

# Landholder guide

Decommissioning  
renewable  
energy projects

September 2025



Coexistence  
Queensland

COMMUNITIES • AGRICULTURE • RESOURCES • ENERGY



## About us

Coexistence Queensland is an independent statutory body that was established as the GasFields Commission Queensland on 1 July 2013 to manage and improve the sustainable coexistence of Queensland's landholders, regional communities, and onshore gas industry.

In 2024, the Queensland Parliament passed legislation and renamed the organisation Coexistence Queensland, with an expanded remit addressing Queensland's diverse energy and resources landscape and the emerging challenges and opportunities facing regional and rural communities.

Coexistence Queensland works collaboratively with government, industry, community and landholders to facilitate balanced development outcomes, and support the preparedness of communities where resource and energy developments are occurring.

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We do this by:

- advising and influencing government and other stakeholders on policy and program measures to enhance coexistence outcomes, informed by the views of regional and rural communities
- providing landholders and community independent information about their rights in relation to development and how to approach interactions with developers to negotiate mutually acceptable outcomes
- partnering with government, local authorities, peak bodies, and community groups to deliver programs that support communities and foster the development of resources and energy projects in a transparent, fair, and responsible manner.

If you do not have access to a printer, hard copies of this publication are available on request to Coexistence Queensland.

This publication can be provided in alternative format (e.g. large print or audiotape) for people with vision impairment.

## Contact details

For any enquiries related to coexistence with the resources and renewable energy industries, please reach out to us via phone, email, or mail using the following contact details:

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# Introduction

The growth of Queensland's renewable energy sector is driving increased demand for land to develop renewable energy projects. This demand creates opportunities for landholders to choose to host renewable projects on their land and receive payment under agreements for doing so.

The purpose of this guide is to provide factual and practical guidance related to decommissioning to landholders who may be considering hosting renewable energy projects on their property.

Unlike the resources sector, there is no specific legislation in Queensland governing land access or agreement-making for landholders hosting renewable energy projects on their land. Renewable energy development in Queensland is regulated under the *Planning Act 2016* (Planning Act) with development approvals governing the way in which projects proceed and under what statutory conditions. This means the rights and obligations of renewable energy companies and landholders are left largely to the terms of commercial agreements entered between those parties. It is important these agreements protect landholders against undue liability in relation to the project, including costs and obligations for the decommissioning of infrastructure at the end of the project.

There are many factors for landholders to consider before agreeing to host a renewable energy project on their land.

This guide focuses on one of those considerations: decommissioning. This guide should be read in conjunction with the Queensland Farmers' Federation's *Renewable Energy Landholder Toolkit* for a broader understanding of what to consider when making agreements.

This guide:

- Explains what is involved in decommissioning renewable energy projects.
- Outlines the relevant regulatory requirements.
- Sets out important matters for landholders to consider in discussions and negotiations with renewable energy companies to make informed decisions about hosting a renewable energy project.

This guide provides general information only. We encourage landholders to seek legal advice when negotiating any agreements.

Further information  
**Queensland  
Farmers' Federation  
Renewable Energy  
Landholder Toolkit**





# What is decommissioning?

Decommissioning is the final stage in every project's lifecycle. It involves dismantling and removing the infrastructure used for the project and restoring the land.

Decommissioning is site-specific for every project. Decommissioning requirements, activities, and duration will vary depending on considerations such as the type of project, any conditions of approvals, infrastructure used, location, surrounding environment, and impact the project has had on the land.

***Infrastructure for the project should be removed and recycled or disposed of in a responsible manner.***

***The duration of decommissioning activities is variable. Talk to the renewable energy company about the decommissioning process and timeframes.***

There may be options other than decommissioning available at the end of a development approval that you can discuss with the renewable energy company. However, these options would be subject to commercial decisions and any necessary approvals and agreements.

They include:

- Extension of life with no change to asset management.
- Refurbishment of infrastructure to extend life.
- Repurposing of infrastructure.
- Deconstruction (decommissioning) and rehabilitation, as per development approval and agreements.
- Repowering a site by completely replacing equipment on an existing site.

Decommissioning of renewable energy projects may include:

- Disconnection from the electrical grid.
- Removal and recycling or disposal of wind turbines or solar panels and equipment.
- Removal of above-ground components.
- Removal and recycling of underground cabling and/or concrete footings, as agreed.
- Removal of access roads, gates and fencing (depending on the landholder's preference – if agreed, infrastructure may be retained).
- Rehabilitation of the site to its former condition, or as agreed, and in accordance with any planning or environmental approval obligations.

