

Special Approval Guidance



Queensland
Government

Contents

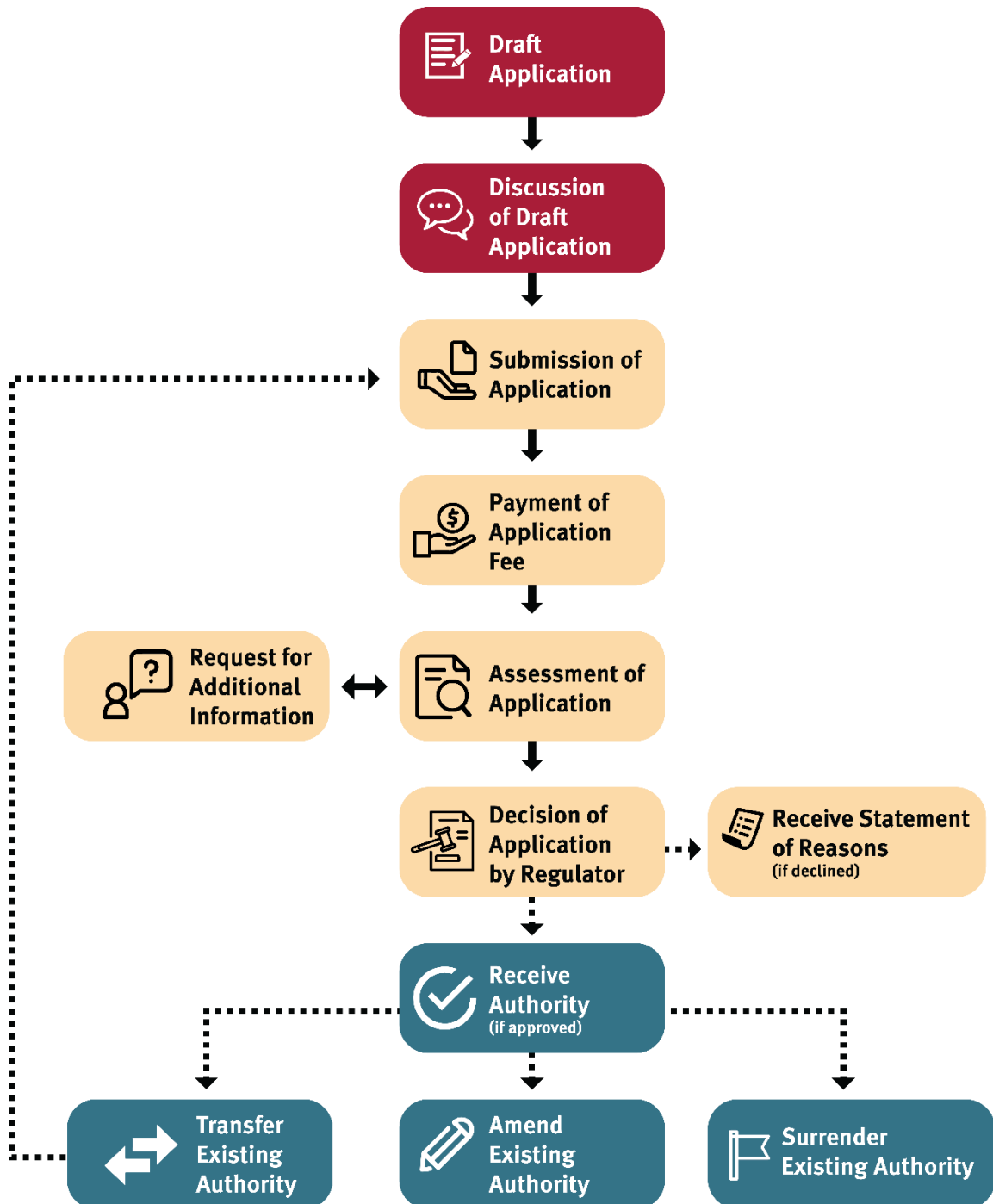
- Purpose of guidance 3
- Process flowchart..... 3
- What is a Special Approval 4
- How to apply 4
- When to apply 4
- Timeframes 5
- Application requirements..... 5
- Application fees..... 5
- Application assessment 5
- Issuing a Special Approval..... 6
- Request to surrender a Special Approval 6
- Contact the Department..... 6

Purpose of guidance

This guidance contains information designed to assist prospective applicants with preparing and applying for a special approval and includes information on:

- applications for a new special approval
- amending or transferring an existing special approval
- surrendering a special approval.

