

HERBERT SMITH FREEHILLS RENEWABLES EXPERTS ADVISE ON SUCCESSFUL CHALLENGE TO QUEENSLAND SOLAR REGULATIONS

30 May 2019 | Australia, Asia Pacific
Deals and cases

Herbert Smith Freehills has acted for Maryrorough Solar – the developer of the Brigalow Solar Farm – in the successful challenge to the validity of the *Electrical Safety (Solar Farms) Amendment Regulation 2019 (Qld)*.

This amendment, which came into force on 13 May, required licensed electricians to locate, mount, fix or remove solar panels on projects larger than 100kW. Justice Bradley of the Supreme Court of Queensland yesterday deemed the amendment to be beyond the regulation-making powers of Queensland’s *Electrical Safety Act 2002*.

The Herbert Smith Freehills team was led by partner [Aaron Anderson](#), supported by senior associate [Nicole Jones](#) and solicitor Madeleine Day.

Mr Anderson said, “This regulation would have added substantially to the construction cost of solar projects in Queensland without improving the safety of workers.”

“We are pleased to have been able to assist our client in this important matter for the solar industry.”

The decision has been welcomed by the renewable energy industry. Lane Crockett, head of renewables for Impact Investment Group, the financial backers of Maryrorough Solar, said, “Queensland is a key player in moving Australia to a clean energy system, so we’re looking forward to getting on with safe, efficient construction at the Brigalow Solar Farm, and helping the state meet its renewable energy targets.”

The Queensland Government has appealed the decision.

This matter highlights Herbert Smith Freehills' position as the market's leading advisor on all aspects of renewable energy, including project development, power purchase and offtake agreements, project finance, M&A and litigation.

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