

31 January 2024

Our ref: WD:MC

Committee Secretary
Transport and Resources Committee
Parliament House
George Street
Brisbane Qld 4000

By email: [REDACTED]

Dear Committee Secretary

Energy (Renewable Transformation and Jobs) Bill 2023 – question on notice

Thank you for the opportunity to appear before the Transport and Resources Committee on 22 January 2024 to discuss our submission on the Energy (Renewable Transformation and Jobs) Bill 2023 (**Bill**).

At the public hearing, we took a question on notice, when we were asked to comment in relation to the new Renewable Energy Zones (**REZ**) and whether there should be a body or authority to oversee the REZ.

We make the following comments for the committee's consideration.

Executive summary

If the Bill is passed, the new legislation would require the REZ delivery body to undertake a number of processes before a REZ can be declared.

These processes involve oversight by the relevant Minister and the Treasurer, as well as a statutorily prescribed public consultation process for the draft REZ management plan.

The REZ assessment process may also involve the chief executive of the Department or the Coordinator-General, to enable a coordinated approach with input from other perspectives.

If the Committee has concerns about the level of oversight for the establishment and management of a REZ, some additional options for consideration might include:

- Providing for a statutory review of the REZ declaration and REZ delivery body process within, for example, 2 years of commencement of the legislation. The review could include an opportunity for public submissions on their experiences with the REZ delivery body; and
- Requiring the REZ management plan to include a complaints and dispute resolution mechanism for the public and landholders, in addition to the dispute resolution process in clause 42 of the Bill.

Proposed statutory process for REZ declaration and REZ assessment

If the Bill is passed, the following processes must be completed before a REZ can be declared:

1. A regulation can declare part of Queensland to be a REZ. The Minister may recommend the Governor in Council make the regulation provided the criteria in clause 38 of the Bill are met:
 - a. The Treasurer has approved the recommendation;
 - b. A REZ delivery body has recommended the declaration; and
 - c. The Minister is satisfied the area is suitable and the declaration will help achieve the purposes of the Bill in clauses 3(a) and 3(b).
2. It is envisaged that the REZ delivery body will be Powerlink Queensland,¹ a government owned corporation responsible for managing Queensland's high voltage transmission network.
3. The regulation must also identify the **management plan** for the REZ.
4. The management plan process involves a number of steps:
 - a. The REZ delivery body must prepare a draft management plan for the REZ, which complies with the criteria in clause 41 of the Bill, for the consideration and endorsement of the Minister. This includes:
 - i. Information about the timing of development of the REZ transmission network and certain technical information about the network itself.
 - ii. details about dispute resolution processes for disputes about connection and access to the REZ transmission network (clause 42(c) of the Bill); and
 - iii. the process the transmission network service provider will use to identify the entities that may connect to and access the transmission network and projects in the REZ.
 - b. The draft management plan is then published by the Minister for a period of at least 60 days of public consultation.
 - c. The REZ delivery body must consider each of the submissions made, amend the draft plan to deal with the submissions (if any) and report to the Minister about how the submissions were dealt with in the final draft.
 - d. The responsible Ministers can require the REZ delivery body to make further amendments to address submissions (clause 46 of the Bill).

¹ Powerlink Queensland is the trading name of Queensland Electricity Transmission Corporation Limited. The consultation paper accompanying the exposure draft of the Energy (Renewable Transformation and Jobs) Bill 2023 stated, at page 21, that "It is proposed that a new REZ delivery body will be appointed by the Minister for Energy and that it is currently anticipated Powerlink will perform this function." Consultation paper accessed 31 January 2024 at <https://yoursayhpw.engagementhq.com/energy-bill-consultation>

- e. As noted earlier, the Minister may only recommend the declaration of a REZ if the Minister is satisfied the management plan meets all of the statutory criteria.
 - f. The Minister must keep a copy of the management plan for a REZ available on the Department's website (clause 47 of the Bill).
5. The Minister can also request a REZ delivery body to undertake a **REZ assessment**, to help determine whether an area of Queensland is suitable for declaration as a REZ.
- a. Before making such a request, the Minister must consult with the Treasurer.
 - b. A regulation can also require:
 - i. the REZ delivery body to conduct the REZ assessment in consultation with:
 1. The chief executive of the department or an appropriately qualified public service employee nominated by the chief executive;
 2. The Coordinator-General under the State Development and Public Works Organisation Act 1971; or
 - ii. The REZ assessment to be approved by either or both of the above entities.
6. QLS notes the intent is that the REZ assessment will not "displace existing development and planning assessment and approvals processes, for example environmental assessment and approvals required under Queensland and Commonwealth legislation."²

Given the objectives of the Bill, there is a balance to be achieved in streamlining and progressing renewable energy projects whilst maintaining transparency about the process relied upon to support the delivery of projects.

There are a number of positive procedural elements in establishing a REZ which support transparency around the process:

- The making a regulation, on the recommendation of both the Minister and the Treasurer;
- The public consultation process for the draft management plan for the REZ;
- The publication of the final management plan on the Department's website;
- The ability to require a REZ delivery body to work with the Department and the Coordinator-General on a REZ assessment.

QLS also welcomes the requirement that the management plan include a dispute resolution process for participants in the REZ to raise issues with the REZ delivery body.

Additional options for oversight of the establishment and management of a REZ

If the Committee has concerns about the level of oversight for the establishment and management of a REZ, some additional options for consideration might include:

² Explanatory Notes for the Bill, page 42.

Energy (Renewable Transformation and Jobs) Bill 2023 – question on notice

- Providing for a statutory review of the REZ declaration and REZ delivery body process within, for example, 2 years of commencement of the legislation. The review could include an opportunity for public submissions on their experiences with the REZ delivery body; and
- Requiring the REZ management plan to include a complaints and dispute resolution mechanism for the public and landholders, in addition to the dispute resolution process in clause 42 of the Bill.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via [REDACTED] or by phone on [REDACTED]

Yours faithfully,



Rebecca Fogerty
President