



Queensland

Rural and Regional Adjustment (Solar for Rental Properties Scheme) Amendment Regulation 2019

Subordinate Legislation 2019 No. 2

made under the

Rural and Regional Adjustment Act 1994

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1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (Solar for Rental Properties Scheme) Amendment Regulation 2019*.

2 Regulation amended

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

3 Amendment of s 3 (Approval of schemes—Act, s 11)

Section 3(1), ‘10’—
omit, insert—

11

4 Insertion of new sch 11

After schedule 10—
insert—

**Schedule 11 Solar for rental
properties scheme**

section 3(1)

Part 1 Preliminary

1 Objective of scheme

The objective of the scheme is to provide assistance to owners of eligible premises to install eligible solar PV systems to make electricity more affordable for tenants of the premises.

2 Definitions

In this schedule—

applicant means a person applying for assistance under the scheme.

approved form means a form approved by the authority.

approved residential tenancy agreement see section 5.

Building Code of Australia see the *Building Act 1975*, section 12.

cost, of installing an eligible solar PV system, includes the cost of supplying the eligible solar PV system for installation.

electricity chief executive means the chief executive of the electricity department.

electricity department means the department in which the *Electricity Act 1994* is administered.

eligible premises see section 3.

eligible solar PV system see section 4.

scheme means the scheme set out in this schedule.

solar PV system means a solar photovoltaic system.

system capacity, of an eligible solar PV system, means the lower of—

- (a) the capacity of the system's inverter; and
- (b) the total capacity of the system's panels.

tenant means a tenant within the meaning of the *Residential Tenancies and Rooming Accommodation Act 2008*, section 13, but does not include a subtenant of a tenant.

3 Meaning of *eligible premises*

- (1) Residential premises are *eligible premises* if—
- (a) the premises are located in an eligible area; and
 - (b) the premises are individually metered for the supply of electricity; and
 - (c) electricity is not purchased for the premises from an exempt seller; and
 - (d) the premises are the subject of an approved residential tenancy agreement.

- (2) In this section—

eligible area means any of the following local government areas—

- (a) Bundaberg;
- (b) Gladstone;
- (c) Townsville;
- (d) if an eligible area notice is prepared—another local government area stated in the notice.

eligible area notice means a written notice—

- (a) prepared by the electricity chief executive; and
- (b) stating a local government area as an eligible area for the scheme; and
- (c) published on the electricity department's website.

exempt seller see the *National Energy Retail Law (Queensland)*, section 2(1).

individually metered see the *Residential Tenancies and Rooming Accommodation Act 2008*, schedule 2.

residential premises means a class 1a building

under the Building Code of Australia.

4 Meaning of *eligible solar PV system*

- (1) An *eligible solar PV system* is a solar PV system installed at premises that—
- (a) has a system capacity of 3kW or more; and
 - (b) includes, or is installed with, solar monitoring technology for the system.

- (2) In this section—

solar monitoring technology means hardware and software that can be used to monitor the operation of the system by—

- (a) capturing data about—
 - (i) the amount of electricity the system produces; and
 - (ii) the amount of the electricity produced that is used at the premises; and
 - (iii) the amount of the electricity produced that is supplied to a supply network; and
 - (iv) the potential impact the system has on the cost of electricity for the premises; and
- (b) allowing the data to be accessed electronically from outside the premises.

supply network see the *Electricity Act 1994*, section 8.

5 Meaning of *approved residential tenancy agreement*

- (1) An *approved residential tenancy agreement* is a written residential tenancy agreement providing for—

PV system at the premises.

7 Eligibility criteria

- (1) An applicant is eligible for assistance under the scheme for installing an eligible solar PV system for premises if—
 - (a) the applicant is the owner of the premises; and
 - (b) the premises are eligible premises; and
 - (c) the applicant has entered into an approved residential tenancy agreement with the tenant for the premises; and
 - (d) there is no solar PV system installed at the premises before the approved residential tenancy agreement is entered into; and
 - (e) the tenant has entered into an agreement, in the approved form, about the installation of the eligible solar PV system; and
 - (f) before applying for the assistance, the applicant ensures that an eligible supplier has supplied and installed the eligible solar PV system at the premises; and
 - (g) assistance has not previously been provided for the premises under—
 - (i) this scheme; or
 - (ii) the scheme set out in schedule 9.
- (2) In this section—

eligible supplier means a supplier of solar PV systems listed, at the relevant time, on the electricity department's website as an eligible supplier of solar PV systems for the scheme.

relevant time means the time when the applicant arranges for the eligible supplier to install the eligible solar PV system at the premises under

subsection (1)(f).

8 Amount of assistance

The amount of a rebate under the scheme to offset the cost of installing an eligible solar PV system is the lesser of—

- (a) the cost paid by the applicant for installing the eligible solar PV system; and
- (b) the following amount—
 - (i) for installing an eligible solar PV system that has a system capacity of at least 3kW but less than 4kW—\$2,500;
 - (ii) for installing an eligible solar PV system that has a system capacity of at least 4kW but less than 5kW—\$3,000;
 - (iii) for installing an eligible solar PV system that has a system capacity of 5kW or more—\$3,500.

9 Applications

- (1) Before applying for assistance under the scheme, a person must give the authority a declaration of understanding.
- (2) An application for assistance under the scheme must—
 - (a) be made by no more than 2 applicants, at least 1 of whom must be named as a lessor in the approved residential tenancy agreement for the premises to which the application relates; and
 - (b) be made to the authority by accessing the relevant website or in the approved form; and

- (c) be made on or after the day stated on the relevant website; and
 - (d) be accompanied by any other documents stated on the relevant website or in the approved form; and
 - (e) be received by the authority by 30 June 2020.
- (3) The authority may ask an applicant for further relevant information required to decide the application.
- (4) In this section—

declaration of understanding means a declaration, in the approved form, that the person understands the requirements for eligibility for assistance and applying for the assistance under the scheme.

relevant website means the electricity department's website.

10 Accepting late applications

Despite section 9(2)(e), the authority may accept an application for assistance under the scheme received after 30 June 2020 if the authority considers it is appropriate to do so in the circumstances.

11 Deciding applications

- (1) Subject to subsections (2) and (3), the authority must consider, and decide to approve or refuse to approve, each application for assistance under the scheme.
- (2) The authority must consider applications in the order they are received.
- (3) The authority may, for the State, approve an application only if the authority's assistance funds

[s 4]

for the scheme are sufficient to pay for the
assistance.

ENDNOTES

- 1 Made by the Governor in Council on 31 January 2019.
- 2 Notified on the Queensland legislation website on 1 February 2019.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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