

6 December 2024

Hon David Janetzki MP
Minister for Energy
Queensland Government
Lodged via email at: renewablesframework@epw.qld.gov.au

Dear Minister,

Response to Queensland Government's Draft Renewables Regulatory Framework

The Clean Energy Investor Group (CEIG) welcomes the opportunity to provide feedback on the Queensland Government's Draft Renewables Regulatory Framework (the draft Framework) published in September 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

General comments

- **CEIG supports the development of the Draft Renewables Regulatory Framework** and encourages the Qld Government to ensure it delivers robust planning policies and regulatory certainty.
- A CEIG Member survey identified **planning and environmental assessments as the top challenges to renewable energy investment in Australia**, highlighting their critical importance.

Enhanced environmental outcomes

- **The design of the Framework presents an opportunity to improve alignment between State and Federal assessment processes** (e.g., EPBC Act) to reduce

- duplication, delays, and costs and supports meeting the QLD Government's objectives.
- We support either **amending the VMA to allow 'relevant purpose' determinations under section 22A of the VMA** to be considered concurrently with development applications or exploring other administrative solutions to streamline this process.
 - **CEIG recommends better alignment between assessments under State Code 23 and the EPBC Act** to avoid delays and cost increases for Queensland wind projects.
 - **CEIG's Members are broadly content with Queensland's existing planning assessment processes and the timeframes for making decisions**, with Commonwealth environmental assessments identified as the primary source of delays.
 - **Key challenges have been noted in Queensland's planning assessment process including:**
 - Inconsistent project assessments
 - OSOM vehicle escorts
 - Council rate transparency
 - Appeal-related project delays
 - Inconsistency in decision-making
 - Community engagement
 - **CEIG supports an expanded role for the DETSI** in assessing renewable energy projects but **recommends a risk-based approach** be taken, recognising the relatively low environmental impact of wind, solar and battery projects.
 - CEIG supports REZ assessments to manage cumulative impacts and **recommends encouraging development within REZs through REZ-wide EPBC Act referrals and centralised environmental offset approaches.**
 - **CEIG supports the establishment of strategic offsets that proponents can contribute to.**
 - **We encourage the timely development of in-flight REZs** to provide clean energy developers and communities with certainty.
 - **CEIG appreciates Queensland working with the Commonwealth to align environmental assessment** frameworks and suggests extending coordination beyond REZs.
 - **CEIG supports bioregional planning** to identify optimal areas for renewable projects and suggests making state land available where appropriate.
 - We highlight the **importance of industry consultation in identifying optimal sites for renewable energy and transmission**, ensuring alignment with resource availability and regional constraints.

Effective community participation

- **CEIG supports the introduction of a Code of Conduct, the establishment of independent Community Leader Councils, and the improvement of First**

Nations engagement including the development of REZ-wide Indigenous Land Use Agreements and Cultural Heritage Management Plans.

- **CEIG encourages Queensland to take an active role in cultural heritage surveying across REZs.**
- **CEIG endorses minimum standards for community benefits** but warns against “buying” social licence, advocating for genuine engagement.
- CEIG encourages the Queensland Government to **explore the benefits of establishing Local Energy Hubs** in REZs across the State.

Easy access to information

- **CEIG supports increased transparency for communities** on renewable projects but **recommends safeguards to prevent strategic opposition to developments.**

Enduring landholder protections

- **CEIG supports defining mutual expectations between developers and landholders** but cautions against fixed legal clauses that could unintentionally become compliance standards, **advocating instead for flexible guidance documents that support fair negotiations.**
- **CEIG favours landholder payments based on property-specific values and impacts** rather than a flat rate.
- CEIG recommends that the Queensland Government **adopt flexible, risk-based financial assurance mechanisms for project decommissioning** to encourage industry-led best practices.

Efficient industry facilitation

- **CEIG endorses leveraging the Coordinator-General's role** to create efficient assessment pathways for renewable energy projects.
- CEIG highlights **concerns about REZs in Queensland, including uncertainties around access rights, costs, and lack of market-driven incentives.**
- **CEIG recommends reconsidering the coordinated project pathways** under the *State Development and Public Works Organisation Act 1971* to **enable a risk-based assessment approach.**
- CEIG urges the Queensland Government to **provide specific coal power station retirement dates**, current status, and timelines for conversion into clean energy hubs.
- CEIG highlights that **excessive risks and high grid and infrastructure costs are jeopardising project viability**, and calls for a clearer risk allocation strategy.

