policies, etc. Concerns about bias shall be mitigated through complementary measures such as co-chairs or vice-chairs from expert members.

4.2.3 Criteria for Selecting Council Members

As private members represent directly affected groups, they must include officially recognised representatives with verified regional representation to ensure collective opinions are gathered and conveyed. They should also include members representing pro, con, and neutral positions in balanced proportions to secure a mediating function. Furthermore, public interest, willingness to participate, diversity, and communication skills should be considered together to prevent individual grievances and fragmentation between groups. Expert members serve as the core link for policy and institutional improvements. They are selected against four criteria: expertise in the marine environment, fisheries, renewable energy, conflict management, or legal and institutional fields; relative independence from vested interests; conflict mediation capability; and relevant participation experience.

4.2.4 Role Differentiation

Roles are clearly delineated to prevent decision-making and implementation delays, and to avoid the concentration of burdens and authority on specific individuals. The chairperson presides over meetings, coordinates agendas, facilitates consensus-building, and oversees voting procedures to prevent procedural delays. Members convey the views of their respective groups while sharing collective responsibility to respect overall consensus. The secretary serves as both an operational manager

and a central coordinating pivot, responsible for meeting preparation, agenda organisation, minute-taking, and procedural oversight. The secretariat acts as a permanent body supporting the council's continuity by managing meeting operations, disclosing materials and records, conducting initial conflict mediation, and providing implementation support. Subcommittees conduct in-depth reviews of complex agendas, enabling the main assembly to focus on core decision-making.

4.2.5 Council Member Tenure and Replacement

As offshore wind power is a long-term undertaking, the council must operate on a long-term basis, managing both the risk of insularity from long tenure and instability from frequent replacements. Terms are set at two years, aligned with the council's duration, with reappointment and succession permitted to ensure the accumulation of experience and consensus. However, replacements require clear justification and strict approval procedures, with notification to higher administrative bodies to prevent arbitrary changes.

4.3 Meeting Operation Methods: Decision-Making Structure, Information Disclosure, and Opinion Gathering Procedures

Section 4.3 presents criteria for how the public-private council should operate to secure public acceptability and trust. Key issues have been summarised based on South Korean offshore wind conflict cases, general administrative council operating standards, and community participation governance examples.

4.3.1 Operation Overview

Convening Meetings and Quorum

Meetings shall be convened by the chairperson but may also be convened upon request by a specified proportion of members or the administrative head to ensure checks and balances. A quorum requires attendance by a majority of enrolled members, and resolutions require approval by at least a two-thirds majority of attending members. The date, time, location, and agenda of meetings shall, in principle, be notified seven days in advance, though this period may be shortened in emergencies with the reason recorded. Proxy attendance is permitted but voting rights are restricted to prevent purely formal proceedings.

Types and Frequency of Meetings

Regular meetings shall be held at least once per quarter to review overall operations, with ad hoc meetings convened to address urgent issues. Complex agendas shall undergo in-depth review in subcommittee meetings, enabling the main meeting to focus on core agreements.

Meeting Format and Attendance Scope

Face-to-face meetings shall be the norm, though remote attendance shall be permitted where unavoidable. Participation shall be limited to appointed members as a rule, though experts or reference persons may attend to supplement expertise where necessary, subject to approval.

Neutral support personnel, such as facilitators, shall be utilised for highly contentious matters.

Duration of the Council

The council shall be designed as a long-term governance body, operating from the basic design consultation phase through to the period around the selection of the developer. The deadline for notifying the results of the basic design consultation shall be six months (extendable once if necessary). The term of office for members shall be two years, but the council shall continue until the developer is selected.

Budget Management

The operating budget shall be borne by the local government as a principle to clearly establish its public nature. Allowances shall be paid only to community representative members and expert members; activities of public official and developer representatives shall be considered within the scope of their duties. Budget execution records shall be documented and archived to serve as a basis for verification and ensuring trust.

4.3.2 Agenda Management and Decision-Making

Agenda Identification and Preliminary Procedures

Any council member may propose an agenda item, which the secretary or secretariat shall collate and report to the chairperson. Important agenda items shall, as a rule, undergo preliminary review by subcommittee meetings and require the provision of materials seven days in advance. Core conflict issues such as mutual benefit and profit-sharing, fisheries, and marine environment shall be addressed as mandatory items alongside the review of the basic design plan.

Agenda Coordination and Submission

The Chairperson shall determine whether to table items based on necessity and urgency, thereby controlling excessive tabling, while priorities shall be set by consensus among members. Matters with high conflict potential shall be discussed first to facilitate pre-emptive coordination.

Decision-Making Principles

Consensus shall be the primary principle; however, matters where consensus is difficult to achieve or are of significant importance shall be decided by vote. Voting shall require the attendance of a majority of the total membership and the approval of at least two-thirds of the members present. Voting shall be mandatory for matters such as project modifications, confirmation of mutual benefit plans, and dispute resolution to ensure legitimacy and accountability.

4.3.3 Information Disclosure and Consultation

Preparation and Management of Meeting Minutes

Meeting minutes are prepared to include major remarks, agreements, and resolutions, and they are distributed and finalised within a set period. Supplementary materials, such as agreement documents, are also managed and made available for public inspection by residents.

Information Disclosure and Exceptions to Disclosure

Final meeting minutes and agenda materials are disclosed through official channels, although personal information and trade secrets may be kept confidential in accordance with relevant laws and regulations, provided that the reasons are specified. Provisions for anonymisation and confidentiality are established as mechanisms to ensure a safe environment for expression.

Community Engagement and Feedback

Community representative members shall share meeting outcomes with their respective communities, gather opinions, and bring them back to the council for reflection in its agendas. Channels for receiving opinions shall be established, including public hearings, community briefings, meetings, and online platforms. Opinions shall be collated and reported; where necessary, they shall be tabled as agenda items. The decision on whether to incorporate them and the reasons shall be disclosed to reduce distrust and maintain participation.

4.4 Phased Adjustment System for Conflict Management

Section 4.4 outlines how the public-private council should be designed to anticipate potential conflicts, and the procedures and systems for mitigating and resolving them. Synthesising South Korean and international cases of offshore wind power and public conflicts, along with relevant laws and systems (fisheries, property rights, information disclosure, public conflict management systems, etc.), conflict management should be designed around three pillars: prior recognition and structuring of conflict types, a phased resolution process, and a system for absorbing routine grievances within the framework.

4.4.1 Key Conflict Types

Disputes recurring during the South Korean offshore wind power development process converge into four categories.

First, conflicts concerning project impacts manifest as concerns over restrictions on fishing areas due to site development, anxieties about changes in fishery resources, fears of encroachment on living spaces and property rights from transmission lines and substations, and controversies over damage to the marine environment and landscape. These are directly linked to the principles of safeguarding fishing activities, protecting property rights, and support systems for areas surrounding power generation facilities, making them a core pillar that the council must address.

Second, conflicts concerning procedures and participation have amplified tensions. These stem from disputes over the fairness and representation of council composition, the exclusion of specific groups, information asymmetry between administrative bodies/developers and residents, and the lack of transparency in explanatory meetings and consenting procedures. Legislation concerning information disclosure and administrative procedures demonstrates that these issues may stem not

merely from emotional conflict but from deficiencies in institutional design. This provides the basis for the council to clearly define criteria for member composition, meeting transparency, and data provision.

Thirdly, conflicts over mutual benefit and compensation have repeatedly led to project delays and suspensions. These stem from accumulated disagreements over the scope of fisheries compensation, compensation rates and calculation methods, the targets, scale, and methods of community participation projects, and the realism of regional development and job creation effects. Energy-related laws and guidelines stipulating community participation and profit-sharing support the direction that councils should formally address mutual benefit and compensation principles and procedures as agenda items from the outset.

Fourthly, conflicts in council operations manifest as disagreements over agenda priorities and discussion methods, prolonged deadlocks due to the absence of voting criteria and mediation mechanisms, and distrust and withdrawal stemming from procedural violations. Existing administrative council operational principles establish minimum standards for quorums, voting criteria, and meeting procedures; these should be incorporated into council operating regulations.

4.4.2 Conflict Resolution Process

Case analysis revealed that a structured, step-by-step approach to conflict resolution significantly influenced project sustainability. Integrating public institution conflict management systems, administrative adjudication procedures, and higher-level offshore wind councils suggests a three-stage mediation structure is practical.

The first stage involves internal coordination within the council. Conflicts are, in principle, resolved through discussion and mediation within the public-private council. The chairperson may separate agenda items for in-depth discussion or appoint a neutral facilitator to ensure procedural fairness. Community representative members are tasked with both conveying their respective communities' positions and seeking compromises, thereby establishing the council as the primary forum for resolution.

The second stage involves linking to higher-level deliberative bodies, such as the conflict management deliberation council. Matters unresolved by the council are referred to a higher-level deliberative body in accordance with public conflict management regulations. This initiates a second-stage mediation attempt, involving expert analysis of the disputing parties, causes, and impacts, followed by the derivation of a mediation proposal.

The third stage involves transfer to the OSW Commission's adjudication procedure. Conflicts ultimately unresolved are linked to general administrative redress procedures, such as administrative appeals or litigation, following the adjudication application process, notification of parties, statement of opinions, and the adjudication and delivery of the adjudication document.

4.4.3 Complaint Handling System



South Korean and international cases confirm that when individual complaints are not processed in a timely manner, they tend to escalate into media, political, or legal disputes. Therefore, Section 4.4.3 views complaints not merely as grievances but as early warning signals of conflict and as feedback for operational improvement, premised on a system that absorbs complaints into the institutional framework.

Complaints shall be formally received through various channels, including written submissions, online platforms, and in-person visits. Accessibility shall be ensured by providing procedural guidance via local government websites. The Secretariat shall record the date and content of each complaint. Simple enquiries or requests for information shall be answered promptly. Complaints of a conflict nature shall be reviewed and analysed by the council or the working council, and formally tabled as agenda items when necessary. Grievances unresolved at the council or working level shall be linked to higher-level coordination structures, such as the OSW Commission's adjudication procedures, to establish institutional resolution pathways. Furthermore, the system is designed to enable prompt processing and responses through: an initial reply within a set period after receipt; written notification of the handling outcome; and the public disclosure of summaries of major grievances (excluding personal data).

4.5 Profit-Sharing Measures: Transitioning from Compensation-centred to Mutual Benefit Models

Section 4.5 addresses the criteria for how the public-private council should design and implement outcomes that benefit the region, residents, and the project. Synthesising South Korean and international studies on the public acceptability of offshore wind and renewable energy, along with relevant laws and guidelines on mutual benefit and profit-sharing, mutual benefit is organised around three pillars: compensation, community participation and profit-sharing, and support projects. It is necessary to design a consistent system covering the derivation process, opinion gathering, implementation, and performance management.

4.5.1 Overview of Mutual Benefit Measures

Overseas, mutual benefit approaches vary according to local conditions and institutional levels. Countries focused on offshore areas manage conflicts over fishing space through consultation and mediation procedures, even where conflicts over living environments are relatively minor. Countries focused on coastal and nearshore areas have institutionalised compensation and participation schemes early on to address conflicts over views, noise, and fishing rights. Some countries mandate the submission of mutual benefit and community participation plans through special legislation, positioning mutual benefit as part of the procedure.

Korea, by contrast, is characterised by low social trust and acceptance, combined with strong demands for compensation. A phased approach is therefore needed: securing effective compensation and support in the short term while transitioning towards participatory mutual benefit over the

long term. Accordingly, this guide defines mutual benefit along three pillars: compensation (preservation of fishing, land, and livelihood rights), community participation and benefit sharing (participatory projects, equity stakes, funds, etc.), and support programmes (support for daily life, welfare, the environment, etc.). This definition presupposes a phased roadmap that moves from a compensation-centred stage, through parallel compensation and participation, to a stage centred on participation and joint activities.

4.5.2 Procedure for Deriving Mutual Benefit Measures

Mutual benefit measures must undergo thorough, phased procedures to secure legitimacy and enforceability. Drawing on South Korean offshore wind councils and research project experience, the derivation process is structured into five stages based on investigation–analysis–deliberation. Steps (1) to (3) are carried out by a third-party specialised agency; steps (4) and (5) are concluded through council deliberation.

1. Basic and Demand Surveys

Through resident interviews, questionnaires, and field surveys, assess the local population, industries, living conditions, dependence on fisheries, and community structure, analysing specific demands for mutual benefit. This identifies development directions needed by the region, going beyond simple compensation.

2. Regional Capacity Analysis

Conduct quantitative analysis of indicators such as population, economy, education, welfare, safety, and environment to diagnose the region's strengths, weaknesses, and development potential. This provides the basis for determining priority investment areas and expected ripple effects.

3. Derivation of Candidate Mutual Benefit Measures

Based on survey and analysis results, broadly identify preliminary proposals across diverse fields such as income enhancement, welfare, education, infrastructure, environment, and community strengthening. Securing a sufficient pool of candidates enables comparison, combination, and selection, elevating discussions beyond mere grievances to develop policy alternatives.

4. Finalisation of the Plan

Evaluate and adjust the preliminary proposals based on criteria such as feasibility (legal, institutional, budgetary), funding structure, ripple effects, and equity. Agree upon and finalise the final plan through council discussions.

5. Formulation of Detailed Implementation Plans

The confirmed proposals are concretised into implementation plans, including budgets, timelines, responsible entities, and performance indicators, ensuring they do not remain mere agreements.

4.5.3 Deliberation and Verification of Mutual Benefit Measures

Mutual benefit measures require deliberation and verification involving the local community, as internal agreement within the council alone is

insufficient. The council shall conduct in-depth discussions focusing on the feasibility, funding, and ripple effects of candidate proposals, supplementing expertise with external consultation where necessary. Simultaneously, community opinions shall be gathered through multiple channels such as explanatory sessions, public hearings, roundtable discussions, and surveys. The process and outcomes shall be documented and disclosed to enable verification of whether opinions were reflected. Subsequently, opinions shall be synthesised to adjust the agenda items, and enhanced decision-making criteria shall be applied to ensure representation and legitimacy. The final proposal and decision-making process shall be made public to establish a basis for review during the implementation and evaluation stages.

4.5.4 Implementation of Mutual Benefit Measures and Performance Management

Mutual benefit gains trust when dedicated organisations, regular inspections, performance indicator-based evaluations, and feedback are combined. Confirmed plans shall be formalised, specifying budgets, schedules, responsible entities, procedures, and secured funding. They shall be managed continuously through an operational system involving local authorities, community representatives, and developers. Review results shall be periodically disclosed, with effectiveness measured using indicators such as fund size, job creation, satisfaction levels, conflict reduction, and environmental improvements. Furthermore, outcomes shall be disclosed through regular evaluations and third-party assessments when necessary, and incorporated into subsequent mutual benefit plans for continuous improvement.

5 Measures for Improving Subordinate Legislation



This chapter summarises the matters to be incorporated in the Enforcement Decree in order to implement the design set out in this guide. Each item is presented in summary form; Appendix A records the corresponding draft provisions for reference in guideline development and future amendment.

These recommendations were presented to policy decision-makers during the preparation of the Enforcement Decree and again, in formal written form, during the legislative notice period (9 December 2025 to 19 January 2026). The Enforcement Decree (Presidential Decree No. 36216) and Enforcement Rule (Ministry of Climate, Energy and Environment Ordinance No. 32) were enacted in March 2026 and took effect on 26 March 2026, together with the Act. A full comparison between the enacted subordinate legislation and the recommendations of this guide is set out in Appendix C.

5.1 Dispute Mediation Measures for the Public-Private Council

Establishing an adjudication function for the OSW Commission

Empower the OSW Commission with an adjudication function and standardise the procedure. Because the deemed-agreement effect of adjudication touches on the parties' litigation rights, its introduction requires an express basis in the Act; the Enforcement Decree can meanwhile give procedural form to the mediation function under Article 17(6) (see Appendix A). The proposed procedure includes receiving adjudication applications → notifying parties → hearing opinions in written or face-to-face formats → analysis and mediation by the OSW

Subcommittee → adjudication by the OSW Commission → service of the adjudication document → a 60-day objection period. In the annexes of the Enforcement Decree or Enforcement Rules, examples of dispute types subject to adjudication applications may be listed.

Support for the adjudication function

By utilising the support of the Conflict Management Deliberation Committee of the competent ministry pursuant to Article 11 of the Regulations on the Prevention and Resolution of Conflicts in Public Agencies, administrative duplication can be prevented and efficiency ensured by allowing the use of existing conflict impact analysis results.

5.2 Disclosure of the Basic Design Plan and Opinion Gathering Procedures

Content of the Basic Design Plan and Designation of Specialised Agencies

The stakeholder acceptability plan must include regional mutual benefit and profit-sharing measures, communication strategies, and conflict mediation manuals. Meanwhile, a third-party specialised agency shall be designated to take responsibility for data research required to establish the stakeholder acceptability plan, as well as the preparation of the candidate list for public-private council members and the council's operational plan.

Specification of Opinion Gathering Procedures for the Basic Design Plan

The head of the competent local government must disclose the basic design plan in daily newspapers and on websites within 10 days of receiving notification to ensure that residents can inspect it for at least 20 days, and they must also hold briefings or public hearings. Opinions of residents shall be gathered during the inspection period, and the results must be posted on the website for 14 days or longer.

Omission of Opinion Gathering Procedures

The holding of briefings and public hearings may be omitted in cases where there are reasons such as interference by local residents. In such instances, online briefings or public hearings must be conducted, or materials must be disclosed to receive opinions in writing.

5.3 Composition of the Public-Private Council

Setting the Range for the Number of Members

The number of members for the public-private council shall be designated by the head of the competent local government within a range of 20 to 25, including the chairperson, or 25 to 30 in cases where multiple local governments are involved. The composition ratio of members is established at approximately 25 per cent for government members, 25 per cent for expert members, and 50 per cent for private members.

