

Energy Roadmap Amendment Bill 2025

Explanatory Notes

Short title

The short title of the Bill is the Energy Roadmap Amendment Bill 2025.

Policy objectives and the reasons for them

The Energy Roadmap Amendment Bill 2025 (the Bill) amends the *Energy (Renewable Transformation and Jobs) Act 2024* (Energy Act) to deliver the Queensland Government's objectives for Queensland's energy system as outlined in the Queensland Energy Roadmap (Roadmap). It will be renamed as the *Energy (Infrastructure Facilitation) Act 2024*, reflecting the government priorities to facilitate energy infrastructure and investment to deliver affordable, reliable and sustainable energy for Queenslanders. Additionally, the Bill enhances efficiency by streamlining and simplifying the Act, and removing unnecessary prescriptions and processes.

The Queensland Government has committed to repealing renewable energy targets under the Energy Act. Planning and investment in Queensland's energy system will no longer be driven by targets that narrowly focus on renewable energy production in Queensland. Repealing the targets will enable a more flexible, market-driven approach.

The energy system planning, and strategic transmission investment frameworks in the Energy Act will be guided by objectives that reflect government's priority to ensure an affordable, reliable and sustainable energy system.

Amendments to the public ownership provisions will align with the Queensland Government's commitment to retain 100 per cent public ownership of its existing operational generation assets, and provide that Queensland is open for investment in new generation assets.

The Priority Transmission Investment (PTI) and Renewable Energy Zone (REZ) frameworks will be retained and improved to support coordinated and efficient development of strategic transmission infrastructure which, in turn, will facilitate investment in new generation and storage assets. The REZ framework will be renamed to 'regional energy hubs' (hubs) to clarify the framework will facilitate the market-led development of coordinated transmission to connect new generation and storage. Reforms to these frameworks will increase flexibility, and support more efficient administration.

Amendments will also support delivery of the CopperString project, a project to connect North and North West Queensland to the National Electricity Market. The connection of these regions will facilitate investment in new generation and economic growth across the regions. The amendments establish a framework to facilitate delivery of the project through establishing a framework (including a regulation-making head of power) for economic regulation of declared stages. To ensure the efficiency of project costs, advice must be sought on the efficiency of construction and operating costs for each stage.

Further supporting removal of inefficient legislative frameworks, the Bill repeals the Energy Industry Council (Council), the Queensland Energy System Advisory Board (Board) and the Queensland Renewable Energy Jobs Advocate (Advocate). Repealing these bodies, and the removal of their members, is intended to reduce administrative complexity and unnecessary costs. It does not limit the Government's ability to seek independent, expert advice or to consult with stakeholders to inform decisions about the direction of the State's energy policy.

These reforms are intended to deliver more efficient, streamlined and tailored legislative frameworks that support the implementation of the Roadmap.

Achievement of policy objectives

The Bill reframes the Energy Act to prioritise facilitation of an affordable, reliable and sustainable energy system for Queensland. It promotes investment in new energy infrastructure, in line with Queensland Government priorities outlined in the Roadmap.

These objectives are achieved through amendments that streamline and provide flexibility in the planning and strategic transmission infrastructure and investment frameworks. The amendments also simplify the administration of the Energy Act, repealing functions that can be achieved administratively, and removing unnecessary prescription and process.

Energy System Outlook, Strategic Infrastructure Path and Objectives

The Bill repeals the renewable energy targets, reframes Queensland's energy system planning framework by replacing the 'Queensland SuperGrid Infrastructure Blueprint' with the 'Energy System Outlook' and replaces the 'optimal infrastructure pathway objectives' with revised 'strategic infrastructure path objectives.' These changes implement the policy intent for a flexible and market-based approach to electricity system planning to facilitate investment and support evolving energy system needs.

Updates to the energy system planning framework are made in line with the approach taken for the Roadmap. The content requirements for the Energy System Outlook allow future Energy System Outlooks to be responsive to system and market needs.

More flexible provisions are provided in the Bill to replace the current requirements to describe changes in the operations of publicly owned coal-fired power stations and include capacity estimates to achieve renewable energy targets. These provisions allow the Minister, where appropriate, to include estimates of the operating life of publicly owned coal-fired power stations and capacity estimates of energy infrastructure to achieve the strategic infrastructure path objectives.

Public ownership

The Bill clarifies public ownership provisions, revising the targets for generation assets to confirm the State will retain 100 per cent public ownership of its existing operational generation assets. The amendments strengthen Queensland's public ownership provisions.

The public ownership provisions will maintain existing targets relating to 100% public ownership of transmission, distribution and deep storage assets.

Amendments will introduce a target to maintain 100% ownership of all State-owned existing operational generation assets. This replaces the existing target of achieving 54% public ownership of generation assets by 2035, to strengthen this provision. Under certain scenarios, achieving the previous target could have placed additional pressure on Queensland's fiscal and debt position, reducing financial flexibility for other government priorities. By reframing the target, the amendments strengthen the enduring public ownership of existing generation assets. Key definitions within the target requirements are also clarified, providing that Power Purchase Agreements (PPAs) no longer constitute a form of public ownership, and that ownership targets relate only to State ownership.

Governance arrangements

The Bill repeals the Board, Council and the Advocate.

The Board was established to advise the Minister in relation to renewable energy targets, the 'optimal infrastructure pathway' and energy system planning. The Council was established to advise the Minister on the impacts and opportunities for energy workers associated with changes to the energy system including coal-fired power stations. The Advocate was established to advise the Minister on the opportunities and challenges related to employment in the energy industry, and to consult and engage with the community and other stakeholders.

Legislative requirements for the Board, Council, and Advocate have created unnecessary resource demands and complexity. Their functions are, in some cases, duplicative of existing government policy functions, and amendments under this Bill have made the functions of these entities redundant.

Removal of these governance arrangements does not reduce the ability of government to seek expert advice in making energy policy decisions. Where needed, advice can be more efficiently obtained through administrative processes.

Streamlining the PTI framework

The Bill streamlines the PTI framework and improves its flexibility and efficiency, while ensuring appropriate checks and balances to deliver prudent and efficient strategic transmission infrastructure that supports the strategic infrastructure path objectives.

The requirement for the Minister to seek a submission from Powerlink Queensland (Powerlink) and related advice from a suitably qualified person is replaced with a more flexible consultation process. This will improve administrative efficiency but does not remove the requirement for Powerlink and the suitably qualified person to input on key matters prior to a decision to direct Powerlink to assess a candidate PTI project.

Flexibility will be provided for the responsible Ministers to more efficiently consider additional new and relevant information about a PTI project after receiving Powerlink's assessment report and respond to evolving circumstances in directing the construction of projects. The Bill achieves this by enabling the Minister to request additional information from Powerlink, and if this information is received, to direct Powerlink that a varied option be constructed. The varied option must address the project's identified need, and the responsible Ministers must have regard to Powerlink's assessment report, the suitably qualified person's advice, and the further information provided by Powerlink.

The Bill enables the Minister, rather than the responsible Ministers (i.e., the Minister and Treasurer exercising shared decision making), to carry out steps in the PTI process primarily of an administrative nature to improve efficiency. These steps include directing Powerlink to undertake an assessment of a candidate PTI, as well as making related requests for advice from a suitably qualified person, or consulting with or seeking information from Powerlink. The Bill retains responsible Ministers' oversight for more substantive processes.

The sunset clause of 31 December 2035 for the framework will be repealed, in line with the repeal of the 2035 renewable energy target and reflecting that operation of the framework may be necessary beyond 2035 to support achievement of the strategic infrastructure path objectives.

Hubs as a market-led investment framework for coordinated transmission

The hub framework facilitates the market-led development of coordinated transmission to connect new generation and storage. The Bill streamlines and enhances the framework's operational efficiency by removing unnecessary prescription and processes. The process for replacing the management plan for a hub is also clarified and made more flexible.

Clarifications to the negotiated access standards provisions provide certainty regarding the scope of the regulation-making power to streamline connection and access to a hub transmission network. Further amendments clarify how the Australian Energy Market Operator (AEMO) may recover costs incurred in performing functions under the Act, and the types of costs that the transmission network service provider is able to recover.

CopperString project

The Bill inserts a new Part 8 into the Energy Act and establishes the mechanism for the responsible Ministers to facilitate and support the delivery of the CopperString project. The amendments provide for the economic regulation of declared stages.

The amendments require that advice on the efficiency of the proposed costs of constructing and operating each stage from an appropriately qualified person must be obtained before a stage of the project can be declared. Once a stage of the project is declared, the new framework provides a regulation-making power that facilitates making or amending the first transmission determination that applies to the declared stage.

These amendments support delivery of a tailored legislative and regulatory framework for CopperString. It is anticipated that further legislative and regulatory amendments may be required as the delivery model for the project is finalised.

Alternative ways of achieving policy objectives

There are no alternative ways to achieve the policy intent.

Estimated cost for government implementation

No material financial impacts are anticipated for the amendments. It is anticipated that the costs of administering the changes would be met within existing departmental budgets and future Budgetary processes. Removal of governance arrangements will reduce costs to government related to remuneration and administration of the Board, Council and Advocate.

Consistency with fundamental legislative principles

The Bill has been drafted having regard to the fundamental legislative principles (FLPs) in the *Legislative Standards Act 1992* and is generally consistent with these principles. Potential breaches are addressed below.

Rights and liberties of individuals

Delegation of administrative power only to appropriate persons and subject to appropriate review

The *Legislative Standards Act 1992* states that whether a Bill has sufficient regard to the rights and liberties of individuals depends on whether the Bill allows the delegation of administrative power only in appropriate cases and to appropriate persons, and whether the Bill makes rights or liberties dependent on administrative power only if the power is sufficiently defined and subject to appropriate review.

Regional energy hubs – Fees and charges in the management plan

The Energy Act empowers a hub design body to develop a management plan for a hub that may prevent or otherwise regulate a person's access to the hub transmission network or hub controlled assets (see Part 6, Division 3). The management plan must contain the process to enter into a connection agreement including the fees and charges payable.

Clause 37 of the Bill amends section 42 of the Act to clarify that fees and charges stated in a management plan associated with the making, processing and assessing of applications or enquiries include amounts for AEMO to fulfill their functions in that process. These amendments, although clarifying, could be perceived to expand the scope of a management plan by imposing additional fees or charges, and could therefore be considered inconsistent with the FLP regarding the delegation of administrative power only to appropriate persons and subject to appropriate review. However, this is justified to ensure that relevant parties, like AEMO, are able to recover costs for performing their functions, including those related to the safety, security and reliability of the energy system. The amendment also introduces an additional measure to limit any adverse impact on persons by requiring that fees and charges must not be more than the reasonable cost of performing the related functions.

Ordinary activities should not be unduly restricted

Regional energy hubs

The Energy Act currently provides that the Minister may declare that establishment and operational costs that the transmission network service provider cannot recover from participants, can be recovered through charges for prescribed transmission services. Consistent with the Act, this provision may potentially interfere with the commercial relationship between the transmission network service provider and transmission network users, and may therefore be inconsistent with the right to conduct business without interference.

