

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

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**Submission to the Planning (Social Impact and  
Community Benefits) and Other Legislation  
Amendment Bill 2025**

**Coexistence Queensland Submission**

May 2025



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# Introduction

## Coexistence Queensland context

Coexistence Queensland is an independent statutory body which commenced operations on 1 July 2024. Previously known as the GasFields Commission Queensland, Coexistence Queensland's purpose is to manage and improve the sustainable coexistence of landholders, regional communities, and the resources and renewable energy industries.

We seek to foster sustainable coexistence and shared prosperity through a balanced approach that:

- Promotes open communication and respectful collaboration;
- Leads sustainable, mutually beneficial outcomes;
- Supports inclusive engagement and understanding; and
- Cultivates trust and builds long-term partnerships.

Coexistence Queensland plays an important role in the provision of advice to government and other stakeholders about emerging coexistence matters and leading practice under section 7(1)(d) of the *Coexistence Queensland Act 2013*. This submission is made in respect of this statutory function.

In undertaking its role, Coexistence Queensland undertakes significant engagement with communities across the state in relation to issues and opportunities for socially responsible development outcomes for the resources and energy sector. These engagements and intel gleaned through these have informed this submission.

## Summary

Queensland communities coexisting with the expanding renewable energy industry have been calling for improved engagement ahead of project development, improved mechanisms to enhance the understanding and assessment of the impact these developments have on communities, and for communities to be able to have their say. The implementation of requirements for social impact assessment, negotiated community benefit agreements, and a shift to impact assessment for wind and large-scale solar development would make significant progress in addressing these community needs.

As a statutory body established to manage and improve sustainable coexistence between communities, the resources industry and the renewable energy industry, Coexistence Queensland supports the policy intent of the amendments for renewable energy projects proposed by the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill (the Bill). In alignment with Coexistence Queensland's legislated remit, this submission relates only to the proposed amendments to the Planning Act 2016 and associated consequential amendments to other legislation.

One of the key lessons from the expansion of the coal seam gas industry is the need for a contemporary, robust and fit for purpose regulatory framework to support balanced and socially responsible industry development in rural and regional Queensland.

Coexistence Queensland supports the implementation of a social impact assessment requirement that allows communities to have their say on the impacts of a renewable energy project as part of the development assessment process and requires a company to evaluate the impacts of the project and seek to implement measures to avoid, mitigate or manage

these impacts. It is important that this process considers the cumulative impacts of multiple projects and industries, including the resources industry, operating in the region.

Coexistence Queensland also supports the social impact assessment informing a community benefits agreement that is negotiated with local government and secures benefits for communities that are commensurate with impacts. The intent that these community benefits agreements identify, avoid, manage, mitigate and counterbalance the indirect and cumulative social impacts from development is supported.

The proposed change for renewable energy developments to be impact assessable is also supported for projects that will have impacts on the community beyond the owners of land on which those projects occur. This change in assessment process will enhance community notification, as well as provide appeal rights and access to dispute resolution through the impact assessment process. Assessment shifting from local government to state government will also provide greater certainty for industry through a consistent assessment process across wind and solar development. That said, the vital role of local government in ensuring local context is considered in the development assessment process is key and mechanisms to facilitate this formal role should be maintained.

Coexistence Queensland has heard from renewable energy developers and the resources industry about concerns arising where renewable energy projects are co-located with resources tenure holdings. In response to these concerns, Coexistence Queensland is leading a body of work that is examining the interaction of the resources and renewable energy industries when they are codeveloping projects on the same land at the same time. Through this work we have heard from both industries that a statutory notification process that notifies a resource tenure holder ensures that both resource and renewable energy development projects are not compromised.

Coexistence Queensland recommends that the public notification process for renewable energy projects incorporates a process to notify other stakeholders including resources tenure holders with tenure over the proposed development area, and a state-hosted mapping tool that shows proposed locations of renewable energy projects and, where possible, associated infrastructure.

