

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

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20 May 2025

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

Queensland Parliament
Cnr of George and Alice Streets
Brisbane, QLD, 4000

Lodged online via the [Queensland Parliament website](#)



Dear Chair and committee members,

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

Windlab appreciates the opportunity to provide a submission to the Committee on the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 (the **Bill**) and its proposal to empower local governments to have a greater role in decision-making and enable positive legacy benefits for communities.

About Windlab

Windlab is an Australian renewable energy company, founded in Canberra out of the CSIRO. With 20 years' experience in energy, Windlab operates exclusively in the Australian market and is committed to ensuring a secure, sustainable and affordable energy future for all Australians.

Our community-led approach means we take time to understand the human, environmental, and cultural context of each project, working in partnership to overcome challenges together. We develop, build and operate our own projects, so we stay in communities for the long term – making it essential to get it right from the start.

Queensland represents a key growth area for us, and we're making a significant commitment - injecting an estimated \$5 billion into the local economy through job creation, supply chains, and contracting opportunities.

Summary of key points

Windlab **supports the objectives of the Bill** to require developers to invest up-front time and effort into building social licence and legislating a greater role for local governments and regional communities in the development assessment process.

Windlab takes pride in our track record as a responsible and responsive long-term partner in regional communities. Through early engagement, transparent benefits, and consistent follow-through, we work closely with landholders, communities, Traditional Owners and local governments to deliver a positive legacy of prosperity for regional communities and the Queensland economy.

Our submission focuses on Chapters 1 to 3 of the Bill, and puts forward practical recommendations to strengthen the reforms, including:

- 1 amending the transitional provisions to empower local governments to retain ownership of pre-existing applications
- 2 maintaining Queensland's appeal as an investment destination by ensuring robust governance of community benefit agreements
- 3 ensuring appeal rights adequately and proportionately empower local communities.

Kind regards,

Nathan Blundell
Chief Development Officer
Windlab

Canberra

L4, 60 Marcus Clarke St
Canberra City
ACT 2601
P | +61 2 6175 4600

Brisbane

L19, 324 Queen St
Brisbane
QLD 4000

Sydney

4.02, 50 Carrington St
Sydney
NSW 2000

Melbourne

Office T09 - Space&Co,
L10, 550 Bourke St
Melbourne
VIC 3000

Detailed response

Windlab's submission focuses on Chapters 1 to 3 of the Bill, particularly the proposed amendments to the *Planning Act 2016* and the *Planning and Environment Court Act 2016*.

Additional consultation

Windlab understands that the Committee is not directly considering submissions on the proposed *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Regulation 2025* (the **Regulation**). However, given the inter-relationship between the Bill and the Regulation, relevant aspects of the Regulation have been addressed in this submission to provide appropriate context. Windlab would also welcome the opportunity provide direct feedback to the Committee on the proposed Regulation.

Windlab also looks forward to participating in further opportunities for consultation and feedback, including feedback on the draft Development Assessment Rules and proposed solar farm code to be included in the State Development Assessment Provisions.

1 Amending transitional provisions to empower local governments to retain ownership of pre-existing applications

Significant costs and time have been invested by both local governments and developers in planning, evaluating and assessing pre-existing applications. The prospect of revisiting and reworking pre-existing applications through a different assessment manager (in the case of prescribed renewable energy facilities) threatens to undermine and erode the extensive work, experience and sophistication that local governments have in assessing developments proposed in their region.

Windlab is particularly appreciative of the efforts of the Western Downs Regional Council and the Banana Shire Council to assess and consult on the Bungaban wind energy project. This project received its development permit from the Queensland Government in March because of the extensive time local councils put in to consulting with Windlab and the community. Early engagement and consistent follow-through is needed by both developers and local governments to ensure successful projects. The effort and resources already put in by local councils and good developers in the early stages of a project should be acknowledged.

