

Submission: Draft Tasmanian Renewable Energy Code of Conduct

1. Overview

COTA Tasmania supports the introduction of a mandatory, legislated Code of Conduct for renewable energy developers and electricity infrastructure providers.

For COTA Tasmania, the central test of the transition is whether it supports local communities. The transition can bring significant public benefits, but those benefits and its legitimacy will depend on developers listening and responding to community needs, and on development being undertaken with communities rather than simply explained to them after important decisions have been made.

The draft Code is a constructive foundation. In particular, COTA Tasmania welcomes its emphasis on local context, early and ongoing engagement, benefit-sharing, cumulative impacts and dispute resolution. However, much of the proposed compliance model is based on developers producing evidence that specified activities have occurred. Evidence of a consultation process is not necessarily evidence that people were able to participate, that their concerns were addressed, or that project design changed.

The final Code should therefore combine process requirements with measurable outcomes, independent oversight and practical remedies where minimum standards are not met. This is particularly important in applying the Code's baseline and leading-practice framework: meeting the baseline should require evidence of meaningful participation and influence, while leading practice should demonstrate stronger, independently verifiable outcomes.

2. About COTA Tasmania

Council on the Ageing (COTA) Tasmania is the leading voice for older Tasmanians. We are an independent, not-for-profit organisation working to advance the rights, interests and wellbeing of older people and to ensure their experiences inform public policy, services and community decision-making.

Our policy and advocacy are informed by direct engagement with older Tasmanians, COTA members, community organisations and service providers across the State. This work reflects the diversity of older people's circumstances, including people living in rural and regional communities, people on low or fixed incomes, people with disability, carers, renters and homeowners.

Tasmania has one of Australia's oldest population profiles. Many renewable energy and transmission developments will be located in rural and regional communities in which older people form a substantial part of the population.

COTA Tasmania therefore has a direct interest in whether the proposed Code enables those residents to understand, influence and benefit from decisions that may reshape their communities for decades.

3. Recommendations

- Make accessible and inclusive participation a baseline requirement, with older people explicitly recognised among groups whose participation may require active support.
- Apply the Code from the earliest public or landholder engagement and retain relevant obligations throughout construction, operation, ownership changes and decommissioning.
- Assess baseline compliance and progress towards leading-practice goals by the quality and effect of engagement, not simply by the existence of plans, meetings and reports.
- Require assessment and mitigation of cumulative pressures on housing, health and community services, transport, safety, energy needs and local infrastructure, including the interaction between them.
- Ensure community benefits are transparent, equitable and responsive to the needs of people who may not own affected land or belong to well-resourced local groups.
- Establish a free, accessible and independent complaints pathway, backed by corrective powers, enforceable consequences and public reporting.
- Require community and civil-society participation in reviews of the Code, not consultation with developers alone.

4. Detailed Comments

4.1 Accessible and inclusive participation

The draft Code requires engagement tailored to the participation capacity and needs of the host community and encourages work with organisations supporting marginalised or under-represented groups. These are welcome provisions. The latter requirements, however, are largely placed within leading practice rather than the baseline.

Inclusive engagement must be a minimum obligation. Older residents can be excluded by digital-only communications, inaccessible venues, inadequate notice, lengthy technical documents, unfamiliar online mapping systems, travel limitations, hearing or vision impairment, cognitive changes, and meeting formats dominated by those with greater confidence or resources. A public website and an evening information session do not, by themselves, constitute inclusive engagement.

Baseline requirements should include plain-language and non-digital information; accessible formats and venues; face-to-face opportunities at suitable locations and times; reasonable notice and response periods; telephone and written response options; assistance for people who need it; and proactive outreach through trusted local organisations. Older people should be expressly identified in the Code or technical guidance as a group whose participation needs must be considered.

4.2 Early engagement with demonstrable influence

Code obligations should commence at the earliest public-facing activity or substantive approach to landholders. Commencement at lodgement of a planning application would be too late: by then routes, sites, commercial assumptions and major design choices may be difficult to change.