In addition to the notification, Coexistence Queensland has also heard from stakeholders that a publicly accessible spatial information via mapping tool that identifies the location and scale of proposed renewable energy projects and location of proposed / actual infrastructure would improve the transparency of renewable energy developments. From Coexistence Queensland's experience, improving transparency will assist renewable energy developers in building community trust and enhancing a social licence to operate for the renewable energy industry. Given that the state will now be a central point of development assessment for renewable energy, there is an opportunity to utilise this to provide a centralised repository of spatial data.

While this submission relates primarily to the Bill amendments, Coexistence Queensland will provide further feedback on the instruments to support the implementation of the Bill. Coexistence Queensland would welcome the opportunity to further discuss the contents of its submission and work with the Queensland Government to improve renewable energy development practices in alignment with community expectations.

Overall, Coexistence Queensland's feedback is that the Bill and supporting instruments should incorporate following principles:

- communities are provided with sufficient opportunity to have their say on development in their region, and social impact assessments are evidence-based;
- efficiency is encouraged through use of existing data and assessment.
- transparency and closing the loop with communities is encouraged;
- there are clear parameters for decision-making;
- there is procedural fairness between the applicant and local government in consultation and appeal rights.

## Social impact assessment and community benefit agreements

Requiring developers to undertake a social impact assessment in consultation with communities and stakeholders prior to submitting a development application is a significant step towards enhancing the social licence for a project to operate. As part of carrying out social impact assessments, proposed projects should be required to engage with other renewable energy and resources projects in the area to understand social impact assessment that has already been undertaken. Coexistence Queensland considers it is important that consultation with other projects in the area is undertaken at the social impact assessment stage to quantify cumulative impact.

It is critical that companies engage genuinely through this process to understand community concerns and communicate that they have heard and understood these concerns by closing the loop with communities and ensuring the findings and analysis reflect engagement. If a social impact assessment report finds minimal impact to communities, this should be justified with evidence. Failure to genuinely conduct this activity will not lead to building social licence.

### Managing Consultation Fatigue

Consultation fatigue is consistently raised as an issue, particularly in regions experience significant growth of renewable energy and resources projects. The implementation of social impact assessments and community benefits agreements should consider methods to reduce consultation fatigue and generate efficiencies without compromising the quality of the outcomes of the process. If multiple projects are required to undertake social impact assessments in the same region or local government area it is likely that consultation fatigue will become an issue. There is an opportunity for the social impact assessments to be operationalised in a way that encourages coordinated assessments from multiple proponents, potentially including resources authority holders.

It could also be an option to consider prior social impact assessments to inform future social impact assessments. Another option is to consider a data sharing requirement for information or data collected through social impact assessment processes to be made publicly available to inform future social impact assessments. The post-implementation review of the Strong and Sustainable Resources Act 2017 and the SIA Guideline made a similar recommendation relating to data sharing.

### Timing

Coexistence Queensland strongly supports the social impact assessments being carried out prior to approval. The benefits and disbenefits of a community benefits agreement being negotiated prior to the development assessment process should be carefully considered. Key considerations here are particularly the complexity of negotiations around community

benefits upfront and the level of uncertainty associated with a project pre-development approval. It is understood that the intent is for social licence to be developed prior to development commencing. This could also be achieved through conditioning on a development approval.

### Local Government cost recovery

Coexistence Queensland supports provisions that allow for local governments to recover costs associated with the development of social impact assessments and community benefit agreements. Due to the limited capacity and capability of some local governments, identified as part of the rationale for moving to state assessment for renewable energy projects, it is likely that local governments would have to outsource at least a portion of the expertise to assist with social impact assessments and negotiating agreements. The mechanism for local government cost recovery, proposed to be established under new section 106ZM, should be flexible enough to mirror the very variable scope of work that would be required to support the community benefits system.

### Mediation

Coexistence Queensland supports the provision of a mediation pathway for community benefit agreements.