Clause 47 of the Bill amends the Act by inserting new section 69A which clarifies the scope of establishment and operational costs, and clause 49 amends section 71 to provide that the amount of the costs to be recovered must be calculated with regard to the effect of inflation, and then adjusted for inflation over the period of recovery. The amendments do not, arguably,

expand the scope of establishment and operational costs as the current definition at section 69 does not necessarily preclude those matters being considered costs (it just does not specifically provide that they are costs), nor does section 71 specifically preclude that amounts subject to a cost recovery declaration be calculated with regard to, and adjusted for, the effect of inflation.

Nevertheless, to the extent the amendments are inconsistent with the FLP regarding the rights and liberties of individuals, they are considered justified to remove any potential ambiguity regarding the transmission network service provider's ability to recover costs which could have material impacts on its ability to recoup hub investments and its incentive to finance hub development.

Consistency with rights and liberties – privacy and confidentiality

The *Legislative Standards Act 1992* states that whether legislation has sufficient regard to the rights and liberties of individuals depends on whether the legislation does not adversely affect rights and liberties. The right to privacy and the disclosure of private or confidential information are relevant when considering whether legislation has sufficient regard to individuals' rights and liberties.

CopperString project

The Bill, at new section 101, allows the Minister or Treasurer to request information they require to perform respective functions under new Part 8, and to use and disclose the information obtained to perform those functions.

Requiring and allowing for the disclosure or use of confidential information raises a possible inconsistency with an individual's right to privacy and confidentiality. Any inconsistency is justified on the grounds that:

- the power to compel information in this case is strictly confined to information that is specifically deemed relevant for the Minister or Treasurer to perform their functions under the relevant Part and to effectively carry out their functions;
- the allowed use and disclosure of information is clearly and unambiguously limited to particular purposes; and
- any further disclosure or use of the information is also protected by the confidentiality provisions at section 173 of the Bill.

Appropriateness of penalty provisions

CopperString project

Penalties imposed in legislation should be proportionate to the offence and consistent with other penalties. Clause 58, through inserting new section 101, imposes a maximum penalty of 100 penalty units for failing – without a reasonable excuse – to comply with a notice to provide information to the Minister or Treasurer that they require to perform their functions in relation to Part 8. This ensures that the Treasurer and the Minister have the necessary information to effectively carry out their functions. This penalty is considered appropriate as it is proportionate and relevant to the actions to which the consequences relate and are generally consistent with provisions in this Act, and other similar legislation.

Reversing the onus of proof

CopperString project

The *Legislative Standards Act 1992* provides that legislation should not reverse the onus of proof in criminal proceedings without adequate justification. New section 101 inserted by clause 58 of the Bill imposes an obligation on a person – unless they have a reasonable excuse – to provide information to the Minister or Treasurer that the Minister or Treasurer require to perform their functions in relation to Part 8. This new section may cause an inconsistency with this FLP, as this provision intends to impose an evidential burden on the person to adduce evidence substantiating a reasonable excuse, which may reverse the onus of proof.

This is justified on the basis that the relevant fact (i.e., the holding of information required to perform a function) is something impractical to test by alternative evidential means and the facts giving rise to a reasonable excuse are within the particular knowledge of the person. Reversing the onus of proof in these circumstances is also necessary to enable the Minister or Treasurer to perform their functions.

Including a reasonable excuse provision in these clauses allows a person who is subject to the offence to raise a defence of a reasonable excuse for failing to comply with the obligation. The clause is drafted on the assumption that section 76 of the *Justices Act 1886* does not apply to place both the evidential and legal onus on the person to prove the existence of a reasonable excuse for failing to comply with the obligation to disclose. Instead, the reasonable excuse exceptions are intended to impose only an evidential burden on the relevant person to adduce or identify evidence of a reasonable excuse, rather than a legal burden to prove a reasonable excuse on the balance of probabilities.

Protection from liability

CopperString project

The *Legislative Standards Act 1992* states that whether legislation has sufficient regard to the rights and liberties of individuals depends on whether the legislation does not confer immunity from proceeding or prosecution without adequate justification.

Clause 58 inserts new sections 101 that provide that a person complying with a notice from the Minister or Treasurer requesting information, incurs no liability for breach of contract, breach of confidence, or any other civil wrong as a result of the compliance. This is considered justified on the basis that:

- the immunity is limited to specific matters;
- the immunity is appropriately constrained;
- the immunity does not attach to dishonest or negligent acts or omissions (only attaches to a person complying with a notice); and
- it will enable the Minister and Treasurer to be fully informed, allowing them to effectively carry out their functions in relation to Part 8.

Institution of Parliament

Delegation of legislative power

The *Legislative Standards Act 1992* provides that whether a Bill has sufficient regard to the institution of Parliament depends on whether the Bill allows the delegation of legislative power only in appropriate cases and to appropriate persons.

Priority Transmission Investment framework

Sections 20 and 28 of the Act are regulation-making powers. Section 20 allows a regulation to prescribe a project as an eligible PTI, while section 28 enables a regulation to address the financial matters associated with a PTI. These provisions are not materially affected by the amendments of the Bill. However, clause 29 of the Bill removes the sunset clause for the PTI framework, meaning that sections 20 and 28, and the regulations made under these provisions, will remain in effect beyond 2035.

This means this FLP is engaged indefinitely. However, it is considered that this remains justified as:

- regulations made under section 20 or section 28 are subject to Parliamentary oversight and disallowance;
- regulations under section 20 support clarity on which projects fall under the PTI framework;
- regulations made under section 28 prescribe highly technical matters and interact with the national electricity laws, which are frequently updated and amended, meaning delegation of these matters to regulation is appropriate. Inclusion within primary legislation would likely result in frequent amendments; and
- regulations under these provisions are necessary to operationalise the framework, which may be required beyond 2035 to support the achievement of the strategic infrastructure path objectives.

Regional energy hubs

Section 71 of the Act provides that the Minister may make a cost recovery declaration allowing the transmission network service provider to recover a shortfall between establishment and operational costs for the hub transmission network, and the fees and charges paid or payable by participants under section 70. The declaration is subordinate legislation.

Clause 49 of the Bill amends section 71 of the Act to provide that the shortfall amount included in a declaration notice must be calculated taking into account the effect of inflation on both the establishment and operational costs and the fees and charges paid. The amendments to section 71 also require the declaration to provide for how the shortfall amount will be adjusted for inflation over the period the shortfall is recovered.

The amendments may expand the scope of section 71 and could therefore be considered inconsistent with the FLP that legislation allows for the delegation of legislative power only in appropriate cases and to appropriate persons. However, the expansion of matters to be included in subordinate legislation is considered justified as the Act did not expressly provide for a declaration made under section 71 to consider the effect of inflation, which could impact the capacity of the transmission network service provider to recover the present value of its incurred costs in providing a hub transmission network, and may impact its capacity to efficiently finance hub development.

CopperString project

Clause 58 of the Bill inserts Part 8, division 2 that provides the responsible Ministers the power to identify, seek advice on, and declare a stage for the purposes of the regulation-making powers related to financial matters in Part 8, division 3. A notice to declare the identified stage is subordinate legislation.

Declaring a stage of the CopperString project by subordinate legislation may be inconsistent with the FLP regarding the delegation of legislative power. However, this inconsistency is justified on the basis that prescribing a declared stage for the CopperString project within the primary legislation will require a legislative amendment each time a new stage is identified. A number of safeguards have also been provided in the Bill as the power to make a declaration is given to appropriate persons, is subject to matters clearly outlined in the Bill, and the declaration is subordinate legislation and will therefore be tabled in Parliament according to requirements in the *Statutory Instruments Act 1992* and subject to disallowance.

Clause 58 also inserts a regulation-making power at section 99 in relation to the economic regulation of a declared stage of the CopperString project. This provision provides that the transmission determination for the proponent of the declared stage that first applies to the stage must be made in the way and in accordance with the requirements prescribed by regulation. Additionally, a regulation made under this provision may provide for matters to facilitate the making of a transmission determination for the proponent of the declared stage under the national electricity laws for a subsequent regulatory control period. These provisions may also be inconsistent with the FLP regarding the delegation of legislative power. However, this potential inconsistency is justified on the basis that:

- the powers are contained to, and can only be used for, the purposes of the economic regulation of a declared stage of the CopperString project and may not be used for the purpose of any other project;
- the Minister and Treasurer are satisfied that certain matters have been satisfied including that the expenditure and forecast expenditure for the stage reflects the efficient costs of constructing and operating the stage for a person in the proponent's circumstances (see new section 98); and
- these provisions will have interactions with the national electricity laws which are updated frequently, and the matters to be prescribed by regulation will be highly technical in nature. Providing this technical detail in the primary legislation is likely to lead to outdated legislation requiring regular amendment.

Scrutiny of the Legislative Assembly

The *Legislative Standards Act 1992* states that if a Bill has sufficient regard to the institution of Parliament depends on whether the Bill sufficiently subjects the exercise of a delegated legislative power to the scrutiny of the Legislative Assembly.

Priority Transmission Investments

Clause 20 of the Bill amends section 24 of the Act by providing that the Minister may declare an eligible PTI as a candidate PTI (new section 24(1)) and direct Powerlink to assess the project (new section 24(2)). Clause 23 amends the PTI framework, expanding the responsible Ministers' power to declare and direct Powerlink to construct the option in certain circumstances (new sections 26(2) and (4)).

These provisions engage this FLP, as the directions and declarations made under the framework will not be subject to Parliamentary scrutiny. Further, clause 29 of the Bill removes the 2035 sunset clause for the PTI framework, meaning the powers engage the FLP beyond 2035.

However, the engagement of this FLP is considered appropriate and justified as:

- making declarations and directions under these provisions is necessary to operationalise the framework, which may be required beyond 2035 to support the achievement of the strategic infrastructure path objectives;
- the amended Act embeds significant due diligence checks prior to the making of a declaration or direction, particularly in relation to the direction to construct a project. This includes appropriate safeguards in respect of amendments to enable the responsible Ministers to identify and declare a variation to the option identified in Powerlink's assessment report (as delivered under amended section 24). This power is appropriately constrained, enabling the responsible Ministers to only vary the option with regard to additional information sought from Powerlink, Powerlink's assessment report and advice from a suitably qualified person under section 25. Further, the varied option must remain consistent with the relevant project's identified need; and
- the PTI framework largely facilitates the construction of transmission projects already identified in the Energy System Outlook, which will be approved by regulation, providing for additional Parliamentary oversight and disallowance of projects that may progress through the framework.

Regional energy hubs

The Energy Act currently provides that a hub design body may make a draft management plan for a hub which must be approved by regulation. The management plan may then be amended by the hub design body in certain circumstances.

Clause 41 of the Bill inserts new section 49 into the Act to provide that a hub design body may replace a management plan for a hub with a new management plan for the hub.

