

# Licensing and approvals process for associated infrastructure activities

## Introduction

As of 11 July 2024, approvals required to undertake exploration and development activities associated with new hydrogen and renewable energy projects in South Australia need to be sought via the licensing and approvals processes under the *Hydrogen and Renewable Energy Act 2023* (HRE Act) and *Hydrogen and Renewable Energy Regulations 2024*.

The responsibility for administering the HRE Act and regulating activities approved under the HRE Act now sits with the Department for Energy and Mining (DEM).

This brochure sets out the assessment and approval pathway for anyone applying for an Associated Infrastructure Licence (AIL). As per section 23(7), of the HRE Act, an AIL may be sought to lawfully undertake associated infrastructure activities whether or not the person holds another licence under the HRE Act.

## Associated infrastructure activities

Under the HRE Act, associated infrastructure activities can include the construction, installation, operation, maintaining, management and decommissioning of:

- a hydrogen power plant
- ports, wharves or jetties associated with the import or export of any compound of created hydrogen or renewable energy
- a desalination plant used for the primary purpose of supplying water used in generating hydrogen
- direct air capture infrastructure used for the purposes of capturing carbon dioxide associated with generating hydrogen
- battery energy storage systems (BESS) above 5MW

- infrastructure necessary for the storage of any compound of hydrogen created in accordance with the provisions of the Act
- infrastructure to store, transmit or otherwise convey, within the licence area, energy obtained from a renewable energy resource
- activities necessary or incidental to undertaking a regulated activity, such as access roads, camps, water infrastructure.

Refer to section 4(1) and 23(1)(a) of the HRE Act and regulation 3(2) and 14 for all authorised activities under, and exclusions to, the definition of an associated infrastructure activity.

## Licensing and approvals process

This information sheet sets out the licensing and approvals process for persons applying for an AIL for both non-designated land and designated land.

### LICENCE APPLICATION

Submitted as early as possible, noting application will need to include a draft work program.

### ASSESSMENT AND APPROVAL OF STATEMENT OF ENVIRONMENTAL OBJECTIVES (SEO)

Requires preparation of an environmental impact report (EIR) and SEO, and approval of a consultation plan for targeted consultation on both EIR and SEO, if operations not within the ambit of an existing SEO

### GRANT OF LICENCE

Subject to meeting pre-grant requirements, including approval of work program and approval of SEO, AIL is granted. Authorises licensee to carry out specific activities, subject to meeting conditions and pre-commencement requirements

### PRE-COMMENCEMENT

Requirements to be met prior to commencing operations include approval of operational management plan, issuing notices (where required)

It is recommended that proponents submit a licence application as early as possible. Doing so assists DEM with planning and scheduling its regulatory activities and one window to government engagement.

The following flowcharts provide more detailed process steps for the key licensing and approval requirements. Relevant sections of the HRE Act and regulations are included for reference. The flowcharts should be read in conjunction with the HRE Act and associated regulations ensuring the latest versions are being referenced.

