

6 June 2024

Hon. Tanya Plibersek MP  
Minister for the Environment and Water  
Commonwealth Government  
Lodged via [online survey](#)

Dear Minister,

**Response to Commonwealth Government's consultation paper on Onshore Wind Farm Guidance**

The Clean Energy Investor Group (CEIG) welcomes the opportunity to provide feedback on the Commonwealth Government Department of Climate Change, Energy, the Environment and Water's (DCCEEW) consultation paper on the Onshore Wind Farm Guidance published in May 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**

- CEIG **supports the development of Onshore Wind Farm Guidelines** under the EPBC Act and **acknowledges the recent budget commitment** for approval process improvements.
- CEIG highlights that the **Federal Government's renewable energy target will be challenging to achieve under these proposed guidelines.**
- **CEIG calls on the Commonwealth Government to improve the administration of the EPBC Act**, including by establishing clearer processing times and committing to a definitive timeline for RFIs.
- CEIG notes clean energy projects currently suffer from **significant assessment process delays** and calls for a coordinated approach to environmental assessments.
- **CEIG cautions that applying the guidelines on a project-by-project basis may**

**lead to suboptimal and inconsistent planning outcomes.**

- CEIG is concerned that **the guidelines could curtail wind projects if avifauna mortality occurs, discouraging investment in wind energy projects.**
- **CEIG warns against extensive survey periods** which will result in insufficient approvals under the EPBC Act, delaying the energy transition.
- **CEIG proposes all projects gather 12 months of survey data**, with clear criteria for Ministerial discretion to extend to 24 months as needed.
- **CEIG recommends adopting a systems thinking approach** with proactive regional planning and spatial tools to ensure optimal, strategically sited projects.
- There is a need to **balance environmental concerns with climate mitigation goals**, emphasising the urgency of clean energy development.

**GENERAL COMMENTS**

CEIG welcomes the development of the proposed Onshore Wind Farm Guidelines under Australia's *Environment Protection and Biodiversity Conservation Act (1999)* (EPBC Act).

CEIG acknowledges the recent *2024-25 Budget* commitment of \$132.2 million to accelerate and improve approval processes, including support for:

- Research on threatened species
- Regional planning to improve environmental decision making
- Strengthen environmental approvals
- Assessments for priority renewable energy projects
- Administration of complex applications and progress on the reform of Australia's cultural heritage laws.

Additionally, we welcome the Prime Minister's acknowledgement that the current environmental approval processes are 'far too slow'. We also emphasise the importance of an improved environmental assessment process to maintain investor confidence in the renewable energy sector.

Finally, CEIG notes the Federal Government's ambitious renewable energy target of 82% by 2030, and highlights that this target will be challenging to meet under the proposed design of the guidelines.

**Inadequate consultation**

CEIG suggests that there is still insufficient awareness of the guidelines and emphasises the importance of thorough industry consultation moving forward. CEIG is committed to collaborating with the Commonwealth Government to ensure the proposed guidelines are effective.

**Concerns about significant assessment delays**

CEIG welcomes the Commonwealth's plan to take a coordinated approach to the environmental assessment process. Additionally, whilst we recognise the recent positive funding announcement to accelerate assessment process times highlighted above,

further actions are necessary to improve assessment processes. This includes engaging with industry stakeholders such as a CEIG to gain insights into projects' experiences and concerns.

Securing environmental approval is becoming increasingly challenging, particularly for wind projects. While CEIG supports robust EPBC assessments, the current administration of EPBC Act remains a large issue for the energy sector.

CEIG is aware of numerous projects owned by its members which have been delayed in the EPBC process for several years. Additionally, the broad and ongoing use of requests for information (RFIs) is highly burdensome, and frequently add years to the process.

The pressures on the environmental assessment process are only expected to increase with the Capacity Investment Scheme (CIS). Projects that receive contracts for underwriting support may still need to navigate federal environmental assessments or state planning agreements, which will add significant pressure to the system.

### **Challenges with a project-by-project approach**

CEIG understand that the guidelines in their current form will be applied project-by-project. CEIG finds that this approach to development planning is inefficient and often leads to suboptimal outcomes. This method fails to incorporate broader upfront regional planning, which would allow for the identification of optimal development sites from the outset. This piecemeal strategy may result in fragmented and inconsistent planning that hinders the ability to effectively identify and utilise the most suitable sites for development.

### **Need to balance environmental concerns with positive climate mitigation**

CEIG supports the development of a guideline that incorporates measures to minimise the environmental impacts of projects through robust environmental data collection. However, this guideline must also be practical to ensure the Commonwealth Government meets its commitment to a net zero future, including the ambitious target of achieving 82% renewables by 2030.

