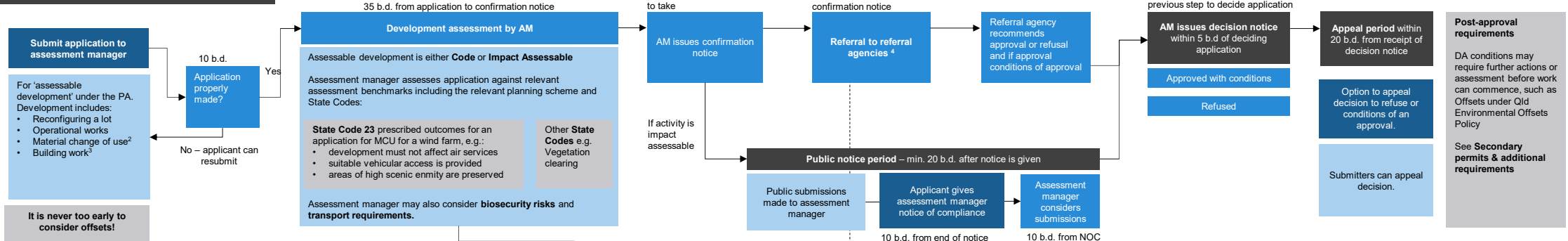


Standard development assessment pathway for many renewable energy projects  
**Planning Act 2016 (Qld)**

3-6 months<sup>1</sup>



### Renewable Energy Project Pathways Queensland Approvals Process

Prepared by MinterEllison. © MinterEllison 2024. Current as at January 2024.  
 This is a high-level summary for a Queensland land-based renewable energy project and is not intended as legal advice. Project-specific legal advice to identify the optimal legislative pathway for your project is recommended at the outset.

### Information Request

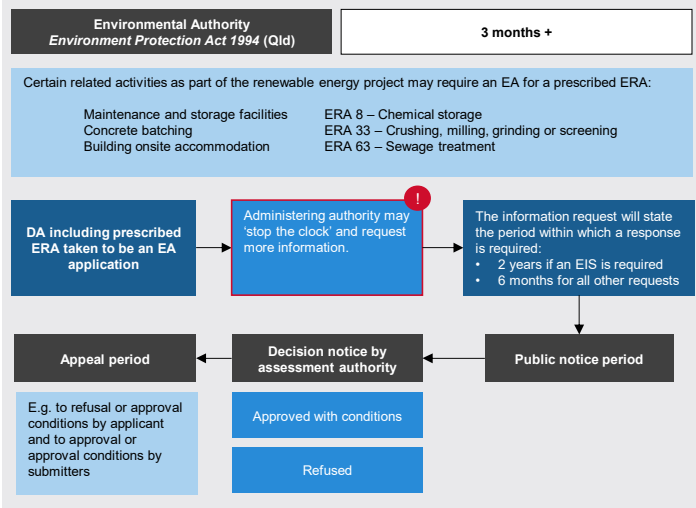
The AM and referral agencies may request further information via an **information request**. Applicant must respond within 3 months of the date of the information request. Information requests can be made:

- Within 10 b.d. of confirmation notice being issued (Code and Impact assessable applications)
- Within 10 b.d. following application being completed (Code assessable applications)
- Within 10 b.d. of referral agency assessment period

Information requests can be used by assessment manager, referral agencies and/or applicant to 'stop the clock'. Assessment managers and referral agencies can make multiple information requests.

### Examples of secondary permits & further considerations

Application for a generation authority under the <b>Electricity Act 1994 (Qld)</b>	Offset requirements under the <b>Environmental Offsets Act 2014 (Qld)</b> for significant residual impacts by prescribed activities
Access to state-controlled road corridors and additional road works under the <b>Transport Infrastructure Act 1994 (Qld)</b> . Agreements may be required with State Departments or local council to address impacts and operational needs of the Project.	Compliance with <b>Nature Conservation Act 1992 (Qld)</b> and any Species Management Plans for impacts on protected animal breeding places
Regulation of land clearing under <b>Vegetation Management Act 1999 (Qld)</b>	Regulated activities in areas of regional interest may require Regional Interests Development under the <b>Regional Planning Interests Act 2014 (Qld)</b> . This currently applies to resources activities but may be expanded to capture renewable projects.
Consider overlapping resource tenements under the <b>Mineral and Energy Resources (Common Provisions) Act 2014 (Qld)</b>	Compliance with <b>Native Title Act 1993 (Cth)</b> and <b>Aboriginal Cultural Heritage Act 2003 (Qld)</b>



Key step	Action from proponent	Decision by assessing authority	Additional information / public action
<b>Glossary</b>			
AM	Assessment manager	EP Act	<i>Environment Protection Act 1994</i>
b.d.	Business days		
CG	Coordinator-General	IAR	Impact Assessment Report
Cth	Commonwealth of Australia	MCU	Material change of use
DA	Development application	NOC	Notice of compliance
DM	Development manager	PA	<i>Planning Act 2016</i>
EA	Environmental Authority	PR	<i>Planning Regulation 2017</i>
ERA	Environmentally Relevant Activity	Qld	Queensland
		REZ	Renewable Energy Zone
EIS	Environmental Impact Statement	SDPWO Act	<i>State Development and Public Works Organisation Act 1971</i>

### Footnotes

- 1 Complex projects with e.g. multiple referrals or several information requests may have longer timeframe for approval.
- 2 Section 115 of the PA: Where an application for MCU for a prescribed ERA is assessable development, the development application also constitutes an application for EA.
- 3 Sch 6 of the PR prohibits building work for a wind farm being assessable development. Additional work outside of 'wind farm' structure will require building permits.
- 4 Applications may also be referred to third parties for advice.

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Streamlining processes available	Establishment	Location designation	Linear infrastructure and land resource	Approvals
Pre-lodgement meetings are recommended with relevant assessment manager to understand planning requirements and identify triggers.	The Queensland Government is developing Renewable Energy Zones to help coordinate development in areas of high renewable potential.  The <i>Energy (Renewable Transformation and Jobs) Bill 2023</i> provides a framework for the declaration of a REZ by regulation, and connection and access to transmission networks in REZs.  QREC is in discussion with Queensland regulators about the facilitation of renewable energy projects within a REZ.	In <b>State Development Areas</b> all <b>SDA development applications</b> will be assessed by the CG against a scheme prepared for the SDA.  SDAs can allow for: • streamlined assessment by CG • access to shared infrastructure • land access and regulatory certainty	CG may designate and acquire land for proponent for a <b>Private Infrastructure Facility</b> .  Proponents must have taken reasonable steps to negotiate the purchase of the land by agreement. CG can compulsorily acquire land only as a last resort.  <b>A Ministerial Infrastructure Designation</b> can facilitate the delivery of community-supporting infrastructure and replace the DA process.	<b>Coordinated project</b> declaration under the SDPWO Act can replace certain stages of assessment under State legislation and allow the CG to impose conditions on approvals by other authorities and may be considered particularly where there is an EIS requirement.  <b>Prescribed project</b> declaration under the SDPWO Act empowers the CG to intervene in other approvals processes to ensure timely decision making.  The Planning Minister may <b>'call in'</b> development applications involving a State interest and assess and decide the application.