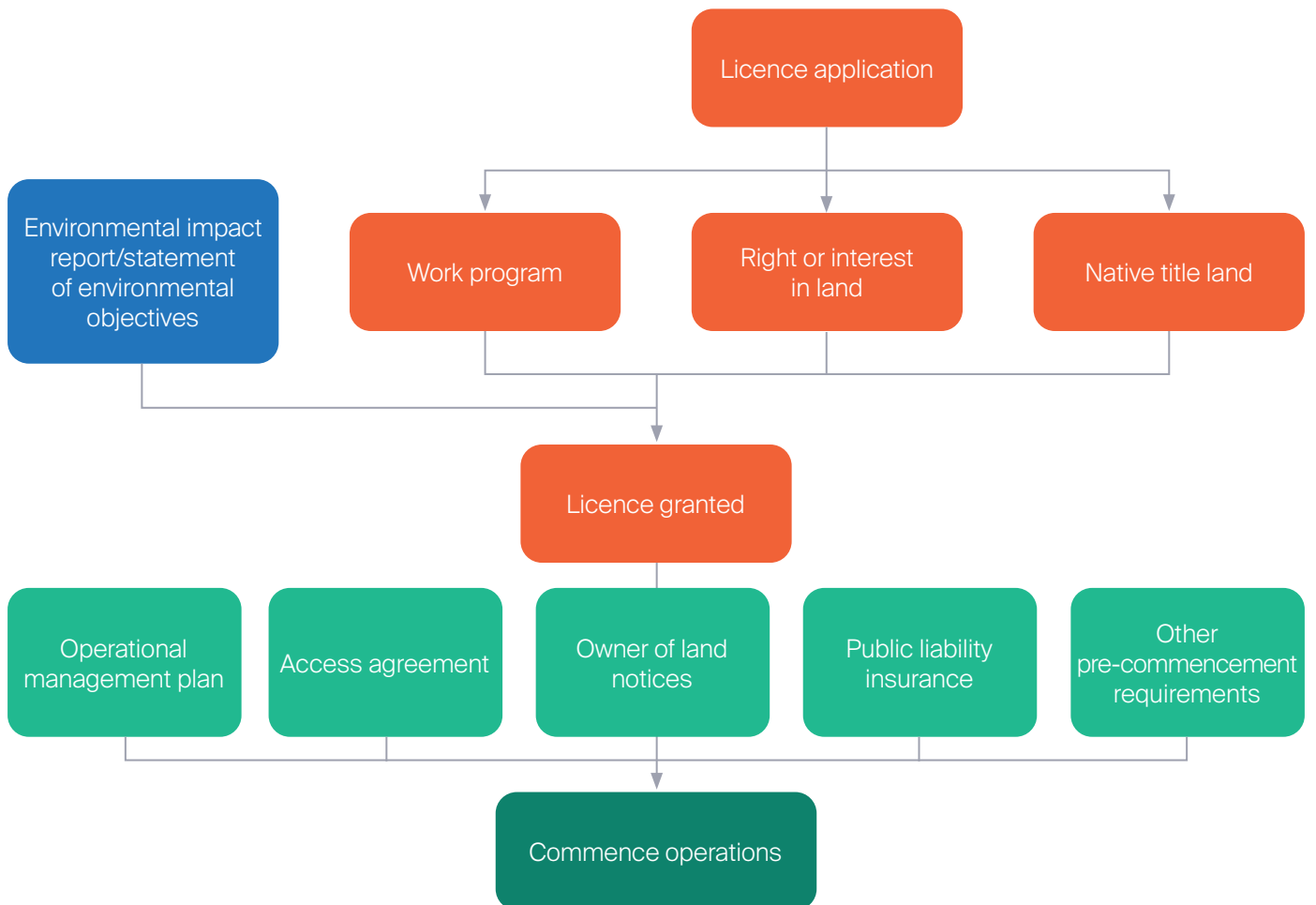
Some of the processes can be undertaken in parallel. Proponents should determine the way they want to proceed with approvals that is appropriate to their circumstances, noting the dependencies.

It should also be noted that there may be other statutory requirements that may apply in addition to those required by the HRE Act. In the case of other statutory approvals DEM can provide an entry point for discussions with other state government Agencies.