GENERAL COMMENTS

CEIG commends Queensland for its well-structured approach to the energy transition, with legislated renewable energy targets of 50% by 2030, 70% by 2032, and 80% by 2035. The Queensland Energy and Jobs Plan (QEJP) offers a clear roadmap to achieving these targets, providing the long-term certainty investors need.

CEIG appreciates the draft Framework's intent to coordinate government actions to ensure consistent and streamlined engagement, communication, regulation, assessments, approvals, and oversight – enhancing certainty for investors. CEIG supports strengthened regulations in the form of robust planning policies and regulatory certainty from the Queensland Government.

CEIG conducted a survey of its Members to identify the key challenges to renewable energy investment in Australia. Planning and environmental assessments emerged as the top two issues, underscoring their critical importance. We therefore welcome the focus on improving these processes through the draft Framework.

Recognising the importance of efficient planning assessments for renewable energy projects, CEIG engaged Hebert Smith Freehills (HSF) earlier this year to review the statutory planning approval processes across National Electricity Market (NEM) states, including Queensland¹. Many of the recommendations in this submission are informed by insights from that report.

ENHANCED ENVIRONMENTAL OUTCOMES

CEIG supports the draft Framework's emphasis on achieving improved environmental outcomes alongside the energy transition. CEIG encourages the Queensland Government to proactively and efficiently coordinate planning and environmental assessments for projects that can be delivered without causing major harm to the environment or climate.

Updates to the wind code

CEIG understands that Queensland Government is also reviewing the Relevant Purpose Determinations under the *Vegetation Management Act 1999* (VMA) to streamline requirements for wind farm applications that involve operational work requiring native vegetation clearing, in consultation with industry stakeholders.

CEIG is aware that obtaining a relevant purpose determination under section 22A of the VMA is leading to substantial project delays because the determination must be completed before lodging development applications. This sequential process adds significant time to project timelines, further exacerbated by the absence of statutory timeframes on the determination process. Currently, development applications for operational works and material changes of use involving native vegetation clearing require a relevant purpose determination. We support either amending the VMA to allow 'relevant purpose' determinations under section 22A of the VMA to be considered concurrently with development applications, or exploring other administrative solutions to streamline this process².

Additionally, there is limited alignment between wind farm assessments under State Code

¹ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

² CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

23 and assessments under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). CEIG Members have observed that Queensland wind farms often receive higher assessment requirements at the EPBC Act stage and have experienced instances where State development permits must be amended to comply with EPBC Act approval conditions³. This discrepancy can lead to substantial delays and increased project costs, creating uncertainty for developers. CEIG believes improved alignment between the Queensland Government and the Commonwealth in terms of between State and Federal assessment processes will reduce duplication and facilitate a more efficient pathway for renewable energy projects.

Planning framework review for renewables

CEIG understands that the Queensland Government will explore the planning framework's role in renewable energy development, along with further potential reforms for projects such as solar and battery developments.

Overall, CEIG Members express satisfaction with Queensland's assessment processes and the timeframes for making decisions, with Commonwealth environmental approvals identified as the primary source of delays.

However, some key challenges have been noted in Queensland's planning assessment process⁴:

- **Inconsistent project assessments:** Wind farms are code assessable and assessed by the state, while solar farms, battery energy storage systems and transmission lines are generally assessed by local governments. Refining State processes to allow for the assessment of 'hubs' – such as solar, wind, and battery projects in a single location – would be beneficial.
- **Oversize overmass (OSOM) vehicle escorts:** Frequent last-minute cancellations of police escorts for OSOM vehicles due to resourcing constraints cause delays and cost increases. CEIG recommends implementing the Review of Oversize Overmass Wind Farm Arrangements to address these issues, consulting with the Department of Transport and Main Roads to enable qualified private pilots to assist and improving government coordination to upgrade transportation corridors or facilitate cost-sharing among developers.
- **Council rate transparency:** Limited transparency on how council rates are levied on renewable energy projects.
- **Appeal-related project delays:** Concerns exist that appeals to the Planning and Environment Court could introduce substantial project delays.
- **Inconsistency in decision-making:** Inconsistency in decision-making at the local level, combined with a lack of data on development applications, assessment milestones and decision-making timeframes, presents challenges.

³ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

⁴ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

- **Community engagement:** Managing community expectations around visual impacts, benefit sharing, and the need for additional transmission lines to support renewable energy remains critical. Social licence could be strengthened by establishing an ‘expressions of interest’ register for potential host lots.

Expanded role of the State environment agency

CEIG supports an expanded role for the Queensland Department of Environment, Tourism, Science, and Innovation (DETSI) in assessing renewable energy projects, noting that this enhanced involvement could also promote a more transparent and accountable decision-making process for renewable energy projects.

However, we recommend that DETSI's involvement be risk-based, recognising that wind, solar and battery projects generally pose minimal environmental harm beyond vegetation clearing compared to coal mining, mineral extraction and gas activities.

Proactive planning and strategic advanced offsets in REZs

CEIG supports the use of renewable energy zone (REZ) Readiness Assessments to identify local and regional opportunities and address cumulative impacts. Effectively managing cumulative impacts, especially within REZs, remains a key challenge for the sector⁵.

We believe that early-stage planning, informed by social, economic and environmental factors, can promote better environmental outcomes and more efficient assessments for renewable energy projects. As such, CEIG supports the establishment of strategic offsets that proponents can contribute to.

CEIG also recommends that the Queensland Government take proactive steps to encourage development in the REZs and maximise their potential. This could include exploring REZ-wide referrals under the EPBC Act, as well as coordinated and centralised approaches to environmental offsets⁶. Streamlined state approvals, such as designating State Development Areas, would also facilitate efficient assessments within REZs.

Additionally, the Queensland Government should continue to advance the delivery of in-flight REZs to provide clean energy developers and local communities with certainty regarding future land use and the operational framework for clean energy development in these areas⁷.

Alignment with Commonwealth environmental assessment processes

As the single biggest challenge for our Members, CEIG appreciates Queensland's

⁵ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

⁶ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

⁷ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

proactive approach to working with the Commonwealth Government to establish a more coordinated environmental assessment framework, including securing strategic advanced offsets that satisfy both State and Commonwealth requirements. We recommend extending this coordination beyond REZs to further position Queensland as an attractive destination for renewable energy investment.

States can take steps now to ensure their processes align with the objectives of the EPBC Act reforms and the new National Environmental Standards⁸. For instance, in considering state-level reforms, careful consideration will be needed regarding the proposed new accreditation arrangements under the EPBC Act reforms. To realise the intended efficiencies of these arrangements, states must ensure their assessment and authorisation processes meet the accreditation standards and align with the decision-making criteria of the CEO of the proposed Environment Protection Australia and the Commonwealth Minister for Environment.

Bioregional planning

CEIG also supports the ongoing efforts in bioregional planning. Providing clarity on low-risk areas for renewable energy development – where projects are more likely to receive an efficient assessment – is valuable for developers. CEIG also encourages the Queensland Government to make state land available for renewable energy development, where appropriate.

While CEIG acknowledges the importance of thorough planning to identify optimal sites for renewable energy and transmission, we advise against introducing specific maps too early in the consultation process. This approach can be counterproductive, as observed during the consultation on the draft NSW Energy Policy Framework⁹.

The environment cannot be considered in isolation and engaging with developers on these matters is beneficial to ensure that areas deemed suitable for renewable energy development reflect both resource availability, regional constraints, landowner considerations and construction requirements.

EFFECTIVE COMMUNITY PARTICIPATION

Mandatory Code of Conduct for renewable energy developers

CEIG understands the Queensland Government is developing a mandatory Code of Conduct for renewable energy developers, creating independent Community Leader Councils through Coexistence Queensland, and improving engagement with First Nations communities to increase local benefits from renewable energy.

CEIG recognises that a key challenge in the sector is the lack of formal coordination in community consultations, leading to multiple developers consulting the same community

⁸ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

⁹ CEIG (Jan-24) [Response to the NSW Government's Draft Energy Policy Framework](#)

members on similar issues for different projects¹⁰. This results in inconsistency, misunderstandings and consultation fatigue. For these reasons, CEIG supports the introduction of a Code of Conduct, the establishment of independent Community Leader Councils, and the improvement of First Nations engagement. We look forward to reviewing the details of the Code of Conduct for renewable energy developers.