Appointment Method of Members

The appointment of council members is conducted based on a candidate pool recommended by a third-party specialised agency that has

performed its own stakeholder analysis, and the head of the local government then appoints members from this pool according to the fixed number of members. Expert members include conflict management experts, environmental and civic organisations, and experts in offshore wind power, while government members consist of team leaders or department managers responsible for project permitting, consultation, compensation, and community communication within the local government. Private members are appointed using the list provided by the specialised agency while taking into account the ratio of proponents and opponents as well as specific stakeholder categories.

5.4 Operation of the Public-Private Council

Chairperson

The chairperson is designated from among the government members appointed by the head of the local government, and the designated chairperson convenes meetings and can put agenda items to a vote when necessary. The chairperson may submit agenda items to a vote for matters such as items in a deadlock, requests for adjudication to the OSW Commission, or the approval of consultation results.

Attendance of Central Government Officials

Upon request by the public-private council or the OSW Commission, officials from the Ministry of Climate, Energy and Environment or the Ministry of Oceans and Fisheries may attend the public-private consultation process, yet they hold the right to speak without the right to vote. When a request for attendance is made by the public-private council, the request with reasons must be submitted to the OSW Commission, which then designates an official in charge of relevant duties to attend the council.

5.5 Disclosure of Consultation Results and Opinion Gathering

Disclosure of Public-Private Council Results

Within seven days after the completion of the consultation, the results shall be disclosed in daily newspapers and on local government websites, and opinions on the consultation results may be submitted within 14 days.

Holding of Briefings or Public Hearings

If 30 or more stakeholders submit opinions stating that a briefing or public hearing is necessary, it must be conducted within one month after the notification of the consultation results. However, it may not be held if it cannot take place or cannot proceed normally due to reasons such as interference by local residents.

6 Conclusion and Policy Recommendations



Following the implementation of the Offshore Wind Act, government-led offshore wind projects promoted in the future must operate the public-private council based on consistent standards to enhance resident acceptability. To ensure a fair and stable public-private council, it is necessary to reflect the following policy improvements in the Enforcement Decree of the Offshore Wind Act and the corresponding guidelines.

First, the design of fair and effective councils based on preliminary investigations must be mandated.

Existing ordinances in many local governments lack specific procedures for council composition, relying instead on the authority of the local government head. This often leads to controversies over bias and representation from the initial formation stage. To fundamentally resolve this, subordinate legislation (enforcement decrees) should explicitly stipulate a pre-consultation stakeholder analysis procedure conducted by a third-party specialised agency. This would prevent subsequent conflicts during the permitting process and minimise administrative and financial costs.

1. Legislating the independent role of the specialised agency: Subordinate legislation should stipulate that the competent ministry (or the relevant local authority) must designate a neutral specialised agency, before and after notifying the basic design plan. This body must perform the following roles from a position independent of local authorities or project operators
 - Stakeholder mapping and investigation: Scientifically identify direct/indirect stakeholders through field investigations (e.g., fishing types, regions, organisations) and conduct interviews

(FGI).

- Social Impact Assessment (SIA) and Conflict Impact Analysis: Anticipated conflict issues must be identified in advance, and potential conflict factors analysed to provide foundational data for the council.
2. Compilation and recommendation of candidate lists: Based on objective investigation and analysis results, the specialised agency must compile a list of candidates for appointment to the public-private council grounded in principles of regional representation, balance, and public interest, and formally submit it to the competent local government.
 3. Final appointment and responsibility of local authorities: The head of the local authority shall appoint the final members based on this specialised agency's candidate list, incorporating the opinions of official organisations such as local fisheries cooperatives and fishing village associations. As verified in domestic cases, this method is the most effective mechanism to prevent issues such as specific interest groups monopolising council composition or key stakeholders being excluded, thereby guaranteeing the council's fairness and neutrality.

Second, establishing a permanent support system that can guarantee expertise, independence, and sustainability is required.

For the public-private council to handle complex issues and operate over the long term, a specialised and stable support system is essential.

1. Establishment and operation of the secretary and secretariat functions: To secure a permanent communication channel between stakeholders and guarantee the council's operational expertise, 'Secretary' and 'Secretariat' need to be established and operated. The Secretary handles administrative liaison, while the Secretariat is responsible for all practical tasks, including meeting preparation, record management, information disclosure, and initial grievance handling, thereby supporting the council's stable operation.
2. Introduction of a specialised body for scientific verification and ongoing communication: As the UK's Fisheries Liaison Officer (FLO) system demonstrates, a reliable, ongoing communication channel between developers and fishers (see the Case Study Report, Section 2.1) supports both scientific verification and continuous engagement; consideration should be given to establishing a specialised body tailored to domestic circumstances to perform this role. Furthermore, as exemplified by the guidelines for domestic industrial clusters, subject-specific 'subcommittees' covering fisheries, environment, and co-existence should be established and operated to enhance the expertise and efficiency of discussions.
3. Evolving into a national-level performance management system: In the long term, the operation of individual consultative bodies should be evaluated and fed back into a national-level management system. This will enable the dissemination of best practices and the rectification of shortcomings, thereby continuously improving the

overall standard of offshore wind governance.

Third, the composition of representative councils, combining acceptability and expertise, must be enshrined in legislation.

The representation of the council determines the quality of discussions and the acceptability of outcomes. Significant variations in council composition exist depending on local ordinances, and a composition centred on government and developers breeds public distrust. Therefore, subordinate legislation must clearly stipulate the number of council members and composition ratios.

1. Specifying the number of members and composition ratio

- Number of members: The basic composition should be 20–25 members, including the chairperson. However, where multiple local authorities (including those through which transmission lines pass) are involved, the composition should be expandable to 25–30 members. This size balances both efficiency and representation.
- Composition ratio: The most crucial aspect is the composition ratio. To uphold the legislative intent of securing public acceptability, the proportion of private sector members, specifically representatives of residents and fishers, must be guaranteed at around 50%. The remaining 50% should be allocated as follows: 25% for government members (representing local authorities and relevant public institutions) and 25% for expert members (specialists in conflict management, marine environment, energy, law, etc.), thereby ensuring both operational effectiveness and expertise.

2. Specification of criteria for selecting the chairperson and members

- Chairperson: To ensure administrative implementation and accountability for consultation outcomes, the chairperson should, in principle, be one government member (at deputy head level) nominated by the head of the relevant local authority. This follows the approach confirmed in numerous local ordinances. However, for complex issues involving multiple local authorities, flexibility should be allowed to operate a co-chair system, including one expert member, to ensure neutrality.
- Private members: These should represent collective interests, including individuals holding official representative positions such as fishing village association heads or executives of fisheries cooperatives. Diverse viewpoints including those in favour, opposed, or neutral should be included in a balanced manner without bias. As seen in the Case B study in Section 3.1.2 of the Case Study Report, deliberately including representatives of supportive, opposed and neutral positions within the council contributes to its stability.

Fourth, procedures for transparent and efficient meeting operation must be guaranteed.



Stakeholder trust stems from transparent information disclosure. Simultaneously, efficient operational procedures to prevent project delays are essential.

1. Mandatory information disclosure and enhanced accessibility

- Subordinate legislation must stipulate that final meeting minutes and 'key agenda explanatory materials' are mandatorily disclosed on the local government website and the council's dedicated information disclosure portal. This is a key mechanism to resolve the issues of information asymmetry and lack of transparency evident in domestic cases.
- However, supplementary measures are also needed, such as allowing anonymous entries in minutes upon speaker request to guarantee free discussion.

2. Establishing swift and predictable operational deadlines

- Unnecessary prolongation of discussions exacerbates conflict and heightens project uncertainty. Subordinate legislation must establish clear deadlines.
- (Formation deadline) The head of the local authority must mandatorily establish the council within three months of notification of the basic design plan.
- (Consultation period) The consultation period for the basic design plan should be set at six months as standard. Where necessary, it should be stipulated that this period may be extended once by a further six months, subject to approval by the OSW Commission.

3. Establishing an efficient decision-making structure

- Decisions shall prioritise unanimous agreement, but a voting mechanism shall be established to prevent deadlock.
- Crucially, key matters such as finalising mutual benefit plans or making significant changes to the project plan should require a weighted quorum of 'attendance by a majority of all members and the approval of at least two-thirds of the members present'. This approach has been validated by numerous guidelines and actual operational cases.

Fifth, a systematic three-stage conflict management mechanism must be established to resolve deadlocks.

Conflict is inevitable. It is crucial to codify clear procedures for resolving it. Robust institutional safeguards are needed to prepare for situations where the public-private council fails to reach agreement and drifts indefinitely.

1. Stage 1: Internal autonomous mediation within the public-private council. Conflicts should first be resolved through autonomous discussion and mediation within the council.

2. Stage 2: Request for mediation to the Conflict Management Deliberation Committee. For issues that cannot be resolved internally, regulations should be established to allow for a mediation request to the Conflict Management Deliberation Committee of the Ministry of Climate, Energy, and Environment, either through a council resolution or at the request of the head of the local government.
3. Stage 3: Establishment of a robust adjudication function within the OSW Commission. This is the core recommendation. Under current law, mediation is merely advisory and lacks practical effectiveness.
 - An adjudication function modelled on that of the Electricity Commission under Article 57 of the Electric Utility Act should be established for the OSW Commission. Because its deemed-agreement effect requires an express statutory basis, this is proposed as an amendment to the Act, with the Enforcement Decree in the meantime giving procedural form to the mediation function under Article 17(6). The adjudication procedure must guarantee parties the opportunity to state their views and enhance fairness by receiving professional support from the Conflict Management Deliberation Committee under the competent ministry during the adjudication process.
 - Once adjudication is concluded, parties may lodge an appeal within 60 days. After this period, the adjudication decision shall become legally binding, equivalent to an agreement between the parties. This three-stage procedure will be the most effective means to fairly and swiftly resolve intractable disputes, preventing prolonged conflict.

Sixth, institutionalise substantive mutual benefit measures centred on 'mutual profit-sharing' rather than merely 'compensation'.

A significant portion of domestic conflicts arises from becoming mired in ex post facto monetary damage compensation discussions. To overcome this, the perspective must shift towards mutual profit-sharing.

1. Mandatory discussion of mutual benefit measures: Beyond simple compensation for fishing losses, the design of proactive profit-sharing mechanisms such as community-participatory development projects, regional mutual benefit funds, and social investment funds must be explicitly mandated as core statutory agenda items for public-private councils.
2. Introduction of a systematic mutual benefit measures derivation process: Mutual benefit measures should not be one-off proposals but derived through a systematic procedure. As validated in Case B of the Case Study Report, the following steps should be adopted as standard: 1) Basic investigation and needs assessment → 2) Regional capacity analysis → 3) Stakeholder opinion gathering (FGI) → 4) Derivation of candidate mutual benefit measures → 5) Agreement on the final proposal.
3. Establishing sustainable implementation governance: To ensure the enforceability of agreed mutual benefit measures, it is advisable to

establish sustainable implementation organisations (governance), such as independent foundations or fund management committees. Furthermore, regular implementation monitoring, performance evaluation, and feedback procedures must be established to manage the mutual benefit measures and prevent them from becoming mere one-off promises.

Taken together, the recommendations presented in this guide are intended not only to improve consultation procedures but also to strengthen the legitimacy, predictability, and effectiveness of offshore wind governance in South Korea. Properly designed public-private councils should therefore be regarded not merely as administrative bodies, but as essential governance institutions that enable timely project delivery, durable stakeholder relationships, and public confidence in offshore wind development.



Appendix A. Draft Provisions as Proposed to Government

A.1 OSW Commission: Dispute Resolution Measures for the Public-Private Council

A.1.1 Background

Dispute Resolution for Offshore Wind Power Generation Projects

Article 17 of the Offshore Wind Act anticipates the possibility of disputes arising within the public-private council, stipulating that should a dispute occur, mediation may be requested from the OSW Commission. Furthermore, the deliberation and resolution matters to be handled by the OSW Commission, as outlined in Article 6(1) of the Act, include "matters concerning the mediation of disputes related to offshore wind power development projects". These provisions exist because the offshore wind projects currently being pursued involve acute conflicts of interest among stakeholders, and such conflicts are expected to persist even after legislation is enacted. If all disputes were to be deliberated and decided by the OSW Commission, administrative inefficiency would likely result.

Central Government Conflict Management

Conflicts that remain unresolved within a local public-private council can be mediated by a professional central conflict management agency. According to the Regulations on the Prevention and Resolution of Conflicts in Public Agencies, central administrative agencies are required to establish a Conflict Management Deliberation Committee to deliberate on matters concerning conflict management within their jurisdiction. By utilising systematic procedures and personnel designated for conflict management, the Conflict Management Deliberation Committee under the Ministry of Climate, Energy and Environment, which is the competent ministry for offshore wind power, can provide professional mediation for major policies or projects. Offshore wind power generation projects are South Korean national initiatives and fall under the major project categories of central ministries.

Means and Methods of Dispute Mediation

Although the OSW Commission is tasked with handling matters concerning dispute mediation, specific means or methods are not outlined. Moreover, even with the introduction of the Offshore Wind Act, offshore wind projects are highly contentious, and numerous disputes are anticipated during implementation. Consequently, attempting to resolve all disputes through the OSW Commission would be inefficient. Therefore, specific means and methods should be established during future legislative improvements or the enactment of enforcement decrees, with efficiency in mind. In this regard, reference can be made to the adjudicatory function of the Electricity Commission specified in Article 57 of the Electric Utility Act (Table 1).

Table 1. Adjudicatory Function of the Electricity Commission under the Electric Utility Act

Article 57 (Adjudication by the Electricity Commission) of the Electric Utility Act

① Where an electricity business operator, etc., or an electricity user, etc., cannot reach agreement or is unable to negotiate regarding any of the following matters related to electricity business, etc., they may apply to the Electricity Commission for adjudication. <Amended 30 March 2011, 12 June 2018>

1. Matters concerning transmission or distribution electrical facility usage fees and other usage conditions pursuant to Article 15
2. Matters concerning the terms and conditions of supply
3. Matters concerning consultations between the parties regarding the payment or receipt of amounts pursuant to supply control orders under Article 29
4. Matters concerning the bearing of costs pursuant to Article 72
5. Matters concerning compensation for losses pursuant to Article 90
6. Matters concerning compensation for losses pursuant to Article 90-2
7. Other matters relating to disputes concerning electric power businesses, etc., or matters prescribed by other Acts as matters for adjudication by the Electricity Commission

② Where the Electricity Commission receives an application for adjudication pursuant to paragraph 1, it shall notify the other party of this fact and provide an opportunity to state their opinion within a prescribed period. However, this shall not apply where a party fails to respond without justifiable cause.

③ Where the Electricity Commission has made an adjudication ruling on the application pursuant to Paragraph 1, it shall without delay serve the original copy of the adjudication award on the parties.

④ Where the Electricity Commission has made an adjudication award, if no lawsuit naming the other party as defendant is filed within 60 days from the date the original copy of the adjudicatory award is served on the parties, or if such a lawsuit is withdrawn, it shall be deemed that an agreement identical to the content of the adjudicatory award has been reached between the parties. <Amended 30 March 2011>

⑤ Matters necessary for adjudication, other than those prescribed in paragraphs 1 to 4, shall be determined by Presidential Decree.

<Newly established 30 March 2011.>

[Completely Revised 21 May 2009]

A.1.2 Current Legislation

Article 17 of the Offshore Wind Act stipulates that where dispute mediation by the public-private council is required, mediation may be requested from the OSW Commission, which shall mediate in accordance with Presidential Decree. Furthermore, Article 7(9) provides for the establishment of a OSW Subcommittee to review and coordinate agenda items for deliberation by the OSW Commission, and authorises it to directly resolve minor matters. These provisions are presented in Table 2.

Table 2. Provisions concerning the OSW Subcommittee and dispute mediation by the public-private council under the Offshore Wind Act

Offshore Wind Act Article 7

(OSW Commission Composition and Operation)

⑧ Meetings of the OSW Commission (including video conferences) shall be convened with the attendance of a majority of the members present and shall be resolved by a majority vote of the members present. However, in cases specified by Presidential Decree, such as when the content of the agenda item is minor, deliberation and resolution may be conducted in writing.

⑨ The OSW Commission shall establish a OSW Subcommittee to efficiently perform the matters listed in the following subparagraphs. In such cases, deliberations and resolutions of the OSW Subcommittee pursuant to subparagraph 2 shall be deemed to be deliberations and resolutions of the OSW Commission.

1. Review and coordination of agenda items to be deliberated by the OSW Commission

2. Deliberation and resolution of minor matters specified by Presidential Decree among the items listed in Article 6(1)

⑩ Other matters necessary for the composition and operation of the OSW Commission and the OSW Subcommittee shall be prescribed by Presidential Decree.

Article 17 (Composition and Operation of the public-private council)

⑥ Where dispute mediation or similar is required during consultations on the matters listed in each item of Paragraph 1, the metropolitan city or provincial governor, or the mayor, county head, or district head may request mediation from the OSW Commission. In such cases, the OSW Commission shall mediate in accordance with the provisions of the Presidential Decree.

A.1.3 Improvement Proposal

Establishing the Adjudicatory Function of the OSW Commission

The authority granted to the OSW Commission under the Act to "deliberate and decide on matters concerning dispute mediation" needs to be concretised, and two levels should be distinguished. At the level of the Enforcement Decree, the mediation function under Article 17(6) of the Act can be given procedural form: receipt of applications, notification of the parties, hearing of opinions, and the preparation and presentation of mediation proposals. By contrast, an adjudication function with binding effect, including the deemed-agreement effect modelled on Article 57 of the Electric Utility Act, affects the parties' litigation rights and therefore requires an express statutory basis; it is presented here as a medium-term task for amendment of the Act. The adjudicatory provisions in Table 3 are accordingly drafted for incorporation upon such an amendment. As it is currently difficult to classify the specific types of disputes requiring adjudicatory resolution in offshore wind power generation projects, these should be included in the appendix to the Presidential Decree or the Enforcement Rules, where the amendment process is relatively less cumbersome. Where it is essential to address specific items, consideration could be given to specifying them explicitly in the Presidential Decree.