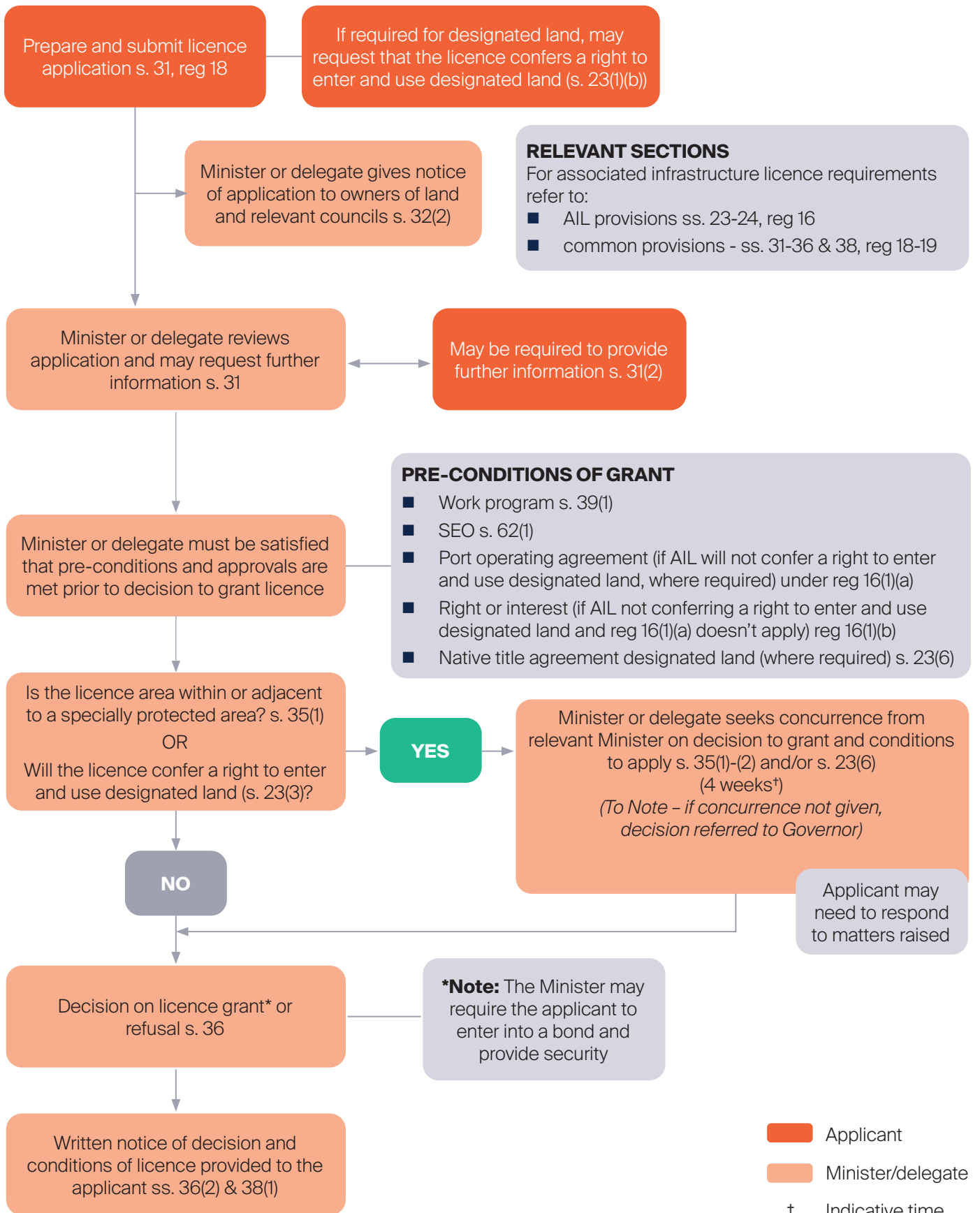
If the AIL is being applied for with other licences, this guidance should be read in conjunction with relevant guidance on the other licence requirements. Where enabled by the HRE Act, DEM will accept documents that incorporate multiple licence types.

If the proposed development is a standalone BESS above 5MW, guidance has been prepared specific to that activity and is available on the [HRE Act guidance documents page](#).

