

17 June 2025

The Hon Jim McDonald MP
Member for Lockyer
State Development, Infrastructure and Works Committee
Minister for Infrastructure, Transport and Regional Development
Via email: SDIWC@parliament.qld.gov.au

Dear Hon Jim McDonald

Parliamentary Committee Consideration of Renewables Regulation

Thank you for the opportunity to provide input into the State Development, Infrastructure and Works Committee review of the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025.

As you will be aware there are numerous renewable energy projects proposed in the Rockhampton region, including wind, solar and battery projects. Community concerns have been expressed about the impacts of these projects. This includes a number of submissions received by Council during the development assessment process for Battery Storage facilities and community concerns (including the establishment of community action groups) regarding the impact of battery storage facilities, wind and solar farms.

Council acknowledges the intent of the Bill to “*provide an ability to identify, avoid, manage, mitigate and counterbalance indirect and cumulative social impacts from certain development types.*”

Council broadly supports the LGA Submission but would like to highlight several aspects.

LGAQ Recommendation 2: The LGAQ recommends the State Government ensures a coordinated approach to the development of renewable energy initiatives across State Government agencies, including the development of a renewable energy roadmap, a mandatory code of conduct for renewable energy proponents, a social licence toolkit, as well as changes to statutory and non-statutory planning instruments.

In many instances renewable energy projects are underpinned by offtake agreements with State GOCs (CleanCo, CS Energy and Stanwell Corporation), equity positions taken by GOCs and/or investments via Federal programs such as the Capacity Investment Scheme.

The current approach to renewable energy projects is however ad-hoc, proponent or market led approach that has inadvertently led to an uncoordinated approach despite mechanisms such as the Renewable Energy Zones (REZ) and REZ Readiness approach.

As a growing part of Queensland's energy system, the development of renewables projects should be **proactively planned and coordinated by the State Government** taking into account a range of factors including power network/grid requirements (and specific identified preferred locations – not just broad regions), individual and cumulative impacts and benefits to local communities, individual and cumulative environmental impacts, protection of good quality agricultural land, protection of scenic and visual amenity, fire management, separation distances from sensitive land uses, whole of lifecycle management and so on.

Further to these factors, project developments will add further pressure to the region's already stressed housing market and workforce – particularly in their construction phase.

Council should be involved in this planning, however State leadership and coordination is fundamental to delivering good outcomes for all involved.

***LGAQ Recommendation 4:** The LGAQ recommends the State Government reconsiders its stance on excluding Battery Energy Storage Systems (BESS) from assessment under the State Development Assessment Provisions (SDAP). This should consider whether:*

- *SARA should be the assessment manager for BESS where associated with a large-scale renewable energy facility - to mitigate challenges associated with dual assessments and dual approvals being required through both State and local governments.*
- *All BESS, or all BESS over a certain threshold, should be assessed by SARA.*

Council strongly supports this LGAQ recommendation to **include all grid scale Battery Energy Storage Systems (BESS) under the State Development Assessment Provisions (SDAP)**. Council's experience in this area is of multiple proponents and projects seeking to locate near larger substations, and in Rockhampton's case particularly, but not exclusively, the Bouldercombe substation where there is currently four BESS projects proposed.

Council has refused one Development Application in this area and the matter is currently subject to the appeal process. Again, State planning, coordination, SDAP and a specific State Code may have mitigated the risk of significant local community opposition.

BESS projects are an integral part of renewable energy developments, in many instances ancillary to the development of solar and wind farms. Many of the issues concerning wind and solar farms align with BESS projects and should be incorporated into the State assessment process.

***LGAQ Recommendation 5:** LGAQ recommends the State Government refines the proposed definitions contained in the draft Regulation for a 'prescribed renewable energy facility' and 'relevant renewable energy facility', in consultation with local government, to:*

- *Adopt a megawatt-based measure to define a 'prescribed renewable energy facility', rather than a megawatt- or area-based measure*
- *Confirm the proposed 1-megawatt threshold with Queensland councils*
- *Determine whether additional thresholds are warranted - to differentiate between when SARA assessment is warranted and when a SIA and CBA are warranted*
- *Consider whether a 'prescribed renewable energy facility' should include a wind farm of any scale.*

Council supports this LGAQ recommendation and specifically supports the 1 MW threshold for solar projects, with the only exception being where the solar installations are for rooftop installation on existing or approved buildings.

***LGAQ Recommendation 8:** The LGAQ recommends the State Government engages further with Queensland councils to develop a CBA framework, including but not limited to consideration of regulating minimum community benefit payment amounts, per megawatt per*

annum, and resourcing to support councils in fulfilling their new responsibilities under the framework.

Council strongly supports this LGAQ recommendation. Councils are largely ill equipped and insufficiently resourced to deal with the proposed Social Impact Assessment (SIA) and Community Benefit Agreement (CBA) framework. The SIA framework should include clear disclosure of the local procurement and employment impacts of projects in both construction and operational phases of development.

The proposed CBA framework should allow for both the existing “community benefit funds” that are managed by proponents and wider community benefit funding that might be aggregated at a Local Government area level to support larger initiatives and projects that benefit the wider regional community.

The proposed SIA and CBA framework also introduces the risk that Councils are seen to pre-emptively support projects before lodgement and assessment of Development Applications. Councils cannot support a proposed development without all the necessary design and supporting reports required by a development application. This needs to be made clear as part of the community benefit system. In addition, the mediation process, when parties do not agree on the CBA, needs to be outlined more clearly and how these matters are resolved.

LGAQ Recommendation 11: The LGAQ recommends the State Government provides regulatory clarity, to ensure local governments are established as concurrence agencies for renewable energy developments being assessed by SARA within their local government area, in a neighbouring local government area, or relying on infrastructure in the relevant local government area (such as ports and access roads). This should also ensure renewable energy proponents are required to formally respond to local government input provided during the development assessment process.

Council supports the recommendation of establishing local governments as concurrence agencies to ensure that the proposals align with Council's planning scheme, community expectations and the local government owned infrastructure. The scope of assessment, and what matters Council can have regard to, will need to be outlined in guidance material produced by the State Government in consultation with Local Government.

LGAQ Recommendation 13: Regarding CBA compliance, the LGAQ recommends the State Government provides legislative or regulatory clarity, to ensure:

- *A clear penalty regime is established and imposed for noncompliance with a CBA (including fines and public disclosure of noncompliance)*
- *Proponents are required to provide a bond or financial security (held in trust) to ensure CBAs are upheld*
- *Regulatory clarity to confirm a CBA binds to a development approval and the land, and how a CBA binds parties through the life of a project, including through transfers of ownership*
- *The State Government is sufficiently resourced to monitor compliance, audit, and resolve disputes relating to CBA compliance*
- *Future owners of properties subject to a CBA are made aware through statutory seller disclosure.*

Council supports this LGAQ recommendation to ensure CBA agreements survive any changes of ownership and that agreements must be tied to the land. In this regard, it is strongly recommended that the CBA also forms part of the final development approval conditions or as part of concurrence agency conditions, if the Local Government is assigned as a concurrence agency.

Overall, where projects are effectively planned, assessed and approved, local content in construction and operational phased of projects should be maximised along with delivery of local community benefits.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'E. Pardon', with a long horizontal flourish extending to the right.

Evan Pardon

Chief Executive Officer