

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

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Ms Stephanie Galbraith
Committee Secretary
State Development, Infrastructure and Works Committee
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Dear Committee Secretary

PARLIAMENTARY INQUIRY INTO THE PLANNING (SOCIAL IMPACT AND COMMUNITY BENEFIT) AND OTHER LEGISLATION AMENDMENT BILL 2025.

Thank you for the opportunity to provide a submission on the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 (**the Bill**), which amends the *Planning Act 2016* (Planning Act) to introduce a community benefit system into the Queensland Planning Framework.

The Gladstone Regional Council (**the Council**) is a Bodies Corporate established under the *Local Government Act 2009*, with functions under that Act and the *Planning Act 2016* to develop and own the local planning instruments (the Local Planning Scheme), to guide growth and regulate development in the Gladstone Region.

Gladstone Regional Council has proactively positioned itself as a leader in supporting a fair and equitable approach to major energy transition and project development, guided by the **Gladstone Region Economic Transition Roadmap** and informed by years of collaborative planning with key stakeholders and industry experts. For this reason, Council is ideally positioned to respond and offer recommendations on the proposed Bill.

In principle, Council supports the primary objective for amending the specified Acts (*Amendments to the Planning Act 2016, City of Brisbane Act 2010, Local Government Act 2009 and Planning and Environment Court Act 2016*) to introduce a community benefits system.

The Bill acknowledges that Queensland Councils' are best placed to represent, influence and balance the strategic interests of its communities.

Council maintains the position that Local Government remains the most appropriate regulatory authority to oversee development within its community. While Council supports the intent of the Bill,

our principal submission to the Committee is to treat the legislation as temporary and support our recommendation to apply these amendments for a defined period.

An evaluation of the effectiveness of the community benefit system should be undertaken during this period, to assess whether the policy objectives are being met and to inform any consideration of permanent legislative change.

Should the evaluation determine that the amendments have not achieved their intended outcomes, the temporary provisions should automatically lapse, and the responsibility for assessing solar energy generation projects should revert to Local Government.

Frontloading the Community Benefits System prior to Development Application.

Given the nature of large-scale infrastructure projects changing over the course of a development application, Council does not agree with frontloading the execution of a Community Benefit Agreement (CBA) as the host community may not necessarily receive the proportionate level of benefits based on a conceptual development. Council also highlights the community consultation and engagement fatigue that will escalate for impacted communities as part of a frontloading process.

Recommendation

- Retain the requirement for a development to undertake a Social Impact Assessment (SIA), prior to lodging a properly made development application.
- Based on the SIA, undertake the development assessment process then execute a CBA post Approval, but prior to construction commencing, or should the requirement for a CBA stay as a precursor to the lodgement of a Development Application, then the CBA must be revisited at the Development permit decision stage, to ensure relevance to the actual development proposal versus the concept proposed at the SIA stage.
- As proponents of developments can change over the life of a project, the CBA must be attached to the land, like a development approval, to ensure that its currency relates to the land not to the proponent.
- Establish guidance for benefits sharing to support the implementation/operationalisation of the community benefits system objectives.

Battery Energy Storage Systems

Council currently has applications where Battery Energy Storage Systems (BESS) are interspersed within the solar array footprint, clearly demonstrating that, in these contexts, BESS and solar infrastructure are intrinsically ancillary to each other.

As the renewable energy sector continues to evolve, standalone BESS developments are expected to become increasingly common. These facilities are not always co-located with solar farms and may serve different roles within the energy network. Despite this emerging trend, the Bill does not address standalone BESS developments, representing a gap in the legislative framework for future renewable energy infrastructure.

Recommendation

- The Queensland Government develop guidelines and a Code for standalone BESS developments to assist Council's in the assessment and to provide consistency across the State.
- As part of the assessment process for proposed solar farm developments, it must be confirmed that formal agreements are in place with the energy network owner, *Powerlink*, verifying that the transmission network has the capacity to accommodate the projected volume of energy generated by the development. Additionally, the assessment must determine whether *Powerlink* requires the inclusion of a BESS to manage the timing and control of energy dispatch to the network. This ensures network stability and alignment with transmission infrastructure requirements.
- It is considered that the Performance Outcomes and Assessment Benchmarks of such a Code should also be included in the solar farm codes so that no matter if a BESS is standalone or included in the Renewable Energy Facility, they are assessed against the same criteria.

Transitional Provisions for already lodged solar energy generation developments.

As a well-known region for hosting major industry and economic development opportunities with significant influence on the State and national energy transition interests, the Gladstone region is already host to several major solar energy generation projects that have lodged development applications to Council but are not yet decided.

Recommendation

- The transitional provisions should call in all received but undecided solar energy generation development applications to be assessed under the adopted Bill amendments and be required to respond to the requirements of the community benefits system.

Council also wishes to make a submission on the proposed amendments to the regulatory instruments that support the delivery of the Bill. This submission contends the following:

Amendments to Development Assessment (DA) Rules

Queensland Councils, as a regulating authority under the Planning Act holds the local intelligence necessary to assess how large-scale developments impact on their communities. It is fundamental the DA Rules amendment mandates a concurrence agency assessment as part of the development assessment system governing large-scale solar energy generation projects.

Recommendation

- Amend the DA Rules to mandate the host Local Government Authority as a Concurrence Agency for the assessment of solar energy generation development applications.

In parallel, Council is also providing a more detailed response to the proposed amendments to the DA Rules, as well as the broader suite of consultation materials currently open for public comment. This separate submission will be lodged with the Department of State Development, Infrastructure, Local Government and Planning.

Thank you for the opportunity to participate in this Parliamentary Committee inquiry and for considering this submission.

Council is confident that, through collaboration with local governments across Queensland, we can seize this important opportunity to enhance economic resilience, deliver shared community benefits, and support a sustainable energy transition for the state's future.

Yours faithfully



LEISA DOWLING
CHIEF EXECUTIVE OFFICER