Climate change mitigation is critically important for biodiversity outcomes. Therefore, CEIG urges the consideration of:

- the positive climate mitigation impacts to be delivered by clean energy developments;
- the need for timely delivery of clean energy development to meet climate outcomes and deliver more affordable electricity to consumers.

The urgency of the climate crisis necessitates the accelerates development and deployment of clean energy projects. Delays in bringing these projects online not only hinder our ability mitigate the impacts of climate change through the reduction of greenhouse gas emissions, but these delays also postpone the economic and social benefits of transitioning to clean energy, including more affordable electricity for consumers.

CEIG is concerned that once implemented, the guidelines will result in the curtailment of an entire wind project should avifauna mortality occur. CEIG cautions that this would deter investment in wind energy, causing delays in the transition to clean energy and its subsequent climate and biodiversity benefits.

### **Warning over extensive survey period**

Under the previous Government, the Environment Department issued Interim Guidance on Bird and Bat Management in 2021, requiring two years of avifauna surveys mandating prior to EPBC referrals. This requirement – still in place – deviates from the industry standard of one year of surveys conducted during appropriate seasons for relevant species.

Despite strong industry opposition, the updated draft Onshore Wind Farm Guidance persists in proposing a 24-month survey period. CEIG is also concerned that the 24-month survey requirement is already an expectation, even though the guidelines are still in draft form. The draft guidelines recommend conducting surveys concurrently with the assessment and measurement of wind resources to avoid delays, which is inconsistent with industry experience.

CEIG believes that the idea that 24 months of data collection and surveying will not delay projects is unrealistic. The claim that surveys can be conducted concurrently with the assessment and monitoring of wind resources is misleading and will inevitably extend project development timelines.

For instance, wind monitoring can start as soon as the first landowner agrees to host it, while avifauna monitoring requires a reasonably accurate wind turbine layout, which typically is not available until several years later.

The additional year of survey data and subsequent delays and RFIs is estimated to extend the development timeline by at least 9 to 12 months. This delay could lead to loss of position in the connection queue, expiration of landowner agreements, and other detrimental outcomes. Such setbacks will result in an inadequate number of projects gaining approval under the EPBC Act, thus delaying the clean energy transition and risking the Federal Government's renewable energy target.

## **RECOMMENDATIONS**

### **Shorten survey period**

CEIG proposes that all projects collect 12 months of survey data, with the Minister granted the discretion to extend the data collection period from 12 months to 24 months on a case-by-case basis. This discretionary authority would enable a more nuanced approach, considering factors such as the project's current stage of development, the extent of existing environmental data, and the potential impact on local wildlife. Such flexibility would support projects at various stages of progress while ensuring environmental considerations are appropriately addressed.

To ensure the viability and potential adoption of this recommendation, it is advisable to establish clear criteria for the Minister to exercise this discretion. These criteria could encompass factors such as a requirement for a second year of surveying if unexpected and very high utilisation of a site by endangered avifauna is observed in the initial survey year, the comprehensiveness of existing environmental data, demonstrated compliance with other environmental guidelines, and an assessment of the potential environmental impacts of shortening the survey period.

**Shift to systems thinking approach**

To enhance the efficiency and effectiveness of the guidelines, CEIG recommends shifting from a project-by-project approach to a systems thinking approach, incorporating broader regional planning to provide a comprehensive view. This would involve proactive, upfront planning to identify optimal development sites, supported by spatial planning tools. By doing so, we can ensure that projects are strategically and consistently located in the best areas, leading to better environmental, economic, and social outcomes.

**Balance clean energy goals with environmental considerations**

CEIG advises that DCCEEW clearly communicate, through policy and decision-making criteria, that it is accepted that clean energy projects will have some impacts in light of broader policy objectives.

The Onshore Wind Farm Guidelines should be pragmatic and adaptable, addressing both environmental preservation and industry needs. Consistent and transparent criteria for RFI triggers, which define the scope of RFI requests and set limits on the number of RFIs per project assessment (subject to change if new issues arise), would enhance the robustness of the assessment process. These guidelines should facilitate the timely development of renewable energy projects while ensuring necessary environmental standards are upheld.

CEIG thanks the Commonwealth Government for the opportunity to provide feedback on its draft Onshore Wind Farm Guidance and looks forward to continued engagement on those issues. Our Policy Director can be contacted at [daniel.zelcer@ceig.org.au](mailto:daniel.zelcer@ceig.org.au) if you would like to further discuss any elements of this submission.

Yours sincerely,



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