

## **Quick fixes to EPBC coupled with renewed legislative efforts can unlock renewable investment – new report**

12 December 2024, Sydney. The principal barriers for renewable energy investment in Australia are the significant delays and inefficiencies in environmental assessments under the [Environment Protection and Biodiversity Conservation \(EPBC\) Act](#).

A new report released today by the [Clean Energy Investor Group](#) (CEIG) and Herbert Smith Freehills (HSF), *Delivering Major Renewable Energy Projects*, identifies critical roadblocks in the current system that hinders investment in large-scale renewable energy projects and proposes immediate fixes and long-term reforms.

### **Barriers to Investment**

The report reveals concerning trends regarding the EPBC Act's complex and protracted processes that are hindering renewable energy investment. Key findings include:

- A **doubling in project referrals** under the EPBC Act from 2020 to 2023: in 2020 there were 23 referrals; in 2023 there were 40.
- A **doubling in timelines**, with average decision-making periods for controlled actions (requiring comprehensive environmental assessments) increasing from 62 days in 2021 to 136 days in 2023.
- A growing **backlog of projects**, with only 6 of 19 project referrals to the EPBC Act from 2021 and none from 2023 receiving final approvals to date.
- **Extended final approval timelines**, with renewable energy projects referred in 2019 averaging 505 days (1.3 years) and those in 2021 taking an average of 831 days (2.2 years) to secure approval.

### **Key recommendations include:**

Recognising the urgency of the renewable rollout, CEIG and HSF propose several “quick wins” within the existing framework to make processes more efficient, reduce delays, and provide clarity for investors. These include:

- Aligning State and Federal assessment processes to eliminate duplication.
- Limiting and clarifying requests for additional information to reduce procedural bottlenecks and delays.
- Increasing resourcing within the Department of Climate Change, Energy, the Environment, and Water (DCCEEW) to handle assessments efficiently.

- Standardising environmental conditions and updating and reforming offset policies, as proposed in the Samuel review, to improve predictability and transparency.

The report recommends progressing legislative reforms needed to deliver efficient and clear outcomes, including urgently implementing the suite of reforms in the Australian Government's Nature Positive Plan to align the EPBC Act with Australia's climate goals, including

- finalising national environmental standards,
- implementing strategic environmental offsets,
- considering landscape-scale assessments for Renewable Energy Zones, and
- recognising the net-positive contribution of renewable energy projects.

**CEO of the Clean Energy Investor Group, Richie Merzian said:** "It is unfortunate that as the roll out of renewable energy projects gathers pace, there is a doubling of renewable projects referred to the EPBC Act and a doubling in time to assess them. Inconsistent and inefficient regulatory processes are hindering the billions of dollars of investment needed for Australia's clean energy transition.

"Clean Energy Investor Group and HSF research shows the roadblocks to rolling out major renewable projects are largely within the control of the federal government to address.

"There are short term fixes that can be introduced to increase the efficiency and coordination of assessment processes for renewable energy projects, and unlock billions in investments to decarbonise the nation while achieving better environmental outcomes.

"The EPBC Act is crucial for environmental protection, and it must also reflect the urgency of Australia's clean energy transformation. The Federal Government should implement these quick wins while urgently progressing the legislative reforms and finalising national environmental standards.

"It is a major concern for investors that the majority of renewable projects referred to the EPBC 3 years ago in 2021 still do not have a final decision at the end of 2024. This hampers investment, it risks further increases in the cost of capital and is detrimental to Australia's net zero transition.

"The Government's 82% renewable electricity target is at significant risk unless these issues are resolved. The Clean Energy Investor Group and its members are ready to engage with the Government on these proposed reforms.

"While major EPBC reforms before Parliament require urgent progress, the federal government can act now on a number of quick wins to secure the confidence of investors, support the Government's emissions targets and lower electricity prices for consumers."

**HSF environment, planning and communities partner, Kathryn Pacey, said:** "Consistent feedback throughout the preparation of our previous reports with CEIG, as well as our own

experience, is that much of the delay, financial impost and procedural impediments to the delivery of renewable energy projects result from interfaces with the EPBC Act.

"We've identified ten quick administrative wins to accelerate EPBC Act assessments and support more predictable processes and timeframes for renewable projects. Implementing these wins, along with other legislative reforms, such as the proposed Nature Positive reforms, will speed up energy transition projects without undermining the need to protect and enhance biodiversity in Australia."

Access the report here <https://www.ceig.org.au/wp-content/uploads/2024/12/HSF-x-CEIG-EPBC-Act-Report.pdf>

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### **About the Clean Energy Investor Group**

The Clean Energy Investor Group 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. 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/>

**List of CEIG Members:** refer to [www.ceig.org.au/](http://www.ceig.org.au/)