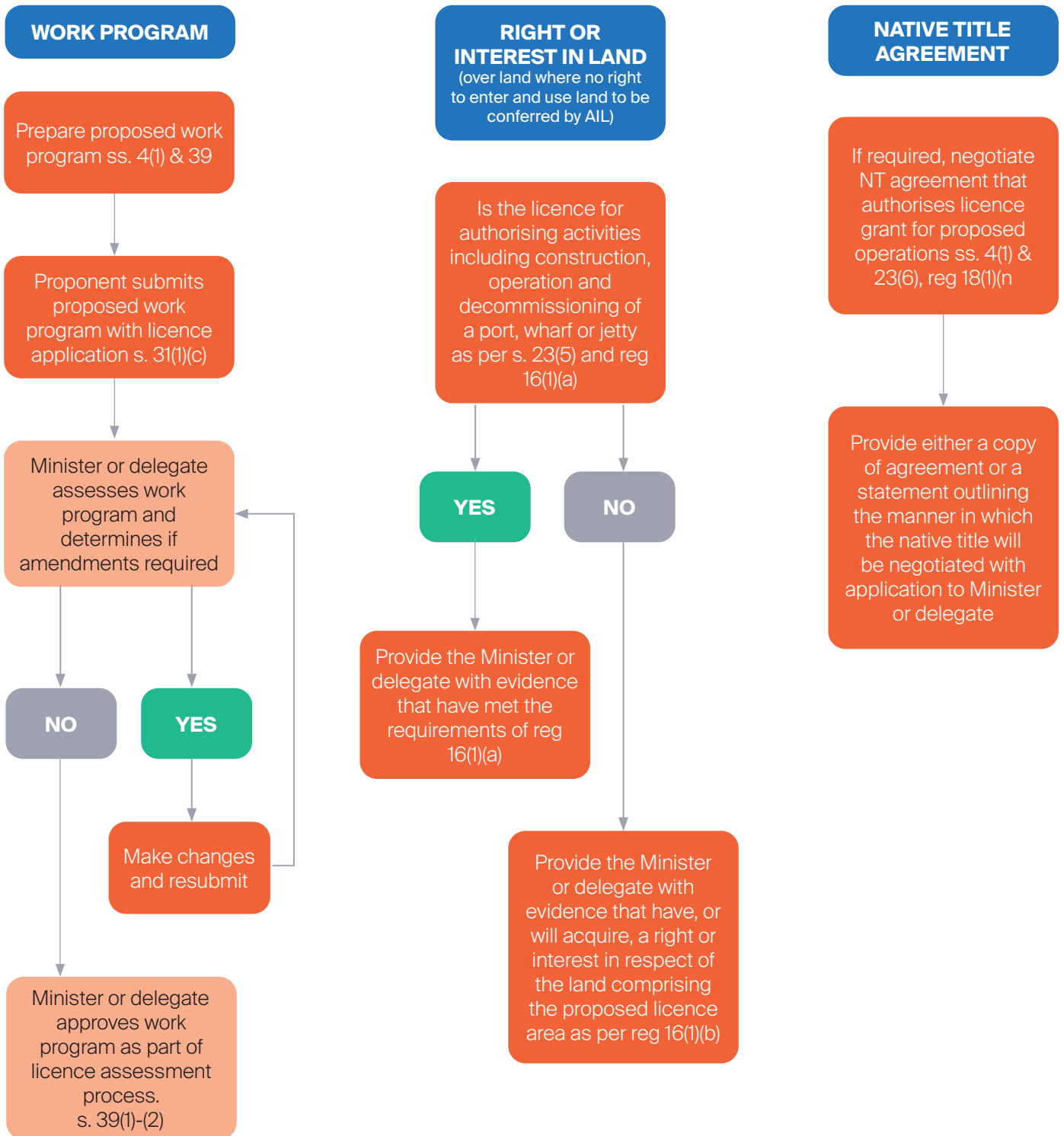
## Key process requirements



## Licence application and grant



