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Using state land for renewable energy projects

State land may be used for renewable energy projects through a range of tenure arrangements. These include:

- using an existing lease
- subleasing an existing lease
- purchasing or leasing unallocated state land.

This guide explains the various options and how applications are assessed.

For more information on renewable energy in Queensland, visit [Business Queensland \(https://www.business.qld.gov.au/industries/mining-energy-water/energy/renewable\)](https://www.business.qld.gov.au/industries/mining-energy-water/energy/renewable).

Using an existing lease

Landholders under the *Land Act 1994* may only use their lease land for the purpose for which the lease was issued. Landholders who wish to use their lease for a renewable energy project can apply to add an [additional purpose to their lease \(https://www.qld.gov.au/environment/land/state/leases/purpose-conditions\)](https://www.qld.gov.au/environment/land/state/leases/purpose-conditions).

If the lease is approaching its expiry, we recommend that landholders apply to [renew the lease \(https://www.qld.gov.au/environment/land/state/leases/renewing2\)](https://www.qld.gov.au/environment/land/state/leases/renewing2) and include the new purpose as part of this application.

If the lease is approved for use as an additional purpose for renewable energy production, landholders may have to agree to a change in the conditions of the lease to reflect this.

Subleasing an existing lease

Renewable energy proponents can enter into a sublease agreement with a landholder.

If the purpose of the lease does not support the proposed renewable energy project, the landholder will need to apply to [amend the purpose of their lease \(https://www.qld.gov.au/environment/land/state/leases/purpose-conditions\)](https://www.qld.gov.au/environment/land/state/leases/purpose-conditions).

In conjunction with this application, the landholder can apply for [approval to sublet \(https://www.qld.gov.au/environment/land/state/application/forms/services/approval-of-a-sublease\)](https://www.qld.gov.au/environment/land/state/application/forms/services/approval-of-a-sublease) the lease (or part thereof) to the renewable energy proponent.

The term of the sublease must be less than the remaining term of the lease (this also applies to freeholding leases).

If the lease is approaching expiry, we recommend that the landholder also apply to renew the lease (<https://www.qld.gov.au/environment/land/state/leases/renewing2>).

Purchasing or leasing unallocated state land

Renewable energy project proponents can apply to purchase or lease an area of unallocated state land for their project.

The land may be made available for lease or as freehold by auction, tender or ballot, or without competition. See the guides on purchasing state land (<https://www.qld.gov.au/environment/land/state/purchase-exchange/purchasing>) and leasing state land (<https://www.qld.gov.au/environment/land/state/leases/leasing>) for more information.

Restrictions under the *Land Act 1994*

Licences, permits to occupy and trust land are not suitable for renewable energy projects under the *Land Act 1994*.

If a project proposes to use a freeholding lease, including a grazing homestead freeholding lease, the landholder may be required to pay the outstanding instalments on the lease to obtain freehold tenure of the land.

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Contact

For more information, including advice on how to fill out application forms, contact your nearest business centre (<https://www.resources.qld.gov.au/contact-us#state-land>) or call 13 QGOV (13 74 68).

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