The transitional provisions should be amended to account for circumstances where a pre-existing application has been submitted to a local government, as the assessment manager, and the local government opts to continue assessing the application. By making this amendment, the Bill's objective to empower and involve local governments to have a greater role in decision-making is not only preserved but, in Windlab's view, is strengthened.

Windlab recommends the Committee suggest inserting a subsection into s.106U of the Bill, or ss.51I or 51J of the Regulation, excluding s.51I of the Regulation from applying in circumstances where the assessment manager (if the assessment manager is the relevant local government) opts to retain ownership and continue assessing the application.

2 Maintaining Queensland's appeal as an investment destination by ensuring robust governance of community benefit agreements

Early, transparent and meaningful engagement with landholders, host communities and local governments are essential for all large-scale development.

Queensland remains an extremely attractive destination for energy investment, thanks to our abundant wind and solar resources, combined with a uniquely skilled workforce with transferable skills from the coal and gas industry. However, uncertainty and unpredictability within the development assessment processes can fundamentally constrain the ability to invest in energy projects.

There may be instances where negotiations over community benefit agreements (CBAs) stall, with no clear path forward. Windlab recommends the Bill include provisions that define a minimum negotiation period (such as 3 months) wherein, if no agreement has been reached by the end of the negotiation period, either or any party can unilaterally request mediation. Similar provisions exist in Queensland's resources framework regarding the negotiation of conduct and compensation agreements. If a new or amended CBA is required due to changed circumstances or a changed application, Windlab recommends that either party be allowed to unilaterally request mediation, without a minimum negotiation period.

To ensure the negotiation of CBAs do not result in indefinite and uncertain delays, Windlab recommends that a defined negotiation period (such as 3 months) is introduced into s.106ZB of the Bill. If no agreement has been reached by the end of the negotiation period, Windlab suggests that either (or any) party be allowed to unilaterally request mediation.

3 Ensuring appeal rights adequately and proportionately empower local communities, regions and stakeholders

While Windlab supports a planning system that provides clarity, fairness, and procedural certainty for all parties involved in renewable energy development, it also supports the limitations placed on appeals relating to social impact assessments and CBAs under section 106ZJ. In Windlab's view, it's appropriate for negotiations to be limited to the parties to the agreement, being local governments and developers.

However, the Bill grants broad appeal rights to any properly made third-party submitters, regardless of whether they are directly impacted by the project (e.g. as a landholder, neighbour or the broader regional community). This opens the door for a broad range of activist groups and commercial competitors – who may have no direct connection to the project or region – to appeal and delay projects that are critical to regional job creation, support existing industries, and ensure infrastructure resilience.

It is worth noting that other large-scale industries, such as mining, contain similarly broad third-party appeal rights. Energy can be a political topic, and we have seen significant disrupt and delay tactics used by activist groups, which threaten the viability of projects and investment in Queensland.

Windlab supports the Clean Energy Investor Group's (GEIG) recommendation that appeal rights be proportionate and restricted to parties with a clear, direct interest in the project. We caution that the integrity of the appeal process depends on maintaining proportional and consistent appeal rights and urges the State to provide clear guidance on how the new provisions will operate in practice.

The Bill should amend the *Planning and Environment Court Act 2016* to ensure appeal rights are proportionate and restricted to parties with a clear, direct and regional interest in projects.

Other comments – energy reliability and affordability

At Windlab, we're proud to contribute to a more secure and affordable energy future for Queensland. With a backbone built on mining, agriculture, and manufacturing, the state's long-term prosperity depends on a reliable energy mix that reduces cost pressures and supports both new and existing industries. To ensure Queensland remains an investment destination and to secure the State's energy future, energy assessment and policy must be holistic and well-coordinated. All forms of energy should be assessed for their potential impact on energy reliability and affordability.

Windlab encourages the State Government to ensure any amendments to the assessment of energy has a clear alignment with the development of energy policy, including Queensland's Energy Roadmap.

If the Committee would like to discuss Windlab's feedback or get any further information, please don't hesitate to reach out to directly to Nathan Blundell at [REDACTED], or Maggie Shelton at [REDACTED].