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

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Submitter Comments:	

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Tuesday, 20 May 2025

Mr Jim McDonald MP
Chair, State Development, Infrastructure and Works Committee
Queensland Parliament

Lodged online: Queensland Parliament website

Dear Mr McDonald

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

Tilt Renewables welcomes the opportunity to provide feedback on the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025* (the Bill) introduced into the Queensland Parliament in May 2025.

Tilt Renewables is one of the largest developers, owners, and operators of wind and solar generation as well as battery storage in Australia and is proudly Australian-owned and operated. Tilt Renewables has 1.8 GW of renewable generation capacity across 11 operating wind and solar farms as well as storage and a development pipeline of over 5.0 GW of wind, solar and storage projects. Tilt Renewables is committed to driving Australia's renewable future.

1. General comments

Tilt Renewables welcomes the Queensland Government's commitment to achieving net zero emissions by 2050 and the development of a new energy roadmap. Tilt Renewables supports planning reforms to ensure efficient approval processes, build community trust and deliver positive legacy benefits to host regions and communities. These reforms will enable governments to meet energy and climate targets, ensure energy security, reliability and affordability.

Tilt Renewables is a strong contributor to regional communities and host landholders in Queensland through its benefit sharing plans, which deliver targeted, community-specific benefits negotiated with host communities. In Queensland, Tilt Renewables also pays council rates on behalf of landholders.

We support the intent of the Bill, which proposes to amend the *Planning Act 2016* to formally embed community benefits into the State's planning system through Social Impact Assessments (SIAs) and mandated Community Benefit Agreements (CBAs). The Bill also introduces expanded appeal rights.

We recognise that these measures are intended to strengthen community engagement and improve outcomes for communities hosting renewable energy infrastructure. We are concerned, however, that if not carefully implemented, these reforms may introduce additional cost, delay, and regulatory uncertainty to renewable energy projects.

We encourage the State Development, Infrastructure and Works Committee to consider the changes set out in this submission. This will help align the Bill with existing practices in other jurisdictions and ensure it achieves its objectives without slowing the approvals process or creating regulatory complexity, duplication and costs that would drive up electricity prices.

The submissions from the Clean Energy Council (CEC), the Clean Energy Investor Groups (CEIG) and the Queensland Renewable Energy Council (QREC) provide detailed responses to key elements of the Bill. As members of these organisations, we have contributed to their submissions and support them, except regarding multi-party CBA agreements, which QREC has proposed. We support flexibility in CBAs to allow

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for both multi-party and single party agreements, as appropriate. This approach would support tailored solutions that reflect the specific circumstances of each project. We believe that such flexibility, when carefully implemented, can help achieve the Bill's objectives without introducing unnecessary complexity or delays.

The remainder of this submission addresses the following key matters, which we believe will maintain efficient approvals processes while strengthening benefit sharing arrangements.

2. Assessment process and nature of contributions

Tilt Renewables supports transparent, efficient and consistent benefit sharing arrangements.

We are concerned that the Bill does not provide guidance on the CBA negotiations process or approach, nor does it specify timeframes. As a result, CBA negotiations and their outcomes could:

- Vary significantly in nature and scope across local governments,
- Lead to duplication of existing infrastructure agreements, resulting in inefficiencies, and
- Cause unreasonable delays and indefinite project postponements where negotiations stall.

We also note that these payments would be additional to the council rate payments projects already make.

To address these concerns, we support the following initiatives, endorsed by the CEC, CEIG and QREC:

- **Queensland Government to identify a dedicated, well-resourced body to administer the new arrangements (administration body)** – This body would coordinate planning and environmental assessments on behalf of all local governments, reducing the administrative burden on individual councils and fostering a more coordinated regional strategy. By managing financial contributions centrally, it minimises duplication, streamlines processes and leverages expertise that individual councils may lack. This approach helps ensure benefits are lasting, flexible and community focused, while promoting fair and equitable sharing among impacted areas.
- **Implementation of a uniform benefit valuation method** – We support a standardised fee structure similar to NSW, which is based on a per megawatt (MW) calculation. This comprehensive fee does not require additional rate payments. Such an approach promotes transparency, consistency and fairness across Queensland and between jurisdictions. We understand that Victoria is currently reviewing its benefit-sharing arrangements and aims to align with the NSW MW-based model. Importantly, a uniform fee structure would not prevent developers from contributing discretionary benefit beyond the standard payments.
- **Provisions for Councils and the administration body to agree on benefit use** – We recognise that regional communities have diverse values and priorities, so benefits should be tailored to individual communities. We consider that the administration body will be best suited to:
    - Facilitate discussions and reach agreement on these needs and priorities with Councils, and
    - Include mechanisms to review and adjust benefit use over time to ensure ongoing relevance and fairness, especially given that assets often have life spans exceeding 30 years.
- **Introduction of enforceable timeframes** – We consider that enforceable timeframes for each step in the CBA process will provide certainty for all parties and help avoid unnecessary project delays.
- **Development of CBA Guideline (CBA Guidelines)** – We support creating a detailed guideline that addresses key aspects of negotiations, including, at a minimum:
    - Clearly defined criteria for setting, amending and applying CBAs
    - Key steps, decision points and responsibilities supported by process diagrams

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- Standardised model agreements to promote consistency and reduce complexity
- Enforceable timeframes for each stage of the process
- Dispute resolution mechanisms to ensure procedural certainty, and
- Transparent and adaptable mechanisms to accommodate necessary changes over time, recognising that community needs and interests evolve.

The Guidelines should incorporate flexibility and regular review to maintain relevance and fairness.

We consider that these initiatives would support a transparent, efficient, and equitable framework for CBA negotiations to deliver community interests and regional development by:

- Building community trust through predictable, transparent and fair processes that ensures councils, regardless of their size, location or experience, receive fair payments
- Promoting consistency across local governments and encouraging regional benefit-sharing aligned with broader community needs beyond individual councils
- Streamlining processes by reducing administrative burdens, inconsistencies and costs, especially considering that many councils may currently lack the resources to effectively manage CBA negotiations and processes without employing appropriate and dedicated staff, and
- Aligning with best practice standards by adopting approaches used in other jurisdictions, such as NSW (per MW benefit sharing calculation) to improve fairness and transparency across Queensland.[1]

3. Timing of the SIA and CBA

Tilt Renewables supports efficient processes that facilitate timely and efficient project approvals and minimise unnecessary delays and costs to end consumers.

Requiring final CBAs as a pre-condition for the DA submission may create uncertainty and lead to project delays.

To address this, we support submissions from the CEC, CEIG and QREC, which recommend that CBAs be finalised alongside the DA negotiation process. This approach would allow for a more flexible and efficient planning process, supporting the timely deployment of renewable energy projects vital to Queensland's sustainable development objectives.

Tilt Renewables notes that this is particularly important because, for certain projects, multiple CBAs may be required. This is because the Bill requires a CBA from the Council hosting the infrastructure as well as from other Councils where social impacts are identified in the SIA. Requiring these assessments to be completed and agreed upon by all relevant Councils before DA submission may introduce unnecessary uncertainty and cause indefinite delays at an early stage of project development.

4. Appeals rights

Tilt Renewables supports clear, fair and predictable procedures for all parties involved in renewable energy development.

We endorse the Bill's proposal to allow properly made submitters to appeal approvals or conditions to the Planning and Environment (P&E) Court, while limiting the ability of third parties to appeal on matters related

[1] NSW's Benefit Sharing Guideline (SBP Scheme) utilizes a per-megawatt (MW) rate to determine benefits payments,

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specifically to CBAs or associated contribution conditions in the absence of a CBA. This approach helps avoid unnecessary litigation and delays over project-specific agreements that are best negotiated directly.

However, we consider the Bill grants overly broad appeal rights by allowing any submitter – regardless of whether they are directly impacted by the project (e.g. not a neighbour, landowner, or community stakeholder) – to appeal a DA or its conditions to the P&E Court.

We support proportionate appeal rights that are restricted to parties with a clear, direct interest in the project.

Closing

Tilt Renewables thanks the State Development, Infrastructure and Works Committee for the opportunity to provide feedback on the Bill. We look forward to continued engagement on these issues and the opportunity to comment on the Regulations. If you have any questions on this letter, please feel free to contact Stephanie McDougall, Head of Policy and Regulation on [redacted] or at [redacted].

Your sincerely

Angela Catt
EGM Corporate Affairs