Cultural heritage management and engagement guidance

CEIG values the engagement being conducted by the Queensland Government with regional partners and First Nations communities near major energy infrastructure within REZs to potentially create cultural heritage management and engagement guidance for renewable energy projects with First Nations people.

CEIG has previously supported the development of REZ-wide Indigenous Land Use Agreements and Cultural Heritage Management Plans, and we are pleased to see steps being taken to explore the benefits of developing these further¹¹.

In the long term, renewable energy projects could be delivered more quickly if the Queensland Government takes an active role in cultural heritage surveying across REZs. By managing native title and cultural heritage at the REZ level through a negotiated Indigenous Land Use Agreement, the State could provide a framework under which proponents can operate.

Minimum standards for community benefits

CEIG understands that Queensland is considering setting clear minimum standards for community benefits. As we transition to a renewable energy economy, the value of a coordinated, state-level approach to community benefit sharing is evident. Such an approach is key for the meaningful development of local communities, enabling impactful initiatives like skills training programs and substantial investments in education and healthcare infrastructure – efforts that may exceed the capacity of individual developers.

However, when setting minimum standards for community benefits, it is important to take a balanced approach in determining appropriate benefit-sharing rates. CEIG would like to highlight that we do not support the notion of ‘buying’ social licence. We recognise social licence is much more complex and requires genuine engagement rather than a transactional approach. When community benefit sharing is not thoughtfully structured, it can be seen by communities as an attempt to buy their approval.

Interviews with community leaders conducted by RE-Alliance emphasises that trust, fair processes, and a deep understand of community needs are essential for community benefit funds to deliver meaningful, tangible results¹².

¹⁰ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

¹¹ CEIG & HSF (Apr-24) [Delivering Major Clean Energy Projects in Queensland and Victoria | A Review of Statutory Planning Approval Processes](#)

¹² RE-Alliance (Dec-23) [Building Stronger Communities – Community benefit funds](#)

RE-Alliance's research found that when communities experience positive engagement and equitable processes from the project proponent, they often have a positive perception of community benefit sharing. Conversely, in communities where renewable energy projects have caused divisions, community benefit funds may be perceived as attempts to bribe opponents, which can further polarise communities.

Genuine engagement means listening to local concerns, building long-term relationships, and providing host communities with benefits that go beyond financial contributions. Local benefits are foundational to social licence and should remain central to any framework that determines how communities benefit from renewable energy projects.

Local Energy Hubs

CEIG also encourages the Queensland Government to explore the benefits of establishing Local Energy Hubs in REZs across the State. These hubs would serve as a valuable resource, offering communities the information and support needed to plan for large scale renewable energy projects that deliver local benefits^{13,14}. By providing a trusted, accessible point of contact, Local Energy Hubs would enable community members to better understand new energy infrastructure and its implications, including the opportunities it presents. This approach would build greater local engagement and trust needed to enable the energy transition.

EASY ACCESS TO INFORMATION

Improving transparency of renewable energy pipeline

CEIG supports providing communities with greater transparency around developments planned in their area. We understand that the Queensland Government aims to achieve this through a notification scheme for renewable energy developers and is also considering the creation of a comprehensive online portal with project mapping.

While we welcome measures to increase transparency for communities, we emphasise the importance of safeguards to prevent the misuse of this information as a means to strategically oppose project developments.

For example, CEIG Members have encountered issues in some states where dwelling entitlements can significantly impact renewable energy projects. If a landowner learns of a project and then applies for a building permit for a planned dwelling – even without actual construction – they may become eligible for compensation as an ‘impacted neighbour’. CEIG proposes that the Queensland Government outline a clear and reasonable methodology for assessing impacts of renewable energy projects on dwellings to prevent misuse increased project transparency.

ENDURING LANDHOLDER PROTECTIONS

¹³ RE-Alliance, CPA, Yes2Renewables (n.d.) [Local Energy Hubs](#)

¹⁴ CPA (n.d.) [Local Energy Hubs: Policy Summary](#)

Improving support and compensation for landholders

CEIG understands that the Queensland Government is exploring compensation options for landholders, including requiring developers to provide financial support for landholders to access independent advice, as well as considering the development of standard model contracts or clauses for landholder agreements.

For standard model contracts or clauses, as noted in the draft Framework, these should be developed in close consultation with industry and peak organisations to ensure they effectively support negotiations between landholders and project developers.