Table 3. Articles of the Enforcement Decree concerning the adjudicatory functions of the OSW Commission

Enforcement Decree of the Offshore Wind Act, Article 00 (Adjudication by the OSW Commission)

① Where the parties concerned are unable to reach agreement or cannot engage in consultation regarding matters prescribed by Presidential Decree concerning offshore wind power projects, they may apply to the OSW Commission for adjudication.

② The OSW Commission may, where deemed necessary during the adjudication process, receive support from the Conflict Management Deliberation Committee of the competent ministry established pursuant to Article 11 of the Regulations on Conflict Prevention and Resolution of Public Institutions.

③ Upon receiving an adjudicatory application under Paragraph 1, the OSW Commission shall notify the other parties of this fact and provide them with an opportunity to state their opinions within a specified period. However, this shall not apply if a party fails to respond without justifiable grounds.

④ Where the OSW Commission has made an adjudication on an application under paragraph 1, it shall without delay serve a certified copy of the written adjudication on the parties.

⑤ Where no lawsuit is filed against the other party within 60 days from the date the certified copy is served, or where such a lawsuit is withdrawn, it shall be deemed that an agreement identical to the content of the adjudication has been reached between

the parties.

A.1.4 Expected Effects

Enhancing Expertise in Conflict Management

The improvement proposal suggests establishing and operating a OSW Subcommittee involving experts in conflict prevention and resolution. Operating an OSW Subcommittee with participation from experts in conflict prevention/resolution and maritime/energy sectors will enable more specialised analysis of the causes, impacts, and stakeholder structures of disputes. This will significantly aid in accurately identifying the causes and parties involved in disputes and seeking practical solutions based on scientific and objective analysis. Moving beyond mere discussion, the preparation and provision of detailed analytical reports to the OSW Commission on the parties involved, causes, and impacts of disputes will enable the OSW Commission to make adjudicatory decisions based on more in-depth information. Such a professional and systematic approach will contribute to fundamentally resolving conflicts and enhancing public acceptability.

Efficient Utilisation of Administrative Resources

Currently, offshore wind projects frequently experience delays due to acute conflicts among stakeholders. Even if the Offshore Wind Act is introduced, having the higher-level OSW Commission directly handle all disputes or establishing a separate organisation could lead to administrative inefficiency. In contrast, as proposed in the Legislative amendment proposal, receiving support from the Conflict Management Deliberation Committee of the competent ministry, established under Article 11 of the Regulations on Conflict Prevention and Resolution in Public Institutions, would not only prevent duplicative administration under different laws but also enable the utilisation of existing conflict impact analysis results, allowing for a more efficient response.

Reliability and Predictability of Conflict Resolution Procedures

The existing bill did not specify concrete means or methods for dispute mediation, leading to significant procedural uncertainty when conflicts arose. However, the improved bill clearly outlines the dispute mediation procedure, drawing reference from the adjudicatory provisions of the Electric Utility Act, and stipulates that the OSW Subcommittee shall perform the primary role of reviewing and mediating disputes. This provides stakeholders with predictability regarding the dispute resolution process and the final decision, thereby enhancing trust in the bill. Furthermore, the provision stipulating that failure to file a lawsuit within 60 days against an adjudicatory decision shall be deemed as an agreement between the parties will strengthen the legal effect of dispute resolution, thereby contributing to securing the stability of project implementation.

A.2 Procedures for Disclosure of Basic Design Plans and Solicitation of Opinions

A.2.1 Background



Public Disclosure of the Basic Design Plan

Pursuant to Article 16 of the Offshore Wind Act, the Minister of Climate, Energy and Environment must notify the head of the relevant local government when a Basic Design Plan is established or when significant changes are made to it. Upon receiving such notification, the head of the local government must establish and operate a public-private council within three months. Prior to conducting public-private consultations, the Basic Design Plan must be disclosed to stakeholders and experts. Furthermore, a public hearing or briefing session must be held to gather opinions, with the detailed procedures for this process delegated to the Presidential Decree. The relevant content and procedures must be established in advance of the law's implementation.

Reference Legislation for the Opinion Gathering Procedure

When formulating the relevant content of the Enforcement Decree, reference may be made to the public hearing and opinion collection procedures under the following three laws: ① the public hearing procedure during the formulation of the Basic Plan for Electricity Supply and Demand under the Electric Utility Act; ② the opinion collection procedure for the draft environmental assessment results under the Environmental Impact Assessment Act; and ③ the opinion collection procedure under the Marine Utilisation Impact Assessment Act.

Table 4 summarises the public consultation procedures for these laws. As the consultation procedures for the draft Strategic Environmental Impact Assessment and the draft Environmental Impact Assessment under the Environmental Impact Assessment Act are identical, and similar to the consultation procedures for draft assessments under the Marine Use Impact Assessment Act, only the consultation procedure for the Strategic Environmental Impact Assessment is presented in Table 4.

Table 4. Review of Public Consultation Procedures under Other Legislation

Statute Name	Public Consultation Procedure
Electric Power Business Act and Enforcement Decree	(Article 25-2 of the Act, Article 16-2 of the Enforcement Decree) Hearing of the project proponent's views - The Minister of Climate, Energy, and Environment must notify the prospective developer of the deadline for conducting the preliminary survey, hearing opinions, and submitting the results at least three months prior to establishing the basic plan - The prospective power generation developer must conduct a preliminary survey, including the impact on the relevant area, and gather opinions from local residents, relevant experts, etc. - The following details shall be published in local newspapers and on internet websites for the purpose of soliciting opinions: ① An outline of the relevant power generation project ② The results of the preliminary survey ③ The timing and method for submitting opinions
	(Article 25(2) of the Act, Article 15 of the Enforcement Decree) Public Hearing on the Basic Plan

Statute Name Public Consultation Procedure

- When establishing the basic plan, opinions shall be gathered through a public hearing, after which the plan shall be finalised following deliberation by the Electricity Policy Council
- A public hearing need not be held if it cannot proceed normally for the following reasons
 - ① The public hearing could not be held on two or more occasions due to disruption by stakeholders, etc.
 - ② Where a public hearing was held but could not proceed normally due to obstruction by stakeholders, etc.
- In such cases, the following information must be published in a daily newspaper and on the Ministry of Trade, Industry and Energy website to gather opinions
 - ① Reasons for the non-convening of the public hearing
 - ② The method for viewing the draft basic plan
 - ③ The period and method for submitting opinions, etc.

(Article 25(4) of the Act) Notification

- Where the basic plan is finalised, it shall be announced and notified to the heads of relevant agencies

Environmental Impact Assessment Act and Enforcement Decree

(Article 13 of the Act) Soliciting Opinions on the Draft Strategic Environmental Impact Assessment Report

- The head of the administrative agency establishing the development master plan must gather opinions from residents and others after preparing the draft Strategic Environmental Impact Assessment Report
- In areas of significant ecological conservation value or where substantial environmental impact is anticipated, opinions from relevant experts and others, not necessarily residents, must also be sought.

Public Inspection of the Draft Assessment Report	- Within 10 days of submitting the draft, it must be announced at least once in a national daily newspaper and at least once in a local daily newspaper, and made available for public inspection for a period of 20 to 40 days. - The notice must include the outline of the development master plan, the public inspection period and location, and the method and deadline for submitting opinions. - The head of the administrative agency must also announce and make this available for public inspection online. ① Information and communications networks of administrative agencies and competent local authorities -> To include a summary of the draft assessment report ② Environmental Impact Assessment
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Statute Name Public Consultation Procedure

	Information Support System -> To include the draft assessment report
Holding of explanatory meetings	- To be held by the head of the administrative agency responsible for plan formulation within the public inspection period - Where overlapping multiple cities/counties/districts, principle of conducting in each respective area - Publish the project outline, briefing date, time and location at least once in daily and local newspapers no later than 7 days prior to the briefing
Opinion Collection	- Opinions may be submitted within 7 days after the draft review period concludes - Including requests for public hearings
Holding a Public Hearing	- A public hearing shall be held if any one of the following conditions is met ① Where 30 or more residents have submitted opinions stating that a public hearing is necessary ② Where five or more residents have submitted opinions stating that a public hearing is necessary, and residents submitting opinions on the draft evaluation report constitute 50% or more of the total number - The outline of the basic development plan, the date and venue of the public hearing, etc., shall be announced at least once in daily newspapers and local newspapers at least 14 days prior to the hearing - Notify the head of the local government of the results within 7 days after the public hearing
Publication of the results of the opinion gathering	- The results of the public consultation and whether opinions were reflected must be posted for at least 14 days prior to requesting consultation on the Strategic Environmental Impact Assessment report - Publication locations: Local government and administrative agency information networks, Environmental Impact Assessment Information Support System

Statute Name	Public Consultation Procedure
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(Article 14 of the Act) Omission of the public consultation procedure for the draft Strategic Environmental Impact Assessment Report

- Briefings and public hearings may be omitted in the following circumstances:

- ① Where an explanatory meeting could not be held due to obstruction by residents or others, or where it was held but could not proceed normally
- ② Where a public hearing could not be held on two or more occasions due to obstruction by residents or others, or where it was held but could not proceed normally

- In such cases, an online briefing session or online public hearing must be held, or the following measures must be taken:

- ① Briefing session: Publish the reasons and methods for accessing explanatory materials in daily newspapers and local newspapers, and post the reasons and explanatory materials on the local government and administrative agency information communication network and the Environmental Impact Assessment Information Support System
- ② Public Hearing: Announce the reasons for omitting the public hearing, the period and method for submitting opinions, and the method for viewing explanatory materials at least once in both national and local newspapers.

A.2.2 Current Legislation

The current Offshore Wind Act stipulates that the Basic Design Plan must be disclosed to stakeholders prior to the public-private council, and that public hearings or explanatory meetings must be held, with the procedures to be determined by Presidential Decree (Table 5).

Table 5. Disclosure Procedure for Basic Design Plans under the Offshore Wind Act

Article 17 (Composition and Operation of Public-Private Council) of the Offshore Wind Act

- ④ Prior to deliberation by the public-private council, the metropolitan city or provincial governor, or the mayor, county head, or district head shall, in accordance with the provisions of Presidential Decree, make the Basic Design Plan available for inspection by stakeholders such as fishers and residents, as well as relevant experts, and shall hold a public hearing or briefing session to gather their opinions.

A.2.3 Proposed Improvements

Procedure for Disclosure and Opinion Gathering on the Basic Design Plan

The procedure for public disclosure and opinion collection regarding the Basic Design Plan must be included in the implementing decree to be enacted subsequently. The contents to be included in the opinion collection procedure are proposed in Table 6. Unlike existing laws, the proposal includes a requirement for the website of the competent local government to also disclose explanatory materials to aid the understanding of local residents and fishers.

Table 6. Disclosure and Public Consultation of Offshore Wind Power Basic Design Plans

Statutory Title	Public Disclosure and Consultation on Basic Design Plans
Enforcement Decree of the Offshore Wind Act	Contents of Basic Design Plan - The plan for securing public acceptability within the region, as stipulated in Article 16(1)(6) of the Act, shall include the following: ① Draft regional mutual profit-sharing plan and measures ② Draft profit-sharing measures for the project's planned area ③ Communication strategy and conflict resolution manual - Matters prescribed by Presidential Decree pursuant to Article 16(1)(7) of the Act, including the following: ① Candidate list and background materials for members of the public-private council ② Anticipated conflict issues and response measures - The competent ministry shall designate a specialised agency to conduct data research for establishing a public acceptability plan, and to prepare the list of candidates for the public-private council, anticipated conflict issues, and response measures Gathering Opinions on the Basic Design Plan - The head of the local government notified of the Basic Design Plan shall make it publicly available for inspection by stakeholders and relevant experts, etc., in accordance with Article 17(4) of the Act. - The disclosure must specify the period, location, and method of public inspection, and must include details of public hearings or explanatory meetings, as well as methods for submitting opinions. Omission of the opinion collection procedure - Briefings and public hearings may be omitted in the following circumstances: ① Where an explanatory session could not be held due to obstruction by residents or others, or where it was held but could not proceed normally. ② Where a public hearing cannot be held on two or more occasions due to obstruction by residents or others, or where it was held but could not proceed normally. - In such cases, opinions must be gathered through online explanatory meetings or online public hearings, or by equivalent means.
Enforcement Rules of the Offshore Wind Act	Role of Designated Expert Organisations - Designated Expert Organisation must conduct surveys of key stakeholders, including residents, fishers, local authorities, fishers' organisations, fisheries cooperatives, civil society groups, and relevant experts, alongside a social impact assessment. - Based on the aforementioned survey results, the specialised agency must compile a list of candidates for appointment to the public-private council, comprising two to three times the number of council members, and submit this to the head of the local government - Designated Expert Organisation must specify stakeholders' positions for or against the project and their stakeholder types on the compiled candidate list.

Statutory Title	Public Disclosure and Consultation on Basic Design Plans
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Gathering Opinions on the Basic Design Plan

- The opinion collection procedure delegated by the enforcement rules is as follows:

Basic design proposal Public Disclosure	- Within 10 days of notification of the Basic Design Plan, it must be announced at least once in each of the national daily newspapers and regional daily newspapers, and must be made available for public inspection by residents for at least 20 days. - The notice must include the outline of the development master plan, the public inspection period and location, and the method and deadline for submitting opinions - The head of the local government must also publish and make it available for public inspection online ① The website of the competent local authority, the Offshore Wind Power Site Information Network -> Must include explanatory materials for the Basic Design Plan ② Ministry of Climate, Energy and Environment information network -> Must include the Basic Design Plan - In addition to the aforementioned methods, the head of the local authority must arrange proactive disclosure methods utilising banners, local noticeboards, offices of fisheries cooperatives and fishing village associations, and local online communities
Holding of explanatory meetings or public hearings	- To be held by the head of the local authority within the public inspection period - Where overlapping multiple cities/counties/districts, proceedings to be conducted in each respective area may be held jointly following consultation between the heads of the relevant local authorities - Project outline, briefing date and venue must be published at least once in daily and local newspapers seven days prior to the event
Opinion collection	- Comments may be submitted within 7 days after the draft review period concludes
Publication of feedback results	- The results of the public consultation must be published for at least 14 days prior to the public-private consultation - Publication locations: Local government websites, Ministry of Climate, Energy and Environment and Ministry of Oceans and Fisheries information networks

A.2.4 Expected Effects

Expanded Stakeholder Participation and Enhanced Acceptability

By codifying the disclosure of Basic Design Plans and systematic opinion-

gathering procedures in presidential decrees and enforcement regulations, diverse stakeholders including fishers, residents, local organisations, and experts can access information and present their views from the project's initial stages. In particular, providing separate explanatory materials via the relevant local authority's website enhances understanding of technical and specialised content and offers an opportunity to propose concrete improvement measures, moving beyond a simple pro-con framework. This will ultimately strengthen the procedural legitimacy of offshore wind power projects and form the basis for increasing community acceptability.

Ensuring Procedural Transparency and Fairness

Standardising the entire process – from public inspection of the Basic Design Plan, holding explanatory meetings and public hearings, submitting opinions, to disclosing the results of opinion collection – based on legislation reduces information asymmetry among stakeholders and minimises the possibility of administrative agencies arbitrarily omitting procedures. Furthermore, alternative procedures are stipulated for situations where explanatory meetings or public hearings cannot be held, thereby establishing safeguards to ensure procedural legitimacy even in cases of external interference or unavoidable circumstances. This procedural transparency can serve as a basis for establishing legitimacy for both the developer and the administrative agency in the event of disputes.

Conflict Prevention and Enhanced Administrative Efficiency

By introducing a procedure where a specialised agency pre-identifies stakeholders and forms a pool of candidates for the public-private council, potential biases or exclusion controversies during the body's formation can be reduced. Furthermore, by pre-assessing stakeholders' positions and types, anticipated conflict patterns during consultations can be analysed and addressed proactively. Furthermore, mandating that the Basic Design Plan include a regional mutual profit-sharing plan, profit-sharing measures, and a conflict resolution manual ensures that the public-private council engages in substantive and productive discussions beyond mere formal procedures.

A.3 Composition of the Public-Private Council

A.3.1 Background

Timing of the Public-Private Council's Formation

According to Article 16 of the Act, when the Minister of Climate, Energy and Environment establishes a Basic Design Plan or intends to make significant changes to an established basic design, they must notify the head of the relevant local government. Upon receiving this notification, the head of the relevant local government must establish and operate a public-private council within three months of receiving the Basic Design Plan.

Composition of the Public-Private Council

The Act delegates the composition of the public-private council to the Presidential Decree. Accordingly, the total number of council members,

the eligible participants, and the method of appointing members must be determined during the process of enacting the Enforcement Decree. This decision-making process must also consider measures to enhance the efficiency of consultation and public acceptability.

A.3.2 Current Legislation

The Offshore Wind Act mandates the formation of a public-private council involving multiple stakeholders, while delegating detailed matters to Presidential Decrees (Table 7).

Table 7. Composition of the Public-Private Council under the Offshore Wind Act

Article 17 (Composition and Operation of Public-Private Council) of the Offshore Wind Act

① The metropolitan city or provincial governor (where the preliminary district spans the maritime areas under the jurisdiction of two or more local governments as defined in Article 2(1)(2) of the Local Autonomy Act, within the jurisdiction of a single local government as defined in Article 2(1)(1) of the same Act) or the mayor, county governor, or district chief (where the preliminary district is located within the maritime area under the jurisdiction of a single local government as defined in Article 2(1)(2) of the Local Autonomy Act) shall establish and operate a public-private council, with the participation of stakeholders including fishery organisations, resident representatives, relevant experts, and representatives of residents in areas through which transmission lines pass, to consult on the matters listed in the following subparagraphs. However, where the preliminary district is located within an exclusive economic zone under the Act on the Exclusive Economic Zone and Continental Shelf or spans the maritime areas under the jurisdiction of two or more local governments as defined in Article 2(1)(i) of the Local Autonomy Act, the Minister of Climate, Energy and Environment shall, after consultation with the Minister of Oceans and Fisheries and following deliberation and resolution by the OSW Commission, determine the metropolitan city or provincial governor responsible for establishing and operating the public-private council.

