

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

Submission No:	451
Submitted by:	RES Australia Pty Ltd
Publication:	Making the submission and your name public
Attachments:	See attachment
Submitter Comments:	

State Development, Infrastructure and Works Committee
1 William Street
Brisbane QLD 4000
Email: sdiwc@parliament.qld.gov.au

20 May 2025

Dear Committee Members,

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

RES in Australia ('RES') welcomes the opportunity to make a submission on the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 ('the Bill') released for comment by the Queensland Government on 1 May 2025.

1. About RES

RES Group has over 40 years of international experience as an industry leader in renewable energy development. The largest privately owned renewable energy company in the world, RES Group has developed and / or constructed over 28GW of new renewable energy projects and, with the acquisition of Ingeteam, RES is now the largest independent provider of renewable energy support services globally with over 35GW of assets under management.

Established in Australia in 2004, the RES Australia business specialises in project development, identifying and securing power purchase agreement opportunities, and providing construction management and asset management support services. RES is committed to leading practice development and were a founding signatory to the Clean Energy Council's 'Best Practice Charter for Renewable Energy Developments' (executed July 2018). The 2024 Annual Report on our adherence to these Best Practice Charter commitments can be accessed here [res-australia-pty-ltd 2024.pdf](#)

RES has a proud history of supporting the Queensland Government in delivering benefits from renewable energy projects to the people of Queensland. With an active development portfolio of more than 4GW of RES led development projects, and a further 3GW pipeline being advanced with our joint venture partner as part of the CQP project, RES is hopeful of being able to continue our investment into Queensland.

2. Feedback on the Bill

- 2.1 RES does not support the Bill in its current form. The basis for our position is outlined below.
- 2.2 RES remains concerned at the extent and pace of policy changes being progressed in Queensland. We recognise the value and need for industry consultation and support the opportunity to comment on the Bill.
- 2.3 As a national leader in renewable energy development and significant investor in Queensland based development, RES is concerned about the introduction of new approval requirements, timeframes, costs, and the establishment of local council as benefit assessors and beneficiaries for existing projects.

- 2.4 RES supports the separate submissions to the Bill made by the Clean Energy Council and Queensland Renewable Energy Council (respectively) and makes the following additional supporting comments:

a) Social Impact Assessment Requirement

- i. RES is generally supportive of a requirement for large scale renewable energy projects to complete a Social Impact Assessment ('SIA') as part of the planning approval process.
- ii. RES would support this requirement being introduced to future applications, with transitional exemptions clearly being applied to any variation applications made for projects holding existing approvals.

b) SIA Study Area

- i. International impact assessment guidelines (IAIA 2015) and those of other states (NSW, 2020) detail methodologies for identifying a Study Area, such as a 'Community Capitals' approach.
- ii. This Community Capitals approach discourages reference to jurisdictional boundaries in identifying SIA study areas and does not suggest that regulators, trained or otherwise, inform the Study Area.
- iii. Given Local Government Authorities ('LGA') could benefit through a Community Benefit Agreement ('CBA') where impact to their Local Government Area is identified in the SIA, RES see a risk that LGA's may be incentivised to inform the Study Area for an SIA on a conservative basis / with bias (supporting benefits).

c) Uncertainty About Benefits

- i. RES considers community benefits to be a 'negotiable' during engagement, meaning their design can be influenced through engagement allowing tailoring to local community needs and expectations. To support this approach, RES seeks to involve community early in the development of project specific community benefit packages.
- ii. Consulting on benefit alongside impact offers stakeholders a balanced view of the social merit of a proposed project. Any diminished ability for a project to consult with certainty about community benefit would deprive the community of a full view of the potential impacts and benefits of the project and would negatively influence the community feedback received during the social impact assessment phase.
- iii. RES are supportive of an approach that incorporates early engagement about benefit sharing but note our concern that this would not be possible without an early understanding of what would constitute community benefit under a CBA in subsequent negotiations with relevant LGA(s).
- iv. Given the requirement to obtain LGA / council agreement of a CBA, and considering the structure, substance and conditions of a CBA are up for interpretation, LGAs will now have discretion and authority to disregard the views of any other stakeholders in setting community benefit for a project.
- v. RES is concerned that proponents will not be able to meaningfully consult with community about community benefits where that community is not able to more directly influence the design of that benefits package, i.e. where control of the structure of the benefits package sits with the LGA(s). Benefits risk being regional, with communities hosting projects potentially missing opportunity to gain value from their experience hosting these projects.