## Why are decommissioning arrangements important?

Decommissioning arrangements are important to ensure:

- the costs of decommissioning and obligations to remove infrastructure are borne by the renewable energy company and do not fall to the landholder
- landholders are not left with disused and potentially unsafe infrastructure on their land
- the land is returned to an agreed state at the end of the renewable energy project.

Decommissioning costs can be unpredictable to estimate as:

- renewable technologies are advancing rapidly, meaning technology used on a site may change throughout the project's lifespan
- potential for 'recommissioning' or 'repowering' of projects, with appropriate landholder agreement or approval
- regulations governing remediation and waste management continue to evolve
- inflation and cost increases for waste disposal need to be considered.





# Legal framework

It is important to note that for a renewable energy project to be developed on your land, your agreement is required. Generally, this involves an owner providing consent in the form of a commercial lease arrangement, such as an Access and Option to Lease, or a Lease Agreement.

Decommissioning should be considered in all agreements between landholders and renewable energy companies as there is no specific legislative framework in Queensland governing the decommissioning of renewable energy projects.

Decommissioning requirements and obligations are dealt with as part of the development assessment process under the Planning Act and any resulting approval may include conditions addressing these matters.

## Planning requirements and development assessment

To develop a solar, wind, or battery energy storage system (BESS) project, the renewable energy company will require a development approval (DA) under the Planning Act. Depending on the type of project, development assessment will be undertaken either by the local or state government.

Development assessment of a wind or solar development is required to undergo impact assessment. Wind farms and large-scale solar farms are assessed by the state government, while the relevant local government assesses small-scale solar farms and any other renewable energy development. Under impact assessment, development applications require public notification, allowing community members and other stakeholders to lodge submissions, which must be considered by decision makers. Additionally, third-party appeal rights will be available. BESS projects are currently assessed by local government.

Both wind and solar developments are assessed against development codes administered by the state government. These codes are:

- State Code 23: Wind farm development.
- State Code 26: Solar farm development.

Under these codes, there are clear performance outcomes for decommissioning. These include:

- Relevant components of development – both after completion of construction and at cessation of operations – are decommissioned in a timely and efficient manner.
- Decommissioning ensures materials removed from site that are destined for landfill are minimised, while opportunities to reuse, recycle and/or repurpose are deployed to the greatest extent feasible.
- Decommissioning at end of operations ensures disturbance footprints are rehabilitated, and waterways and drainage patterns are reinstated.
- Decommissioning plans are secured by bonds or financial guarantees or other mechanism/s to safeguard compliance.

Currently for BESS projects, landholders should refer to their local government's planning scheme for planning requirements.

Landholders should discuss decommissioning obligations and understand how they will be met as part of the agreement negotiations with renewable energy companies.

## Development applications and owner consent

A development application for a renewable energy project cannot be made without the owner's consent. The 'owner' of land, premises or place has a specific meaning for the purposes of the Planning Act.

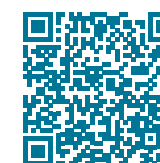
Namely, the person who is entitled to receive rent for the land, or would be entitled to receive rent if the land, premises, or place were rented to a tenant. Generally, this will be land that is freehold title. There may be other considerations for land which is not freehold land, such as leasehold land.

Once consent is provided, it cannot be revoked. Therefore, the landholder's best opportunity to negotiate an agreement that protects them against risks associated with decommissioning and rehabilitation at the end of project life is prior to the owner's consent being given to an agreement to host a renewable energy project, and prior to a development application.

Any conditions of the development application, including those relating to decommissioning, run with the land.

The conditions therefore bind to the land and are binding to any current or future owner of the land, the renewable energy company, and any occupier of the premises, while the development approval is in effect. It is therefore very important the commercial agreement between the landholder and renewable energy company clearly states expectations around decommissioning obligations for each party.

Further information  
Renewable energy  
development on state land





# What to include in an agreement

This section outlines key considerations for landholders in relation to decommissioning before signing owner's consent or entering into an agreement.

The precise decommissioning arrangement for an agreement will be situation-dependent and should be determined in accordance with independent legal advice. Landholders should engage qualified and experienced legal counsel to provide this advice as early in the commercial agreement process as possible.

