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By email: hcsc@parliament.qld.gov.au

Health and Community Services Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear committee

Nature Conservation and Other Legislation Amendment Bill 2012

This submission is made by Ergon Energy Corporation Limited (**Ergon Energy**) in response to the *Nature Conservation and Other Legislation Amendment Bill 2012* (**NCOLAB**)

Ergon Energy is a Queensland Government-owned corporation that supplies electricity to approximately 700,000 customers across a vast operating area of over one million square kilometres – around 97% of Queensland. Ergon Energy's operating area includes both protected areas and State forests.

Ergon Energy supports the Queensland Government's initiative of a simplified authorisation process for existing service facilities over protected areas and removal of the term and area limitations for occupation permits over State forest.

It is anticipated that implementation of the NCOLAB is likely to result in improved administration of electrical assets over protected areas and State forest through:

- reduced timeframes of applications for authorities, under the *Nature Conservation Act 1992 (NCA)*, for existing infrastructure within protected areas; and
- reduced administrative costs associated with future occupation permits, under the *Forestry Act 1959 (FA)*, through increased occupancy timeframes.

Ergon Energy also asks that consideration be given to additional legislative amendments to further simplify the approval process for service facilities. Additional amendments to both the NCA and the *Electricity Act 1994 (EA)* would assist with efficiency and cost savings across Ergon Energy's electricity network while ensuring environmental

protections are maintained. Ergon Energy's suggested amendments and the background to them follows.

Ergon Energy regularly seeks approvals under section 35 of the NCA. These approvals are for infrastructure, generally for communication sites and powerlines, over protected areas and on average take approximately 10 months, and regularly exceed 12 months, for approval.

A large contributor to the delay is the requirement for subordinate legislation to be amended prior to approving the infrastructure.

Section 116A of the EA provides that the Governor in Council may, at the request of an electricity entity, authorise the creation of an easement over a State forest or timber reserve.

In practice, it is first necessary to obtain the approval of the Director-General of the Department of National Parks, Recreation, Sport and Racing (NPRSR) to make an application to the Governor in Council to authorise the creation of an easement in each specific case. Once Governor in Council authorisation is obtained, Ergon Energy must negotiate the acquisition and registration of the required easement.

Given that the main consideration for whether or not it is appropriate to create an easement within a particular State forest or timber reserve is undertaken by NPRSR, the legislative requirement to obtain Governor in Council authorisation appears to be a redundant process which just adds to the timeline for the easement registration. Typically it can take up to six months just to obtain Governor in Council authorisation.

Ergon Energy asks that the Government consider the following additional legislative amendments:

- amendments to the NCA to remove the requirement to amend subordinate legislation for each application for new electrical infrastructure within a protected area; and
- amendment of Section 116A of the *Electricity Act 1994* to remove the requirement for Governor in Council authorisation for the creation of easements over State forests or timber reserves.

Please do not hesitate to contact me if you would like Ergon Energy to provide any further details in support of this submission.

Yours faithfully



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