



Queensland

Rural and Regional Adjustment (Battery Booster Rebate Scheme) Amendment Regulation 2023

Subordinate Legislation 2023 No. 182

made under the

Rural and Regional Adjustment Act 1994

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1 Short title

This regulation may be cited as the *Rural and Regional Adjustment (Battery Booster Rebate Scheme) Amendment Regulation 2023*.

2 Regulation amended

This regulation amends the *Rural and Regional Adjustment Regulation 2011*.

3 Insertion of new sch 55

After schedule 54—

insert—

Schedule 55 Battery Booster Rebate Scheme

section 3(1)

Part 1 Preliminary

1 Objective of scheme

The objective of the scheme is to encourage the installation of approved battery systems at residential premises.

2 Purpose of assistance

The purpose of assistance under the scheme is to give individual owners of residential premises a rebate to offset the cost of having an approved battery system suitably installed at the premises.

3 Definitions for schedule

In this schedule—

applicant, in relation to assistance under the scheme or conditional approval for assistance under the scheme, means a person applying for the assistance or conditional approval.

approved battery system means a battery energy storage system that is included in the list of systems approved, for the purposes of the scheme, on the electricity department’s website.

approved installer means an installer of approved battery systems at residential premises who is included in the list of installers approved, for the purposes of the scheme, on the electricity department’s website.

Building Code of Australia see the *Building Act 1975*, section 12.

class 1a building—

- (a) means a class 1a building under the Building Code of Australia; and
- (b) includes a granny flat.

conditional approval application means an application under section 8 for conditional approval for assistance under the scheme.

electricity department’s website means the website of the department administering the *Electricity Act 1994*.

granny flat means a small building on a lot that—

- (a) is capable of providing self-contained accommodation; and
- (b) is not—
 - (i) a house, or other main building used for residential purposes, on the lot; or
 - (ii) a manufactured home.

house means residential premises on a lot, if the premises are—

- (a) a single detached dwelling; and
- (b) the main building on the lot used for residential purposes.

income earner, for an application for assistance under the scheme, means—

- (a) if the applicant has a spouse who is an individual owner of the residential premises to which the application relates—whomever of the applicant or the spouse had the higher taxable income for the most recently ended financial year; or
- (b) otherwise—the applicant.

individual owner, of residential premises, means an individual who is—

- (a) for a house—
 - (i) the registered owner of the lot on which the house is located; or
 - (ii) if there is a home ownership lease over the lot on which the house is located under the *Aboriginal Land Act 1991* or the *Torres Strait Islander Land Act 1991*—the lessee under the lease; or
- (b) for a granny flat—
 - (i) the registered owner of the lot on which the flat is located; or
 - (ii) the person who, under any arrangement, resides at the flat and has responsibility for making significant repairs or modifications to the flat; or
- (c) for residential premises, other than a house or granny flat, on a lot that is included in a community titles scheme under the *Body Corporate and Community Management Act*

1997 or on a building units plan or group titles plan registered under the *Building Units and Group Titles Act 1980*—the registered owner of the lot; or

- (d) for other residential premises—the person the authority is satisfied owns the premises on the basis of an arrangement or document evidencing that the person is the owner or is treated as the owner by the entity that owns the land on which the premises are located.

lot means—

- (a) a lot on a building units plan or group titles plan registered under the *Building Units and Group Titles Act 1980*; or
- (b) a lot under the *Land Title Act 1994*.

manufactured home means—

- (a) a manufactured home under the *Manufactured Homes (Residential Parks) Act 2003*, section 10; or
- (b) a caravan that has been modified so that it may not be moved from its position using the means ordinarily used to transport the caravan.

notice of assessment means a notice of assessment issued under the *Income Tax Assessment Act 1997* (Cwlth).

registered owner, of a lot, means—

- (a) for a lot on a building units plan or group titles plan registered under the *Building Units and Group Titles Act 1980*—the proprietor of the lot under that Act; or
- (b) for another lot—the registered owner of the lot under the *Land Title Act 1994*.

residential premises means a class 1a building in Queensland.

scheme means the scheme set out in this schedule.

suitably installed, in relation to an approved battery system at residential premises, see section 4.

taxable income, of an individual, means the individual's taxable income within the meaning of the *Income Tax Assessment Act 1997* (Cwlth).

4 Meaning of *suitably installed*

- (1) An approved battery system is *suitably installed* at residential premises if—
 - (a) the system is installed, and connected to a suitable solar PV system that is installed—
 - (i) at the premises; or
 - (ii) on the lot or other land on which the premises are located; and
 - (b) the person who carried out the installation and connection is an approved installer; and
 - (c) the connection allows the approved battery system and suitable solar PV system to operate together.
- (2) In this section—

suitable solar PV system means a solar photovoltaic system with a system capacity of 5kW or more.

Part 2 General provisions for scheme

5 Nature and amount of assistance

- (1) The nature of the assistance available under the scheme is a rebate to offset the cost of having an approved battery system suitably installed at

residential premises owned by the applicant.

- (2) The amount of the assistance is the total of—
 - (a) the lesser of the following amounts—
 - (i) the amount mentioned in subsection (3);
 - (ii) the cost incurred by the applicant for having the approved battery system suitably installed at the residential premises; and
 - (b) the amount of any GST payable by the authority in relation to the assistance mentioned in paragraph (a).
- (3) For subsection (2)(a)(i), the amount is—
 - (a) if the taxable income of the income earner for the application, for the most recently ended financial year, is \$66,667 or less—\$4,000; or
 - (b) otherwise—\$3,000.