Allowing for the making of another management plan, to replace a management plan previously approved by regulation, may be inconsistent with the FLP that the Bill have sufficient regard to the institution of Parliament. However, this is considered justified as the ability to replace the management plan is important to ensure it reflects current electricity industry practice and continues to optimise the operation of the hub transmission network as the energy system changes. Further, a replacement management plan must be approved by a regulation made under section 47 of the Act, and so remains subject to Parliamentary scrutiny.

Amendment of an Act

The *Legislative Standards Act 1992* states that whether a Bill has sufficient regard to the institution of Parliament depends on whether the Bill authorises the amendment of an Act only by another Act.

Priority Transmission Investments

The national electricity laws apply in Queensland through the *Electricity – National Scheme (Queensland) Act 1997* and *National Electricity (Queensland) Law*. Section 33 of the Act provides the ability to make a regulation that either displaces or modifies a national provision, and to state how other provisions of the national electricity laws apply in relation to that matter. Practically, this allows regulations made for the PTI framework to amend an Act.

The removal of the sunset clause for the PTI framework means that section 33, and regulations made under this provision, will remain in effect beyond 2035. Section 33's engagement with this FLP is considered necessary and appropriate on the basis that regulations made under this

section prescribe highly technical matters and interact with the national electricity laws, which are frequently updated and amended. Therefore, prescribing these matters in regulation under section 33 is appropriate, as including them in primary legislation would likely result in frequent amendments. The engagement of this FLP by section 33 is also considered appropriate and justified in the long term. This is because making regulations under this provision is necessary to operationalise the framework, which may be required beyond 2035 to support the achievement of the strategic infrastructure path objectives.

Regional energy hubs

The Energy Act, at section 55, currently enables a regulation to be made to provide for the process that is to apply to the negotiation of access standards for the hub transmission network. The process in the regulation will displace or modify the process contained in the national electricity laws (see section 84 of the Act). This is similar to the regulation-making power for the PTI at section 33 discussed above. This power, in effect, allows for regulations to amend an Act and this may be inconsistent with the FLP that an Act may only be amended by another Act.

Clause 42 of the Bill amends section 53 of the Act to expand the scope of the definition of an ‘access standard’ to also apply to plant already connected to a hub transmission network. Clause 44 of the Bill also amends section 55 to provide that a regulation made under section 55 may also include a process providing for arrangements for access standard negotiations which had begun, but had not been completed, under the national electricity laws.

As a result, these amendments expand the scope of the regulation-making power under section 55 which, in turn, provides the scope for the displacement or modification to the national electricity laws. However, any potential inconsistency with the FLP is necessary to capture the full scope of entities which may connect to and access a hub transmission network, including participants that seek to amend their access standards. This ensures that entities are able to effectively respond to technical changes to the energy system, and will provide flexibility to ensure the process for negotiating access standards remains appropriate considering the national electricity laws are frequently amended.

CopperString Project

Clause 58 of the Bill inserts new section 100 to make a regulation that either displaces or modifies the application of the national electricity laws. This is similar to the regulation-making power for PTI and hubs discussed above. This, in effect, allows regulations made under new sections 99 to amend an Act.

The delegation of legislative power is necessary and reasonable as the national electricity laws are frequently amended and updated, thereby necessitating modifications to the national framework to be contained in regulation and not the primary legislation, avoiding the need for frequent consequential Act amendments. The regulation making power is restricted to supporting and giving effect to a provision of a regulation under new section 99 of the Bill. The regulation is therefore limited to only those matters considered by Parliament.

Transitional regulation-making power

The Bill also contains a transitional regulation-making power (new section 193). This will support the transition of the amendments made by the Bill. The power is considered necessary

due to the regulatory complexity involved in the interaction of frameworks as amended by the Bill with the national electricity laws, particularly through the insertion of new Part 8 (CopperString project). Due to these complexities, this transitional regulation-making power is justified to ensure the Bill can be effectively applied. This may raise an FLP issue relating to the authorisation of the amendment of an Act only by another Act.

However, any potential inconsistency is limited as this transitional regulation-making power is subject to several restrictions. Firstly, the matters for which a transitional regulation may provide are limited to those explicitly stated in the Bill. Additionally, the regulation-making power, as well as any regulation made under the power, will expire two years from the date of the commencement of the clause.

Consultation

Targeted consultation on the Bill was undertaken with the AEMO, the Australian Energy Regulator (AER), and Powerlink with respect to their functions under the Energy Act. As part of the consultation process for the PTI and hub amendments, Queensland Treasury briefed Powerlink and the AER. Feedback from Powerlink and the AER was considered during the development of the PTI and hub amendments. AEMO was consulted in relation to hubs and raised concerns regarding its ability to recover costs for its functions under the hub framework. Where appropriate, the Bill has been amended to address stakeholder feedback.

Consistency with legislation of other jurisdictions

The Bill is specific to the State of Queensland and is not uniform with or complementary to legislation of the Commonwealth or another state or territory.

Renewable energy targets

There are varied approaches to renewable energy targets varies across the states and territories. Victoria, South Australia, Tasmania and the Australian Capital Territory have legislated renewable energy targets. The Commonwealth has not legislated its targets. Other jurisdictions do not have renewable energy targets.

Governance arrangements

Most Australian jurisdictions employ non-legislative governance and advisory functions in relation to energy sector interests. Overall, there are no directly analogous cross-jurisdictional examples of legislated independent, statutory bodies with functions aligned with the Board, Advocate or Council.

Coordinated transmission

The National Electricity Law and National Electricity Rules do not provide a legislative framework for government to coordinate new transmission builds with new generation and storage. Various jurisdictions, including NSW and Victoria, have legislated their own coordinated transmission frameworks tailored for their jurisdictional context. The Bill further amends the Queensland framework to meet the state's strategic energy priorities.

Notes on provisions

Part 1 Preliminary

Clause 1 Short title

Clause 1 states that, when enacted, the Bill will be cited as the *Energy Roadmap Amendment Act 2025*.

Clause 2 Commencement

Clause 2 provides that the Bill will commence on assent, save for provisions related to the Priority Transmission Investments framework, which will commence by proclamation.

Part 2 Amendment of Energy (Renewable Transformation and Jobs) Act 2024

Clause 3 Act amended

Clause 3 provides that this Part amends the *Energy (Renewable Transformation and Jobs) Act 2024*. It includes a note that outlines that amendments to this Act are also made in Schedule 1.

Clause 4 Amendment of long title

Clause 4 amends the long title to reflect the amended function of the Act as a result of amendments made by the Bill.

Clause 5 Replacement of s 1 (Short title)

Clause 5 changes the short title of the Act to the *Energy (Infrastructure Facilitation) Act 2024*. The amended title better reflects the nature of the Act following amendments made by this Bill.

Clause 6 Replacement of ss 3 and 4

Clause 6 replaces sections 3 and 4: the main purposes and how those purposes are achieved.

3 Main purposes of Act

The clause replaces the main purposes in section 3 of the Act to ensure the purposes reflect the amendments made by this Bill.

The first purpose of the Act is to increase the amount of electricity generation in Queensland in a way that is cost-effective, safe, secure and reliable.

The second purpose is to facilitate and support the efficient and coordinated augmentation of the national transmission grid in Queensland to accommodate the increased generation of electricity. This is supported by the Energy System Outlook, Priority Transmission Investments and Regional Energy Hub frameworks as amended by the Bill.

It is also a purpose of the Act to provide for support for workers in the energy industry and communities affected by the increased generation of electricity.

4 How main purposes are primarily achieved

The clause updates how the amended main purposes are primarily achieved reflecting amendments made by the Bill.

The clause provides that the main purposes of the Act related to increased electricity generation, and facilitation of efficient and coordinated augmentation of the national transmission grid to accommodate that increased generation, is achieved by providing

for a strategic infrastructure path and objectives, as outlined in the Energy System Outlook, the Priority Transmission Investments framework, the framework for regional energy hubs, and through facilitating and supporting the delivery of the CopperString project.

The Job Security Guarantee Fund (Part 7) primarily achieves main purpose (c) under the amended main purposes.

Clause 7 Amendment of s 7 (Meaning of *optimal infrastructure pathway*)

Clause 7 amends section 7 by replacing the ‘optimal infrastructure pathway’ and ‘REZ’ with the updated terminology ‘strategic infrastructure path’ and ‘regional energy hub’, respectively. This updated terminology is intended to better reflect the nature of the infrastructure identified for inclusion in the strategic infrastructure path for the Energy System Outlook (which replaces the Queensland SuperGrid Infrastructure Blueprint made under amended section 15(1)) and the name change for Part 6 introduced later in the Bill.

Clause 8 Replacement of s 8 (Meaning of *optimal infrastructure pathway objectives*)

Clause 8 amends section 8 to replace ‘optimal infrastructure pathway objectives’ with ‘strategic infrastructure path objectives’. This amendment is reflective of the replacement of the ‘optimal infrastructure pathway’ with the ‘strategic development path’.

Amendments are made to the ‘strategic infrastructure path objectives’, reflecting government’s priorities of affordable, reliable and sustainable energy. The objectives of ‘long-term minimisation of the cost of electricity for Queensland consumers’ and the ‘provision of a safe secure and reliable supply of electricity to Queensland consumers’ are retained.

As a consequence of the repeal of the renewable energy targets, the objective of ‘the achievement of the renewable energy targets’ is replaced. The new objective included is ‘the reduction of greenhouse gas emissions from the generation of electricity in Queensland’. This is intended to enable a flexible approach to identification of infrastructure on the strategic infrastructure path that considers the contribution of the energy system in achieving this objective.

The objectives have been reordered.

Clause 9 Omission of pt 2 (Renewable energy targets)

Clause 9 repeals Part 2 of the Act, to remove the renewable energy targets and the associated review and reporting requirement. This implements the government’s commitment to repeal the renewable energy targets.

Clause 10 Amendment of s 13 (Public ownership strategy)

Clause 10 amends section 13 to revise the public ownership targets and reporting requirements and remove the requirement for the Minister to prepare and publish a public ownership strategy.

Subsections (1)-(2), which provide for and require the preparation of a public ownership strategy, are omitted and amended public ownership targets are set directly under the section with regular reporting requirements associated with the targets.

New section 13(1)(a) replaces the previous requirement to set a minimum 54% generation asset target to be achieved by 2035 within a public ownership strategy. The revised section instead

inserts a target of maintaining 100% public ownership of operational generation assets publicly owned on commencement and that remain operational.

New sections 13(1)(b)-(c) retain the public ownership targets for transmission, distribution and deep storage assets of 100% public ownership, revising these to ongoing targets, rather than targets for to be met by 2035.. These targets are set directly under the legislation with regular reporting requirements.

The amendments require that the Minister is to prepare a report by 31 May 2027, and at further intervals of 2 years, about whether the public ownership targets were achieved. The report must set out how the ownership of each class of energy asset is worked out and must also be published on the website of the department.