Developers should be required to publish an engagement outcomes report explaining the issues raised, the options considered, what changed as a result, what did not change, and why. This would make the draft commitment to demonstrate how community engagement has shaped project delivery meaningful and testable. Relevant obligations should also apply prospectively to existing projects.

Communities continue to experience impacts and require information throughout construction, operation, maintenance, changes of ownership, repowering and decommissioning. A transfer of ownership must not erase commitments made by an earlier developer.

4.3 Cumulative community impacts

The draft Code appropriately recognises cumulative impacts, including housing availability, workforce preparedness, construction sequencing and traffic. COTA Tasmania strongly supports this approach, but considers it should be a baseline rather than a leading-practice expectation.

In smaller rural communities, concurrent projects can place disproportionate pressure on rental housing, general practice and emergency services, roads, community facilities and volunteer capacity.

Assessments should also consider how project-related demand and infrastructure changes may affect the affordability, reliability and resilience of energy services for existing residents.

These pressures can particularly affect older residents who have limited transport options, fixed incomes or established care arrangements. Social impact assessments should examine age and disability as well as geography and should assess the combined effect of other approved, proposed, and reasonably foreseeable developments.

Where significant pressures are identified, developers should be required to publish and implement mitigation plans developed with councils, service providers and affected communities. Commitments should be specific, funded, and time-bound.

4.4 Fair and lasting community benefits

COTA Tasmania supports co-designed and transparent benefit-sharing. Benefits should not accrue principally to host landholders, the best organised groups or communities closest to a project gate. Residents affected by transmission routes, construction traffic, workforce housing demand or changes to local services may live across a much wider area.

Benefit-sharing processes should actively include older residents, people with disability, people on low incomes and people without digital access. Funding decisions should be transparent, free from developer control, and directed toward lasting community priorities rather than short-term sponsorship. Appropriate investments might include accessible community infrastructure, transport, energy resilience, social connection and initiatives strengthening local service capacity.

Community benefits must remain distinct from compensation owed to an individual or from expenditure needed to prevent or mitigate project impacts. A community grant should never be treated as an answer to an unresolved property, access, amenity, or safety concern.

4.5 Complaints, compliance and review

The draft Code assigns management and monitoring of the Code to the Director of Energy Planning.

It also requires developers to maintain robust dispute-handling and resolution mechanisms, but the pathway for independent escalation remains uncertain. A complaints pathway controlled by the developer will not command confidence where the complaint concerns that developer's conduct.

People should be able to obtain information and lodge a complaint by telephone, in writing or online, without charge and without needing legal representation. As the proposed Code manager, the Director of Energy Planning should provide or commission a single, independent point of escalation.

The pathway should provide acknowledgement, clear timeframes, reasons for decisions, review or escalation, protection from retaliation and assistance for people who need support to participate. Government should have powers to require corrective action and, for serious or repeated breaches, impose proportionate sanctions.

Public reporting should include complaints received, their subject, resolution times, substantiated breaches, corrective action and outstanding matters, while protecting personal information. Annual developer self-reporting should be supplemented by risk-based audit and direct community feedback.

Finally, the proposed Code gives developers notice of, and an opportunity to contribute to, future reviews. Communities, councils and civil-society organisations should have an equivalent statutory opportunity. The effectiveness of the Code must be assessed by the experience of affected people, not solely by the regulated entities.

5. Conclusion

COTA Tasmania supports a renewable energy future that delivers broad and lasting benefits for Tasmania. Strong community confidence will not be achieved through consultation activity alone. It requires early influence, inclusive participation, transparent decisions, independent remedies and evidence that commitments are honoured over the life of each project.

With these safeguards, the proposed Code can provide a credible minimum standard and help ensure that older Tasmanians in rural and regional communities are participants in the transition, rather than people to whom its consequences are simply announced.