Process flowchart



What is a Special Approval

A special approval provides authorisation for activities which would usually be authorised under a generation, transmission or distribution authority. A special approval is generally issued in situations where the authorisation of the electricity activities may not be appropriate under the other authorities, or where the electricity activities are incidental to the main business of the applicant.

Examples of activities which may be authorised under a special approval include:

- generation of electricity and operation of a supply network to supply electricity to an island resort which is not connected to a distribution network or transmission grid.
- operation of a privately operated electricity line to a mining site from a connection point on a distribution or transmission supply network.

A deemed special approval (under Section 130 of the *Electricity Regulation 2006*) exists to allow for the connection of generating plant under 30 megawatts to a transmission grid, distribution or other supply network. No application is required for a deemed special approval.

If you are unsure whether the proposed electricity activities will require a special approval please contact the Department using the contact details provided in this guidance.

How to apply

All applications must be submitted electronically to energy.regulation@epw.qld.gov.au.

To apply for a new special approval or transferring an existing special approval you must use the [approved form](#). For amendments to an existing special approval please see “Application requirements” below.

When to apply

Common application scenarios are provided in the table below.

Application reason	New	Transfer	Amend	Surrender
New electricity infrastructure project	✓			
Change of operator (ABN will change)		✓		
Extension of term			✓	
Change of operator name (no ABN change)			✓	
Changes to infrastructure / activities			✓	
Any other changes to special approval			✓	
End of infrastructure life				✓
Project did not proceed				✓
Early infrastructure closure				✓

As a guide, applicants for a new special approval should apply after the project has reached financial close. In order to issue a special approval the Regulator must be satisfied that the applicant will operate the electricity infrastructure, financial close provides sufficient certainty that the infrastructure will operate.

Applications for transfers should be submitted as soon as the new proposed operator is confirmed.

All amendments must be submitted at least four (4) months prior to the special approval expiring.

Timeframes

Applicants should allow around four (4) months for the assessment of new applications, amendments and transfers, following receipt of all required documentation. For more complex assessments, additional time may be required.

Application requirements

The approved forms contain a full guideline of what must be provided to support your application for a new special approval or transfer. A summary of key documents to support an application are included in the approved forms. Additional supporting documentation may be included as required.

When applying for an amendment include details on:

- what requires amendment
- why and when the amendment is required
- any supporting documentation.

Applicants can refer to Sections 208 – 213 of the *Electricity Act 1994* for the specific legislative requirements the Regulator considers for new applications, transfers, amendments and surrender.

Application fees

Application fees are required to apply for a new special approval and to apply to transfer an existing special approval. There are no application fees to amend or surrender an existing special approval. Fee amounts are available on [our website](#).

The Department will issue an invoice for the applicable fee after receiving the full application. Please provide proof of payment as soon as possible via email.

An application is not deemed complete until the application fee has been paid.

Application assessment

The Regulator will consider the relevant legislative requirements during an application assessment, including the “objects of the Act”, in order to determine whether to support or refuse an application. Throughout the assessment process the Department may contact you to request additional information.

Consideration of the application includes assessing:

- technical capability
- financial capability
- honesty and integrity
- environmental effects
- the projects compatibility with the Objects of the *Electricity Act 1994*
- the projects compatibility with relevant government policies about environmental and energy issues
- certainty the applicant will operate the infrastructure stated in the application
- confidence the infrastructure will be able to generate, transmit and/or supply electricity safely, reliably and of a quality suitable for any relevant transmission grid or supply network.

Issuing a Special Approval

The Regulator may include specific conditions when issuing a special approval and in cases where an application is refused, the reasons for the refusal will be provided to the applicant.

Before a special approval is issued, you will have an opportunity to review the draft special approval, including all terms and conditions.

A [special approval proforma](#) is available on the Department's website.

Note: the proforma should be read in conjunction with the *Electricity Act 1994* and the *Electricity Regulation 2006*, which contain conditions applicable to a special approval.

Request to surrender a Special Approval

Requests to surrender a special approval must be submitted via email to energy.regulation@epw.qld.gov.au at least six (6) months prior to it taking effect. If the special approval specifies a longer surrender notice period, then provided to the Regulator within that notice period.

The Regulator may agree to a shorter notice period for surrender requests in a particular case, this would be based on the circumstances involved and in consultation between the special approval holder and the Regulator.

Contact the Department

The Department suggests potential applicants contact us with a completed draft application to discuss any further requirements prior to submitting a final application.

Electricity Licencing Enquiries	
Email	energy.regulation@epw.qld.gov.au
Telephone	13 43 87