The clause also amends the definition of ‘public ownership’ to capture ownership by the State of Queensland (including partial ownership and ownership through a government-owned corporation) only. Amendments are made to this definition to:

- remove references to the ‘Commonwealth’ and ‘local government’; and
- remove from the definition ownership where the State or a government-owned corporation has entered into an agreement or arrangement with another entity relating to electricity generated using the assets, and that agreement or arrangement is prescribed by regulation. This is because it is not appropriate to include Power Purchase Agreements or assets owned by the Commonwealth or local governments, as the State cannot control or guarantee the conduct of other parties.

As a consequence of the amendments made to the section, the section heading is amended from ‘Public ownership strategy’ to ‘Public ownership targets’.

The clause removes redundant definitions, updates terminology to reflect amendments to Part 6, and provisions related to the previous requirements for a public ownership strategy, and makes consequential updates to subsection numbering.

Clause 11 Omission of s 14 (Public ownership report)

Clause 11 omits section 14 as a consequence of revised reporting public ownership target reporting requirements inserted into section 13.

Clause 12 Replacement of pt 4, hdg (Queensland SuperGrid Infrastructure Blueprint)

Clause 12 amends the Part 4 heading, replacing ‘Queensland SuperGrid Infrastructure Blueprint’ with ‘Energy System Outlook’. This change reflects the changed name of the energy system planning document, the Energy System Outlook, made under amended section 15(1).

Clause 13 Amendment of s 15 (Making and approving infrastructure blueprint)

Clause 13 amends section 15 to provide that the document made by the Minister under this provision is to be called the ‘Energy System Outlook’, rather than the ‘Queensland SuperGrid Infrastructure Blueprint’. The Energy System Outlook may be part of another document. The revised name is intended to align more clearly with the intent of the document. Consequential amendments to reflect the changed name are made throughout the section.

The section is also amended to replace references to ‘optimal infrastructure pathway objectives’ with ‘strategic infrastructure path objectives’. This is a consequential amendment to reflect the revised terminology in Part 1.

Subsection (2)(c) is omitted. Section 15(4) is also omitted as a consequence of the omission of section 15(2)(c).

A new subsection is inserted which provides that the Minister may include an estimate of the operating life of each publicly owned coal-fired power station in the Energy System Outlook. This provides additional flexibility around the matters that may be included in the Energy System Outlook, whilst enabling the Minister to advise the market and communities on the anticipated operating life of publicly owned coal-fired power stations operating in Queensland.

Subsection (2)(e) is also omitted. A new subsection (3)(b) provides flexibility as to the capacity estimates that may be included in the Energy System Outlook. The new subsection provides that the Minister may include estimates, at intervals the Minister considers appropriate, of matters relating to the capacity of energy infrastructure required to achieve the strategic infrastructure path objectives (set under amended section 8).

New subsection (3)(c) retains the ability for the Minister to include in the Energy System Outlook any other matter the Minister considers relevant to achieving the strategic infrastructure path objectives or the purposes of the Act.

Together, the amendments to section 15(3) are intended to provide more flexibility for future Energy System Outlooks to reflect the evolving needs of Queensland's energy system.

The example at section 15(2)(a) is omitted and replaced with a reference to hub transmission networks for regional energy hubs. Section 15(2)(d) is also omitted and replaced with a requirement for the system outlook to identify parts of Queensland regions that may be suitable to be regional energy hubs. These are consequential amendments to reflect the renaming of the framework in Part 6 to regional energy hubs.

Subsection (7) is omitted to remove a redundant definition. Consequential amendments are made to update the numbering of subsections as a result of amendments made by this clause.

Clause 14 Amendment of s 16 (Review of infrastructure blueprint)

Clause 14 amends subsections (1), (5), and (6) and the heading of section 16 (Review of infrastructure blueprint) by replacing the reference to 'infrastructure blueprint' with 'system outlook'. These consequential amendments reflect the revised terminology for Part 4.

The clause also amends section 16 to provide that the first review of the Energy System Outlook must take place by 31 May 2027. Retaining the requirement to biennially review the Energy System Outlook ensures that it is regularly updated to reflect changes in the energy system.

Amendments to subsections (2) and (4) also clarify that the Minister may at any time review part of the Energy System Outlook and may make a replacement Energy System Outlook after reviewing. This new provision is in addition to the pre-amended provision's power to review and replace the Energy System Outlook as a whole. This provides the Minister with greater flexibility to review, and replace the Energy System Outlook after undertaking the review, at any time outside of the required biennial review .

The amendments also clarify that the Minister must have regard to specified matters when reviewing any part of the Energy System Outlook. This change is a consequential amendment to reflect the clarification that the Minister is able to review a part of the Energy System Outlook, in addition to the existing discretion to review the whole document, at any time.

Subsections (3)(a) and (3)(b) are omitted, reflecting the repeal of the Queensland Energy System Advisory Board (Part 8) and the Energy Industry Council (Part 9) by this Bill.

Subsection (3)(d) is consequential to the revised terminology in Part 1.

Amendments are made to renumber the provisions and update cross-references.

Clause 15 Amendment of s 18 (Definitions for part)

Clause 15 amends the definition of candidate Priority Transmission Investment under this section as a consequence of the amendment that enables candidate Priority Transmission Investments to be declared under section 24(1), rather than section 21.

The clause also amends the definition of identified need to clarify that this definition applies in relation to an eligible Priority Transmission Investment, candidate Priority Transmission Investment or Priority Transmission Investment.

Clause 16 Amendment of s 19 (Reference to construction of candidate priority transmission investment or priority transmission investment)

Clause 16 amends section 19 to clarify that where there is a reference to the construction of an eligible Priority Transmission Investment, it includes a reference to the construction, testing, and commissioning of the relevant infrastructure. Previously, this clarifying provision applied only to candidate Priority Transmission Investment and Priority Transmission Investment. The amendment is required as a consequence of changes to the steps required to be undertaken prior to a direction to Powerlink to assess a project under amended section 24.

A consequential amendment is made to the heading of the section.

Clause 17 Amendment of s 20 (Eligible priority transmission investments)

Clause 17 replaces references to ‘responsible Ministers’ with the ‘Minister’ to allow the Minister, rather than the responsible Ministers, to make a regulation under section 20 to prescribe a project as an eligible Priority Transmission Investment under the section. This is intended to reduce the administrative process associated with the section.

The clause also amends subsection (2) consistent with the revised terminology for Part 1 and Part 4.

Subsection (2)(b)(ii) is omitted as a consequence of the repeal of the Queensland Energy System Advisory Board (Part 8).

Subsection (2)(b)(iii) is renumbered as a consequence of the repeal of subsection (2)(b)(ii).

Clause 18 Omission of s 21 (Candidate priority transmission investments)

Clause 18 omits section 21, with the ability to declare a candidate Priority Transmission Investment instead moved to section 24 (as amended by this Bill). This change is required as a consequence of the removal of pre-amended sections 22 and 23 by this Bill. As a result, it is no longer necessary to declare a candidate Priority Transmission Investment to enliven the submission and advisory processes under pre-amended sections 22 and 23.

Clause 19 Replacement of ss 22 and 23

Clause 19 omits sections 22 and 23.

New section 22 applies in circumstances where the Minister proposes to make a declaration and give a direction under amended section 24 of the Act. The new section requires the Minister, before making a declaration under amended section 24, to consult with Powerlink and a suitably qualified person about the proposed direction under section 24, including the matters that the direction may or must specify under amended section 24 and any other matter the Minister considers appropriate. The section is intended to improve administrative efficiency and flexibility relative to pre-amended sections 22 and 23 in respect to consultation with Powerlink and the suitably qualified person.

It is not intended to change the minimum matters that must be consulted on. The minimum matters the Minister must consult Powerlink on are:

- the identified need for the eligible Priority Transmission Investment;
- the anticipated date for commencing construction of the investment;
- the anticipated date for completing construction of the investment;
- the appropriate assessment documents for assessing the investment; and
- the minimum modifications to the assessment documents likely to be necessary or appropriate for the investment.

The minimum matters the Minister must consult a suitably qualified person on, after consulting with Powerlink, are:

- whether the identified need for the eligible Priority Transmission Investment proposed by Powerlink or the Minister has been sufficiently described;
- whether the assessment documents recommended by Powerlink or the Minister are appropriate; and
- whether any modifications to the assessment documents recommended by Powerlink or the Minister are appropriate and as minimal as is practical.

When consulting with a suitably qualified person, the Minister is not limited to the matters consulted on with Powerlink under this section.

Clause 20 Amendment of s 24 (Responsible Ministers may direct Powerlink to assess candidate priority transmission investment)

Clause 20 amends the mandatory preconditions that must be satisfied prior to the Minister being able to direct Powerlink to undertake an assessment of a project under the framework.

The clause replaces subsection (1). The amended subsection allows the Minister to declare, by written notice to Powerlink, an eligible Priority Transmission Investment to be a candidate Priority Transmission Investment. This may only take place if, after the Minister has consulted with Powerlink and a suitably qualified person under amended section 22, the Minister decides that an eligible Priority Transmission Investment should be assessed by Powerlink. This clause effectively reintroduces the previous candidate Priority Transmission Investment declaration mechanism under repealed section 21 and is consequential to the repeal of pre-amended sections 22 and 23.

The clause amends subsection (2) to require the Minister to immediately direct Powerlink to assess the candidate Priority Transmission Investment after the Minister makes a declaration under section 24(1).

To streamline the administration of the provision, the amendments require the Minister, rather than the responsible Ministers, to perform functions under the section.

Subsection (2)(b)(ii)(B) is amended to provide that the option identified under section 24(2)(b)(ii) must be consistent with, in addition to other existing requirements, the anticipated date for completion of construction of the investment stated in the direction made under this section. This change is required as a consequence of the removal of the pre-amended section 22 and provides flexibility for the anticipated date for completion of construction of the investment to differ from the date set in the Energy System Outlook.

The clause also amends the section 24 heading as consequence of the revised scope of the section.

Clause 21 Amendment of s 25 (Responsible Ministers must seek advice about Powerlink's report)

Clause 21 makes amendments to allow the Minister to seek advice from a suitably qualified person about any other matter relevant to whether a declaration should be made for the candidate Priority Transmission Investment under amended section 26. This provides additional flexibility for the Minister to seek advice on relevant matters that can be used to inform a Priority Transmission Investment declaration and construction direction under section 26. A related amendment is made to provide that for any requests for advice made under the additional advice request power, the request must state the date by which the advice must be given to the Minister. This is consistent with the existing requirements for advice sought under the section.

An amendment is made to clarify the suitably qualified person's information request powers in respect of advice provided under the section. The amendments provide that, if advice is sought under section 25, then the suitably qualified person may ask Powerlink for any information the person reasonably requires to give their advice, and that Powerlink must give the requested information to the suitably qualified person within a reasonable time.

Amendments are also made throughout the provision to empower the Minister, rather than the responsible Ministers, to perform functions under the section. Consequential amendments have also been made to renumber the provisions in section 25 and update cross-references as appropriate.