1. Matters concerning the Basic Design Plan
2. Matters concerning the designation, re-designation, and deregistration of power generation districts
3. Matters concerning the establishment and operation of resident participation and profit-sharing schemes, including residents near preliminary and development districts and local fishers
4. Matters concerning the revitalisation of fisheries and the local economy
5. Other matters necessary to secure public acceptability

② The metropolitan city or provincial governor, or the mayor, county governor, or district chief shall establish and operate a public-private council within three months of receiving notification pursuant to Article 16(5), as prescribed by Presidential Decree. In such cases, the Minister of Climate, Energy and Environment may provide necessary support as prescribed by Presidential Decree.

③ Where the public-private council is not formed within the period specified in Paragraph 2, the Minister of Climate, Energy and Environment may request the city or provincial governor, or the mayor, county governor or district chief to form and operate the public-private council. In such cases, the city or provincial governor, or the mayor, county governor or district chief receiving the request shall comply unless there are special reasons.

A.3.3 Improvement Proposal

The Enforcement Decree should limit the maximum number of council members to 25 to prevent difficulties in proceedings arising from

excessive membership. A minimum threshold of 20 members is necessary to ensure representation. However, as circumstances vary across offshore wind power development areas, the specific number of members may be determined by the head of the relevant local government. Furthermore, where multiple local authorities participate, the council may comprise approximately 25 to 30 members. The composition ratio of the public-private consultation council should be explicitly specified as 25% government members, 25% expert members, and 50% private sector members. Government members shall consist of officials from local governments, relevant public institutions; Private Sector members shall be representatives of residents and fishers; and Expert members shall be specialists demonstrating expertise and impartiality in areas such as conflict resolution, the marine environment, and fisheries. The specific fields of expertise for expert members should be clearly defined to enable professional and neutral discussions within the council. Meanwhile, as the regulation stipulates that the head of the local government appoints members, there is a possibility that the council may be composed primarily of individuals representing specific positions. Procedures must be established to resolve this issue. The contents to be included in the Enforcement Decree and Enforcement Rules, respectively, are presented in Table 8.

Table 8. Composition of the public-private council: Enforcement Decree and Enforcement Rules

Category	Content
Offshore Wind Act Enforcement Decree	Number of Members - Composed of 20 to 25 members, including the chairperson - However, where multiple local authorities participate, the council may comprise 25 to 30 members - The specific number of members shall be determined by the head of the competent local government, taking into account the scope of the jurisdiction and the number of stakeholders - The composition ratio of the public-private council shall be approximately 25% government members, 25% expert members, and 50% private sector members. However, the categories of personnel that must be included for each member type may be specified in the enforcement regulations. - Furthermore, where two or more local governments have jurisdiction, government members shall be public officials from metropolitan governments; in the case of the exclusive economic zone, the competent Ministry of Oceans and Fisheries shall participate. Method of Appointing Members - Members shall be appointed by the head of the competent local government from a pool of candidates recommended by a third-party specialised agency on the basis of stakeholder analysis. - Details are delegated to be stipulated in the implementing regulations
Offshore Wind Act Enforcement Rules	Appointment of Members - Expert members appointed by the local government head must be selected from a list submitted by the specialised agency, including

Category	Content
	conflict management specialists, locally-based private environmental organisations, and offshore wind power experts. - When appointing private sector members, the head of the local government shall appoint members to the public-private council based on the information specified in the submitted list of candidates for appointment to the council, considering the ratio of supporters to opponents and the types of stakeholders. In doing so, the ratio of supporters to opponents shall be kept similar. - Government members appointed by the local government head shall be team leaders or section chiefs from departments responsible for project licensing, consultation, compensation, and resident communication within the local government.

A.3.4 Expected Effects

Ensuring a Representative and Balanced Council Composition

Specifying the range of council members in the enforcement decree and defining the ratio of government members, expert members, and private sector members prevents issues of overrepresentation or underrepresentation in the council composition and ensures balanced participation from each stakeholder group. Specifically, specifying expert members' fields of expertise such as conflict management, environment, and offshore wind power enhances professionalism and neutrality. Furthermore, appointing private sector members considering pro and anti ratios prevents bias towards specific positions during consultations.

Establishing Transparent and Fair Council Appointment Procedures

Fairness in the selection process can be enhanced by having a third-party specialised agency recommend candidates based on stakeholder analysis, with the local government head appointing council members from this pool. This prevents composition biased by the influence of specific stakeholders or groups and enhances trust in the council. Furthermore, the types of experts required for expert members are defined in the implementing regulations, institutionally securing the council's expertise and neutrality. Furthermore, by ensuring a balanced representation of stakeholder types and positions when appointing private sector members, it is anticipated that the council will function as a substantive forum for consultation.

Enhancing Administrative Efficiency and Project Acceptability

Administrative efficiency is enhanced by appointing government members as relevant department heads from the local government and involving competent administrative bodies such as metropolitan/basic local governments or the Ministry of Oceans and Fisheries as appropriate. Simultaneously, a structure ensuring balanced participation across all stakeholders mitigates conflicts at the initial stage and provides a foundation for increasing the social acceptability of project implementation.

A.4 Operation of the Public-Private Council

A.4.1 Background

Timing of the Establishment of the Public-Private Council

Pursuant to Article 16 of the Act, where the Minister of Climate, Energy and Environment establishes a Basic Design Plan or seeks to make significant changes to an established basic design, they shall notify the head of the relevant local government thereof. Upon receiving such notification, the head of the relevant local government shall establish and operate a public-private council within three months of receiving the Basic Design Plan. However, the specific operational procedures have yet to be determined and shall be decided during the subsequent legislative process for the enforcement decree.

Method of Consultation Decision

The current bill lacks specific provisions on how consultation outcomes shall be determined. Subsequent enforcement decrees must specify who will lead the council's operation and how consultation results will be derived. In particular, the decision-making method and procedures for handling situations where a quorum is not met must be clearly stipulated. This should establish consensus as the principle while providing means to address deadlocked situations.

A.4.2 Current Legislation

The current Offshore Wind Act stipulates the establishment and operation of a public-private council, but delegates the details to Presidential Decrees (Table 7).

A.4.3 Improvement Proposal

Methods of Decision-Making and Meeting Management

To prevent potential conflicts and inefficient meetings, a neutral conflict management expert, professional facilitator, or expert member should chair the meeting. While specific matters for discussion should be addressed, the final decision-making method must explicitly state voting. Should a professional facilitator be utilised, grounds must be established to ensure the professionalism and neutrality of the meeting's operation. In terms of decision-making methods and meeting operations, 'consensus without decision-making' may be impractical. Therefore, while consensus should be the principle, a voting procedure must be established to address deadlock situations. To implement the above, the contents to be included in the enforcement decree and enforcement rules are presented in Table 9.

Table 9. Enforcement Decree and Enforcement Rules for Operating Public-Private Council

Category	Content
Offshore Wind Act Enforcement Decree	Appointment of the Chairperson - The chairperson of the public-private council shall be appointed by the head of the local government appointed to the council, who shall designate one member from among the government representatives - Where multiple local governments are included in the preliminary district or transmission line route, two persons may be appointed; in such cases, one must be elected from among the expert members

Category	Content
	Role of the Chairperson - The Chairperson shall convene and preside over meetings of the public-private council - The Chairperson may put matters to a vote when deemed necessary for decision-making Convening of Meetings - Regular meetings shall be convened quarterly by the Chairperson. - Extraordinary meetings shall be convened when urgent matters arise, or upon request by the Chairperson or a majority of the council members - A meeting shall be duly constituted only where a majority of the registered members are in attendance Council Resolutions - Resolutions require the approval of at least two-thirds of the members present - Matters decided through resolution shall constitute the official opinion of the public-private council Attendance of Central Government Officials - Officials from the Ministry of Climate, Energy and Environment or the Ministry of Oceans and Fisheries may attend the public-private consultation process upon request by the public-private council or the OSW Commission. However, in such cases, they shall have the right to speak but not the right to vote on the outcome of the consultation. Consultation Period for the Public-Private Council - The consultation period for the Basic Design Plan of the public-private council shall be six months as a baseline. If necessary, it may be extended once for a period not exceeding six months, subject to approval by the OSW Commission. Term of Office for Members of the Public-Private Council - The term of office for members shall be two years, and may be extended in accordance with the decision of the competent local authority or higher-level decision-making body - Members may be reappointed - Replacement of members may be effected following a resolution of the council, provided that such a resolution shall require the attendance of a majority of registered members and the approval of at least two-thirds of those in attendance - The term of a replacement member shall be the remaining term of their predecessor
Offshore Wind Act Enforcement Rules	Role of the Chairperson - The Chairperson may submit the following matters to a vote by the public-private council ① A specific agenda item of the public-private council that has reached an impasse ② Requests for the OSW Commission to resolve disputes within the public-private council

Category	Content
	③ Approval of the consultation results of the public-private council ④ Other cases requested by a member of the council and deemed necessary by the Chairperson Attendance of Central Government Officials - In the Enforcement Decree, "when requested by the public-private council" refers to cases where the chairperson of the council requests the attendance of central government officials. - The chairperson of the public-private council must submit the reasons necessitating the attendance of central government officials to the OSW Commission. - Upon receiving such a request, the OSW Commission shall designate a civil servant responsible for the relevant duties to attend the public-private council meeting.

A.4.4 Expected Effects

Enhancing the Professionalism and Neutrality of Meeting Operations

Electing the public-private council chairperson from among expert members, and appointing conflict management specialists or professional facilitators as meeting chairs when necessary, institutionally guarantees the fairness of meetings. This prevents issues such as biased speaking opportunities, monopolisation of meeting leadership, and procedural unfairness that can arise in meetings involving multiple stakeholders. Professional facilitators can enhance discussion productivity by employing conflict mitigation techniques and communication coordination skills. The neutral position of expert members enables rational decision-making that avoids bias towards specific stakeholders. Consequently, professionalism and neutrality are secured throughout the meeting process, enhancing trust in the consultation outcomes.

Promoting Conflict Resolution through Clear Decision-Making Procedures

Establishing a quorum requirement of 'a majority of registered members present' and a decision threshold of 'approval by at least two-thirds of attending members'. While consensus remains as the principle, the process allows a switch to voting should deadlock persist, minimises uncertainty and delays in decision-making. This structure prevents discussions from continuing indefinitely and enables the derivation of rational conclusions before conflicts become protracted. Notably, by setting high voting requirements, the process operates towards eliciting the broadest possible consensus rather than relying on simple majority rule. This contributes to securing both the legitimacy and acceptability of decisions.

Strengthening Organic Linkage and Administrative Support with Central Ministries

By clearly stipulating the attendance requirements and procedures for officials from the Ministry of Climate, Energy and Environment or the Ministry of Oceans and Fisheries, real-time support can be obtained during public-private council discussions for necessary policy interpretation, guidance on administrative procedures, and determinations

on the application of laws and regulations. This reduces the time lag between issues raised on the ground and the administrative agency's response, ensuring that the consultation outcomes align with laws and policies. Furthermore, by having central government officials attend without granting voting rights, neutrality in the discussion process is maintained while maximising the utilisation of specialised administrative support functions.

Enhancing Efficiency through Operational Period and Deadline Setting

Setting the notification period for consultation outcomes on the Basic Design Plan of the public-private council at six months as standard, with a maximum one-time extension of six months, provides a clear temporal boundary for the body's activities. This prevents decision-making delays caused by unnecessary prolongation of meetings and encourages efficient, focused discussions within the allotted timeframe. Furthermore, having a fixed deadline ensures all procedures – including agenda setting, data preparation, and stakeholder consultations – proceed according to schedule, thereby enhancing the overall predictability of the project implementation timeline.

A.5 Publication of the Results of Consultations by the Public-Private Council and Solicitation of Opinions

A.5.1 Background

Consultation Deadline

The current bill stipulates that once consultation results are finalised, they must be notified to the OSW Commission. The law delegates the setting of the specific notification period for consultation results to the Presidential Decree, allowing for one extension if necessary, subject to consultation with the OSW Commission. Therefore, the subsequent Enforcement Decree must specify the notification period, the grounds for extension, and the extension procedure in detail. Furthermore, it is necessary to determine how the consultation results will be derived within the stipulated period.

Representation of the Public-Private Council

The current law only stipulates that the consultation results of the public-private council must be notified to the OSW Commission within the period specified by Presidential Decree. However, concerns regarding the representation of participants in the council have been consistently raised during the operation of such bodies by domestic local governments, and this has become a major cause of regional conflicts. Therefore, measures to enhance the representation of the public-private council are necessary.

Notification of Public-Private Council Deliberation Outcomes

The consultation period for public-private councils, which have been operated according to existing local government ordinances or policies, is typically set at two years, with the possibility of a single extension. However, as environmental performance and fishing damage have already been reviewed multiple times during the pre-operation stages

such as establishing the site information network and designating preliminary zones, it is necessary to set a council operation period that aligns with the legislative purpose of the Offshore Wind Act: the efficient promotion of offshore wind power generation projects.

Public Disclosure of Consultation Outcomes to Enhance Representation

Consideration is required regarding measures for disclosing materials to ensure the transparency and fairness of council operations. Specifically, the level of disclosure should be examined, including whether to disclose pre-meeting materials, publish detailed meeting minutes, or only release outcomes containing key decision points. Furthermore, beyond mere disclosure, it is necessary to establish procedures for gathering residents' opinions on the published council outcomes, thereby creating a means to enhance representation.

A.5.2 Current Legislation

The current Offshore Wind Act merely stipulates that the consultation results of the public-private council shall be notified to the OSW Commission and that, in the event of a dispute, mediation shall be requested from the OSW Commission. It does not contain specific provisions regarding information disclosure (Table 10).

Table 10. Notification of Public-Private Council Outcomes

Article 17 (Composition and Operation of the public-private council) of the Offshore Wind Act

⑤ The metropolitan city or provincial governor, or the mayor, county head, or district head shall notify the OSW Commission of the consultation results of the public-private council within the period prescribed by Presidential Decree. However, if notification of the consultation results is impossible, the notification deadline may be extended once upon consultation with the OSW Commission.

⑥ The city or provincial governor, or the mayor, county head, or district head, may request mediation from the OSW Commission if dispute resolution is required during consultations on the matters listed in each item of Paragraph 1. In such cases, the OSW Commission shall mediate in accordance with the provisions of the Presidential Decree.

A.5.3 Improvement Proposal

Enhancing Information Disclosure and Transparency

Regarding the enhancement of information disclosure and transparency, the council's deliberation process and outcomes must be made public. Subsequent special legislation should include provisions regarding the disclosure of public-private consultation outcomes, with specific methods and means determined in the implementing regulations. In this context, the specific methods for information disclosure should reference the disclosure procedures for draft Strategic Environmental Impact Assessment reports outlined in Table 4, and should also include elements such as holding public hearings or explanatory meetings on the outcomes of public-private consultations. Specific proposal details are presented in Table 11.

Table 11. Proposal Concerning Disclosure of public-private council Outcomes and Opinion Gathering

Statutory Name	Public Disclosure of Public-Private Council Outcomes and Opinion Gathering
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Offshore Wind Act	Add a clause to Article 17 of the "Offshore Wind Act" requiring the disclosure of the consultation results of the public-private council
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Enforcement Decree of the Offshore Wind Act	<table border="1"> <tr> <td style="vertical-align: top;">Public Disclosure of Public-Private Council Outcomes</td> <td> - Upon completion of the public-private consultation, immediately publish at least one announcement in each of the national daily newspapers and regional daily newspapers - The head of the competent local government must also publish and make available for public inspection on their website - The disclosed materials shall include the minutes of the consultation meetings, explanatory materials on the agenda items, and the method and timing for submitting opinions - Specific details and procedures are delegated to the Enforcement Rules - Stakeholders must be afforded the opportunity to submit opinions within seven days. (Including requests for explanatory meetings or public hearings) </td> </tr> <tr> <td style="vertical-align: top;">Holding of explanatory meetings or public hearings</td> <td> - Where 30 or more residents submit opinions stating that a public hearing or briefing session is necessary, the head of the local government must conduct this within one month of notifying the results of the public-private consultation. - The date and venue must be announced in daily newspapers and on the local authority's website at least 7 days prior to the event. </td> </tr> <tr> <td style="vertical-align: top;">Submission of opinion collection results</td> <td> - The head of the local government must compile the results of the public hearing or briefing session into a report and submit it to the OSW Commission along with the consultation results. - Even if no hearing is held, the results submitted by residents must be attached to the consultation report to the OSW Commission. </td> </tr> </table>	Public Disclosure of Public-Private Council Outcomes	- Upon completion of the public-private consultation, immediately publish at least one announcement in each of the national daily newspapers and regional daily newspapers - The head of the competent local government must also publish and make available for public inspection on their website - The disclosed materials shall include the minutes of the consultation meetings, explanatory materials on the agenda items, and the method and timing for submitting opinions - Specific details and procedures are delegated to the Enforcement Rules - Stakeholders must be afforded the opportunity to submit opinions within seven days. (Including requests for explanatory meetings or public hearings)	Holding of explanatory meetings or public hearings	- Where 30 or more residents submit opinions stating that a public hearing or briefing session is necessary, the head of the local government must conduct this within one month of notifying the results of the public-private consultation. - The date and venue must be announced in daily newspapers and on the local authority's website at least 7 days prior to the event.	Submission of opinion collection results	- The head of the local government must compile the results of the public hearing or briefing session into a report and submit it to the OSW Commission along with the consultation results. - Even if no hearing is held, the results submitted by residents must be attached to the consultation report to the OSW Commission.
Public Disclosure of Public-Private Council Outcomes	- Upon completion of the public-private consultation, immediately publish at least one announcement in each of the national daily newspapers and regional daily newspapers - The head of the competent local government must also publish and make available for public inspection on their website - The disclosed materials shall include the minutes of the consultation meetings, explanatory materials on the agenda items, and the method and timing for submitting opinions - Specific details and procedures are delegated to the Enforcement Rules - Stakeholders must be afforded the opportunity to submit opinions within seven days. (Including requests for explanatory meetings or public hearings)						
Holding of explanatory meetings or public hearings	- Where 30 or more residents submit opinions stating that a public hearing or briefing session is necessary, the head of the local government must conduct this within one month of notifying the results of the public-private consultation. - The date and venue must be announced in daily newspapers and on the local authority's website at least 7 days prior to the event.						
Submission of opinion collection results	- The head of the local government must compile the results of the public hearing or briefing session into a report and submit it to the OSW Commission along with the consultation results. - Even if no hearing is held, the results submitted by residents must be attached to the consultation report to the OSW Commission.						

