

Hydrogen and Renewable Energy Act

Issues paper

SUMMARY

South Australia's renewable energy future

South Australia is a global leader in the transition to clean energy. In just over 15 years, the state has transformed its energy source from 1 per cent to more than 65 per cent renewable energy and is powering towards a target of 100% net renewables by 2030.

As global economies also look to decarbonise, there is growing international demand for clean fuels from renewable sources, including hydrogen. For Australia to achieve net zero carbon emissions by 2050, energy derived from renewable sources will need to be about 40 times larger than today's national electricity market.

With its abundant wind, sun, land and infrastructure, South Australia is well-positioned to capitalise on this shift.

To leverage our world leading renewable resources and develop a hydrogen and renewable energy industry, we need to establish an orderly, government-led system to ensure that any developments respect the environment and deliver shared benefit for all South Australians.

Ensuring benefits for all South Australians

There is a significant amount of investment and development proposed for South Australia and strong interest in establishing renewable energy projects on government-owned pastoral lands and state waters, which are co-owned by native title groups.

The informed, early and ongoing participation of Aboriginal people is essential to achieving the development of a globally significant and sustainable renewable energy and hydrogen sector in South Australia.

It is also important that hydrogen and renewable energy development delivers a net benefit to the environment, including minimising the impacts on the state's natural resources.