Clause 22 Insertion of new s 25A

Clause 22 inserts new section 25A to provide the Minister with the flexibility to request further information from Powerlink before declaring a project to be a Priority Transmission Investment under section 26 as replaced by this Bill. The information requested must be about Powerlink's assessment report (provided under section 24), or any other matter relevant to declaring a Priority Transmission Investment and directing its construction (under section 26).

The section provides that the Minister's request must outline the date that Powerlink must provide the information to the Minister, and that Powerlink must comply with the Minister's request under this new section.

Clause 23 Replacement of s 26 (Responsible Ministers may declare priority transmission investment)

Clause 23 inserts a new section 26, which replaces, combines and makes amendments to the pre-amended sections 26 and 27. It also introduces an ability for the responsible Ministers to direct the construction of an investment that is a variation to the option proposed by Powerlink in its assessment report, providing flexibility for the Ministers to respond to information received (under new section 25A).

The new section applies if the responsible Ministers are satisfied:

- that Powerlink has assessed the candidate Priority Transmission Investment as directed under amended section 24; and
- it would be appropriate to construct the investment to address the identified need (as decided by the Minister in the direction made under section 24) for the investment, having regard to Powerlink's assessment report (under section 24), advice given by a suitably qualified person (under section 25), and, if applicable, any further information given by Powerlink (under new section 25A).

Broadly consistent with the pre-amended section 26, the new section provides that the responsible Ministers may declare the candidate Priority Transmission Investment to be a Priority Transmission Investment to be constructed as directed. The Minister must notify that the declaration has been made in the gazette and publish the declaration on the department's website.

As soon as practicable after declaring a Priority Transmission Investment, the responsible Ministers must direct Powerlink to construct the investment, as was required under the pre-amended section 27.

The responsible Ministers' direction must state an option to address the identified need for the investment. This option must be the same as the option proposed by Powerlink in its assessment report (under section 24(2)(b)(ii)), unless:

- the Minister has requested further information from Powerlink in relation to the option under new section 25A; and
- the responsible Ministers, having regard to Powerlink's assessment report (under section 24), the suitably qualified person's advice on that report (under section 25), and further information received from Powerlink (under section 25A), consider it would be appropriate to vary the option proposed by Powerlink.

In these circumstances, the section provides additional flexibility for the responsible Ministers to state the varied option in the direction.

The direction must require Powerlink to construct the stated option (that is, the option identified by Powerlink under section 24(2)(b)(ii) or, if applicable, the varied option).

Consistent with the pre-amended sections 26 and 27, the amended section 26:

- requires that the direction must also state the anticipated dates, as decided by the responsible Ministers in the direction, that Powerlink will commence constructing the Priority Transmission Investment and complete its construction. The dates may be different to dates stated in the Energy System Outlook for the investment, or to any other anticipated commencement or completion date previously identified under the framework;
- stipulates that Powerlink must take all reasonable steps to commence and complete construction of the Priority Transmission Investment by the anticipated dates set in the direction; and
- clarifies that Powerlink is not prevented from designing the infrastructure the subject of the Priority Transmission Investment, or acquiring land associated with the construction of the investment, before the investment is declared as a Priority Transmission Investment or the responsible Ministers issue the construction direction under this section. This is not intended to constrain the powers of the responsible

Ministers with respect to directions made about financial matters associated with a Priority Transmission Investment.

The new section clarifies that if there is an inconsistency between the requirement under this section that Powerlink take all reasonable steps to commence and complete construction by the anticipated construction commencement and completion dates directed under this section, and the requirement under section 30(1) for Powerlink to comply with a direction given under the Act, the requirements set under this direction prevail.

Clause 24 Omission of s 27 (Responsible Ministers must direct Powerlink to construct priority transmission investment)

Clause 24 omits section 27 as a consequence of the responsible Ministers' power to direct Powerlink to construct a Priority Transmission Investment being included in section 26, as amended by this Bill.

Clause 25 Amendment of s 29 (PTI guidelines)

Clause 25 amends the provisions for making and approving PTI guidelines for Part 5 of the Act. The amendments enable the Minister, rather than the responsible Ministers, to approve PTI guidelines for the Part. To ensure that the Treasurer is consulted with regard to the making of PTI guidelines in respect of responsible Ministers' functions, the amendment clarifies that (where the Minister is not the Treasurer) the Minister must consult with the Treasurer about any guidelines relating to the Treasurer before approving the guidelines under subsection (1).

The amendments include that the PTI guidelines can be made for the purposes of consulting with a suitably qualified person under the Part, in alignment with the Minister's existing power to approve guidelines for directing Powerlink or seeking advice from a suitably qualified person. The amendments also update the requirements for certain matters to be done in accordance with the PTI guidelines, to include that consultation with a suitably qualified person under the Part must be done in accordance with the guidelines. These changes are required as a consequence of the amendments in this Bill to require the Minister to consult with a suitably qualified person prior to making an assessment direction under section 24.

The clause also makes consequential updates to subsection numbering.

Clause 26 Amendment of s 30 (Compliance with directions)

Clause 26 includes a requirement for Powerlink to comply with directions from the Minister, as well as from the responsible Ministers, given under the Part, consequential to amendments made to the Part that enable the Minister to make particular directions to Powerlink.

Clause 27 Amendment of s 31 (Information given to suitably qualified person)

Clause 27 makes amendments to clarify how the suitably qualified person may disclose to the Minister or Treasurer information provided to them by Powerlink under the Part in circumstances where the Minister and the Treasurer are or are not the same person.

Clause 28 Amendment of s 32 (Advice to Minister or Treasurer)

Clause 28 makes amendments to clarify how the Minister or Treasurer may seek advice of another person about a matter under the Part in circumstances where the Minister and the Treasurer are or are not the same person.

Clause 29 Omission of s 34 (Expiry)

Clause 29 omits the expiry date of 31 December 2035 for Part 5, enabling the continued operation of the framework in line with meeting the strategic investment path objectives. The operation of the framework may be necessary beyond 2035, a date linked to the 2035 renewable energy target being repealed by the Bill.

Clause 30 Replacement of pt 6, hdg (Renewable energy zones)

Clause 30 amends the heading of Part 6 replacing ‘Renewable energy zones’ with ‘Regional energy hubs’ to rename the framework in this Part. The new name is intended to align more clearly with the purpose and objectives of the framework.

Clause 31 Amendment of s 35 (Purposes of part)

Clause 31 amends section 35, modifying the purposes of Part 6 to ensure alignment with the amendments made by the Bill. Amendments are made to section 35(a) to reflect the renaming of the framework to regional energy hubs. Section 35(b) is amended to provide that a purpose is to ensure relevant matters are considered when declaring a regional energy hub. The matters include, but are not limited to, the impact of the declaration on Queensland communities. Section 35(c)(ii) is also amended so that another purpose is to provide for coordinated and streamlined connection and access to transmission networks by regulating connection and access to transmission assets that are likely to materially affect the capacity or functioning of the transmission networks.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 32 Amendment of s 36 (Definitions for part)

Clause 32 amends section 36, omitting and replacing most of the definitions for the Part to reflect the change in the name of the framework from renewable energy zones to regional energy hubs. Specifically, the clause omits the definitions of management plan, participant, regulate, relevant transmission network service provider, renewable energy zone or REZ, REZ assessment, REZ controlled assets, REZ declaration, REZ delivery body, REZ transmission network and transmission asset. The clause inserts new definitions for hub controlled assets, hub declaration, hub design body, hub transmission network, management plan, participant, regional energy hub, regulate and relevant transmission network service provider. This updated terminology is used throughout Part 6.

The inserted definition of ‘hub controlled assets’ replaces and amends the previous definition of ‘REZ controlled assets’. Hub controlled assets for a regional energy hub, mean transmission assets that will materially affect, or are likely to, materially affect the capacity or functioning of the hub transmission network and are either outside the hub, or inside the hub but not part of the hub transmission network, and are identified in the hub declaration for the hub as hub controlled assets.

The clause also replaces paragraph (b) in the definition of transmission network service provider to make consequential amendments to defined terms and phrases.

Clause 33 Amendment of s 38 (Declaration of renewable energy zone)

Clause 33 amends section 38, amending the power for a regulation to declare a part of Queensland to be a renewable energy zone, with a power to declare a part of a Queensland region to be a regional energy hub. A related amendment is also made to insert new section 38(3)(a)(i) requiring a declaration of a hub to identify the Queensland region in which the hub is located.

Section 38(3)(c)(iii) is also amended to provide that a regulation made under this section must identify both existing and proposed transmission assets that are hub controlled assets. Previously, only existing transmission assets were able to be identified as hub controlled assets. Allowing for proposed transmission assets to also be identified as hub controlled assets will provide an earlier locational signal to entities seeking to connect to those assets.

The clause also provides that the requirement at section 38(2)(a) for the Minister to obtain the Treasurer's approval before recommending Governor in Council make a regulation declaring a regional energy hub, applies only if the Minister is not the Treasurer.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 34 Amendment of s 39 (Term of declaration and restriction on amendment or repeal)

Clause 34 amends section 39(2)(a) to clarify the requirement for the Minister to obtain the Treasurer's approval before recommending Governor in Council make a regulation amending or repealing a hub declaration, applies only if the Minister is not the Treasurer.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 35 Amendment of s 40 (Performance of functions under division)

Clause 35 amends section 40 to amend the matters the Minister and Treasurer must have regard to when performing a function related to the declaration of regional energy hubs. The requirement in section 40(a) for the Minister and Treasurer to have regard to the 'infrastructure blueprint' is replaced with a reference to the 'system outlook' to reflect the revised terminology in Part 4.

In addition, new section 40(b) replaces the requirement for the Minister and Treasurer to have regard to any REZ assessment with a requirement to have regard to the impact the development and operation of a transmission network in a hub has, or is likely to have, on communities. This amendment reflects the removal of REZ assessments from the Energy Act, while maintaining a requirement on the Minister and Treasurer to consider the impact on communities when performing a function under the division. This helps achieve the purpose of Part 6 at section 35(b), to ensure relevant matters, including the impact on communities, is considered in the declaration of regional energy hubs.

The clause also makes amendments to the example at section 40(c) to replace reference to the 'REZ delivery body' with the 'hub design body'.

Clause 36 Amendment of s 41 (Content generally)

Clause 36 amends section 41, omitting the requirement at subsection (1)(c)(ii) for a management plan to identify the renewable energy sources in the REZ, and clarify the regional energy hub framework supports new energy generation and storage projects. New section 41(1)(c)(i) is inserted to require the management plan for the hub to identify the Queensland region in which the hub is located. A new section 41(1)(d)(i) is inserted to require a management plan to include the term of the declaration of a hub under section 38(3)(d).

The clause also makes consequential amendments to numbering within the section and replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 37 Amendment of s 42 (Information about REZ transmission network)

Clause 37 amends section 42 of the Act. Subclause (4) amends the section 42(1)(a) requirement for the management plan to provide information about the timing of the development of, and connection and access to, the hub transmission network, to instead require information about the proposed timing.