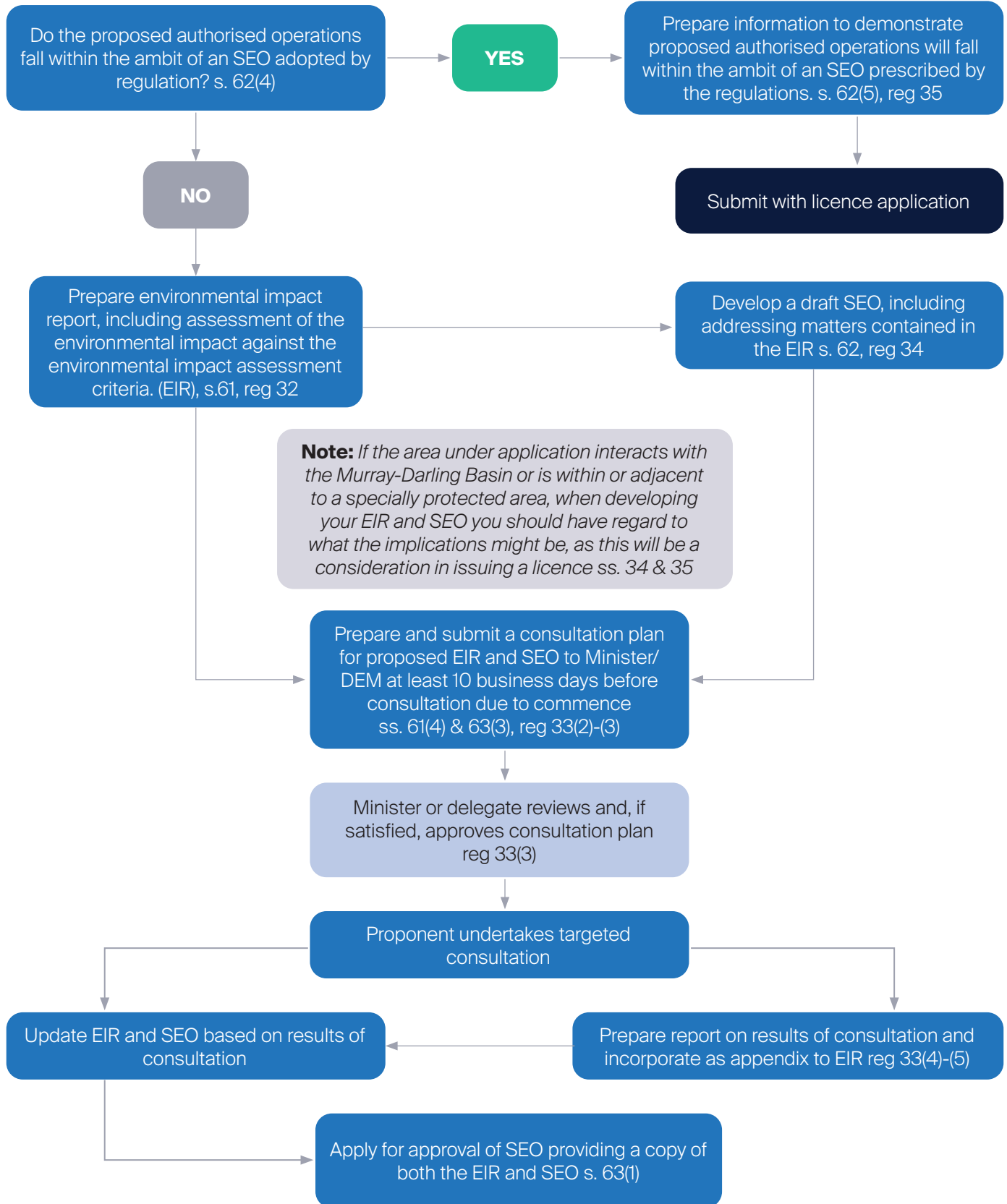
## Licence application - work program, right or interest and native title agreement