- Even if the conditions for holding a public hearing or briefing session are met, it may not be held if it cannot be convened at least once due to reasons such as obstruction by residents, or if it is convened but cannot proceed normally.

Enforcement Rules of the Offshore Wind Act	Public Disclosure of Consultation Results - Materials subject to disclosure shall be made available on the local government website and the council's information disclosure portal. - The disclosed materials shall be made continuously accessible for residents to view. - Materials deemed inappropriate for disclosure, such as personal information and confidential matters, shall be withheld, with the reasons for non-disclosure stated in the disclosed materials.
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Statutory Name	Public Disclosure of Public-Private Council Outcomes and Opinion Gathering
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- Speakers may request anonymity in meeting minutes

Scope of Disclosed Materials

- Materials subject to disclosure shall be final minutes and agenda explanatory materials

- Minutes to be disclosed must be prepared for all council meetings, including the following details

- ① Date, time, and venue of the meeting
- ② Number of attending members and their list
- ③ Agenda items discussed and their explanations
- ④ Key remarks and summaries
- ⑤ Matters relating to agreements and resolutions

- Provided that, for each meeting, the consent of attendees regarding the disclosure of their names shall be obtained, and if an attendee refuses such disclosure, the minutes of the meeting may be published anonymously.

A.5.4 Expected Effects

Enhanced Credibility and Acceptability through Securing Procedural Legitimacy

Mandatory disclosure of public-private consultation outcomes, operation of channels for public inspection and opinion submission, and codification of requirements for holding public hearings and briefings enhance the transparency of consultation procedures and address representation concerns. This enables residents and fishers unable to participate directly in the consultation to submit opinions through official channels, ensuring diverse community views are reflected prior to final notification. This structure will heighten trust in the outcomes, strengthen the social acceptability of project implementation, and reduce the potential for disputes.

Schedule Management and Enhanced Administrative Efficiency

Setting a deadline for result notification, limiting extensions to one instance, and specifying reasons and procedures prevents prolonged consultations and provides a predictable schedule. With the stages of disclosure, opinion gathering, and report preparation clearly aligned, unnecessary meetings and redundant procedures are reduced, and the efficiency of administrative resource utilisation increases. Furthermore, accountability for meeting deadlines is strengthened, maintaining the pace and consistency throughout the project implementation.

Ensuring Operational Stability and Accountability

Explicitly stipulating the scope and method of disclosure, alternative procedures for public hearings, and the obligation to document whether opinions are reflected enables objective verification of procedural compliance during future audits or post-evaluations. This strengthens the accountability of administrative bodies and developers, and by systematically providing necessary materials during OSW Commission

deliberations, enhances the stability and reliability of the system's operation.

A.6 Proposed Amendments to the Offshore Wind Act and Subordinate Legislation

The provisions in this appendix were prepared and submitted to policy decision-makers prior to, and during the legislative notice period for, the Enforcement Decree (enacted 24 March 2026). They are retained here as a record of that input and as a reference for guideline development and future amendment.

A.6.1 OSW Commission: Dispute Resolution Measures for the Public-Private Council

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
Article 17 (Composition and Operation of the Public-Private Council) ⑥ The city or provincial governor, or the mayor, county head, or district head, may request mediation from the OSW Commission if dispute resolution is required during consultations on the matters listed in each item of Paragraph 1. In such cases, the OSW Commission shall mediate in accordance with the provisions of the Presidential Decree.	Article 00 (Adjudication of the OSW Commission) ① Where the parties concerned are unable to reach agreement or cannot engage in consultation regarding matters prescribed by Presidential Decree concerning offshore wind power projects, they may apply to the OSW Commission for adjudication. ② The OSW Commission may, where deemed necessary during the adjudication process, receive support from the Conflict Management Deliberation Committee of the competent ministry established pursuant to Article 11 of the Regulations on Conflict Prevention and Resolution of Public Institutions. ③ Upon receiving an adjudication application under Paragraph 1, the OSW Commission shall notify the other parties of this fact and provide them with an opportunity to state their opinions within a specified period. However, this shall not apply if a party fails to respond without justifiable grounds. ④ Where the OSW Commission has made an adjudication on an application under paragraph 1, it shall without delay serve a certified copy of the written adjudication	

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
	on the parties. ⑤ Where no lawsuit is filed against the other party within 60 days from the date the certified copy is served, or where such a lawsuit is withdrawn, it shall be deemed that an agreement identical to the content of the adjudication has been reached between the parties.	

A.6.2 Disclosure of Basic Design Plan and Consultation Procedure

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
Article 16 (Establishment and Confirmation of Basic) ① The Minister of Climate, Energy and Environment shall establish a Basic Design Plan for the preliminary district, including the matters listed in the following subparagraphs, and confirm the basic design following deliberation and resolution by the OSW Commission. The same shall apply when changing important matters prescribed by Presidential Decree within the confirmed basic design. 1. Name, location, and area of the preliminary district 2. Layout and capacity of the offshore wind power generation facilities 3. Method of implementation of the offshore wind power generation project 4. Power grid connection plan and major infrastructure plan 5. A plan for preliminary	Article 00 (Contents of the Plan to Secure Acceptance of Stakeholders within the Region) The plan to secure the acceptability of stakeholders within the region under subparagraph 6 of Article 16 (1) of the Act shall include the following matters. - A draft plan and measures for local community mutual benefit - Results of the social impact assessment - Communication strategy - Anticipated conflict issues and response measures Article 00 (Additional Matters Concerning Preliminary District) The matters prescribed by Presidential Decree pursuant to subparagraph 7 of Article 16 (7) of the Act are as follows. 1. A list of Candidates for the members of public-private council	Article 00 (Role of the Specialised Agency) A specialised agency designated pursuant to Article 00 of the Enforcement Decree shall perform the following duties: 1. Survey of key stakeholders, including fishery organisations, resident representatives, and residents along transmission line routes, and social impact assessment 2. Based on the results of the survey referred to in subparagraph 1, to compile a list of candidates for appointment to the public-private council, ensuring that the number of candidates is not less than twice and not more than three times the fixed number of members, and to submit such list to the head of the competent local government. 3. The list of candidates under subparagraph 2 shall specify each candidate's stance on the project (for or against) and their

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
surveys on marine environmental feasibility, maritime traffic safety, potential impact on military operations, and national heritage 6. A plan for securing public acceptability within the planned site areas 7. Other matters concerning the preliminary district prescribed by Presidential Decree	2. Operational plan for the public-private council Article 00 (Designation of Specialised Agency, etc.) ① The competent ministry may designate a specialised agency to establish the plan for securing public acceptability within the region pursuant to Article 00 of the Enforcement Decree and to prepare the additional matters concerning the preliminary district pursuant to Article 00 of the Enforcement Decree. ② The specialised agency referred to in Paragraph 1 shall investigate and prepare the necessary materials for establishing the plan to secure acceptability of stakeholders within the region. In particular, it shall prepare and submit the list of candidates for the members of the Public-Private Body and the operational plan	stakeholder type.
Article 17 (Composition and Operation of the Public-Private Council) ④ Prior to deliberation by the public-private council, the metropolitan city or provincial governor, or the mayor, county head, or district head shall, in accordance with the provisions of Presidential Decree, make the Basic Design Plan available for inspection by stakeholders such as fishers and residents, as well as relevant experts, and shall hold a public hearing or briefing session to gather their opinions.	Article 00 (Public Disclosure of Basic Design Plan and Solicitation of Opinions) ① The city or provincial governor, or the mayor, county head, or district head shall publicly disclose the Basic Design Plan in accordance with Article 17 (4) of the Act, enabling stakeholders and relevant experts to review it, and shall hold a public hearing or briefing session to solicit opinions. ② The disclosure under Paragraph 1 shall specify the period, location, and method of public	Article 00 (Public Inspection and Announcement of Basic Design Plan) ① The city or provincial governor, or the mayor, county head, or district head shall announce the Basic Design Plan at least once in a national daily newspaper and at least once in a local daily newspaper within 10 days of receiving notification of the plan. The plan shall be made available for public inspection for at least 20 days to allow residents and stakeholders to submit opinions. ② The notice under Paragraph 1 shall include the following items:

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
	inspection. Specific details, such as the method of holding public hearings or explanatory meetings and the method of submitting opinions, shall be stipulated by the implementing regulations of the competent ministry. ③ The metropolitan city or provincial governor, or the mayor, county governor, or district chief may omit the public hearing or explanatory meeting in any of the following cases: 1. Where the briefing session cannot be held or cannot proceed normally due to disruption by residents or others 2. Where a public hearing cannot be held or cannot proceed normally on two or more occasions due to disruption by residents or others ④ Where a public hearing or briefing session is omitted pursuant to Paragraph 3, the metropolitan city or provincial governor, or the mayor, county governor, or district head shall collect opinions by holding an online public hearing or briefing session, or by equivalent means, as prescribed by the ordinance of the Ministry of Climate, Energy and Environment.	1. An outline of the basic development plan 2. The period and location for public inspection 3. Method and deadline for submitting opinions ③ The metropolitan city or provincial governor, or the mayor, county head, or district head shall, concurrently with the notice under Paragraph 1, post the Basic Design Plan and explanatory materials on the Offshore Wind Power Site Information Network and the internet homepage of the relevant local government. ④ The city or provincial governor, or the mayor, county head, or district head shall, in addition to the method prescribed in Paragraph 3, devise and implement proactive public inspection measures utilising methods such as banners, local notice boards, offices of fisheries cooperatives and fishing village associations, and local online communities. Article 00 (Holding Public Hearings or Briefings) ① The city/provincial governor or the mayor/county head/district head shall hold a public hearing or briefing within the public inspection period. ② Where the project spans two or more cities, counties, or districts, public hearings shall in principle be held in each respective area; however, the heads of the relevant local governments may mutually agree to hold a consolidated hearing. ③ Where a public hearing or briefing session is to be held, the outline of the project, the date, time, and venue must be announced at least once in a nationwide daily newspaper and a local

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
		daily newspaper no later than seven days prior to the date of the event. Article 00 (Submission of Opinions and Disclosure of Results) ① Residents may submit opinions within 7 days of the end of the public inspection period. ② The city/provincial governor or the mayor/county head/district head shall post the collected opinions on the local government's internet homepage and the information and communications networks of the Ministry of Climate, Energy and Environment and the Ministry of Oceans and Fisheries no later than 14 days prior to the date of the public-private consultation meeting. Article 00 (Measures when Briefings or Public Hearings are Omitted) ① Where the city or provincial governor, or the mayor, county head, or district head omits a briefing or public hearing pursuant to Article 00(3) of the Enforcement Decree, they shall take the measures set out in the following subparagraphs. 1. Announce the reasons and method for submitting opinions at least once in national and regional daily newspapers 2. Post the reasons, the method for submitting opinions, and explanatory materials on the information and communications networks of the local government, the Ministry of Climate, Energy and Environment, and the Ministry of Oceans and Fisheries

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
		3. Announce the period and method for submitting opinions, and the method for viewing explanatory materials, at least once in national and regional daily newspapers

A.6.3 Composition and Operation of the Public-Private Council

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
Article 17 (Composition and Operation of the Public-Private Council) ① The metropolitan city or provincial governor (where the provisional zone spans the maritime areas under the jurisdiction of two or more local governments under subparagraph 2 of Article 2 (1) of the Local Autonomy Act, within the jurisdiction of a single local government under subparagraph 1 of Article 2 (1) of the same Act) or the mayor, county governor, or district chief (where the preliminary district is located within the maritime jurisdiction of a single local government under subparagraph 2 of Article 2 (1) of the Local Autonomy Act) shall establish and operate a public-private council, with the participation of stakeholders including fishery organisations, resident representatives, relevant experts, and representatives of residents in areas traversed by transmission lines, to consult on the matters listed in the following subparagraphs. However, where the preliminary district is located within an exclusive economic zone under the Act on the Exclusive Economic Zone and Continental Shelf, or	Article 00 (Composition of the public-private council) ① The public-private council shall consist of no fewer than 20 and no more than 25 members, including the chairperson. However, where multiple local governments jointly establish the body, it may consist of no fewer than 25 and no more than 30 members. ② The specific number of members shall be determined by the head of the competent local government, taking into account the scope of the jurisdiction and the number of stakeholders. ③ The composition ratio of the public-private council shall be based on 25% government members, 25% expert members, and 50% private sector members. The categories of personnel that must be included for each member type shall be stipulated by the Ministry of Climate, Energy and Environment ordinance. ④ Where two or more local governments are involved, government members shall include officials from the relevant	Article 00 (Criteria and Procedure for Appointing Members of the public-private council) ① The expert members appointed by the metropolitan city or provincial governor, or the mayor, county governor, or district chief shall include persons meeting the following criteria: 1. Expert in conflict management 2. Representative or member of a private environmental organisation operating in the relevant region 3. Experts in the field of offshore wind power generation ② When a metropolitan city or provincial governor, or a city, county, or district mayor wishes to appoint private sector members, they shall select members based on the information specified in the list of candidates for appointment to the public-private council submitted by the specialised agency, taking into account the

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
spans the maritime areas under the jurisdiction of two or more local governments under subparagraph 1 of Article 2 (1) of the Local Autonomy Act, the Minister of Climate, Energy and Environment shall, after consultation with the Minister of Oceans and Fisheries and following deliberation and resolution by the OSW Commission, determine the metropolitan city or provincial governor responsible for establishing and operating the public-private council. 1. Matters concerning the Basic Design Plan 2. Matters concerning the designation, modification, or cancellation of designation of a power generation district 3. Matters concerning the establishment and operation of resident participation and profit-sharing projects, including nearby residents or fishers of the preliminary or power generation districts 4. Matters concerning the promotion of fisheries and the revitalisation of the local economy 5. Other matters necessary for securing public acceptability ② The metropolitan city or provincial governor, or the mayor, county head, or district head shall establish and operate a public-private council within three months of receiving notification pursuant to Article 16(5), as prescribed by Presidential Decree. In such cases, the Minister of Climate, Energy and Environment may provide necessary support as prescribed by Presidential Decree.	metropolitan local government; where the exclusive economic zone is concerned, officials from the competent Ministry of Oceans and Fisheries shall participate. Article 00 (Appointment of Members of the public-private council) ① The appointment of members of the public-private council shall be made by the head of the competent local government from a pool of candidates recommended based on the stakeholder analysis results of the third-party specialised agency included in the Basic Design Plan. ② Matters concerning the designation and recommendation procedures for the specialised agency under Paragraph 1 and the specific method for appointing members shall be prescribed by Ministry of Climate, Energy and Environment regulations. ③ The term of office for members of the public-private council shall be two years, and reappointment shall be possible. ④ Members may be replaced upon resolution of the council. In such cases, the term of the replacement member shall be the remaining term of the predecessor.	ratio of supporters to opponents and the types of stakeholders. In such cases, the ratio of supporters to opponents should be kept as similar as possible. ③ Government members appointed by the city/provincial governor or the mayor/county head/district chief shall be team leaders or section chiefs from the relevant department within the local government responsible for project licensing, consultation, compensation, resident communication, and other related duties.

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
③ Where a public-private council is not formed within the period specified in Paragraph 2, the Minister of Climate, Energy and Environment may request the relevant city or provincial governor, or mayor, county head, or district head to form and operate such a body. In such cases, the city or provincial governor, or mayor, county head, or district head receiving the request shall comply unless there are special reasons.	Article 00 (Role of the Chairperson)	Article 00 (Matters the Chairperson May Put to a Vote)
	① The chairperson of the public-private council shall be nominated by the head of the local government from among the government members. ② The chairperson shall convene and preside over meetings of the public-private council. ③ The chairperson may put an agenda item to a vote if they deem a decision necessary.	① The Chairperson may put a matter to a vote of the public-private council in any of the following cases: 1. Where a specific agenda item of the public-private council has reached an impasse 2. Where a dispute within the public-private council escalates to the point of requiring a request for adjudication by the OSW Commission 3. When approving the consultation results of the public-private council 4. When requested by a member of the public-private council and deemed necessary by the Chairperson
	Article 00 (Convening of the public-private council)	
	① Regular meetings shall be convened quarterly by the Chairperson. ② Extraordinary meetings shall be convened upon request by the Chairperson or a majority of the members of the council.	
	Article 00 (Resolutions of the public-private council)	
	① The quorum for resolutions of the public-private council shall be the attendance of two-thirds or more of the registered members and the approval of two-thirds or more of the	Article 00 (Procedure for the attendance of central administrative agency officials)
		① The phrase "upon request of the public-private council" in Article

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
	attending members. ② Matters decided through resolution shall be regarded as the official opinion of the public-private council. Article 00 (Attendance of Central Administrative Agency Officials) ① Officials belonging to the competent ministry may attend the public-private consultation process upon request by the public-private council or the OSW Commission. ② Officials attending under Paragraph 1 shall have the right to speak but shall not have the right to vote on the outcome of the consultation. Article 00 (Consultation and Operational Period of the public-private council) ① The public-private council shall be constituted within three months of receiving notification of the Basic Design Plan and shall notify the OSW Commission of the consultation results within six months of its constitution. ② Notwithstanding Paragraph 1, the period may be extended once for up to six months if necessary.	00(1) of the Enforcement Decree refers to a situation where a member of the council requests the attendance of a public official from a central administrative agency and the chairperson accepts this request. ② Where a resolution is passed pursuant to Paragraph 1, the chairperson of the public-private council shall prepare a request for attendance by a public official from a central administrative agency and submit it to the OSW Commission. In such cases, the request shall include the reasons necessitating attendance. ③ Upon receiving a request under Paragraph 2, the OSW Commission shall designate a public official responsible for the duties related to the reasons stated in the request to attend the public-private council meeting.