Subclause (6) omits the reference to ‘renewable energy source’ from section 42(1)(b)(ii) to clarify the regional energy hub framework supports new energy generation and storage projects

.

Subclause (7) inserts new sections 42(1)(b)(v)(A) and (B) to clarify that a management plan must contain information about the process for an entity and a transmission network service provider to enter into a connection agreement for connection and access to the hub transmission network and that this may include, for example, the functions of AEMO in assessing applications or enquiries. Further, the fees and charges for the making, processing and assessing of applications or enquiries for the connection and access includes fees and charges for negotiating access standards under section 55. Relatedly, subclause (11) replaces section 42(2) adding a reasonableness requirement by providing that the fees and charges mentioned in section 42(1)(b)(v)(B) must not be more than the reasonable cost of performing the functions. New section 42(2) also clarifies that the fees and charges in section 42(1)(b)(v)(B) must include fees and charges payable to AEMO for performing its functions in relation to the application or enquiry.

The requirement under the former section 42(2) to consider certain matters when identifying entities and projects that can connect to and access the hub transmission network under the process in section 42(1)(b)(iv) was omitted, as it has been superseded by other government policies to strengthen social licence requirements.

Subclause (8) omits section 42(1)(c) which requires the management plan for a hub to contain details about dispute resolution processes for disputes about connection and access to the hub transmission network between the transmission network service provider and participants and proposed participants. A bespoke dispute resolution process in each management plan is no longer considered necessary, and this will streamline and simplify the hub framework.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6 and makes consequential amendments to numbering within the section.

Clause 38 Replacement of s 44 (Application of subdivision)

Clause 38 omits section 44 and replaces it with a new section that replaces superseded defined terms and phrases to reflect updated terminology used in Part 6. New section 44 also includes a note referencing the new subdivision 4 on replacement management plans, which provides at section 49(2) that subdivisions 2 and 3 apply in relation to the replacement management plan, subject to the limitations identified.

Clause 39 Amendment of s 46 (Consultation on draft management plan)

Clause 39 amends section 46 to no longer include the consultation period for a draft management plan that is replacing an existing management plan. This is a consequential amendment due to the insertion of a new subdivision (division 3, subdivision 4) on a replacement management plan for a regional energy hub.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 40 Amendment of s 48 (Amendment of management plan)

Clause 40 amends section 48(2)(b) to enable the hub design body to amend a management plan with the approval of the chief executive to reflect an amendment to a hub declaration in relation to the term of the declaration of the hub.

The clause also makes consequential amendments to defined terms and phrases to reflect updated terminology used in Part 6 and to renumber the provisions.

Clause 41 Replacement of pt 6, div 4 (REZ assessment)

Clause 41 omits Part 6, division 4 on REZ assessments and replaces it with a new subdivision 4 in Part 6, division 3 about replacement management plans.

The clause inserts new section 49 on replacement management plans that provides the hub design body may replace an existing management plan for a regional energy hub with a new management plan for the hub, to be known as a replacement management plan.

Subdivisions 2 and 3 related to the preparation and approval and amendment of a management plan also apply to the replacement management plan, subject to limitations outlined in section 49(3) to (5).

When publishing a replacement management plan for consultation the Minister must ensure the following information is also published under section 46(1)(a) with the draft replacement management plan:

- the changes between the existing management plan and the draft replacement management plan; and
- that submissions about the draft replacement management plan may only relate to the proposed changes.

The mandatory consultation period for the draft replacement management plan in section 46(1)(b)(i) must be a reasonable period decided by the Minister having regard to the nature of the changes between the existing management plan and the draft replacement management plan, and this may be less than the 60 day period required for the draft management plan.

In applying section 46(3) to the draft replacement management plan, the hub design body must consider each submission received to the extent it relates to the proposed changes, and it may consider submissions to the extent they relate to matters outside the proposed changes. For the purposes of the report given to the responsible Ministers under section 46(3)(c)(ii) outlining the submissions made and any associated amendments made to the draft replacement management plan, submissions are to be included to the extent they are considered by the hub design body.

Once a regulation is made under section 47 approving a replacement management plan, the Minister may, under the process in section 39, recommend to the Governor in Council the making of a regulation amending the hub declaration to identify the replacement management plan, without requiring a new declaration for the hub to be made under section 38.

Clause 42 Amendment of s 53 (Definitions for division)

Clause 42 amends section 53, replacing the definition of access standard, to broaden the definition to also apply to technical requirements for plant that is connected to the transmission network, in addition to plant to be connected to the transmission network. The clause also inserts a new definition for ‘connection and access process’ for the hub transmission network, being the process for entering into a connection agreement as stated in the management plan for the hub under section 42(1)(b)(v).

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 43 Amendment of s 54 (Restriction on connection and access to REZ transmission network)

Clause 43 amends section 54, omitting subsection (5) to remove the reference to the dispute resolution processes outlined in the management plan applying despite anything in the national electricity laws. As a result of this omission, provisions about dispute resolution in the national electricity laws will be able to be applied to disputes about connection and access to the hub transmission network through a regulation made under section 84. This amendment will streamline and simplify the hub framework.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 44 Amendment of s 55 (Negotiated access standards)

Clause 44 amends the regulation-making power for negotiated access standards at section 55, replacing references to a proposed participant with a new definition of ‘relevant entity’, that means both an entity that proposes to be, or that is, a participant for a regional energy hub. This amendment provides that a regulation may also prescribe a process for negotiating access standards that applies to participants, for example, a process that applies if a participant intends to modify their plant.

Subclause (4) amends section 55(2) of the Act to enable a regulation to prescribe arrangements for access standards for technical requirements for plant connected or to be connected, to the hub transmission network under subdivision 3 or 4. This amendment allows for a regulation to also provide for a process for giving effect to existing access standard negotiations for entities with existing rights and expectations under subdivision 3 or 4.

Subclause (5) amends section 55(3) of the Act to provide that an access standard negotiated under section 55 is taken to be an agreed standard of performance under the National Electricity Rules, and, if included in a connection agreement, a negotiated access standard for the purposes of the National Electricity Rules.

Clause 45 Replacement of s 68 (Purpose of division)

Clause 45 replaces section 68, the purposes for the cost recovery division in Part 6. The new section includes a clarification that the purpose of the division is to provide a framework for the recovery of costs associated with the hub transmission network incurred by AEMO, in addition to the costs incurred by the transmission network service provider.

The clause removes purposes related to the recovery of costs for REZ assessments to reflect their removal from the Act, consequential to amendments under this Bill. The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 46 Amendment of s 69 (Definitions for division)

Clause 46 amends section 69 to replace the definition of ‘establishment and operational costs’ to reference the new definition in new section 69A and reflect updated terminology used in Part 6.

Amendments also insert a new definition for this division for ‘application fees and charges’ in relation to the hub transmission network for a regional energy hub, being the fees and charges stated in a management plan for the hub under section 42(1)(b)(v)(B).

The clause also makes consequential amendments to omit the definition for ‘REZ assessment costs’ to reflect the omission of REZ assessments from the Act.

Clause 47 Insertion of new s 69A

Clause 47 inserts a new section 69A providing for the meaning of ‘establishment and operational costs’ for the hub transmission network for a regional energy hub.

‘Establishment and operational costs’ are the costs reasonably and prudently incurred by the transmission network service provider for providing the hub transmission network, incurred either before or after a hub declaration for the regional energy hub was made. Included in this are costs incurred by the transmission network service provider for preparing a management plan in the capacity as a hub design body; constructing, maintaining and operating the transmission network; and any other function under this part in relation to the transmission network.

The new section expands on the previous definition by providing that a reference to costs incurred is a reference to any costs, expenses or other financial outgoings incurred by the service provider. This includes, for example, payments to investors to provide a return on capital, depreciation, government taxes, fees or charges and fees for legal, financial, technical or other expert advice (including advice from AEMO).

Costs incurred by the transmission network service provider for fulfilling a function for which application fees and charges are payable, are not included in this definition.

Clause 48 Amendment of s 70 (Fees and charges for connection and access to REZ transmission network)

Clause 48 amends section 70 replacing subsection (2) with a new provision to clarify that the fees and charges the transmission network service provider may decide are payable by a participant for connection and access to the hub transmission network under this section do not include fees and charges for matters for which application fees and charges are payable. The amendments also provide that the amount of fees and charges under this section must include an amount representing the participant’s contribution to the cost of AEMO’s functions under this Act, including a function under section 55(2) (other than functions for which application fees and charges are payable).

The amount of fees and charges payable under this section may include an amount for the participant’s contribution to the establishment and operational costs for the hub transmission network.

The clause also makes consequential amendments to defined terms and phrases to reflect updated terminology used in Part 6 and to renumber the provisions.

Clause 49 Amendment of s 71 (Responsible Ministers may allow cost recovery through charges for prescribed transmission services)

Clause 49 amends section 71 to clarify that, in working out the amount of any shortfall between the establishment and operational costs and the fees and charges from participants, the amount must be calculated using the present value of the establishment and operational costs and the present value of the fees and charges paid or payable under section 70. The present value of the establishment and operational costs must be calculated taking into account any inflation since the costs were incurred, and the fees and charges paid must be calculated by taking into account any inflation since the fees and charged were paid. The present value of the fees and charges payable must be calculated by disregarding future inflation.

Subclause (5) inserts a new section 71(3)(aa) that requires a cost recovery declaration made by the Minister to outline the way in which the present value of the establishment and operational costs and fees and charges mentioned in subsection (2) are calculated, if the shortfall accounts for the impact of inflation.

Subclause (6) inserts a new section 71(3)(ba) to require any cost recovery declaration to also outline how the shortfall mentioned in section 71(3)(a) that may be recovered through charges for prescribed transmission services may be adjusted over the period outlined in section 71(3)(c) to account for future inflation.

The clause also provides that the requirement for the Minister to obtain the Treasurer's approval before declaring that all or a part of the shortfall may be recovered through charges for prescribed transmission services, applies only if the Minister is not the Treasurer.

The clause also makes consequential amendments to numbering within the section and to defined terms and phrases to reflect updated terminology used in Part 6.

Clause 50 Omission of pt 6, div 6, sdiv 3 (Costs associated with REZ assessment)

Clause 50 omits Part 6, division 6, subdivision 3, which related to the recovery of costs associated with REZ assessment. This is a consequential amendment to reflect the omission of Part 6, division 4 on REZ assessments from the Act.

Clause 51 Replacement of pt 6, div 7, hdg (REZ delivery body)

Clause 51 makes a consequential amendment to the heading for Part 6, division 7 to replace reference to the 'REZ delivery body' with 'hub design body' to reflect updated terminology used in Part 6.

Clause 52 Amendment of s 75 (Appointment)

Clause 52 amends section 75 about the appointment of a hub design body, to replace reference to the 'REZ delivery body' with 'hub design body' to reflect updated terminology used in Part 6.