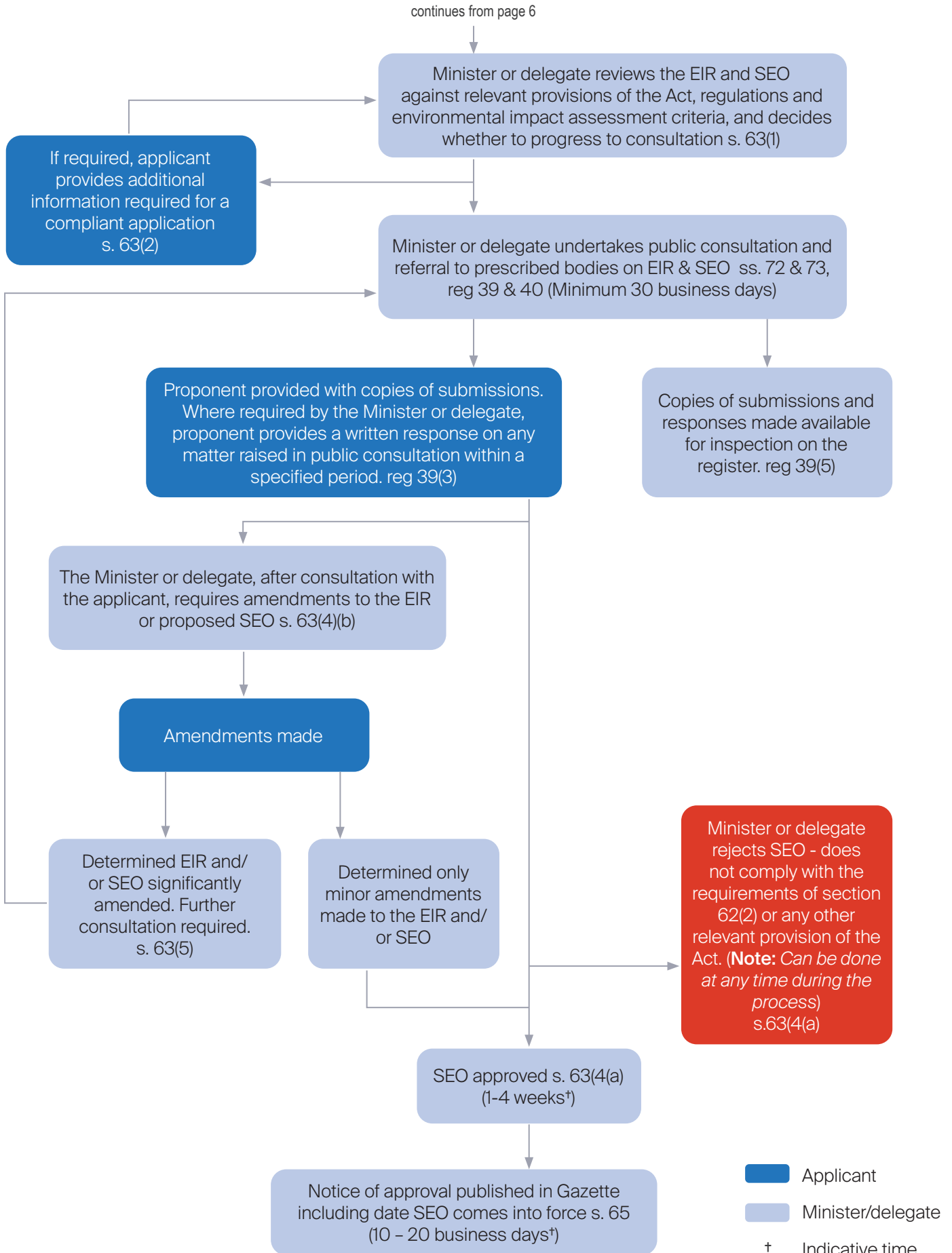


- Applicant
- Minister/delegate

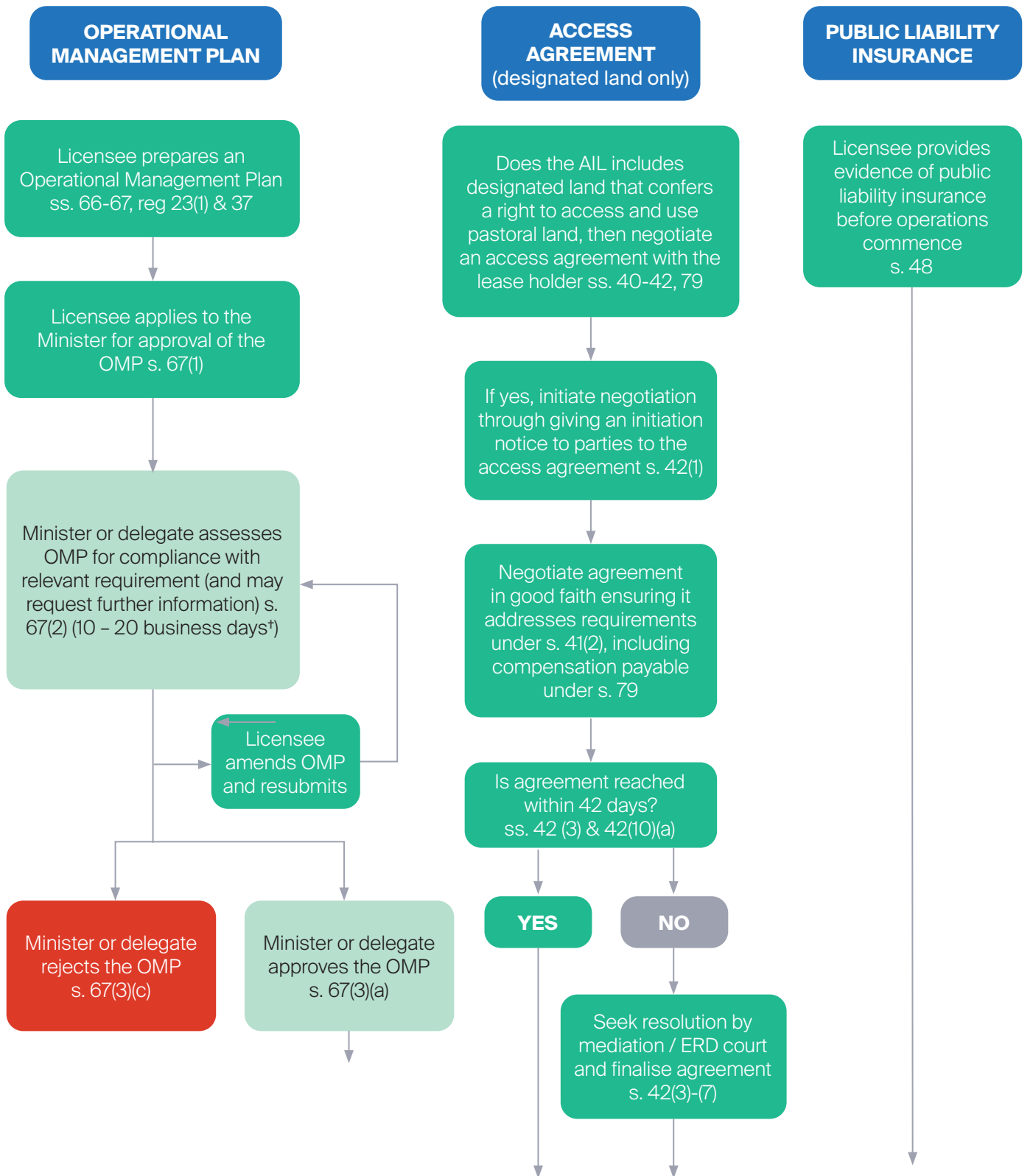
## Approval Statement of Environmental Objectives (SEO)

As per s.62(1) of the HRE Act, the Minister must not grant a licence unless an approved SEO objectives in respect of proposed authorised operations is in force.