**Government
of South Australia**

Department for
Energy and Mining

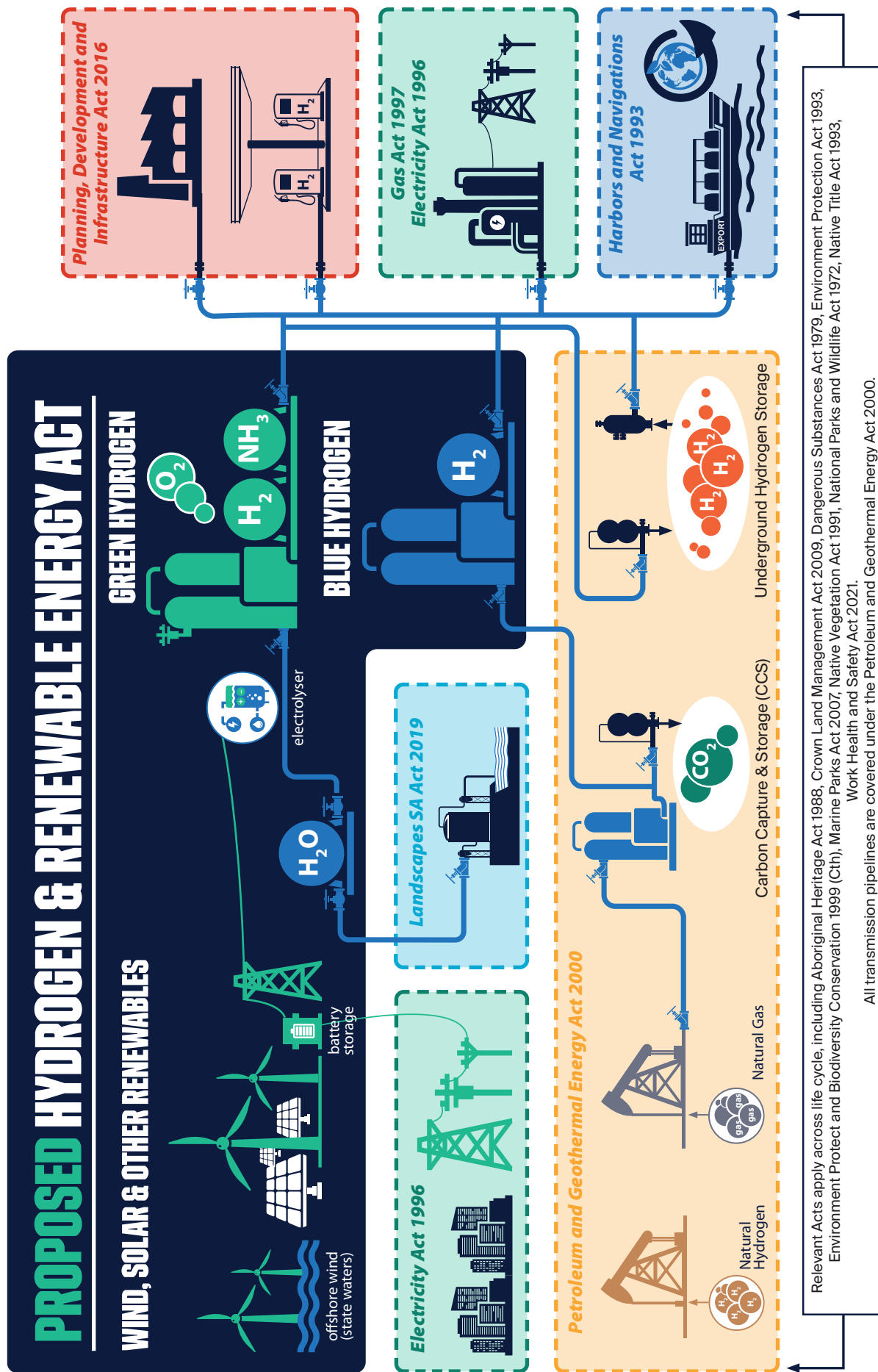


Figure 1 Shows the scope of the Act and interactions with other legislation



The Hydrogen and Renewable Energy Act

To develop a sustainable industry that provides the best outcomes for communities and respects native title and the environment, we need a fit-for-purpose regulatory framework in place.

The Department for Energy and Mining is seeking your views on a new Hydrogen and Renewable Energy Act, which would introduce a 'one window to government' licensing and regulatory system for the lifecycle of large-scale hydrogen and renewable energy projects in South Australia (Figure 1).

What's new?

- **A pre-competitive identification of priority areas on pastoral land and state waters:** this will determine where we host renewable energy projects and where project proponents will compete for licences and land tenure.
- **Competitive allocation of licenses to proponents for pastoral land and state waters:** applicants, subject to transparent selection criteria, will compete for licenses to pastoral land and state waters. This will ensure we only host those projects willing to embrace coexistence with current land uses and deliver community and environmental benefits through their projects.
- **New licensing arrangements for projects across all land types:** this will enable regulation of the whole project life cycle, avoid land-banking activities and facilitate the capture of resource data.

- **Environmentally sustainable development:** a framework that places development in the context of net environmental benefit, environmentally sustainable practices, and circular economy outcomes.
- **Well-resourced and effective regulation:** full cost recovery for government services through licence fees and charges, with fit for purpose compliance and enforcement powers.
- **Land protection and restoration:** financial assurance requirements to ensure land is rehabilitated and returned to pre-existing conditions.
- **Pursuing multiple land use outcomes:** provisions that support multiple land use and fair outcomes for landowners, communities and other pre-existing land rights.
- **Deriving benefit for the entire state:** a financial mechanism to share the future benefit of the value associated with access to the state's natural resources.

What's staying the same?

- Small scale renewable energy developments (threshold to be determined) would still be regulated under the *Pastoral Land Management and Conservation Act 1989* (SA).
- The *Planning, Development and Infrastructure Act 2016* (SA) would continue to provide the environmental assessment and development approval framework for renewable energy activities.

- Electricity generation would still be licensed and regulated under the *Electricity Act 1996* (SA).
- There would be no changes to South Australia's environmental and natural resources legislation or how it is administered. Areas of land currently managed under the *National Parks and Wildlife Act 1972* (SA), *Wilderness Protection Act 1992* (SA) and *Marine Parks Act 2007* (SA) would remain that way.
- Offshore wind development applications would still be assessed under the *Planning and Development Act 2016* (SA), including relevant legislative referrals and tenure under the *Harbors and Navigation Act 1993* (SA).
- Access to Crown land managed under the *Crown Land Management Act 2009* (SA) would be managed in the same way.
- All Commonwealth legislation, for example the *Native Title Act 1993* and the *Environment Protection and Biodiversity Conservation Act 1999*, would still apply, where relevant.

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Scan for further information



Have your say

Visit energymining.sa.gov.au/hydrogen-and-renewable-energy-act to read the full Issues Paper and provide your comments on the questions it contains.

Submit your feedback at yoursay.sa.gov.au/hre-act or to DEM.legislation@sa.gov.au.

For any questions, please contact the Department for Energy and Mining at DEM.legislation@sa.gov.au or phone +61 8 8463 3000.

Acknowledgement of Country

As guests here on Aboriginal land, we acknowledge everything this department does impacts on Aboriginal country, the sea, the sky, it's people and their spiritual and cultural connection which have existed since the first sunrise.

Our responsibility is to share our collective knowledge, recognise a difficult history, respect the relationships made over time, and create a stronger future.

We are ready to walk, learn and work together.