Clause 53 Amendment of s 76 (Functions)

Clause 53 amends section 76 on the functions of the hub design body, omitting the function in subsection (1)(d) on conducting a REZ assessment to reflect the omission of Part 6, division 4 on REZ assessments from the Act. The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 4 and Part 6 and to renumber the provisions.

Clause 54 Omission of s 81 (Minister must publish notice of REZ delivery body's decision not to recommend REZ declaration)

Clause 54 omits section 81 to remove unnecessary prescription and processes as the notices dealt with in this provision do not require enabling legislation.

Clause 55 Amendment of s 82 (Transmission network or part stops being REZ transmission network or part)

Clause 55 amends section 82, amending subsection (3)(a) to provide that if a transmission network or a part of a transmission network stops being the hub transmission network, an access standard negotiated under section 55 continues to be an agreed standard of performance under the National Electricity Rules and, if included in a connection agreement, is taken to be a negotiated access standard for the purposes of the National Electricity Rules.

The clause also replaces superseded defined terms and phrases to reflect updated terminology used in Part 6.

Clause 56 Amendment of s 89 (Purposes of fund)

Clause 56 amends section 89 by replacing 'optimal infrastructure pathway objectives' with 'strategic infrastructure path objectives' in subsection (b), consequential to amended terminology in Part 1. This clause also removes subsection (c) which provides that a purpose of the Job Security Guarantee Fund is to provide funding for the Energy Industry Council (Part 9 of the Act) and the Queensland Renewable Energy Jobs Advocate (Part 10 of the Act) consequential to the repeal of these bodies.

Clause 57 Amendment of s 90 (Payments from fund)

Clause 57 makes consequential amendments to section 90 as a result of the repeal of the Energy Industry Council (Part 9).

Clause 58 Replacement of pt 8 (Queensland Energy System Advisory Board)

Clause 58 repeals and replaces Part 8. The repealed Part 8 set out the purpose, governance arrangements and functions of the Queensland Energy System Advisory Board. Abolishing the Board is intended to reduce administrative complexity and unnecessary costs, without limiting the Government's ability to seek independent, expert advice to inform critical decisions about the direction of the State's energy policy.

The clause retitles Part 8 as 'CopperString project'. The new Part contains several divisions.

Division 1 Preliminary**93 Purpose of part**

The clause inserts a new section that provides that the purpose of new Part 8 is to facilitate and support the delivery of the CopperString project by identifying and declaring stages of the project to which new Part 8 applies, and to provide for financial matters associated with a declared stage to enable the stage to be delivered in an efficient and coordinated way.

94 Definitions for part

The clause inserts a new section that provides definitions for new Part 8.

95 What is the CopperString project

The clause inserts a new section that defines the CopperString project.

Division 2 Identification and declaration of stage

96 Identifying stage suitable for declaration

The clause inserts a new section that provides the responsible Ministers may identify a stage of the CopperString project that may be suitable to be a declared stage of the project.

It also provides that the Minister must publish the notice of each identified stage of the CopperString project on the department's website, along with the details of the scope of the work involved in the identified stage of which the responsible Ministers are aware at the time the stage is identified.

97 Obtaining advice from appropriately qualified person

The clause inserts a new section requiring the responsible Ministers to seek advice about specified matters from an appropriately qualified person as soon as practicable after identifying a stage of the CopperString project. The 'as soon as practicable' requirement is intended to enable the Minister or Treasurer to obtain information under new section 101 before obtaining advice as required under new section 97.

The specified matters the responsible Ministers must seek advice on include:

- the efficient costs of constructing and operating (the latter for a period as determined by the responsible Ministers of at least first five years) the identified stage that may be incurred or expected to be incurred by a person who is or will be the transmission network service provider for the identified stage;
- the amount of forecast capital expenditure and forecast operating expenditure for the identified stage that would be consistent with the efficient costs; and
- any other matter needed to make a declaration of a stage under new section 98.

This section also stipulates that the request for advice under this provision must state the date by which the advice must be given to the responsible Ministers.

This section also clarifies that the Minister or Treasurer may give the appropriately qualified person any information held by the Minister or Treasurer for the purposes of obtaining advice under this provision. This includes providing information received under new section 101 (i.e. obtaining information to perform a function of the Minister or Treasurer). This section also includes a note referencing section 173 which contains restrictions on a person disclosing or using information obtained under this provision.

98 Declaration of stage

The clause inserts a new section providing for the declaration of an identified stage of the CopperString project.

The section applies if the responsible Ministers, having regard to advice obtained under section 97 about an identified stage of the CopperString project, have:

- identified the efficient costs of constructing and operating (the latter for a period as determined by the responsible Ministers that is at least five years) by a person in the proponent's circumstances; and

- are satisfied it is necessary and appropriate to declare the stage to be a declared stage of the CopperString project to achieve the purpose of this part by enabling the stage to be delivered in an efficient and coordinated way.

This section provides that the Minister may, by notice, declare the identified stage of the CopperString project to be a declared stage of the project.

This section also outlines the content requirements for a declaration under this provision. This includes that the declaration must identify the proponent and the scope of the work involved in the declared stage. It must also state amounts that are to be used to make or amend a transmission determination under a regulation made under new section 99(1). These amounts are the forecast capital expenditure for the declared stage and the forecast operating expenditure for the declared stage for the first five years of operating the stage. The declaration must also include any other matter prescribed by regulation.

This section clarifies that the forecast capital and operating expenditure stated in the declaration must be consistent with the efficient costs of constructing and operating the stage as identified by the responsible Ministers prior to making the declaration. It also provides that the notice for the declaration under this provision is subordinate legislation.

Division 3 Financial matters associated with declared stage

99 Regulation-making power in relation to financial matters associated with declared stage

The clause provides a new regulation-making power.

The section provides that the transmission determination for the proponent of a declared stage of the CopperString project, that first applies to the stage, must be:

- made in the way, and in accordance with, the requirements prescribed by regulation; or
- if an existing transmission determination for the proponent is to be amended to apply to the stage, it is to be amended in the way (and in accordance with the requirements) prescribed by regulation.

This regulation may provide for matters that facilitate the making or amendment of the transmission determination, and includes examples of matters that may be included in the regulation. These examples include:

- declaring a regulatory control period for the proponent that is different from the regulatory control period under the National Electricity Rules;
- declaring transmission services provided by the proponent in relation to the declared stage that are, or are taken to be, prescribed transmission services;
- declaring and providing for the adjustment of the proponent's regulatory asset base; and
- declaring the revenue that the proponent may earn for providing prescribed transmission services, or the way the revenue may be worked out.

New subsection (3) also provides that a regulation may provide for matters to facilitate the making of a transmission determination for the declared stage's proponent under the national electricity laws for a regulatory control period starting after the regulatory

control period to which the transmission determination to which the abovementioned regulation-making power under subsection (1) applies. Examples of regulations made under new subsection (3) include declaring or adjustment of the proponent's regulatory asset base and declaring the proponent's forecast capital expenditure for the declared stage for the purpose of making the transmission determination.

The new section provides that the Minister may recommend to the Governor in Council that a regulation be made under this new section only if the Minister is satisfied it is necessary and appropriate to achieve the purpose of new Part 8 by enabling the declared stage to be delivered in an efficient and coordinated way.

A definition of 'regulatory control period' is provided to aid interpretation of the new section.

100 Relationship with national electricity laws

The clause inserts a new section that states that the intention of Parliament is that a regulation made under new section 99 applies despite anything stated in the national electricity laws. Further, it is also the intention of Parliament that the national electricity laws continue to apply in relation to a declared stage of the CopperString project to the extent those laws are not inconsistent with a regulation under new section 99.

This section also states that a regulation may be made in relation to a provision of a regulation under section 99 that provides for a matter, relating to a declared stage of the CopperString project, to which the national electricity laws apply or would otherwise apply. This regulation may provide for the application of a provision of the national electricity laws (a 'national provision') in relation to the declared stage. In addition, this regulation may provide that a national provision does not apply in relation to a matter or applies but with stated modifications. The regulation may also state how other provisions of the national electricity laws apply in relation to a matter having regard to a national provision not applying or applying with stated modifications in relation to the matter.

Division 4 Other matters

101 Minister or Treasurer may obtain information for performing function

The clause inserts a new section that provides the Minister or Treasurer may require a person to provide information to the Minister or Treasurer where the Minister or Treasurer has reason to believe a person has information that the Minister or Treasurer requires to perform a function under this Part (including a function performed as responsible Ministers), for example, a person who is or may be the proponent or proposed proponent for a stage of the CopperString project.

The Minister or Treasurer may give written notice to a person requiring the person to provide the Minister or Treasurer with the information. The notice must state the information the Minister or Treasurer requires, the way the information must be given, and the date by which the information must be given to the Minister or Treasurer.

A person given a notice must comply with the notice unless the person has a reasonable excuse. Failure to comply with the notice carries with it a maximum penalty of 100 penalty units. A reasonable excuse for an individual to not comply with a notice includes if complying might tend to incriminate the individual or expose the individual to a

penalty. For this clause, the burden of proof on a person is an evidential, and not legal burden.

A person may disclose information to the Minister or Treasurer under this new section despite anything in the national electricity laws.

A person who complies with a notice given by the Minister or Treasurer incurs no liability for breach of contract, breach of confidence or any other civil wrong for the compliance.

The Minister or Treasurer may use the information to perform a function under the new Part (including a function performed as responsible Ministers) and may disclose the information to another person for the purpose of the other person performing a function under this Part. This section does not limit the confidentiality requirements in section 173.

Clause 59 Omission of pt 9 (Energy Industry Council)

Clause 59 repeals Part 9, which sets out the purpose, governance arrangements and functions of the Energy Industry Council. Abolishing the Council is intended to reduce administrative complexity and unnecessary costs, without limiting the Government's ability to seek independent, expert advice to inform critical decisions about the direction of the State's energy policy.

Clause 60 Omission of pt 10 (Queensland Renewable Energy Jobs Advocate)

Clause 60 repeals Part 10, which sets out the purpose, governance arrangements and functions of the Queensland Renewable Energy Jobs Advocate. Abolishing the Advocate is intended to reduce administrative complexity and unnecessary costs, without limiting the Government's ability to seek independent, expert advice to inform critical decisions about the direction of the State's energy policy.

Clause 61 Amendment of s 171 (Definition for division)

Clause 61 amends the definition of 'official' in section 171, removing the references to the Queensland Energy System Advisory Board, Energy Industry Council and the Queensland Renewable Energy Jobs Advocate. This reflects the repeal of Parts 8, 9 and 10 of the Act. It also makes consequential renumbering changes to the section as a result of this amendment.

Clause 62 Amendment of s 173 (Confidentiality)

Clause 62 amends this section to include a person who has acquired, or has access to, confidential information about another person under new section 97 as inserted by this Bill.

