

**UNDER EMBARGO: 12:01AM Thursday 14<sup>th</sup> December 2023**

## **Simple streamlining to fix NSW clean energy project delays: report**

**14 December 2023, Canberra:** Against the backdrop of COP28 and the global acknowledgement that renewable projects need to be rolled out at pace, the Clean Energy Investor Group has today released a report aimed at improving NSW planning approval processes so the state can decarbonise more quickly.

Leading international law firm, Herbert Smith Freehills has reviewed the NSW planning approvals process to inform CEIG's new report.

Average approval times for State significant development renewable energy projects have blown out or lag behind other Australian jurisdictions, which is delaying NSW's efforts to achieve net zero greenhouse gas emissions by 2050.

It took almost 10 years for the single wind farm approved in NSW in the past five years to get the go ahead, while on average, it took nearly two years for solar and more than a year for batteries to be approved.<sup>1</sup>

"When it comes to climate change we don't have a decade to wait for approvals. The process needs to be robust, but a decade is far too long for any project," CEIG CEO Simon Corbell said.

The report shows the approvals process in NSW takes 2-3 times longer than in other States, prolonging project timelines by 4-7 years. It also increases developer application costs by 25 times in contrast to Queensland.

"NSW's current planning approvals process for generation, storage and transmission are not fit-for-purpose to enable the scale and speed of the energy transition required."

Corbell said that a more efficient approval process needn't compromise thorough and robust community consultation which is vital for the success of new renewable projects.

"Increasing clean energy and phasing out harmful fossil fuels will help us cut pollution and protect our environment. It's a given that projects need to be in the right locations, in consultation with communities, and any environmental impacts are minimised," he said.

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<sup>1</sup> Based on HSF's review of the NSW Department of Planning and Environment [Major Projects website](#) (as at November 2023) in relation to State significant projects for the period from October 2018 to November 2023.

Herbert Smith Freehills Partner for Environment, Planning and Communities Peter Briggs said: “By adopting simple fixes identified in our review, NSW can speed up the approvals process while maintaining the thoroughness demanded by the current planning system.”

“The timely completion of key renewable energy projects is crucial for reaching net zero emissions by 2050 in NSW,” he said.

One simple fix is to declare clean energy and transmission projects as critical State significant infrastructure, which has demonstrated quicker approval times while maintaining a comprehensive assessment process.

The report also outlines several ways to easily streamline the draft guidelines under the Draft Energy Policy Framework currently on exhibition until January 2024. This would improve assessment outcomes and streamline the robust approval process, including key issues for industry in NSW relating to dwelling entitlements and visual assessment.

At present the process for assessing the impacts of a *potential* dwelling on neighbouring land to a proposed project is costly and unclear. Making these assessment requirements clear and reasonable would help ensure we reach our net zero goals and not hinder the progress of clean energy projects.

One of CEIG’s recommendations is for the NSW Government to listen to key concerns from leading registered landscape architects over the proposed visual impact assessment requirements for projects, to ensure it’s fit for purpose and achieves appropriate project design outcomes.

You can download a copy of the report here: [ceig.org.au](https://ceig.org.au)

Note: Renewable energy projects are classified as a State significant development when the capital investment value of the project exceeds \$30 million (or \$10 million in a prescribed environmentally sensitive area), or the Minister ‘calls-in’ a specific project.

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**About the Clean Energy Investor Group:** The Clean Energy Investor Group presents 21 domestic and global investors with a combined Australian portfolio value of over A\$38 billion and more than 76 clean energy assets under management. It is an investor body, representing the unique perspective of clean energy investors to regulators, policy makers and the broader energy sector. <https://www.ceig.org.au/>

**About Herbert Smith Freehills:** Herbert Smith Freehills is a world-leading international law firm. Located in 25 offices across Asia Pacific, UK, EMEA and North America, operating at the heart of the new global business landscape, providing premium, full-service legal advice for some of the world's biggest organisations. Peter Briggs heads the Australian Environment, Planning and Communities team within the Project, Energy and Infrastructure group. He specialises in advising major corporate and government clients on environment and planning issues for major energy, resource, infrastructure and urban development projects.

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