While CEIG supports-in-principle defining mutual expectations between developers and landholders, we caution against introducing bespoke legal and financial clauses. Using a legal template may risk of inadvertently becoming a compliance standard.

Any document that is introduced should allow flexibility and serve primarily as general guidance rather than as fixed clauses. CEIG acknowledges the value of a guidance document that provides clear expectations and practical guidance to support fair negotiations for all parties.

Regarding a potential landholder payment framework, CEIG supports payments based on property-specific values and impacts rather than a flat rate, allowing flexibility in payment structures as long as there is a transparent method to assess these features and determine appropriate compensation.

Enforcing end-of-life planning and protections

CEIG understands that the Queensland Government is exploring models to provide financial assurance for managing end-of-life activities for renewable energy projects, such as surety bonds or financial securities to limit decommissioning risks for landowners.

CEIG supports the enforcement of end-of-life planning but emphasises the need for an approach different from that used in the resources sector. Rather, we suggest that decommissioning policies and financial securities should focus on flexible, risk-based mechanisms that encourage and reward best practices within the renewable energy sector.

CEIG advocates for frameworks that establish clear standards for responsible decommissioning while avoiding one-size-fits-all financial instruments. Policies should support and promote industry-led best practices for end-of-life planning and protections.

We would welcome the opportunity to collaborate on a framework that promotes voluntary, industry-led stewardship aligned with Queensland's environmental conservation goals and strengthens Queensland's investment attractiveness.

EFFICIENT INDUSTRY FACILITATION**Streamlining processes and facilitation**

CEIG supports exploring ways to leverage the Coordinator-General's role to create more efficient assessment pathways for renewable energy projects. As noted in the draft Framework, efficient development assessment processes and reduced assessment decision timeframes are key for increasing industry certainty and improving Queensland's appeal as an investment destination for clean energy.

The draft Framework also suggests allowing projects, especially those within proposed REZ locations, to proceed through the Coordinator-General's assessment pathways. This approach would increase the attractiveness of REZs in Queensland for renewable energy developers.

Additionally, the Coordinator-General's connection with the Commonwealth Government could bring further advantages by aligning and coordinating State and Federal assessment processes.

Currently, large wind projects can be declared a 'coordinated project' and undergo assessment under the *State Development and Public Works Organisation Act 1971*. However, developers rarely choose this option due to the additional 1-2 years it adds to the timelines under the State Code process. CEIG recommends reconsidering the coordinated project pathways to enable a risk-based assessment approach, determining whether projects require an environmental impact statement (EIS) or an impact assessment report (IAR).

Improving the appeal of REZs

CEIG understands that while REZs could offer an alternative planning pathway for renewable energy development in Queensland, full implementation of the REZ Roadmap and its associated benefits is still several years away.

CEIG Members have raised concerns about REZs in Queensland, including uncertainties around unclear access rights, costs, and lack of market-led incentives, prompting some developers to prefer operating outside of REZs. There is a need to ensure that the development of the REZ Roadmap is agile and focus on incentive-driven approaches rather than purely centralised planning which can be inefficient.

Queensland could benefit from adopting principles from the NSW REZ connection process, such as establishing clear access standards, centralising system strength, and processing power system studies for groups of REZ developers.

Driving investor confidence through greater certainty

CEIG appreciates the focus on supporting industry growth by streamlining processes, providing greater certainty to drive investment confidence, and building industry partnerships.

Coal closure certainty

CEIG urges the Queensland Government to provide specific coal power station retirement

dates, current status, and timelines for conversion into clean energy hubs, with this information incorporated into the Supergrid Infrastructure Blueprint update. Clear timelines for coal power closures are essential to improve investor confidence.

Transmission and infrastructure concerns

A robust transmission network is needed, however CEIG notes developers are currently bearing excessive risks and high grid costs, jeopardising project viability. A clearer risk allocation strategy is required, as high grid costs are making projects uneconomical, and developers do not stand to benefit from carrying this risk. High infrastructure costs, particularly those arising from state procurement requirements, further compound these challenges.

CEIG thanks the Queensland Government for the opportunity to provide feedback on its Draft Renewables Regulatory Framework and looks forward to continued engagement on those issues. Our Head of Policy and Advocacy can be contacted at marilyne.crestias@ceig.org.au if you would like to further discuss any elements of this submission.

Yours sincerely,



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