Clause 63 Amendment of s 175 (Delegation)

Clause 63 amends section 175 to reflect changes to the functions of the Minister as a result of amendments made by this Bill to Part 6 of the Act on regional energy hubs. The amendments allow the Minister to also delegate functions in relation to the publication of information with a draft replacement management plan under section 49(3) and deciding the period during which submissions can be made on a draft management plan under section 46(2) or a draft replacement management plan under section 49(4). Consequential amendments are also made to reflect that the Treasurer no longer performs any functions in relation to REZ assessments under section 50 as a result of the Bill omitting REZ assessments from the Act.

This clause also amends this section to reflect changes to the functions of the Minister and responsible Ministers as introduced under the Priority Transmission Investment framework in Part 5 of the Act. The changes reflect that the Treasurer no longer performs functions under sections 21-25 of the Act and, therefore, no delegation of these functions is required. Consistent with the pre-amended Act, consequential amendments are also made to update cross-referencing within the Minister's non-delegable functions. This preserves the existing requirement that the Minister cannot delegate the declaration of a Priority Transmission Investment, nor the direction of its construction.

An amendment is also made to provide that the Minister cannot delegate the declaration or regulation-making functions under the CopperString project framework (within new Part 8 as inserted by this Bill).

Clause 64 Replacement of pt 12, div 1, hdg (Infrastructure blueprint)

Clause 64 replaces the heading of Part 12, division 1 heading as a consequence of the insertion of new transitional provisions made by this Bill.

Clause 65 Replacement of pt 12, div 2, hdg (Other transitional provisions)

Clause 65 replaces the heading of Part 12, division 2 heading as a consequence of the insertion of new transitional provisions made by this Bill.

Clause 66 Amendment of s 179A (Limited protection from liability for Powerlink)

Clause 66 amends section 179A(1), adding a note referring to a related transitional provision for this section at new section 191.

Clause 67 Amendment of s 180 (Transitional regulation-making power)

Clause 67 amends section 180(1), adding a note referring to a related transitional provision for this section at new section 192.

Clause 68 Insertion of new pt 12, div 2

Clause 68 inserts a new division into Part 12 of the Act.

Division 2 Transitional provisions for Energy Roadmap Amendment Act 2025

181 Definitions for division

The clause inserts a new section to establish new definitions for the division.

182 First system outlook

The clause inserts a new section to clarify that section 2 of the 'Energy Roadmap' (published on the department's website on 10 October 2025), is taken to be the system outlook made under section 15 and is taken to have been approved by regulation on the day of commencement.

183 Reference to infrastructure blueprint

The clause inserts a new section that clarifies that a reference in a document to the 'infrastructure blueprint' may, if the context permits, be taken to be a reference to the system outlook. It also provides a clarifying definition.

184 Existing candidate priority transmission investments

The clause also inserts a new transitional provision in relation to candidate Priority Transmission Investments existing at the commencement. It is anticipated that this provision will capture the ‘Gladstone project’ candidate Priority Transmission Investment.

The new section provides that, in relation to a candidate Priority Transmission Investment, if the responsible Ministers have not made a declaration for the investment under former section 26, new Part 5 of the Act applies to the candidate Priority Transmission Investment.

The new transitional provision also validates previous actions undertaken in respect of a candidate Priority Transmission Investment for the purposes of applying new Part 5 to a candidate Priority Transmission Investment. It provides that on commencement:

- the declaration of the eligible Priority Transmission Investment as a candidate Priority Transmission Investment under former section 21 is taken to be a declaration made under new section 24(1);
- a direction given by the responsible Ministers under the pre-amended section 24(2) is taken to be a direction given by the Minister under new section 24;
- a report given by Powerlink in purported compliance with a direction given under the pre-amended section 24 is taken to be a report given to the Minister in purported compliance with the responsible Ministers’ direction; and
- any advice sought by the responsible Ministers under former section 25(2) is taken to be advice sought by the Minister under new section 25(2).

The clause also inserts a definition of ‘new’ for the section.

185 Appointment as REZ delivery body

The clause inserts a new section that applies to an entity that, immediately before the commencement, was a REZ delivery body appointed under the former section 75.. The new section provides that, from the commencement, the appointment of the entity as a REZ delivery body under the former section 75 is taken to be an appointment of the entity as a hub design body under section 75 as in force on the commencement.

186 Dissolution of board

The clause inserts a new section that provides the administrative procedures for the dissolution of the Queensland Energy System Advisory Board. The section provides that on commencement, the Board is dissolved, and each board member goes out of office. The State becomes the successor in law of the Board, and the records and other documents held by the Board immediately before commencement become records and documents of the State. The clause also provides for definitions for the section.

The new section also provides that no compensation is payable to any board member as a consequence of the Board’s dissolution, the member being removed from office under the new section, or the State becoming the successor in law of the Board.

187 Dissolution of council

The clause inserts a new section that outlines the administrative process for the dissolution of the Energy Industry Council. The section provides that on commencement, the Council is dissolved, and each council member goes out of office. The State becomes the successor in law of the Council, and the records and other documents held by the

Council immediately before commencement become records and other documents of the State. The clause also provides for definitions for the section.

The new section also provides that no compensation is payable to any council member as a consequence of the Council's dissolution, the member being removed from office under the new section, or the State becoming the successor in law of the Council.

188 Dissolution of office of the jobs advocate

The clause inserts a new section that outlines the administrative process for the dissolution of the office of the Queensland Renewable Energy Jobs Advocate. The section provides that on commencement, the office of the Advocate is dissolved, and the Advocate goes out of office. The State becomes the successor in law of the Advocate, and the records and other documents held by the Advocate immediately before commencement become records and other documents of the State.

The new section also provides that no compensation is payable to the Advocate as a consequence of the office of the Advocate's dissolution, the Advocate going out of office, or the State becoming the successor in law of the Advocate.

189 Confidentiality

The clause inserts a new section that provides that despite the repeal of sections 108, 140 and 168 (relating to confidentiality of criminal history information in relation to the Queensland Energy System Advisory Board, Energy Industry Council and Queensland Renewable Energy Jobs Advocate), those provisions continue to apply in relation to criminal history information (as defined under those former provisions) that was given to the Minister before the commencement of the new clause.

The new section clarifies that a reference to a person who has been an official for the purposes of the confidentiality requirements of section 173 includes a board member, a council member or the Advocate.

Clarifying definitions are provided for the section.

190 Regulation under s 170A

The clause inserts a new section that provides that despite the changes to the main purposes made by this Bill, the regulation (related to ring-fencing) in force under section 170A continues in effect. This provision confirms the validity of the existing regulations made under section 170A.

191 Application of s 179A

The clause inserts a new section which provides that the limited liability protection under section 179A continues to apply to Powerlink in relation to a proposed REZ during the period specified in section 179A(3)(b). From commencement, section 179A applies as if:

- a reference to a part of Queensland to be declared to be a REZ included a reference to a part of a Queensland region to be declared to be a regional energy hub (that is, a proposed hub);
- a reference to a transmission network to be the REZ transmission network for a proposed REZ included a reference to a transmission network to be the hub transmission network for a proposed hub;

- a reference to transmission assets that are to be REZ controlled assets for a proposed REZ included a reference to transmission assets that are to be the hub controlled assets for a proposed hub; and
- the reference in section 179A(3)(b)(ii)(A) to when the proposed REZ is declared to be a REZ included a reference to when the proposed REZ or proposed hub is declared to be a regional energy hub.

192 Application of s 180

The clause inserts a new section that extends the transitional regulation-making power by providing that from commencement, section 180 applies as if a reference to a REZ matter included a reference to the hub transmission network or hub controlled assets for a regional energy hub.

193 Transitional regulation-making power

The clause inserts a new transitional regulation-making power. A regulation may make provision about a matter, for which the Act does not provide or sufficiently provide, which it is necessary to provide for allowing or facilitating the doing of anything to:

- achieve the transition from the operation of this Act as in force before its amendment by the amendment Act to the operation of this Act after its amendment by the amendment Act; or
- help the operation of this Act or the national electricity laws to achieve the purpose of new Part 8.

A transitional regulation may provide for the application of a provision of the national electricity laws in relation to the matters mentioned above. Further, for that purpose, the transitional regulation may:

- provide that a national provision does not apply in relation to a matter or applies in relation to a matter with stated modifications; and
- state how other provisions of the national electricity laws apply in relation to a matter having regard to a national provision not applying or applying with stated modifications in relation to the matter.

However, the transitional regulation may not have retrospective operation before the commencement of this section, or, for a transitional regulation relating to an amendment of the Act commencing after the day this section commences – before the day the amendment commences. The section and any transitional regulation must expire on the day that is two years after the day the section commences. A transitional regulation must declare it is a transitional regulation.

Clause 69 Amendment of sch 1 (Dictionary)

Clause 69 amends Schedule 1 (Dictionary) by omitting redundant definitions and inserting new definitions to support the operation of the amended Act, including to support the insertion of new Part 8 (CopperString project).

The inserted definitions include an updated definition of ‘responsible Ministers’. It adds to the current definition (the Minister and Treasurer acting jointly) to clarify that, where the Minister and the Treasurer are the same person, that person is taken to be the responsible Ministers for the purposes of the Act.

Part 3 Amendment of Energy (Renewable Transformation and Jobs) Regulation 2024

Clause 70 Regulation amended

Clause 70 provides that this Part amends the Energy (Renewable Transformation and Jobs) Regulation 2024.

Clause 71 Replacement of s 1 (Short title)

Clause 71 replaces the short title of the Energy (Renewable Transformation and Jobs) Regulation 2024 with the title Energy (Infrastructure Facilitation) Regulation 2024 to align with the amended name of the primary Act.

Clause 72 Omission of s 41 (Appointed council members—Act, s 130)

Clause 72 omits section 41 of the Energy (Renewable Transformation and Jobs) Regulation 2024 as a consequence of the repeal of the Energy Industry Council under this Bill.

Part 4 Other amendments

Clause 73 Legislation amended

Clause 73 provides that Schedule 1 amends the legislation it mentions.

Schedule 1 Other amendments

Schedule 1 makes consequential amendments to the *Energy (Renewable Transformation and Jobs) Act 2024* and the *Electricity—National Scheme (Queensland) Act 1997* to update terminology used in those Acts as a result of amendments made by this Bill.

An amendment is made to section 6 of the *Electricity—National Scheme (Queensland) Act 1997* to replace the reference to the *Energy (Renewable Transformation and Jobs) Act 2024* with *Energy (Infrastructure Facilitation) Act 2024*.

Updates to the *Energy (Renewable Transformation and Jobs) Act 2024* include:

- amending provisions to reflect the renaming of the renewable energy zones framework to regional energy hubs and making consequential amendments to reflect the removal of certain provisions within Part 6;
- amending provisions to replace references to ‘optimal infrastructure pathway objectives’ with ‘strategic infrastructure path objectives’ to align with the updated terminology in Part 1; and
- removing references to Parts 8, 9, and 10 of the Act to reflect the repeal of those bodies.