A.6.4 Disclosure of Public-Private Council Deliberation Results and Solicitation of Opinions

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
Article 17 (Composition and Operation of the Public-Private Council) ⑤ The metropolitan city or provincial governor, or the mayor, county head, or	Article 00 (Public Disclosure of public-private council Outcomes and Solicitation of Opinions) ① Upon completion of	Article 00 (Public Disclosure of Consultation Results) ① Materials subject to disclosure by the council shall be made public on

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
district head shall notify the OSW Commission of the consultation results of the public-private council within the period prescribed by Presidential Decree. However, if notification of the consultation results is impossible, the notification deadline may be extended once upon consultation with the OSW Commission. ⑥ The city or provincial governor, or the mayor, county head, or district head, may request mediation from the OSW Commission if dispute resolution is required during consultations on the matters listed in each item of Paragraph 1. In such cases, the OSW Commission shall mediate in accordance with the provisions of the Presidential Decree.	consultations by the public-private council, the metropolitan city or provincial governor, or the mayor, county head, or district head shall promptly announce the results at least once in each of the national daily newspapers and regional daily newspapers. ② The notice under Paragraph 1 shall include an outline of the main resolutions of the public-private consultation, the method and timing for submitting opinions, and shall allow stakeholders to submit opinions within seven days. ③ The metropolitan city or provincial governor, or the mayor, county head, or district head shall post the notice referred to in Paragraph 1 on the relevant local government's internet homepage and, where necessary, make it available for public inspection.	the local government's website and through the council's information disclosure portal. ② The disclosed materials shall be made available for continuous public access by residents. ③ Materials deemed inappropriate for disclosure, such as personal information or trade secrets, shall be treated as non-public, but the reasons for non-disclosure must be explicitly stated in the publicly available materials. ④ Where requested by the speaker, anonymity may be used in the minutes.
	Article 00 (Holding of Briefing Sessions or Public Hearings)	Article 00 (Scope of Disclosed Materials)
	① Where 30 or more residents among those who submitted opinions pursuant to Article 00(2) of the Enforcement Decree request a briefing session or public hearing, the city/provincial governor or the mayor/county head/district head shall hold such a session within one month from the date of notification of the results of the public-private consultation. ② Where an explanatory meeting or public hearing is held, the date and venue must be announced at least once in a national daily newspaper and on the relevant local government's website no later than seven days prior to the event. ③ Notwithstanding	① Materials subject to disclosure shall be the final minutes and explanatory materials for agenda items. ② Minutes shall include the following items and shall be prepared for all councils: 1. Date, time, and location of the meeting 2. Number and list of attending members 3. Agenda items discussed and their explanations 4. Key statements and their gist 5. Matters concerning agreements and resolutions ③ The disclosure of the names of attending council members shall be determined prior to the meeting with the consent

Act	Enforcement Decree (Draft)	Enforcement Rules (Draft)
	Paragraph 1, even if the conditions for holding an explanatory meeting or public hearing are met, the meeting may not be held if it cannot be convened at least once due to obstruction by residents or others, or if it is convened but cannot proceed normally. Article 00 (Submission of Results of Opinion Gathering) ① Where a briefing session or public hearing has been held, the metropolitan city or provincial governor, or the mayor, county governor, or district office head shall prepare a report on the results and submit it to the OSW Commission together with the results of the public-private consultation. ② Even if no briefing session or public hearing is held, the opinions submitted by residents shall be collated, appended to the results of the public-private consultation, and submitted to the OSW Commission.	of the members; where consent is not given, the names shall be treated as anonymous.

Appendix B. Draft Operational Guideline for the Public-Private Council

B.1 General Provisions

B.1.1 Background

Offshore wind power is increasingly recognised as a key renewable energy source for achieving carbon neutrality targets and strengthening energy security, both South Korea and internationally. However, conflicts frequently arise during project implementation as it directly impacts stakeholders such as local residents and fishers concerning their spatial usage rights, livelihoods, and environmental impacts. This can lead to project delays and increased social costs.

Consequently, securing public acceptability from the initial project stages and operating a public-private council involving diverse stakeholders is essential. Such a council functions not merely as a compensation mechanism but as a core instrument for fostering long-term mutual benefit, regional co-existence, and social consensus.

B.1.2 Purpose and Roles

The ultimate purpose of the public-private council is to institutionally reflect the opinions of diverse stakeholders including residents, fishers, local authorities, and developers during the offshore wind development process, and to facilitate mutually beneficial agreements. It is not a body for post-conflict resolution but a process for accumulating social trust through pre-emptive prevention, mutual understanding, and continuous consultation

The public-private council holds the following roles:

- **Securing public acceptability:** Ensuring resident and fisher participation from the project's initial stages reduces mistrust and opposition, establishing a stable foundation for long term implementation.
- **Conflict prevention:** Facilitates early identification and coordination of agenda items to prevent escalation and promote resolution.
- **Building a mutual benefit model:** Moving beyond short-term compensation, it designs a sustainable structure that harmonises local economic development, job creation, and environmental conservation.
- **Policy linkage:** Strengthens sustainable institutional foundations by reflecting council outcomes in legislation, systems, and local government policies.

B.1.3 Scope of Application and Legal Basis

These guidelines are based on the 'Special Act on the Promotion of Offshore Wind Power Distribution and Industrial Development' (the Offshore Wind Act). Specifically, pursuant to Article 16 (Establishment and Confirmation of Basic Design, etc.) and Article 17 (Composition and Operation of public-private councils), the scope of application covers the specification of procedures for disclosing and gathering opinions on basic design plans, and the composition and operation of public-private councils.

These guidelines may be utilised by the following entities:

- Local authorities: Entities responsible for establishing and operating the public-private council
- Residents, fishers and organisations: Entities participating in the council and presenting opinions
- Developers and related institutions: Entities cooperating in consultation discussions and the preparation of mutual benefit measures
- Government and public institutions: Entities responsible for system operation, support, and policy linkage

These guidelines are not limited to specific developers or local governments and serve as South Korean nationwide operational guidelines for public-private councils in all regions where offshore wind development is being pursued.

B.1.4 Basic Principles

The council shall adhere to the following basic principles to promote harmonious mutual benefit between the local community and the offshore wind project.

Principle of Mutual Trust

- Members shall respect each other's opinions and discuss matters based on mutual trust.
- Members shall faithfully implement agreed outcomes to maintain trust.

Principle of Inclusivity

- The council shall involve diverse groups with genuine interests without exclusion.
- The council gathers opinions in a balanced manner to avoid bias towards specific groups.

Principle of Transparency

- The council shall ensure transparency by disclosing all materials and minutes of meetings.

- Members accurately share the content of discussions with their respective organisations.

Principle of Timeliness

- The council shall gather sufficient community opinions from the initial stages of a project.
- The council shall initiate preliminary discussions before conflicts escalate.

B.1.5 Matters for Consultation

Agenda items addressed by the public-private council are categorised into statutory agenda items under Article 17 of the Offshore Wind Act and recommended agenda items presented in these guidelines.

Statutory Agenda Items (Article 17 of the Offshore Wind Act)

- Matters concerning the basic design plan
- Matters concerning the designation, modification, or revocation of power generation districts
- Matters concerning the establishment and operation of community participation and profit-sharing schemes
- Matters concerning the promotion of fisheries and the revitalisation of the local economy
- Other matters necessary to secure public acceptability

Recommended Agenda Items under these Guidelines

- Formulation of mutual benefit measures: Discussion of comprehensive strategies for sustainable mutual benefit encompassing community participation, profit-sharing, regional economic revitalisation, job creation, and environmental/safety management
- Fisheries and marine environment management: Measures to reduce potential impacts to fishing activity, joint surveys and monitoring, marine ecosystem conservation
- Response to construction and operation impacts: Measures to mitigate impacts on daily life and livelihoods, such as navigation safety, noise and turbidity, and cable burial
- Other necessary agenda items: Matters deemed necessary for conflict prevention and management during project implementation and the operation of the council, and for securing public acceptability

B.1.6 Definition of Terms

Key terms used in these guidelines are defined below, based on the Offshore Wind Act and the Ministry of Trade, Industry and Energy's 'Guide to Offshore Wind Power Development with Residents and Fishers' (2023).

Consultation Entities and Organisations

- Council (public-private council): An official council established under Article 17 of the Offshore Wind Act, comprising stakeholders such as residents and fishers alongside local governments, tasked with gathering, coordinating, and reaching consensus on opinions
- Local authorities: The metropolitan and basic local governments (provinces/cities and cities/counties/districts) with jurisdiction over the project site. They are the core administrative entities responsible for establishing, operating, and disclosing information about the council during the preliminary site designation phase.
- Stakeholders: Entities subject to consultation within the project's sphere of influence, including residents, fishers, fishing village associations, fisheries cooperatives, experts, and civic groups.
- Council members: Members of the council who participate in deliberating agenda items, presenting opinions, and forming consensus

※ Members may be categorised as community representative members, government members, or expert members based on their nature; specific criteria are addressed in section B.3.

- Private-sector member: A member representing, or participating on behalf of, local stakeholders, such as residents and fishers.
- Government member: A member from the local authority or relevant public bodies, responsible for linking the council's work to administrative processes.
- Expert member: A member who provides advice and review based on specialist knowledge (e.g. environmental, fisheries, or marine spatial planning).
- Chairperson: The individual who represents the council, presides over meetings, and oversees the consensus building process
- Secretary: A person who provides practical support for the operation of the council and facilitates communication among members
- Secretariat: A support organisation responsible for preparing meetings, managing materials, drafting minutes, and providing information
- Specialised agency: An organisation designated or commissioned by the competent ministry to conduct stakeholder surveys, recommend candidates, and formulate operational plans
- Mediator (Arbitrator): A neutral third-party expert or institution performing mediation and arbitration in conflict situations
- Subcommittee: A subcommittee established to conduct in-depth review of specific agendas such as fisheries, environment, and mutual benefit measures

Meeting Operations

- Agenda item: A matter submitted for discussion or decision at the council meeting
- Consensus: A shared judgement reached after sufficient discussion, reducing differences of opinion
- Agreed statement: A formal document recording the consensus reached, serving as the basis for implementation
- Vote: The process of conducting a ballot procedure in accordance with regulations when consensus is unattainable
- Minutes: An official document recording the meeting date, attendees, agenda items, discussion content, and decisions made

Offshore Wind Power Projects

- Basic design plan (draft): A document prepared pursuant to Article 16 of the Offshore Wind Act, including the name, location, and area of the preliminary site; the layout and capacity of power generation facilities; the power grid connection plan; the environmental and fisheries survey plan; and the plan for securing public acceptability
- Power generation district: An area designated pursuant to Article 15 of the Offshore Wind Act, serving as the legal basis for advancing the power generation project and operating the council
- Compensation: Financial compensation paid to residents and fishers for demonstrable loss arising from the offshore wind project, ensuring no economic gain or disadvantage.
- Support: Various support programmes provided to enhance the welfare of residents in areas surrounding power plants and to promote regional development
- Resident-participatory profit-sharing: A system whereby residents and fishers invest in offshore wind projects via equity, bonds, or funds to receive dividend or interest income, or share additional profits based on Renewable Energy Certificate (REC) weighting.
- Mutual benefit plan: A comprehensive strategy encompassing compensation, support, and community participation to promote shared interests among developers, residents, fishers, and local authorities. Includes minimising damage, revitalising the local economy, creating jobs, environmental conservation, and safety management
- Developer: The entity implementing the offshore wind power generation project, acting as a stakeholder participating in council proceedings following the designation of the power generation district

B.2 Design of the Public-Private Council

B.2.1 Purpose and Necessity of Establishment



The public-private council is established to proactively prevent potential conflicts that may arise between residents, fishers, and administrative bodies during the implementation of offshore wind power projects, and to systematically collect and incorporate.

The necessity of the public-private council is as follows:

- Ensuring procedural legitimacy: Enhances the credibility and transparency of project implementation by involving residents and fishers from the initial stages of site planning following the establishment of the basic design plan.
- Conflict management and mediation function: Identifies contentious issues at an early stage and minimises conflict within an institutional consultation framework.
- Establishing a foundation for long-term mutual benefit: It forms a discussion structure for mutual benefit and development with the local community, going beyond short-term compensation discussions.

B.2.2 Installation Procedure

The public-private council is established and operated in accordance with the Offshore Wind Act and subordinate legislation, following these stages.

Preparatory Stage

- The competent ministry designates a specialised agency to conduct stakeholder surveys and analyses, then notifies the local government of a basic design plan incorporating these findings.
- Based on this, the local government prepares to launch the council and establishes operating regulations in accordance with these guidelines.
- Where necessary, consult with local organisations such as fisheries cooperatives and fishing village associations to review the basic design plan and finalise initial agenda items.

Establishment Stage

- Local authorities shall establish the public-private council within three months of the notification date.
- Appointments of council members shall be based on the candidate list within the basic design plan, with the local government making the final decision. Reasons for any changes or exclusions shall be recorded and notified to the competent ministry.
- The head of the local government shall designate a local government official as the secretary.
- A secretariat shall be established for the council.
- Temporary subcommittees may be established according to the nature of the agenda.

Operational Stage

- Regular meetings shall be held, with matters discussed at plenary sessions following deliberation by subcommittees where necessary.
- The distribution of meeting materials in advance, the preparation and publication of minutes, and voting procedures shall follow the operational regulations.
- The chairperson may request relevant central administrative agencies, public institutions, and related specialised agencies to attend meetings through the Offshore Wind Power Commission (OSW Commission). In such cases, they shall be granted speaking rights only and shall not possess voting rights.

Conclusion Stage

- Agreed matters shall be adopted as consensus documents or recommendations, specifying the implementing body and deadline.
- Unresolved matters shall be separately compiled and linked to subsequent consultations or renegotiations.
- The agreement and unresolved matters shall be disclosed together in the interest of transparency.

B.2.3 Authority and Limitations**Authority**

The public-private council shall perform the following roles to institutionally reflect stakeholders' opinions during the offshore wind power project process.

- Deliberation and submission of agenda items: Deliberates on key agenda items such as basic design plans, power generation districts, and mutual benefit measures, and submits new agenda items as necessary.
- Requesting materials and hearing expert opinions: Requests relevant materials from developers, local authorities, etc., and may obtain expert opinions.
- Adoption of consensus documents and recommendations: Compiles discussion outcomes into consensus documents or recommendations and submits them to relevant authorities.
- Implementation monitoring and information disclosure: Regularly monitors the implementation of agreed matters and discloses the results.
- Requesting conflict mediation: Matters unresolved within the council may be referred to a mediator or specialised agency for mediation.

Limitations

As a consultative and advisory body, the public-private council has the following limitations.

- **Legal authority limitations:** While consensus documents and recommendations carry advisory weight, the council lacks final legal decision-making authority over matters such as consenting or compensation determinations. Unresolved disputes are referred to administrative or judicial procedures.
- **Representation limitations:** Even if members represent diverse groups, they cannot fully represent the opinions of the entire region. Therefore, procedures for gathering external opinions, such as public hearings and surveys, need to be conducted in parallel.
- **Time constraints:** Sufficient discussion time may not be secured depending on the project schedule and stakeholders' circumstances

B.2.4 Disclosure of Basic Design Plan and Opinion Gathering

The basic design plan is a key document provided to the local community and stakeholders at the initial stage of an offshore wind power project to provide sufficient information and establish a basis for future consultations.

Disclosure Period

- Local authorities must disclose the basic design plan within 10 days of receiving notification from the competent ministry, providing explanatory materials alongside it to ensure residents and fishers can easily understand it.
- The disclosed basic design plan shall be made available for public inspection for a minimum of 20 days to enable residents and stakeholders to submit opinions. Submitted opinions shall be utilised as a basis for discussion in the consultation process.

Disclosure Recipients

- **Residents and fishers:** Residents living in the preliminary district and areas traversed by transmission lines, residents and fishers directly affected in their livelihoods or fishing activities, representatives of organisations such as fishing village associations and fisheries cooperatives
- **Local authorities and relevant administrative bodies:** Competent city/county/district offices, provincial/metropolitan offices, and relevant ministries
- **Other stakeholders and relevant experts:** Local civic organisations, academia and research institutions, experts in marine environment and fisheries sectors, etc.

Key Content

The basic design plan includes the mandatory requirements stipulated under Article 16 of the Offshore Wind Act and provides recommended guideline materials to support substantive discussions within the public-private council.

Mandatory Items under the Offshore Wind Act

- Designation, location, and area of the preliminary district

- Layout and capacity of power generation facilities
- Project implementation methodology
- Grid connection plan and infrastructure development
- Plan for investigating impacts on marine environment, maritime traffic, military operations, and national heritage
- Public acceptability assurance plan
- Matters prescribed by presidential decree

Recommendations under these Guidelines

- Detailed composition of the acceptability plan (regional mutual benefit measures, community participation and profit-sharing, communication strategy, etc.)
- Results of the social impact assessment and stakeholder survey (conducted by a specialist agency, reflecting regional specificities)
- Candidate list and background materials for public-private council members
- Anticipated conflict issues and response plans

Role of the Specialised Agency

- The competent ministry shall designate a specialised agency to support the social impact assessment, stakeholder survey, and compilation of the list of candidate members.
- The specialised agency shall conduct surveys targeting residents, fishers, local governments, fishers' organisations, fisheries cooperatives, civil society organisations, and relevant experts, using various methods such as questionnaires, interviews, and Focus Group Interviews (FGI).
- During the survey process, the opinions of local organisations such as local governments, fishers' associations, and fisheries cooperatives shall be reflected to ensure regional specificities are not overlooked.
- The survey results and candidate list are included in the basic design plan and notified to the local government, serving as foundational data for the future composition and operation of the council.

