

18 October 2024

Committee Secretary  
Senate Standing Committees on Environment and Communications  
Commonwealth Government  
Lodged online via [submission portal](#)

Dear Committee Secretary,

**Response to Commonwealth Parliament's Senate inquiry into the EPBC (Reconsideration of Decisions) Bill 2024**

The Clean Energy Investor Group (CEIG) welcomes the opportunity to provide feedback on the Commonwealth Parliament's Senate inquiry into the Environment Protection and Biodiversity Conservation Amendment (Reconsideration of Decisions) Bill 2024 which was referred on 10 October 2024.

CEIG represents domestic and global renewable energy developers and investors, with more than 16GW of installed renewable energy capacity across more than 76 power stations and a combined portfolio value of around \$38 billion. CEIG members' project pipeline is estimated to be more than 46GW across Australia. CEIG strongly advocates for an efficient transition to a clean energy future on behalf of the investors who will provide the low-cost capital required for this transition.

**Key Points**

- **CEIG supports the EPBC Amendment** as it addresses the current uncertainty surrounding approvals under the EPBC Act.
- The EPBC Amendment's **clear timeframes for reconsidering decisions will increase investor confidence in clean energy projects.**
- CEIG believes the EPBC Amendment **will improve the predictability and efficiency of environmental approvals.**
- While CEIG supports the EPBC Amendment, **we recommend shortening the approval reconsideration period from 3 years to 2 years to improve project efficiency and investment certainty.**
- **CEIG highlights a related concern with Section 487 of the EPBC Act**, which allows

small anti-renewables groups to delay projects by setting a low threshold for a 'person aggrieved'.

- **CEIG suggests clearer guidelines and limitations for a 'person aggrieved'** to align with the original intent of supporting genuine environmental conservation appeals.

## GENERAL COMMENTS

CEIG appreciates the opportunity to provide a submission on the Senate inquiry into the Environment Protection and Biodiversity Conservation Amendment (Reconsideration of Decisions) Bill 2024 (EPBC Amendment). CEIG understands that the EPBC Amendment aims to establish a clear 36-month time limit from the date of approval for reconsidering previous environmental approval decisions and restricts who may request such reconsiderations from the Minister.

### **The EPBC Amendment will increase investor certainty**

CEIG supports the EPBC Amendment as it addresses the current uncertainty surrounding approvals under the EPBC Act, providing greater clarity on environmental approvals.

By setting clear timeframes for reconsidering decisions, the EPBC Amendment would enhance confidence when a project approval is received, which CEIG views as a significant benefit for clean energy investors seeking regulatory certainty. Clear rules and timelines are key to boosting investor confidence in the sector.

As strong advocates for the efficient development of clean energy projects that can be delivered without major harm to the environment or climate, CEIG believes the EPBC Amendment will improve the predictability and efficiency of environmental approvals.

We also welcome the introduction of clear parameters on who can request reconsideration and the establishment of the 36-month timeframe.

### **Consider a shorter timeframe**

While CEIG supports the EPBC Amendment, we recommend a shorter timeframe for approval reconsideration. We propose reducing the period from the suggested 3 years to 2 years, as this would further enhance the efficient development of clean energy projects and provide greater certainty for investors.

### **Additional considerations**

While CEIG acknowledges that this issue may fall outside the scope of the proposed EPBC Amendment, we would nonetheless like to highlight a related concern within the EPBC Act. Section 487 sets a low threshold for determining a 'person aggrieved,' which enables small, anti-renewable energy groups to create significant uncertainty and delays for projects. In our view, this undermines the original intent of Section 487, which is to allow parties with a genuine and consistent commitment to environmental conservation to challenge decisions under the EPBC Act. CEIG believes this could be addressed by providing clearer guidelines and limitations on the extended definition of a 'person aggrieved' under Section 487.

CEIG thanks the Commonwealth Parliament for the opportunity to provide feedback on its Senate inquiry and looks forward to continued engagement on those issues. Our Head of Policy and Advocacy can be contacted at [marilyne.crestias@ceig.org.au](mailto:marilyne.crestias@ceig.org.au) if you would like to further discuss any elements of this submission.

Yours sincerely,



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