The Queensland Renewable Energy Council, the renewable energy industry's peak body in Queensland, considers it leading practice for renewable energy companies to fund the 'reasonable costs' associated with the landholder obtaining independent professional advice.

There is value in considering who you engage for legal advice, recognising there are many legal practitioners with significant experience in negotiating agreements for renewable energy projects.

Parties should secure clear and binding commitments within the initial agreement. This includes a process for:

- setting detailed decommissioning and rehabilitation obligations
- establishing financial security (such as bonds or guarantees)
- requirements for ongoing consultation and review, as appropriate.

An agreement between a landholder and renewable energy company should clearly set out:

- A clear and accurate description of the project and its location on the land.
- A requirement that the renewable energy company obtains owner consent, prior to making any changes to the development application or development approval.
- The project's lifetime.
- Each party's rights for renegotiating lease terms to extend the project's life.
- Workplace Health and Safety responsibilities and insurance.
- Documentation of the property's condition prior to commencement of activities to facilitate agreement of appropriate conditions following decommissioning and final rehabilitation.
- The scope of decommissioning and rehabilitation activities required of the renewable energy company, as well as a plan for the decommissioning process.

- Details of any infrastructure to be retained by the landholder and not removed at the end of the project, pending any necessary regulatory approvals.
- How the renewable energy company intends to fund their decommissioning obligations, such as through bank guarantee, security bond, or trust funds. (Note: this protects the landholder in the event the renewable energy company becomes insolvent during the life of the project.)
- Timing of decommissioning commencement and completion following end of operational life.
- Salvage rights of the respective parties.
- Detailed cost estimates of decommissioning, or an agreed process for establishing costs, considering the final development may change prior to development approval.

Clear drafting of the agreement ensures that in the event of a future dispute, the landholder can clearly identify the obligations of both parties.





## Financial guarantee provided by the renewable energy company

Securing decommissioning obligations through financial guarantee, such as bank guarantee, security bond, or trust fund, is the most effective way to ensure funding is available for decommissioning activities.

Financial guarantees protect landholders by providing a guarantee that ensures responsibility for financial obligations for decommissioning are met in the event the project owner defaults or is unable to make payments.

Planning provisions require that following development approval, but prior to commencement of construction, evidence of such an arrangement being in place is required. Therefore, landholders should consider negotiating these arrangements as early as possible directly with the renewable energy company.

Any financial guarantee arrangements should be based on detailed estimated costs of decommissioning and rehabilitation associated with the approved project. When calculating estimates, consideration should be given to inflation and any salvage value of the infrastructure at the end of the project's life.

It may be appropriate for landholders to consider negotiating the inclusion of periodic audit and review provisions in their agreement to ensure the amount secured for decommissioning is appropriate over the life of the project. The agreement should clearly set out when and how the landholder can call on any security bond funds or similar guarantee.

The timing of provision of financial security is important. In some instances, renewable energy companies may propose providing any security bond in instalments over the project's life and commencing at construction. Any agreement should provide adequate details outlining how and when financial security will be provided and maintained.

It is also important for landholders to consider negotiating mechanisms to ensure the renewable energy company's decommissioning and rehabilitation obligations can still be met in the event of payment defaults, non-compliance, or attempts to avoid or reduce decommissioning obligations.

## Useful links



**Queensland Farmers' Federation's Renewable Energy Landholder Toolkit**

<https://bit.ly/4fq3VI2>



**Queensland Government State Code 26: Solar farm development**

<https://bit.ly/3J1dCu3>



**Queensland Renewable Energy Council's Queensland Renewable Energy Developer & Investor Toolkit**

<https://bit.ly/4mvkgr2>



**Queensland Government State Code 23: Wind farm development**

<https://bit.ly/45junZ4>



**Australian Energy Infrastructure Commissioner**

Concerned community residents who live in proximity to proposed or operating wind farms, large scale solar farms (5 MW or more), energy storage facilities such as large-scale batteries (1 MW or more) and new major transmission projects can make a complaint to the Office of the Australian Energy Infrastructure Commissioner:

<https://bit.ly/455WBYS>



**Renewable Energy (RE-Alliance) Toolkit**  
*Refurbishment, repowering or retirement. What happens when renewables approach end of life?*

<https://bit.ly/450nGM4>



**Further information**

For links to many other information resources, head to the Coexistence Queensland 'Resources' page:

<https://bit.ly/46C5j1D>



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