



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 welcomes the opportunity to provide a submission on the draft Policy Position Paper and Exposure Draft for the National Environmental Standard for Data and Information. We recognise the profound difference this standard can make for Australia by establishing a rigorous, uniform and interoperable baseline for environmental data governance. By replacing fragmented and inconsistent information practices with uniform rules, this framework can significantly build public trust, streamline regulatory assessments, and pave the way for faster, data-driven decisions that protect our ecosystems while de-risking infrastructure deployment.

The SEC is Australia's peak independent body for the renewable energy, energy storage, and smart transport industries, representing over 700 residential, commercial and large-scale clean energy member companies across the nation. Our diverse membership spans project developers, technology manufacturers, green financiers and technical advisers, all structurally committed to delivering low-cost, reliable and decarbonised energy systems.

The Smart Energy Council generally supports the proposed National Environmental Standard for Data and Information. High-quality, reliable and reusable environmental data is a foundational necessity for accelerating the deployment of renewable energy infrastructure and meeting Australia's legislated clean energy and emissions targets. By setting clear rules for technical consistency, scientific rigour and metadata transparently upfront, this standard will support clean energy proponents in preparing decision-ready documentation early in the planning pipeline. This early compliance will minimise regulatory risks, lower capital development barriers and protect critical biodiversity assets through robust, evidence-based environmental planning.

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Prioritising the Register of Trusted Data Assets

To fully realise the standard's potential as a mechanism for acceleration, the Department should prioritise the rapid finalisation and activation of the proposed register of trusted environmental data and information assets. Clean energy proponents frequently encounter severe bottlenecks when trying to compile baseline environmental data, often resulting in repetitive, expensive and multi-year ecological field surveys that delay project timelines. By establishing a comprehensive and centralised repository early in the standard's implementation, Environment Information Australia can enable developers to reuse existing authoritative data assets, reducing duplicative survey efforts and accelerating the pre-referral planning phase without compromising scientific integrity.

Ensuring Proportional and Scalable Application

Furthermore, the standard's operational guidelines must remain strictly committed to the principle of scaling and proportional application based on the extent and complexity of a proposal's potential impact. While utility-scale renewable generation facilities and major transmission corridor developments necessitate highly complex temporal, spatial, and thematic datasets to adequately manage regional uncertainties, smaller-scale or localised clean energy installations must not be bottlenecked. The Department should explicitly ensure that upcoming technical guidance and minimum information requirement frameworks do not impose prohibitive metadata or structural burdens on low-impact commercial battery storage or aggregated consumer energy resource projects where data collection would be disproportionate to the environmental risk.

Streamlining Through Jurisdictional Equivalence

To support the rapid and efficient rollout of infrastructure across state-designated Renewable Energy Zones, the Commonwealth could utilise the standard to formally recognise jurisdictional data and information practices as equivalent under bilateral agreements. Clean energy developers face the risk of administrative double-handling if data that is technically consistent and validated under accredited state or territory planning processes must undergo separate formatting or transformation to meet distinct Commonwealth portal channels. Ensuring that standard-aligned datasets submitted through state pathways are automatically recognised as consistent under Part 9 will maintain a seamless assessment pipeline, reduce regulatory duplication and provide greater certainty for clean energy investors.

Upholding Ethical Data Governance and Social Licence

Finally, the SEC emphasises that building durable social license for the energy transition requires data to be managed in a highly responsible and ethical manner that protects community rights and privacy. Renewable energy developments frequently

intersect with regional and First Nations communities, making thorough alignment with the CARE principles, informed consent and Indigenous Cultural and Intellectual Property (ICIP) agreements absolutely vital. The standard's implementation framework should provide practical, non-bureaucratic governance protocols for culturally sensitive information, allowing developers to identify custodians and respect local data sovereignty while ensuring that inclusive, shared data can be effectively integrated into long-term cumulative impact assessments.

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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