6 Operation of scheme

The scheme—

- (a) opens on the day stated on the electricity department's website as the day the scheme opens; and
- (b) closes on the earlier of the following days—
 - (i) the day stated on the website as the day the scheme closes;
 - (ii) the day on which the authority's assistance funds for the scheme become insufficient to pay further assistance under the scheme.

7 Eligibility criteria—conditional approval for assistance

An applicant is eligible for conditional approval for assistance under the scheme in relation to residential premises if—

- (a) the applicant is an individual owner of the premises; and
- (b) a person has not previously received assistance under the scheme in relation to—
 - (i) the premises; or
 - (ii) if the premises are located on a lot—any other residential premises located on the same lot; and
- (c) the applicant has obtained a quote for the sale of an approved battery system from—
 - (i) an approved installer; or
 - (ii) another retailer of approved battery systems; and
- (d) the applicant's taxable income or, if the applicant has a spouse, the combined taxable income of the applicant and spouse, for the most recently ended financial year, is \$180,000 or less.

8 Conditional approval applications

- (1) An application for conditional approval for assistance under the scheme in relation to residential premises must be—
 - (a) made in the approved form; and
 - (b) given to the authority before the applicant applies for the assistance under section 11.
- (2) The application must be accompanied by—
 - (a) a copy of the quote mentioned in section 7(c) relating to the residential premises; and

- (b) a copy of the notice of assessment for the applicant's taxable income or, if the applicant has a spouse, the combined taxable income of the applicant and spouse, for the most recently ended financial year; and
 - (c) any other documents stated in the form.
- (3) However, if the notice of assessment mentioned in subsection (2)(b) has not been issued when the application is made, the application—
- (a) is not required to be accompanied by a copy of the notice; and
 - (b) must be accompanied by other documentary evidence, to the satisfaction of the authority, of the taxable income or combined taxable income.
- (4) If the authority asks the applicant to provide further information to decide the application, the applicant must provide the information.

9 Deciding conditional approval applications

- (1) The authority must consider each conditional approval application and decide to approve, or refuse to approve, the application.
- (2) The authority must consider conditional approval applications in the order they are received by the authority.
- (3) The authority must, for each conditional approval application, give the applicant written notice of the authority's decision.

10 Eligibility criteria—assistance

An applicant is eligible to receive assistance under the scheme in relation to residential premises if—

- (a) the authority has, under section 9(1), approved a conditional approval application for the assistance by the applicant; and
- (b) the applicant is an individual owner of the premises; and
- (c) the applicant's taxable income or, if the applicant has a spouse, the combined taxable income of the applicant and spouse, for the most recently ended financial year, is \$180,000 or less; and
- (d) the authority is satisfied the approved battery system for which the conditional approval was given has been suitably installed at the premises; and
- (e) the applicant applies for the assistance under section 11 on or before the day that is—
 - (i) 90 days after receiving written notice of the conditional approval under section 9(3); or
 - (ii) a later day, not later than 120 days after receiving the notice, if the authority is satisfied it is not reasonably practicable for the installation to have been carried out, and the application made, until the later day.

11 Applications for assistance

- (1) An application for assistance under the scheme in relation to residential premises must be—
 - (a) made in the approved form; and
 - (b) accompanied by the following—
 - (i) if a financial year has ended since the conditional approval application for the assistance was made—a copy of the notice of assessment for the applicant's

- taxable income or, if the applicant has a spouse, the combined taxable income of the applicant and spouse, for the most recently ended financial year;
- (ii) if section 5(2)(a)(i) applies for working out the amount of assistance applied for—
 - (A) a declaration by the applicant stating the name of the income earner for the application; and
 - (B) a copy of the notice of assessment for the taxable income of the income earner for the most recently ended financial year;
 - (iii) a copy of the tax invoice for the purchase, and installation at the premises, of the approved battery system for which conditional approval for the assistance was given under section 9;
 - (iv) any other documents stated in the form.
- (2) However, if the notice of assessment mentioned in subsection (1)(b)(i) or (ii)(B) has not been issued when the application is made, the application—
- (a) is not required to be accompanied by a copy of the notice; and
 - (b) must be accompanied by other documentary evidence, to the satisfaction of the authority, of the taxable income or combined taxable income.
- (3) The tax invoice mentioned in subsection (1)(b)(iii) must state that the approved battery system was installed, in the way described in section 4, at the residential premises.
- (4) The authority may ask an applicant to provide

further relevant information required to decide the application.

12 Deciding applications for assistance

- (1) The authority must consider, and decide to approve or refuse to approve, each application for assistance under the scheme that complies with section 11.
- (2) The authority must consider applications in the order they are received.
- (3) The authority must refuse to approve an application if the authority's assistance funds for the scheme are not sufficient to pay for the assistance applied for in the application.
- (4) If the authority refuses to approve the application, the authority must give the applicant written notice of the decision.

ENDNOTES

- 1 Made by the Governor in Council on 7 December 2023.
- 2 Notified on the Queensland legislation website on 8 December 2023.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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