Publication Method

Disclosure shall be carried out through all of the following methods

- Online disclosure: Full text and summary published on the offshore wind power site information network and local government websites, with explanatory materials provided to aid residents' and fishers' understanding
- Press announcement: Publication in national and regional daily newspapers at least once, detailing the viewing period, location, and

method for submitting opinions

- On-site posting: Display summary notices in highly accessible locations such as fishing village association offices and community centres
- Promotion and media utilisation: Employ community-focused channels such as banners, local noticeboards, fisheries cooperative and fishing village association offices, and regional online communities
- Briefings and public hearings: Shall be held during the public inspection period; schedules to be announced in advance via newspapers and online

B.3 Council Composition

B.3.1 Composition Principles

Stakeholder Categories

The public-private council must include diverse stakeholders to ensure representation and acceptability. Members shall be selected fairly from the following categories, prioritising individuals capable of representing the community.

- **Resident representatives**
 - Representatives of resident communities residing near the preliminary district and power generation district, and within the transmission line route area, whose livelihoods and property are directly affected
 - Individuals holding representative positions within village-level or local autonomous organisations (e.g., neighbourhood chiefs, chairpersons of residents' autonomous committees, etc.)
- **Fisher representatives**
 - Representatives of fishing communities engaged in consented, permitted, or registered fishing activities within the relevant sea area
 - Individuals capable of representing members as representatives of fisheries-related organisations such as fisheries associations and fisheries cooperatives (e.g., fishing village association chairperson, fisheries cooperative countermeasures committee chairperson, etc.)
- **Local government representatives**
 - Administrative officials from the competent city, county, district, or metropolitan city/province
 - Heads of departments responsible for project-related matters such as consenting and compensation
- **Government and public institution representatives**

- Officials from the relevant government ministry
- Representatives from relevant public institutions when necessary
- **Expert members**
 - Experts in fields closely related to project impacts, such as conflict management, marine environment, and fisheries.
 - Experts in relevant fields such as legal systems or social impact assessments, as required
- **Civil society representatives**
 - Representative figures from local civic groups, environmental organisations, resident self-governance bodies, etc
- **Developers**
 - Representatives of the power generation project implementation entity or consortium participating after the designation of the power generation district
 - In principle, developers are not included in the public-private council; however, additional consultations involving the developer may be carried out after developer selection if necessary.

Number and Proportion of Council Members

- **Number of Council Members**
 - The public-private council shall comprise government, private, and expert members, numbering approximately 20 to 25 in total.
 - Where multiple local authorities participate, the body shall comprise approximately 25 to 30 members to ensure representation and balance.
- **Government Members**
 - Composed of civil servants from local governments and relevant public institutions.
 - Consideration shall be given to ensuring appropriate participation from relevant departments such as energy, environment, and maritime affairs.
 - They shall constitute approximately 25% of the total membership.
- **Community representative Members**
 - Composed of resident representatives and fisher representatives.
 - Focus on substantive stakeholders, constituting approximately 50% of the entire council.
- **Expert Members**

- Composed of experts possessing relevant expertise and impartiality in areas such as conflict mediation, marine environment, and fisheries.
- Comprises approximately 25% of the total council membership

B.3.2 Council Member Selection Procedure

The selection of members for the public-private council shall follow the procedures below to ensure representation and transparency.

Stakeholder Survey and Candidate Identification

- A specialised agency designated by the Minister of the competent ministry shall concurrently conduct a social impact assessment and stakeholder survey.
- During the survey process, the impact of the project on the local community, economy, culture, and environment shall be analysed, and key stakeholders such as residents, fishers, and local governments shall be identified.
- Survey methods include field surveys, literature reviews, questionnaires, and Focus Group Interviews (FGI).
- The positions (supportive, opposing, or neutral), opinions, scope of influence, and representation of stakeholders shall be recorded, and a list of potential candidates shall be compiled by category based on these results.

Compiling the Candidate List

- The specialised agency compiles a list of candidates for each category, comprising two to three times the number of council members.
- The list shall include stakeholder type, position on the project, and reasons for recommendation.
- The candidate list shall be disclosed when necessary to ensure transparency, or reasons for non-disclosure shall be specified.

Local Government Review and Adjustment

- The head of the local government shall review the list of candidates submitted by the specialised agency.
- Where necessary, they may consult with local organisations such as townships, villages, neighbourhoods, fisheries cooperatives, and fishing communities to adjust the composition of candidates.
- Reasons for candidate adjustment or exclusion shall be documented and notified to the competent ministry.

Final Appointment

- The head of the local government shall appoint the final members in accordance with the number of council members

- The appointment process shall be documented in writing and disclosed upon the council's inauguration.
- When appointing members, consideration shall be given to maintaining balance to avoid excessive concentration within specific groups.

Appointment of Chairperson

- The chairperson shall, in principle, be one individual, appointed by the head of the local government from among the government members.
- Where multiple local authorities are included in the preliminary district or transmission line route, necessitating balanced representation, co-chairs may be appointed.
- In a co-chair arrangement, at least one co-chair shall be selected from among the expert members.

B.3.3 Criteria for Selecting Council Members

Criteria for Selecting Community representative Members

Community representative members shall be representatives of groups directly affected, such as residents, fishers, and local organisations, and must meet the following criteria.

- Regional representation: Possess official representation among residents and fishers in the relevant region. (e.g. Chair of the Residents' Autonomy Committee, neighbourhood leader, fishing village association head, head of industry-specific fishing organisations, executives of the Fisheries Cooperative, cooperative representatives, youth representatives, etc.)
- Balanced perspectives: Composition must ensure the comprehensive reflection of supporting, opposing, and neutral positions regarding the project.
- Public interest and willingness to participate: Possesses a willingness to contribute to the interests of the local community and its mutual development.
- Communication capability: Possess communication skills enabling smooth consultation and collaboration with other council members.
- Consideration of diversity: Reflects diversity in gender, age, and livelihood type, representing the composition of the local community.

Selection Criteria for Expert Members

Expert members are appointed to ensure the objectivity and expertise of the council and must meet the following criteria.

- Expertise: Possess knowledge in fields closely related to the consultation agenda, such as the marine environment, fisheries, renewable energy, conflict management, and legal systems.

- **Neutrality:** Have no direct vested interest in the project and make judgements from an objective and independent standpoint.
- **Conflict management capability:** Demonstrate the ability to provide rational mediation and arbitration in conflict situations. May include professional mediators, such as facilitators, when necessary.
- **Experience in policy and institutional linkages:** Possesses experience linked to policy implementation, such as undertaking government/local authority research projects, participating in public councils, and engaging in institutional improvement activities.

B.3.4 Role Distinction

To ensure the smooth operation of the public-private council, the roles and responsibilities of each participant are clearly defined.

Chairperson

- Represents the council and chairs meetings.
- Coordinates the agenda and oversees consensus-building process.
- Puts matters to a vote when consensus cannot be reached.
- Ensures balanced discussion among members from a fair standpoint.

Members

- Present opinions on agenda items under discussion and participate diligently in the discussion and consensus-building process.
- Represents the views of their respective group(s) while respecting the collective consensus of the entire council.
- Participate in subcommittee activities when necessary to contribute to in-depth discussions.

Secretary

- Responsible for preparing meetings, organising agendas, supporting meeting proceedings, and drafting minutes.
- Provide administrative support for council operations, including managing meeting procedures and records.
- Facilitate smooth communication among members to support the progress of discussions.

Secretariat

- Oversees the overall operation of the council, responsible for meeting management, data collection and management, and the preparation and publication of minutes.
- Supports ongoing communication between members, coordinates opinions, and performs initial conflict resolution functions.
- Ensures continuity and expertise in council operations and supports the implementation of decisions.

- Operation is undertaken by a dedicated department within the local government or a specialised agency.

Subcommittees

- These are established as required to conduct in-depth reviews of specific agendas (fisheries, environment, regional mutual benefit, safety, etc.).
- Subcommittees report their investigation and review findings to the plenary council, which holds final decision-making authority.

B.3.5 Term of Office and Replacement of Members

Term of Office

- The term of office for members shall be two years, corresponding to the duration of the council.
- If the council is extended by a decision of the competent local authority or a higher level decision-making body, the members' term of office shall be extended accordingly.

Reappointment and Succession

- Members may be reappointed.
- In the case of ex officio members or those appointed by virtue of their position, should the relevant position change, the membership shall also change accordingly, and the successor shall succeed to the membership for the remainder of the term.
- Members shall continue to perform their duties after the expiry of their term until their successors are appointed, thereby ensuring the continuity of the council.

Replacement Procedure

- Where replacement of a member is necessary, it shall be confirmed by a majority of the council's registered members being present and the approval of at least two-thirds of the members present. Members not present shall not have voting rights.
- A member may be dismissed if they are deemed unsuitable for performing their duties due to physical or mental incapacity, misconduct in office, breach of integrity, dereliction of duty or loss of dignity, disruption of meetings, or improper conduct.
- A replacement member shall serve for the remainder of the predecessor's term and may be reappointed by consensus of the members.
- The fact and reason for replacement shall be notified to the competent ministry for verification of legality by the higher administrative authority.

B.4 Meeting Operations



Meetings of the public-private council must be conducted transparently and fairly. Regular and systematic operation ensures stakeholder participation and enhances the credibility of consultation outcomes.

B.4.1 Operational Overview

Convening Meetings

- Meetings of the council shall be convened by the Chairperson. Meetings may also be convened upon the request of a majority of members or at the request of the head of the local government.
- A meeting may be convened only when a majority of registered members are present; if the quorum is not met, the meeting shall be deemed invalid.
- The date, time, venue, and main agenda items shall be notified to all members at least seven days prior to the meeting
- In urgent cases, the notification period may be shortened, but the reason and circumstances must be recorded in the minutes.
- If an absent member requests to be represented by a proxy, a letter of authorisation must be submitted, and the notice of convocation shall also be sent to the proxy.

Types and Frequency of Meetings

- The council shall hold regular meetings, ad hoc meetings, and subcommittee meetings.
- Regular meetings shall be held at least once per quarter. Ad hoc meetings may be convened when urgent matters arise.
- Subcommittee meetings may be convened when in-depth discussion of specific agenda items is required.

Meeting Format and Attendance Scope

- Meetings shall be held in person as a rule; however, they may be held remotely (online) in unavoidable circumstances such as the spread of infectious diseases, adverse weather conditions, or long distance travel.
- Only members selected for the council shall attend. However, where necessary, reference persons or experts may be invited to attend following a resolution by the council.
- Should attendance be unavoidably impossible, a proxy designated by the council member may attend. In such cases, the proxy may speak but shall not have voting rights.
- Neutral support personnel, such as facilitators, may participate when necessary to facilitate smooth proceedings.

Duration of the Council

- The deadline for notifying the consultation results on the basic design plan shall be six months. However, this may be extended for a period

not exceeding six months if necessary.

- The term of office for members shall be two years. Even after this period ends, the council shall not be dissolved and shall continue until the selection of the developer
- Additional consultations, including with the developer, shall be conducted as necessary.

Budget Management

- Costs necessary for the operation of the council and supporting organisations (if required) shall be borne by the local government. However, support may be received from the central government depending on circumstances.
- Attendance allowances shall be paid only to community representative members and expert members, set at a reasonable level considering travel expenses and standard wages.
- Operational expenses, such as venue hire and procurement of necessary supplies, shall be executed in accordance with the budget plan, and all expenditures shall be duly recorded and retained.

B.4.2 Agenda Management and Decision-Making

Agenda Identification and Preliminary Procedures

- Any member of council may propose an agenda item. The secretary and secretariat shall collate proposed items and report them to the chairperson.
- Important or complex matters shall first be reviewed in subcommittee meetings to clarify the issues before being submitted as agenda items for the main meeting.
- Materials related to submitted agenda items shall be provided to members at least seven days prior to the meeting to ensure sufficient review time.
- Alongside statutory agenda items such as reviewing basic design plans, core agenda items such as regional mutual profit-sharing, fisheries and marine environment conservation shall be managed as essential agenda items requiring mandatory discussion.

Agenda Adjustment and Submission

- The Chairperson shall review the necessity and urgency of proposed items before finalising them as official agenda items for the meeting.
- The priority of agenda items shall be determined by consensus among council members, with matters likely to cause significant conflict being discussed first as a matter of principle.

Decision-Making Principles

- The chairperson shall lead discussions from a neutral standpoint, drawing collective conclusions through sufficient debate and coordination.

- Should consensus prove elusive over an extended period, the chairperson may put the agenda item to a vote.
- Resolutions require the attendance of a majority of the total members and the approval of at least two-thirds of the members present; absent members shall not have voting rights.
- Significant matters, such as project modifications, adoption of mutual benefit plans, and dispute resolution, shall always undergo a voting procedure.

B.4.3 Information Disclosure and Consultation

Preparation and Management of Minutes

- The council shall prepare minutes for all meetings, including the date, time, venue, participants, agenda items discussed, key discussion points, and matters agreed or resolved.
- Minutes shall be distributed to all members within 7 days of the meeting's conclusion, and members may submit amendments.
- The final version shall be confirmed within 14 days after the meeting, incorporating members' comments, and shall be archived and managed.
- Related materials (member list, operating regulations, agreements, covenants, photographs, posted materials, press articles, local government opinion inquiry documents, etc.) shall be systematically stored and managed, and made available for residents to inspect when necessary.

Information Disclosure

- The final minutes and explanatory materials for agenda items shall be disclosed on the local authority's website and the council's information disclosure portal.
- Access to the disclosed minutes shall be guaranteed for residents on an ongoing basis.
- Content deemed inappropriate for disclosure, such as personal information or confidential matters, may be withheld, with reasons stated.
- Prior to each meeting, confirmation shall be obtained regarding consent to the preparation of verbatim minutes bearing their names; speakers who do not consent shall be recorded anonymously.
- Meeting participants shall not disclose to outsiders or use for other purposes any matters decided as confidential by the council or any confidential information learned during the meeting process. The chairperson may require the signing of a confidentiality agreement.

Gathering Opinions

- Community representative members shall share the consultation content with the communities they represent (e.g., villages, fishing

villages, fisheries cooperatives) and gather opinions through internal meetings within those communities before conveying them to the council.

- The council shall gather residents' opinions through various methods, including public hearings, briefings, roundtable discussions, and online channels.
- Prior to establishing the public-private council, during the stakeholder survey phase of the basic design plan formulation, opinions from local communities shall be gathered and utilised as reference material during the operation of the council.
- Submitted opinions shall be collated by the secretary and secretariat and reported to the council; they may be placed on the agenda as necessary.
- Decisions regarding the reflection of opinions and the reasons thereof shall be made public to allow residents to verify the results.

B.5 Conflict Management

B.5.1 Key Types of Conflict

During the operation of the public-private council, conflicts of opinion may arise among various stakeholders. Recognising such conflicts early and categorising them by type is necessary for the body's efficient response.

Project Impacts

- Controversy over infringement of fishing rights and access to fishery resources.
- Concerns regarding impacts on residents' living environment and property in areas affected by power generation districts and transmission line routes
- Issues concerning marine environmental damage and landscape impairment

Procedures and Participation

- Lack of fairness and representation in council composition
- Information asymmetry and inadequate disclosure of materials
- Lack of transparency in the consultation process

Mutual benefit and Compensation

- Disagreement over the level and scope of compensation
- Disputes over profit-sharing mechanisms, including resident participation schemes
- Uncertainty regarding regional development effects and job creation potential

Operational Issues of the Council

- Disagreements over agenda setting and discussion methods
- Prolonged delays in consultations and failure to reach consensus
- Violations of meeting procedures and distrust among members

B.5.2 Conflict Resolution Process

Conflicts arising during the operation of the public-private council must be resolved through a step-by-step, systematic procedure. This approach reduces unnecessary social costs and facilitates the achievement of consensus based on trust.

Internal Coordination within the Council

- Conflicts shall, as a rule, be resolved through discussion and coordination within the council first.
- When a conflict arises, the chairperson separates the agenda item for in-depth discussion or appoints a neutral facilitator to guide balanced debate.
- Community representative members shall clearly convey the position of the community they represent and endeavour to find common ground with other groups.

Transfer of adjudication Procedures to the OSW Commission

- Conflicts unresolved by the council shall be referred to the Conflict Management Deliberation Committee of the Ministry of Climate, Energy and Environment in accordance with the Regulation on Conflict Prevention and Resolution in Public Institutions.
- The Deliberation Committee reviews the disputing parties, causes, and impacts, and proposes a mediation plan.
- Matters not resolved by the Deliberation Committee shall be transferred to the OSW Commission's adjudication procedure.
- The adjudication procedure follows this sequence: Adjudication application → notification to parties → statement of opinions (Written/In-Person) → OSW Commission adjudication → service of adjudication decision → appeal procedure (administrative appeal/litigation)'.
- OSW Commission arbitration is a legal procedure supplementing the council's consensus; parties dissatisfied with the adjudication outcome may file for administrative adjudication or litigation.

Basic Principles for Conflict Resolution

- The council shall prioritise consensus, but where disputes become protracted or escalate, they shall be resolved promptly through institutionalised procedures.
- All procedures must adhere to neutrality, fairness, and transparency.

- Conflict resolution outcomes shall be documented in a settlement agreement or arbitration award and made public.

B.5.3 Grievance Handling System

The public-private council operates a grievance handling system to swiftly and fairly reflect the voices of residents and fishers. This enables the systematic management of individual grievances and prevents conflicts from becoming protracted.

Grievance Reception Channel

- The council operates a formal channel for receiving residents' and fishers' complaints and claims of damage.
- Submission methods include written submissions, online noticeboards, and on-site visits, with details also provided on the local government website.

