

Checklist – Transitional licence

Hydrogen and Renewable Energy Act 2023



This checklist is for use when preparing a hydrogen generation licence, renewable energy infrastructure licence or an associated infrastructure licence application for activities required to transition to the *Hydrogen and Renewable Energy Act 2023* (HRE Act).

It should be read in conjunction with Schedule 1, Part 5 of the HRE Act and regulation 50 and 51 of the Hydrogen and Renewable Energy Regulations 2024 (Regulation), the relevant determination made by the Minister and other relevant guidance documents. All resources can be accessed via the [Hydrogen and Renewable Energy Regulation page](#) on the Department for Energy and Mining website.

Application requirements	Reference
Manner of application	
<input type="checkbox"/> A letter	Determination
<input type="checkbox"/> Addressed to the Minister for Energy and Mining C/- Executive Director, Regulation and Compliance Division	Determination
<input type="checkbox"/> States that it is an application for the relevant type of licence pursuant to clause 17(4) of Schedule 1 of the Act, and the period the licence is being sought for.	Determination
<input type="checkbox"/> Addresses the requirements of and is accompanied by the information prescribed by clause 17(4) of Schedule 1 of the Act and the Hydrogen and Renewable Energy Regulations 2024 (if relevant)	Determination
<input type="checkbox"/> Signed by a person duly authorised to make an application on behalf of the applicant	Determination
<input type="checkbox"/> Provided in electronic format (PDF format or equivalent)	Determination
Other information to include	
<i>Applicant information</i>	
<input type="checkbox"/> The full name, address and ACN/ABN of the applicant (if applicable)	Determination
<input type="checkbox"/> If the application is being made by more than 1 person – information regarding the interest each person will have in the licence (which may be expressed as a percentage);	Determination



Application requirements	Reference
<input type="checkbox"/> the name, address and telephone number of a person who can be contacted about the application	Determination
<i>Licence application area</i>	
<input type="checkbox"/> A description of the area to which the application relates using coordinates expressed in degrees of longitude and latitude in accordance with the Geocentric Datum of Australia 2020, and if available, cadastral boundaries	Determination
<input type="checkbox"/> A map indicating the area of land to which the application relates that identifies any significant topographical, environmental and cultural features of the land	Determination
<input type="checkbox"/> the size of the area to which the application relates expressed in kilometres or square kilometres (as appropriate)	Determination
<i>Financial information</i>	
<input type="checkbox"/> If the applicant is a body corporate, a copy of the body corporate's most recent audited financial statements	Determination
<input type="checkbox"/> Information that demonstrates the expected financial position of the applicant over the proposed term of the licence (or a shorter term determined by the Minister)	Determination
<i>Technical and operational information</i>	
<input type="checkbox"/> The necessary technical qualifications and experience that will enable the applicant to undertake authorised operations	Determination
<input type="checkbox"/> The necessary operational capabilities and resources that will enable the applicant to undertake authorised operations	Determination
<input type="checkbox"/> If the proposed licence will authorise exploiting a renewable energy resource through an electricity generating plant that is to be connected to the State's power system – where appropriate, a certificate from the Technical Regulator certifying that the electricity generation complies with the requirements of the Technical Regulator in relation to the security and stability of the State's power system	Determination
<p><i>To note – electricity generating plant has the same meaning as in paragraph (a) of the definition of electricity infrastructure in section 4(1) of the Electricity Act 1996; power system and Technical Regulator have the same respective meanings as in the Electricity Act 1996.</i></p>	



Application requirements	Reference
<i>Contraventions of designated Acts</i>	
<input type="checkbox"/> A statement outlining any contravention by the applicant of a provision of a designated Act in connection with activities undertaken by them within the preceding period of 5 years that resulted in— <ul style="list-style-type: none">(i) the revocation or suspension of an authority to undertake an activity; or(ii) a prosecution for an offence; or(iii) the imposition of a penalty by a court; or(iv) the issuing of a notice, direction or order that required the suspension or discontinuance of an activity or the rectification of any harm to the environment or the rehabilitation of any land, place or other aspects of the environment	
<i>Operational Management Plan</i>	
<input type="checkbox"/> Must be accompanied by an operational management plan that complies with the requirements of Part 4 Division 4 Subdivision 4 (other than requirements relating to a statement of environmental objectives)	Schedule 1, clauses 17(4)(b) and 17(6)
<i>Prescribed development within designated land only</i>	
<input type="checkbox"/> For a new operator whose prescribed development was within designated land on or before the 11 July 2024, provide evidence that: <ul style="list-style-type: none">• the operator has, immediately before the prescribed day, a right or interest in respect of the land sufficient to complete the prescribed development; or• on or after the prescribed day—the land on which the prescribed renewable energy infrastructure is, or is intended to be, established or operated ceases to be designated land	Regulation 50(1)(g)-(h), (2) and (4)
<i>Development authorisation</i>	
<input type="checkbox"/> It is requested that the application is accompanied by a copy of the authorisation issued under the <i>Planning, Development and Infrastructure Act 2016</i> (or its predecessor the <i>Development Act 1993</i>) to support meeting the requirement under Schedule 1, clause 17(8) of the HRE Act, unless activities were exempt from development authorisation.	Schedule 1, clause 17(8)

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Government of South Australia
Department for Energy and Mining



Application requirements	Reference
<i>Prescribed fee</i>	
<input type="checkbox"/> Must be accompanied by the prescribed fee	Schedule 1, clause 17(4)(d)
Application made by a trustee on behalf of a trust	
<input type="checkbox"/> Where applicant is a trustee acting on behalf of a trust, provide: <ul style="list-style-type: none">• Copy of trust deed• If the trustee is a company, an ASIC extract for that company so we know who the directors and secretary is, relevant financial information etc, and• a statement setting out how the trustee has the capacity to hold and act in relation to the licence, with reference to relevant clauses of the trust deed.	section 50(1)

Disclaimer. This document only relates to regulatory requirements under the HRE Act. While every attempt has been made to ensure that the information in this document is accurate, the requirements for individual circumstances may vary. As such this document should be used for guidance purposes only. Applicants are advised to seek independent advice tailored to their individual circumstances, to ensure all requirements are met for their specific project.