Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025

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Committee Secretariat
State Development, Infrastructure and Works Committee
Queensland Parliament
Email: SDIWC@parliament.qld.gov.au

To Committee Members and Secretariat,

PRA submission to Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 (the Bill).

Property Rights Australia Inc. (PRA) is a not-for-profit, apolitical organisation which formed in 2003, to protect the property rights of landowners adversely affected by the actions of government, private companies and others who negatively impact on their properties and their right to do business. Our members are small, medium, and large enterprises, mostly in Queensland and a few are from other states. PRA strives for ecologically and economically sustainable natural resource management, whilst protecting private property rights. PRA wants to ensure government policies and natural resource management decisions are based on sound science and responsible economic management.

Landowners have serious issues with the rapid rollout of renewables infrastructure across agricultural and environmental landscapes. Landowners should NOT be asked to coexist with a sector which does not have environmental regulations to the same degree as themselves and the mining resources sector. Renewables have many unresolved issues that cut across safety; including fire safety; biosecurity; loss of production and land value; loss of high-quality agricultural land; distance of facilities from houses, stockyards; effects on neighbours; ability to use their property as they see fit with consequent loss of property values; and loss of amenity. Not least of all is the total non-existence of any requirement for proponents to pay into a rehabilitation fund and/or end of life disposal fund. To date, it appears that the hosting landowner is responsible for decommissioning renewable infrastructure. Landholders asked to coexist with so much uncertainty is entirely unreasonable. There is increasing unrest amongst affected communities.

In some cases, the conduct of developers seeking landholder agreements to host renewable projects has resulted in community and neighbour insurmountable feuds. The burden faced by landholders to negotiate with developers loaded full of legal and technical advice has caused mental stress and anxiety amongst many landholders, plus lost, unpaid time away from their personal business. PRA welcomes the actions of the Queensland LNP Government to start amending laws to provide a fair, open, transparent development application process for all new renewable energy projects.

PRA offers the following feedback to the Bill, for sections relevant to renewable energy projects. PRA has no comment on sections pertaining to the Olympic and Paralympic Games.

Social Impact Assessment

Definition of Social Impact

Section 106R in Clause 21 defines *social impact* as potential impact on physical or mental wellbeing of community and livelihood and values and provision of services. PRA recommends the definition should not require all four components to occur and should be amended to "and/or."

Social impact …..including potential impact on the development on –

- **(a)** The physical or mental well-being of members of the community; **and/or**
- **(b)** The livelihood of members of the community; **and/or**
- (c) The values of the community; **and/or**
- (d) The provision of services to community, including, for example, education, emergency services or health services.

PRA also recommends Section 106S about impact should be amended to "**and/or**". This would remove any ambiguity that all three types of impact need to be present together to trigger a social impact assessment for a development.

Reference to an impact in relation to development includes –

- (a) A positive or negative impact of the development; **and/or**
- (b) A direct or indirect impact of the development; **and/or**
- (c) A cumulative impact of the development and other uses.

Guideline for social impact assessment

Section 106W (2) of the Bill enables the chief executive to make a guideline about preparing a social impact assessment report. PRA commends the Department of State Development, Infrastructure and Planning for preparing the Draft Social Impact Assessment Guideline (May 2025) (https://www.planning.qld.gov.au/__data/assets/pdf_file/0011/100361/social-impact-assessment-guideline.pdf). Pages 13 and 14 of the guideline state all the components required in a Social Impact Assessment Report. Although the guideline involves "records of engagement activities", there is no requirement for verified minutes from public and/or private meetings. Effective meeting procedures provide fair feedback from all community participants, not just the loudest person or largest sub-group.

PRA recommends the guideline should include public meeting notification requirements for neighbouring properties and properties within 1500 metres of the project site, similar to public notice requirements in the draft Development Assessment Rules on pages 53 to 69 https://www.planning.qld.gov.au/__data/assets/pdf_file/0013/100363/draft-da-rules.pdf .

Appeal rights for development applications requiring social impact assessment

Section 106ZJ limits appeal rights to the applicant only and excludes third parties. PRA is concerned that individual landholders do not have the right to decide if mediation or a review are required. Only the government's assessment manager and the developer proponent can decide to appeal.

Community Benefit Agreements

The objective is for renewable energy projects to build social licence and benefits with local and host communities. A Community Benefit Agreement is lodged with local government, prior to lodging a Development Application.

Although the intent of Section 106Y is to provide legacy infrastructure or thing to the local community, this may increase the burden on individual landholders feeling compelled to sign up land access for the development. For example, a developer could leverage a decision from a landholder through guilt and/or ostracise the landholder from community if they do not sign up for hosting the renewable development. For example, "*If you sign up to host wind turbines, the developer will build a clubhouse for the local junior soccer club*."

It is not clear from the Bill which entity would be responsible for ongoing maintenance of the community benefit infrastructure or thing. Is it the developer or local government or another community entity? Will the community benefit agreement specify all required conditions about ongoing maintenance, public liability insurance, etc? Would the developer or local government be responsible for repair or replacement if a natural disaster damaged the community benefit infrastructure within a certain period?

Other considerations for the Bill

Rehabilitation fund for end-of-life renewable infrastructure
To date, the Bill nor the Development Assessment Rules for renewable infrastructure do not specify who is responsible for decommissioning of renewable energy development infrastructure and rehabilitation of sites. Queensland needs financial assurance and rehabilitation arrangements for the renewable energy sector, like what exists for the mining and resource sector.

PRA recommends Queensland Government investigate best options and embed recommendations into legislation as soon as possible. What are the closure plans for decommissioned sites and who will be responsible for environmental and rehabilitation obligations? Who bears the financial risk if there is no government disposal fund or upfront bond paid by developers? Landholders hosting renewable energy infrastructure should not be left with disposal or decommissioning costs.

Disposal of renewable energy infrastructure
Solar panels, batteries and wind turbines are non-recyclable landfill. What are the plans for disposing of these materials, once no longer functional or damaged by hailstorm, fire or high winds?

Biosecurity requirements for renewable development sites
PRA recommends elevating biosecurity guidelines into regulatory requirements for renewable infrastructure development. Biosecurity is an extremely high priority for agricultural landholders. There is a high risk of introducing invasive weeds, plant pathogens and other biosecurity matter from exploration, property visits for negotiation, site works and maintenance activities. This includes bringing materials such as gravel and fill onto a site and machinery movement. Other risks include animal and plant biosecurity matter from transient work crews or fly in-fly out workers travelling from overseas direct to work camps and onto agricultural properties (e.g. foot and mouth disease carriers, etc).

In conclusion
Property Rights Australia thanks the Parliamentary Committee for the opportunity to provide feedback to the Bill. The Bill is a step in the right direction to coordinate, manage and reduce impacts from the surge of renewable developments across food-producing agricultural landscapes and natural regional ecosystems. PRA commends the LNP State Government for harnessing the roll out of renewables and improving regulatory guidelines. More needs to happen as soon as possible.

It is hypocritical there is an agreed national roadmap for protecting and conserving 30 per cent of Australia's land by 2030, whereas clearing and land disturbance for renewable energy solar panels, wind turbines and associated tracks and powerlines is deemed good for the environment. Fair rules for all.

If you require clarification or further information on any of the points raised in this submission, please contact PRA Board members Joanne Rea and Marie Vitelli by email ([redacted]) or phone [redacted].

Yours sincerely

PRA Board members

Dale Stiller, Joanne Rea, Dixie Nott, Jim Willmott, Anne Clarke, and Marie Vitelli

Property Rights Australia Inc