



Hydrogen and Renewable Energy Act

Summary of Issues for Discussion

Issue 1 – Objects of the Act

Referring to the information on **page 17**:

- Are the proposed objects considered suitable for the proposed regulatory and licencing framework under the Hydrogen and Renewable Energy Act?
- Are there any important matters that have not yet been addressed in the proposed objects?

Issue 2 – Renewable energy

Referring to the information on **page 18**:

- Does this proposed definition adequately define renewable energy?

“Renewable energy is energy derived from a source that is not depleted when used.”

Issue 3 – Renewable Energy Priority Areas (REPA)

Referring to the information on **page 18**:

- Is the concept of utilising REPAs to identify and prioritise the locations for competitive land access tendering process for the granting of relevant renewable energy licences considered suitable?
- What other factors should be considered in the identification of REPAs?
- Who should be consulted during the REPA identification process and at what points?

Issue 4 – Renewable energy projects

Referring to the information on **page 19**:

- What other forms of renewable energy should be covered in this Act?

Issue 5 – What is not covered in the Act

Referring to the information on **page 19**:

- What other renewable energy activities or resources should not be covered in this Act?
- Should a minimum threshold be applied to electricity generated for renewable energy projects that would require licensing under the proposed Hydrogen and Renewable Energy Act? If so, what nameplate capacity in mega-watts electric (MWe) is appropriate?
- Should any exemption for licensing under the Hydrogen and Renewable Energy Act be solely left to the discretion of the Minister administering the Act? If so, what should the Minister take into consideration when exercising such discretion?



Issue 6 – Hydrogen generation

Referring to the information on **page 20**:

- Is the definition for hydrogen generation fit for purpose?

Issue 7 – Hydrogen generation activities excluded from the Act

Referring to the information on **page 20**:

- Is this inclusion and exclusion from the ambit of the proposed Act for hydrogen generation still fit for purpose?

Issue 8 – Renewable energy projects

Referring to the information on **page 21 and 22**:

- Should such a licensing process only apply to Renewable Energy Priority Areas (REPAs), or should there be a provision to allow for such licences to be granted elsewhere outside REPAs?
- Should the Hydrogen and Renewable Energy Act be more specific regarding the maximum size of REFL areas?
- Should a specific minimum or maximum term for REFLs be specified in the Hydrogen and Renewable Energy Act, and if so how long?
- Should such a term be subject to automatic renewal and/or extension and if so how should the licensee amend the conditions of the license based on technology and/or area?
- Are the proposed selection criteria sufficient for the purpose of ensuring a competitive allocation of REFLs is achieved?
- Are the above provisions for renewing and cancelling the REFLs appropriate for the purpose of ensuring that the natural renewable energy resource(s) within a relevant REPA will be effectively and efficiently developed?
- Is there support for a fit for purpose financial assurance requirement at the licensing stage?

Issue 9 – Renewable Energy Infrastructure Licence (REIL)

Referring to the information on **page 23**:

- Should the Hydrogen and Renewable Energy Act be more specific regarding the maximum size of REIL areas, or leave it to the Minister's discretion on a case-by-case basis?
- Are the issues specified above, which the selection criteria must address, sufficient to ensure a competitive allocation of REILs is achieved?
- Should a specific minimum term for REILs be stated in the Hydrogen and Renewable Energy Act, and if so, how long?
- Should such a term be subject to automatic renewal or extension after the term expires?
- Are the above provisions for renewing or extending and cancelling the REILs appropriate for ensuring that the renewable energy resource(s) within a relevant Renewable Energy Priority Area will be effectively and efficiently developed?



Issue 10 – Hydrogen Generation Licence (HGL)

Referring to the information on **page 23 and 24**:

- Should the maximum size of HGL area be greater than 5 km², or leave it to the Minister's discretion on a case-by-case basis to determine the size?
- Should a minimum term be assigned to a HGL, or should it be left to the Minister's discretion as currently proposed?

Issue 11 – Associated Activity Licence and Research and Demonstration Licence

Referring to the information on **page 24**:

- Is there a requirement or support for an Associated Activity Licence for renewable energy or hydrogen generation?
- Is there a requirement or support for a Research and Demonstration Licence for renewable energy or hydrogen generation?

Issue 12 – Environmental impact assessment process

Referring to the information on **page 24 and 25**:

- Are there any comments regarding the proposal to continue with the current environmental impact assessment process called for under the planning consent provisions of the Planning, Development and Infrastructure Act?
- Are there circumstances where a different approach to environment impact assessment is required, for example precinct development? What could this approach look like?

Issue 13 – On-ground activity approvals

Referring to the information on **page 25**:

- Are there any comments regarding proposed activity notification process?

Issue 14 – Land within a Renewable Energy Priority Area

Referring to the information on **page 26**:

- Are there any changes or inclusions to the listed provisions for entry to land within a REPA and Hydrogen and Renewable Energy Act landowner rights?

Issue 15 – Freehold land

Referring to the information on **page 26 and 27**:

- Is it agreed that rights of freehold landowners are preserved for access to their land as above?
- How could traditional owners benefit from development on freehold land?



Issue 16 – Native Title

Referring to the information on **page 27**:

- Are there Native Title groups that are interested in learning more about investigating a potential Renewable Energy Priority Area on their land?
- Is there more information that Native Title groups and traditional owners would like to receive about the renewable energy and hydrogen sector? What information should be provided?

Issue 17 – Data reporting

Referring to the information on **page 27 and 28**:

- Are the data types, data levels and submission timeframes suitable?
- Are there any further data that should be reported to the state government?
- Is a six-month confidentiality period before public release of reported data suitable?

Issue 18 – Fees and charging

Referring to the information on **page 28 and 29**:

- Is there any concern regarding proposed cost recovery for government service via licence fees?
- Is there any concern regarding proposed rent for renewable energy infrastructure licences on government-owned land?
- What are the key principles that should underpin the development of a financial mechanism that equitably shares the benefit of the value associated with access to natural resources within a particular area of the state?
- When should the financial mechanism be introduced and what represents an appropriate stage of industry maturity?

Issue 19 – General provisions of the Act

Referring to the information on **page 29**:

- Are there any other general provisions that should be included?