d) Community Benefit as Benefit Enhancement

- i. Benefit enhancement and management measures in a project's 'Social Impact Management Plan ('SIMP') often consider the projects Community or Neighbour Benefit programs. Given the Bill requires that community benefit negotiation and agreement follow SIA finalisation, it is unclear how a SIA will be able to assess the community benefit and include within SIMPs as management measures.
- ii. We also highlight a serious and unjust risk that LGA's may, at their discretion, disqualify some conventional types of community benefit (e.g. voluntary neighbour programs), on the basis that they indirectly mitigate an identified impact, i.e. they are benefit enhancements, not community benefit.
- iii. RES recommends that these terms be clearly defined. Further, we recommend the reinstatement of the need for community benefit to be consulted about with community and assessed and agreed during the SIA process and not as a sequential process.

e) Rates and Other Contributions to Council

- i. RES has significant experience collaborating with local councils for benefit sharing development across Australia. For example, we have deep experience with Voluntary Planning Agreements (VPAs) in NSW.
- ii. The NSW system has been established with clear parameters (including contribution values) which have come into practice to ensure LGA's receive a level of benefit from projects sufficient to mitigate for the impacts of the project. These payments values are established on the basis that rating increases will not otherwise be required for the land.
- iii. Should a contribution amount be set in relation to a CBA (where the LGA are the recipient of funds), we recommend that any rate payments payable to the LGA be considered as part of the package and not as an additional payment beyond the CBA value agreed.
- iv. Further, where rates payments remain a separate consideration RES strongly recommends that, where LGA's are the ultimate recipient of the benefit, any future increases to rates payable by the project offset the ongoing benefit payments to LGA under a CBA.

f) Incompatibility with Other Requirements

- i. Commonwealth tenders such as the Capacity Investment Scheme ('CIS'), which projects at any point during development can participate in, are assessed against criteria including:
 - The type and scale of community benefit
 - How a project has co-designed benefit sharing with community
 - How community feedback has informed the design of benefit sharing
 - The way in which benefit is provided to First Nations stakeholders
- ii. RES has significant concern that the Bill was drafted without regard for the varied requirements, whether commercial or Commonwealth, associated with renewable energy projects. The Bill would limit when a project could commit to benefit, limit the participation of community in designing that benefit, and prescribe the recipients of benefit.
- iii. Under the proposed regime QLD projects prior to development application submission would be limited in their ability to secure funding via these federal tenders due to the need for a

binding bid committing to benefit in a CIS tender process without necessarily having an executed a CBA.

3. **Conclusion**

- 3.1 RES is supportive of the intent of the proposed changes with respect to supporting improved community engagement and understanding of the potential social impacts of renewable energy development. RES thanks the Queensland Government for the opportunity to participate in this process and to provide comment on the Bill.
- 3.2 RES urges that any changes proposed by the Queensland Government are subject to further refinement and consideration by the State, with meaningful consultation with the renewable energy industry. Clarity and certainty of process will help to support investor confidence and the continued progression of the energy transition in Queensland.
- 3.3 RES considers the Bill risks diminishing the effectiveness and value of a SIA by expanding its purpose to involve and authorise LGA's as both beneficiary and assessor.
- 3.4 RES does not support LGA's being responsible for informing SIA Study Area boundaries. We would support the adoption of standardised processes, including the 'Community Capitals' approach, that allow a standardised and meaningful impact assessment exclusive of the influence of the potential beneficiary to the assessment process.
- 3.5 By exclusively elevating the decision-making power of one stakeholder group, the Bill risks limiting the intended participation of communities in developing project specific community benefit packages and largely disables the use of benefit as a tool for the project to foster early social license.
- 3.6 RES considers developers need the ability to consult, co-design and commit to community benefit with members of the community relevant to proposed development projects. An LGA led approach under a CBA model removes the ability for benefits packages to be tailored to specific communities, with the risk spend is at a regional level not directly benefitting communities hosting projects. We recommend that the CBA requirement be reconsidered generally, including through providing clear parameters (including values limits) to any proposed agreement requirement.
- 3.7 Changes of this magnitude need to be considered, well communicated, and progressed with necessary transparency around process and decision making. This industry consultation and transparency of process will remain critical to investor confidence and RES encourages the Queensland Government to remain committed to this type of approach as part of its support for the energy transition.

Please feel free to contact Tanya Jackson, Head of Sustainability, Communications and Engagement, should you have any questions or if you require further information in support of this submission. Tanya can be contacted by email [REDACTED] or by phone [REDACTED].

Yours sincerely,

[REDACTED]

Matt Rebbeck

Chief Executive Officer

[REDACTED]
[REDACTED]