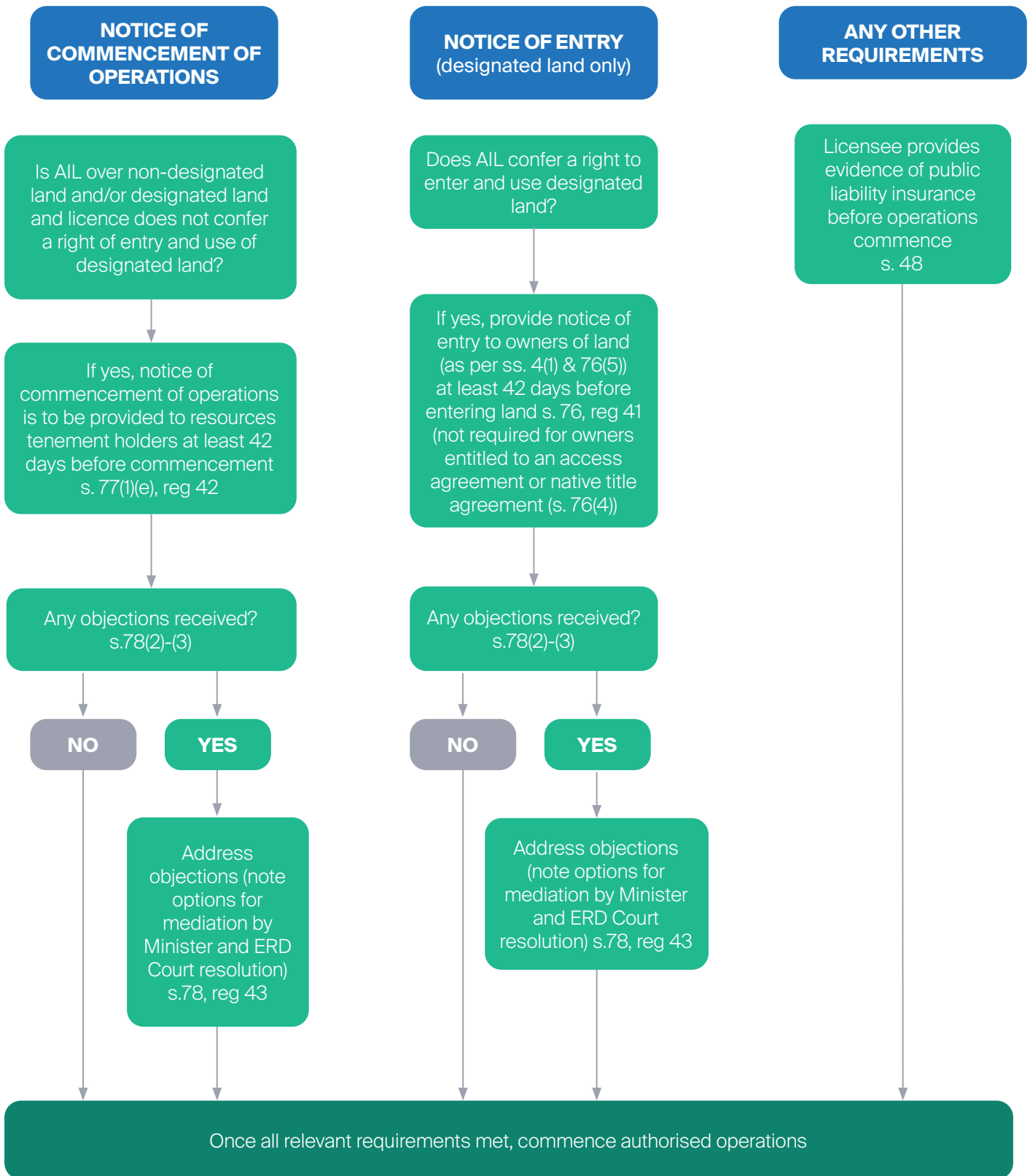


## Pre-commencement requirements



Actions on page 8 and 9 all have to be completed before the activity can commence.

- Applicant
- Minister/delegate
- † Indicative time



## Further information, lodgement and reporting

---

DEM can be contacted about licensing and approval requirements, lodgement of documents for approvals and meeting of reporting obligations as per the following:

**DEM Energy Licensing:** [DEM.ERDLicensing@sa.gov.au](mailto:DEM.ERDLicensing@sa.gov.au)

- Enquiries about, and applications for the approval of, licences and permits
- Licence reporting obligations (Part 5 of regulations, excluding incident reports)

**DEM Energy Regulation:** [DEM.EnergyRegulation@sa.gov.au](mailto:DEM.EnergyRegulation@sa.gov.au)

- Enquiries about, and applications for the approval of:
  - consultation plans
  - statement of environmental objectives and environmental impact reports
  - operational management plans
- Incident reporting (regulation 30)

**General information on the HRE Act:** [www.energymining.sa.gov.au/industry/hydrogen-and-renewable-energy/hydrogen-and-renewable-energy-act](http://www.energymining.sa.gov.au/industry/hydrogen-and-renewable-energy/hydrogen-and-renewable-energy-act)

## ACKNOWLEDGEMENT OF COUNTRY

---

As guests on Aboriginal land, the Department for Energy and Mining (DEM) acknowledges everything this department does impacts on Aboriginal country, the sea, the sky, its people, and the spiritual and cultural connections which have existed since the first sunrise. Our responsibility is to share our collective knowledge, recognise a difficult history, respect the relationships made over time, and create a stronger future. We are ready to walk, learn and work together.

## FURTHER INFORMATION

---

**Department for Energy and Mining**  
Level 4, 11 Waymouth Street, Adelaide  
GPO Box 618, Adelaide SA 5001

**T** +61 8 8463 3000  
**E** DEM.ERDLicensing@sa.gov.au  
DEM.EnergyRegulation@sa.gov.au

[www.energymining.sa.gov.au](http://www.energymining.sa.gov.au)

## 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 they identify and address, where applicable, Federal, state and local government approvals required for their specific project



**Government  
of South Australia**

Department for  
Energy and Mining

07/08/2025-205953