



7 July 2026

Jennifer Kay

Division Head, Environment Law Reform Taskforce

Department of Climate Change, Energy, the Environment and Water

John Gorton Building, King Edward Terrace

Parkes ACT 2600

Dear Jennifer,

The Smart Energy Council (SEC) welcomes the opportunity to provide a submission on the Exposure Draft and Policy Position Paper for the National Environmental Standard for Community Engagement. We recognise the profound difference this standard can make for Australia by establishing a legally enforceable, transparent framework that builds public trust while providing a clear pathway for the rapid, sustainable deployment of clean energy infrastructure.

The SEC is Australia's peak body for the renewable energy and storage industry, representing over 700 member companies across solar, battery storage, energy management and related clean energy sectors. Our membership spans technology manufacturers, installers, retailers, financiers and policy advocates, all committed to accelerating Australia's transition to clean, affordable energy.

The SEC generally supports the proposed National Environmental Standard for Community Engagement. By embedding clear, mandatory principles early in the project lifecycle, this framework can deliver the dual benefits of protecting local ecosystems and enabling a streamlined assessment pathway for nature-positive renewable energy developments. Clear regulatory certainty is vital to keeping infrastructure projects on schedule, preventing expensive taxpayer-funded fossil fuel extensions and ensuring Australia successfully achieves its target of 82% renewable energy by 2030. While we strongly support the overarching policy intent, several refinements are necessary to optimise deployment timelines and ensure balanced environmental protection.

Optimising the Streamlined Assessment Pathway

The SEC endorses the policy mechanism that allows proponents who demonstrate thorough pre-referral engagement to access a streamlined assessment pathway, effectively eliminating duplicate statutory public comment periods during the formal assessment stage. However, if the administrative verification of this engagement at the referral step becomes overly onerous, it will inadvertently create a bottleneck for critical

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clean energy infrastructure. To ensure this pathway functions effectively as a tool for acceleration rather than an additional layer of red tape, the National Environmental Protection Agency should establish a clear evaluation framework to verify compliance at the initial referral step.

Harmonisation with the First Nations Engagement Standard

The standard explicitly notes its intent to complement a separate, concurrent First Nations Engagement Standard governing interactions with Traditional Owners. Clean energy developers face severe administrative duplication and the risk of generating consultation fatigue within regional communities if these two frameworks operate in isolated regulatory siloes. The Department could deliver an integrated compliance toolkit that permits a single, comprehensive community engagement plan to satisfy the overlapping mapping and notification requirements of both standards simultaneously. This harmonised approach will protect regional communities from disjointed consultation processes while reducing unnecessary administrative overlap for proponents.

Preserving Operational Flexibility and Performance-Based Evidence

Under the draft provisions of Principle 1 and Principle 2, proponents may establish consistency with the standard by providing alternative evidence demonstrating that core engagement objectives have been met. This flexibility is vital because many large-scale renewable developers are already operating under advanced, highly successful state-based consultation rules, such as regional Renewable Energy Zone frameworks. The Department should maintain a broad, performance-based interpretation of these alternative evidence pathways in final guidelines, explicitly recognising that adherence to accredited state or territory public consultation protocols satisfies the Commonwealth requirements. Forcing a rigid compliance checklist where effective local frameworks already exist would disrupt established industry best practices.

Managing Information Disclosure Thresholds

Principle 2 requires proponents to disclose the information sources, methodologies, assumptions, and environmental monitoring data underpinning a proposal unless it is reasonably believed to be inappropriate. While transparency is essential for rebuilding public confidence, an unbounded requirement to potentially expose highly sensitive or proprietary commercial metrics could jeopardise project bankability and financier trust. The final text of the standard should clearly establish the boundaries of commercial-in-confidence materials, specifying that developers can fulfill their transparency obligations by publishing comprehensive, plain-English summaries of environmental data and assumptions without being forced to reveal competitive financial or technical modelling.

The Smart Energy Council thanks the Department for the opportunity to provide this submission and welcomes further engagement on the matters raised.

If you have any queries on the issues raised, please do not hesitate to contact Sohaib Mohammed at sohaib@smartenergy.org.au.

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Policy & Advocacy Officer

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