Handling Procedure

- The Secretariat records the date and content of received complaints and categorises them according to their nature.
- Simple enquiries or requests for information shall be promptly answered by the secretary.
- Contentious matters may be tabled as council agenda items; where necessary, the OSW Subcommittee shall review and analyse them before presenting its opinion to the council.
- Where resolution cannot be achieved within the council, the matter shall be referred to the OSW Commission's arbitration procedure under the Offshore Wind Act.

Response and Disclosure

- The council shall provide an initial response within 14 days of receipt and notify the complainant in writing of the outcome.
- Where unavoidable, the processing period may be extended, and the reasons for the extension must be communicated to the complainant.
- Summary copies of major complaints shall be posted at the council's public information portal for other residents to view.
- To protect personal information, the complainant's name and detailed address shall not be disclosed.

B.6 Mutual Benefit Measures

Mutual benefit measures constitute a core outcome of the public-private council and must be discussed to explore sustainable development directions jointly by residents and developers. The purpose of the council extends beyond mere coordination of opinions to establishing concrete mutually beneficial measures enabling the region and business to grow together.

B.6.1 Overview of Mutual Benefit Measures

Mutual benefit measures refer to the concrete implementation mechanisms designed by the council to enable the harmonious development of the local community and the business. These encompass not only simple compensation but also diverse programmes supporting tangible improvements in residents' daily lives, community strengthening, and long-term regional development.

Definition of Mutual Benefit Measures

Mutual benefit measures are broadly classified into: Compensation, community participation and profit-sharing, and Support Projects.

- Compensation: Financial compensation to offset inconvenience or damage caused by the project
- Resident participation and profit-sharing: Methods whereby residents directly participate in the project or share in its profits.
- Support projects: Programmes voluntarily undertaken by the developer for regional development or linked through institutional or grant programs.

Types of Support Projects

Mutually beneficial schemes can be designed in various forms according to regional characteristics.

- Economic support: Job creation, priority selection for local businesses and fishers, income enhancement
- Social and welfare support: Care for the elderly and vulnerable groups; education and scholarship programmes
- Improving local infrastructure: Upgrading housing and enhancing social infrastructure, including transport and communications.)
- Environmental and safety measures: Marine environment conservation and improvement, disaster prevention, support for fishing villages and fisheries
- Community foundation building: Establishment and operation of village funds enabling direct community participation in decision-making

Expected Effects

- Securing public acceptability: Enhances trust in the project and prevents conflicts.
- Revitalising the local economy: Supports sustainable development through job creation and income generation.
- Strengthening the Community: Establishes a long-term cooperative foundation through community participation and collaboration.
- Enhancing Sustainability: Establishes a structure where the region

and the project grow together.

B.6.2 Procedure for Developing Mutual Benefit Measures

Mutual benefit measures must be developed through a systematic, step-by-step process, and it is crucial that they objectively reflect community needs and local characteristics. This section outlines the fundamental five-step process for deriving mutual benefit measures.

Preliminary Research and Needs Assessment

- The specialised agency identifies the mutual benefit required by the local community through resident interviews, surveys, and field investigations.
- This process runs in parallel with the preparation phase for council establishment, aiming not merely to ensure representation but specifically to derive mutual benefit demands.

Regional Capacity Analysis

- The specialised agency conducts a comprehensive diagnosis of the region's development potential and vulnerabilities using diverse indicators such as population, industry, living conditions, safety, and environment.
- This data-driven analysis prevents council discussions from being skewed by subjective demands and provides a basis for rational decision-making.

Derivation of Candidate Mutual Benefit Plans

- The specialised agency develops preliminary profit-sharing measures based mutual benefit on the results of the baseline survey and regional analysis, taking into account regional impacts and contribution potential.
- Broadly examine potential alternatives across diverse fields such as income enhancement, elderly welfare, educational support, and improvements to living infrastructure.

Finalisation of the Final Plan

- The council evaluates the preliminary proposals based on criteria such as feasibility, funding availability, and ripple effects.
- Final mutual benefit measures are agreed and confirmed following council discussions.

Formulation of Detailed Implementation Plan

- The specialised agency develops the confirmed mutual benefit measures into a concrete implementation plan.
- Refine the plan to an implementable level, including securing funding, budget allocation, establishing an implementation organisation, and setting up a performance management system.

B.6.3 Mutual Benefit Plan Consultation Procedure



The mutual benefit plan is finalised based on the derived candidate proposals, following internal review by the council and a process of gathering opinions from the local community. This process is a key stage to ensure transparency and participation and is conducted as follows.

Discussion within the Council

- Members engage in in-depth discussions focusing on key factors such as feasibility, funding viability, and ripple effects.
- Where necessary, expert consultation by field is conducted concurrently to enhance objectivity.

Gathering Resident Opinions

- Opinions are gathered through various accessible methods such as briefings, public hearings, roundtable discussions, and surveys.
- The process and results of gathering opinions are documented and made available for public inspection through appropriate channels for residents to review.

Coordination and Consensus

- The council shall coordinate agenda items by synthesising internal reviews and resident opinions.
- Decisions shall be adopted with a quorum of more than half of the registered members present and approval by at least two-thirds of those present.

Finalisation and Disclosure

- The final mutual benefit measures agreed upon shall be confirmed by a resolution of the council.
- The confirmed plan and decision-making process shall be transparently disclosed both online and offline to build public confidence.

B.6.4 Implementation and Performance Management of the Mutual Benefit Plan

The mutual benefit plan must not remain a mere agreement; it must lead to tangible results that residents can perceive through implementation and performance management. To this end, the following procedures and mechanisms shall be established.

Formulation of Implementation Plan

- Based on the confirmed mutual benefit plan, the budget, schedule, and responsible entities shall be specified in detail.
- Strengthen implementation capacity and establish a stable foundation for advancement by clearly defining funding acquisition and execution procedures.

Operation of the Implementation Organisation

- Where necessary, establish a dedicated organisation or joint operational system to manage execution.

- Secure a collaborative governance foundation and enhance accountability through the joint participation of local authorities, resident representatives, and developers.

Implementation Monitoring and Performance Management

- Regularly monitor project progress and transparently disclose key outcomes to residents.
- Performance management shall be operated according to the principles of objectivity, transparency, sustainability, and participation to ensure public acceptability.
- Establish performance indicators such as fund creation scale, job creation, resident satisfaction, conflict reduction, and environmental improvement.

Evaluation and Feedback

- Conduct performance evaluations on a six-monthly or annual basis to comprehensively diagnose achievements and limitations.
- Introduce third-party verification where necessary to ensure objectivity and reliability.
- Evaluation results shall be disclosed through community briefings and reports, with improvements incorporated into subsequent mutual benefit measures.



Appendix C. Alignment with the Enacted Subordinate Legislation

Across the five areas of Appendix A, the core architecture of the guide's recommendations was adopted: the mediation procedure with defined timelines, community-majority composition, specified expert fields including conflict mediation, subcommittees, the consultation-deadline framework, and the linkage of consultation results to developer bidding. The principal divergences are the adjudication function (which requires amendment of the Act), disclosure of council outcomes, and the appointment and candidate-pool procedures, with the latter two open to the forthcoming ministerial notification under Decree Article 11(8).

Category (per Appendix A)	Enacted subordinate legislation (Decree No. 36216; Rule No. 32, both in force 26 Mar 2026)	Assessment	Follow-up and implementing layer
A.1 OSW Commission: dispute resolution measures (detail in Appendix A.1)	Decree Art. 14: the head of the local government files a mediation application (form per Rule Art. 4). The Commission draws up a mediation proposal and recommends it within 45 days of receipt, and may extend that period where unavoidable by notifying the applicant of the reason and the revised deadline. The head of the local government then reconvenes the council and notifies acceptance or rejection within 30 days. Decree Art. 4(1)2 and 4(3)2: minor dispute-mediation matters are delegated to the Working Committee, whose appointed members include persons with	Partially adopted. - Adjudication with deemed-agreement effect (Table 3): not adopted. The Decree instead gives procedural form to the mediation function under Act Art. 17(6). Adjudication engages the parties' right of action and therefore requires an express statutory basis, as set out in Appendix A 1. - Deadlines (45 days for the recommendation, 30 days for the reply): adopted, consistent with the procedural predictability sought. The 45-day period is extendable on notice of reasons, so the outer limit is not fixed. - Subcommittee-level primary review by conflict experts: adopted via the Working Committee. - Support from the	Adjudication function: future amendment of the Act (a medium-term task, as framed in A.1). Detailed mediation practice and CMDC support: ministerial notification under preparation, and operational practice.

Category (per Appendix A)	Enacted subordinate legislation (Decree No. 36216; Rule No. 32, both in force 26 Mar 2026)	Assessment	Follow-up and implementing layer
	expertise and experience in dispute mediation. Decree Art. 13(3): time spent on mediation counts towards the consultation reporting period.	competent ministry's Conflict Management Deliberation Committee (CMDC): not codified. - Counting mediation time towards the consultation period prevents a referral being used to delay consultation, but it also means up to 75 days of the period can be consumed by the mediation itself.	
A.2 Disclosure of basic design plans and solicitation of opinions (Appendix A.2)	Decree Art. 12: Before council consultation, the local government must publish the draft Basic Design Plan in the official gazette and on its website, allow inspection by fishers, residents, and experts for at least 14 days, and state the inspection period, method, and how to submit opinions. Decree Art. 10(2): the matters to be included in the basic design are an ecological and living environment pre-survey plan with mitigation measures and, where the facility is required, a plan for the establishment and operation of an offshore wind demonstration complex. Article 17(4) of the Act separately requires a public hearing or briefing session; the Decree specifies the	Adopted in core; details not codified. - Mandatory disclosure and an opinion window prior to consultation: adopted (online notice included). - Inspection period: at least 14 days, short of the 20 days recommended in Appendix A.2. - Public hearings and briefing sessions: the duty to hold them already rests in Article 17(4) of the Act, so the gap is procedural rather than institutional. The Decree does not specify the timing or method, the conditions for dispensing with a session that is obstructed or abandoned, or any online alternative. - Recommended plan contents (draft profit-sharing plan, communication strategy, council candidate list, anticipated conflict issues): not adopted at Decree level.	Cite disclosure as adopted. Hearing and briefing mechanics and omission safeguards: ministerial notification (currently in preparation). Plan-content details and specialised-agency procedures: ministerial notification, operationalised through the Appendix B guideline.

Category (per Appendix A)	Enacted subordinate legislation (Decree No. 36216; Rule No. 32, both in force 26 Mar 2026)	Assessment	Follow-up and implementing layer
	inspection procedure only.	- Specialised-agency stakeholder survey and candidate list of two to three times the membership at Rule level: not adopted.	
A.3 Composition of the public- private council (Appendix A.3)	Decree Art. 11(1)-(3): 15 to 25 members including two co-chairpersons; fisher-organisation and resident representatives (including transmission-route residents) must constitute at least one half of members; experts at least one fifth, drawn from listed fields (energy and resources, environment and marine environment, fisheries, maritime traffic, land use, science and technology, grid, defence, accounting and finance, and conflict mediation); members appointed by the head of the local government; The two-year term applies to the appointed members under subparagraphs 1 and 3, namely resident and fisher representatives and experts; civil servant members are designated ex officio and hold no fixed term.	Partially adopted. - Community floor: adopted; the one-half requirement matches the recommendation exactly. - Expert share: the statutory floor (one fifth) sits below the recommended 25%. - Council size: 15 to 25 versus the recommended 20 to 25, with no 25-to-30 expansion for multi-jurisdiction cases. - Expert fields including conflict mediation: adopted. - Two-year terms: adopted for appointed members, in line with the recommendation. Civil servant members carry no fixed term, so continuity on the government side rests on internal posting practice. - Appointment via a specialised-agency candidate pool with stance mapping and pro-con balance: not adopted; appointment power rests with the head of the local government, which is the risk flagged in A.3.	Expert share (25%) and pool-based, balance-checked appointment: recommend within the statutory minimum via the ministerial notification under Decree Art. 11(8), with procedures detailed in the Appendix B guideline.
A.4 Operation of the public-	Decree Art. 11(1), (4)-(6): two co-chairpersons, one	Adopted with modified design.	Cite the co-chair, voting, subcommittee, and

Category (per Appendix A)	Enacted subordinate legislation (Decree No. 36216; Rule No. 32, both in force 26 Mar 2026)	Assessment	Follow-up and implementing layer
private council (Appendix A.4)	elected from among community and expert members and one from among official members; meetings convened jointly by the co-chairpersons or on request of one third of members; quorum of two thirds of registered members, decisions by two thirds of those present; subcommittees permitted. Decree Art. 11(7): the Minister of Climate, Energy and Environment may support local governments that establish and operate a council, on terms equivalent to the support given to implementing agencies for dissemination projects under Art. 27(2) of the Enforcement Decree of the New and Renewable Energy Act, as specified by ministerial notification. Decree Art. 17(2)2: council consultation results must be included in the developer-selection tender.	- Chairing: the enacted co-chair model (one seat elected from community and expert members) differs from the recommended government-designated chair but strengthens the same balance objective; the expert co-chair option is effectively realised. Different design, same objective. - Decision-making: voting is institutionalised, at a stricter two-thirds quorum and two-thirds approval threshold than the recommended majority quorum; consistent with the consensus orientation but with a higher deadlock risk. - Convening: the one-third member-request threshold is adopted; quarterly regular meetings are not fixed. - Subcommittees: adopted. - Ministerial support for local governments: newly provided. Appendix A.4 identified secretariat capacity as the main constraint on sustained operation, and this article supplies a funding basis, though the scale and conditions are left to ministerial notification. - Linkage of consultation results to bidding: adopted (Art. 17(2)2), which codifies the guide's linkage principle (consultation to designation to	bidding-linkage provisions as adopted, noting design differences. Deadlock response (e.g. the chairperson's grounds for putting matters to a vote) and all non-codified operational mechanics: ministerial notification under Decree Art. 11(8), plus the Appendix B guideline. Scale and conditions of the support: ministerial notification.

Category (per Appendix A)	Enacted subordinate legislation (Decree No. 36216; Rule No. 32, both in force 26 Mar 2026)	Assessment	Follow-up and implementing layer
		tender) set out in Section 3.3. - Not codified: neutral facilitator grounds, the chairperson's enumerated vote triggers, the central- official attendance procedure, and the member-replacement procedure (outcome disclosure is treated under 1.5).	
A.5 Publication of consultation results and solicitation of opinions (Appendix A.5)	Decree Art. 13: consultation results must be notified to the OSW Commission within one year of receiving the draft Basic Design Plan (six months where the preliminary district was designated on local-government application), with one extension of up to six months; time spent on dispute mediation is included in the calculation. Neither the Decree nor the Rule addresses public disclosure of council outcomes, minutes, or opinion gathering on published outcomes; the Rule refers to the council only in Article 4, on the dispute- mediation application.	Deadline adopted in structure; disclosure not adopted. - Notification deadline, extension grounds, and procedure specified in the Decree: adopted in structure, as the guide recommended; the values differ (default one year versus the recommended six- month standard, with the six-month track realised only for the local-government application route). - Act-level duty to disclose consultation results (Table 11): not adopted. - Decree-level publication (national and regional dailies, website, public inspection): not adopted. - Rule-level disclosure mechanics (disclosure portal, continuous accessibility, scope limited to final minutes and agenda explanatory materials, minutes content requirements, withholding of personal and confidential	Cite the deadline framework as adopted. Act-level disclosure duty: future amendment of the Act. Minutes and materials disclosure mechanics, anonymity safeguards, and opinion gathering on outcomes: ministerial notification under Decree Art. 11(8) (as council- operation matters), with practical procedures in the Appendix B guideline.

Category (per Appendix A)	Enacted subordinate legislation (Decree No. 36216; Rule No. 32, both in force 26 Mar 2026)	Assessment	Follow-up and implementing layer
		information with reasons stated, speaker anonymity on request, name-disclosure consent); not codified. - Procedures for gathering residents' opinions on published outcomes (hearings or briefings on results); not codified.	

Note: No official English translation of the Enforcement Decree (Presidential Decree No. 36216, 24 Mar 2026) or the Enforcement Rule (MCEE Ordinance No. 32, 25 Mar 2026) has been published; article summaries below are OEP's informal rendering, and terminology may differ from the official translation once released. Assessments are based as of July 15, 2026.

Ocean Energy Pathway

About Ocean Energy Pathway

Ocean Energy Pathway accelerates global offshore wind growth through programmes which support the energy transition, enhance marine ecosystems and empower local communities. We provide expert, independent support to governments and key decision makers to fast-track offshore wind worldwide. Through collaboration with leaders in policy, industry, and conservation, we help shape sustainable solutions for the long-term growth of offshore wind. Ocean Energy Pathway owns the offshore wind POWER Library, in collaboration with Climate Policy Radar, to help policymakers easily find curated reports and policies related to offshore wind. Headquartered in the UK, we work in Australia, Brazil, Colombia, India, Japan, Mexico, the Philippines, South Korea, and Vietnam with ongoing projects in several other countries.

<https://oceanenergypathway.org/>



About Korea Environmental Policy and Administration Society

The Society has collaborated closely with both central and local governments in the formulation and implementation of policies and institutional frameworks regarding the environment, energy, and climate change. This has been achieved through the planning and identification of policy agendas, the execution of commissioned research projects, and the provision of technical support and consultancy.

<https://kepas.or.kr>

ROOTENERGY

About Root Energy

Root Energy is a global social enterprise (B Corp) that works with local communities to drive the expansion of renewable energy and strengthen community acceptance. At offshore wind and other renewable energy project sites, we support the formation and operation of governance structures such as public-private councils based on social impact

assessments and stakeholder analysis, design deliberation and public consultation processes, and operate a community funding platform that enables local residents to invest directly and share in the benefits. Through these activities, we are building sustainable partnerships between government, local authorities, developers, and local communities.

<https://rootenergy.kr/>