### Chief Executive reserve powers

Coexistence Queensland supports the provision of reserve powers to the chief executive to allow a development application to be lodged without a social impact assessment and/or community benefit agreement, provided there are clear parameters for this decision to be based on and the decision is publicly notified. This process provides value in minimising regulatory burden where a development is unlikely to present significant social impacts.

Coexistence Queensland also supports the reserve power for the chief executive to impose conditions for social impacts on the development approval. To remove any doubt, any conditions should be required to be developed in consultation with entities who are or would generally be considered to be parties to the community benefit agreement.

### Deciding particular applications and appeal rights

Coexistence Queensland understands the rationale for new section 106ZI (Deciding particular applications relating to development requiring social impact assessment), however considers that in these circumstances an obligation should be placed on the assessment agency to consult with both parties. It is reasonable to not refuse an application solely on the grounds that a community benefit agreement is absent or inadequately responds to social impacts because this is an agreement for the parties to make. These circumstances should, however, trigger the assessment manager highlighting these concerns and ensuring that both parties are aware of their rights and obligations under the proposed community benefits system where this is flagged.

### Transparency

Coexistence Queensland supports the Social Impact Assessments and Community Benefits Agreements being publicly available. Contributions and expenditure under community benefits agreements being publicly reportable under the regulation is also supported.

A publicly available register of decisions should be kept for instances where the chief executive makes a decision that a social impact assessment report or a community benefit agreement is not required for a development application. The proposed register should include the justification for the decision on the notice as well as any directions, including any community benefit condition to be imposed. It is understood that there is a requirement for



the report about directions to be tabled in the Legislative Assembly, however this may not be adequate for general community knowledge and communication. This recommendation is intended to improve transparency for local communities on decisions being made at the state level and ensure government accountability is maintained. Coexistence Queensland often finds that communities seek information on exemptions that have been granted from participation in regulatory processes including the justification for exemption from the process and considers that the same is likely to occur in the case of the community benefits system processes.

### Compliance and Enforcement

Coexistence Queensland supports the nomination of an enforcement authority for community benefit conditions, however careful consideration of this will need occur to in terms of the entities resourcing and capability.

Clear pathways for compliance and enforcement are key in building community trust, and Coexistence Queensland recommends that a clear compliance and enforcement framework and process be developed as part of the implementation of these reforms.

## Impact assessment for renewable energy projects

Coexistence Queensland supports all development applications for wind farms and large-scale solar farms in Queensland being subject to impact assessment by the State Assessment and Referral Agency in the Queensland Government. This process provides for consistency across the state and therefore improves certainty for industry and communities.

This change also ensures consistent public notification requirements and third-party appeal rights. The shift in assessment process from local to state level combined with the introduction of the community benefits system ensures local governments continue to have a say in the assessment of social impacts and the negotiation of community benefit agreements.

### Notification of Resource Authority Holders

As previously outlined, Coexistence Queensland has been collaboratively examining the issue of overlapping interest in land between resources and renewable energy projects. Through this process it has become apparent that there are gaps in terms of notification and engagement requirements for resource authority holders that may be impacted by renewable energy projects.

Under the planning framework, there is currently no requirement or obligation to notify or engage with resource authority holders either at the time of application or decision. This is creating challenges where there is lack of transparency of future development proposals for renewable energy projects that may have an interaction and potential implications for the resource authority and associated resources activities.

In order to address this gap, it is recommended that there be a clear requirement that the applicant for a development application must notify all parties and engage with parties with an interest in the land at the time of the public notification, including resource authority holders. It is also recommended that a notification requirement for those same entities when a development decision is made (either approval or refusal).

### Publicly Accessible Spatial Information about Renewable Energy Projects

As part of making wind and large-scale solar development applications impact assessable at the state level, the Queensland Government should consider establishing a publicly available

mapping tool that provides detailed information on proposed renewable energy projects. This mapping should provide the scale of the project and information on infrastructure location provided as part of the application.

### Threshold for Small Scale Solar Operations

Based on engagement with the agricultural sector, Coexistence Queensland understands that renewable energy options on farms represent an important opportunity to implement energy efficient systems, reduce costs and decarbonise farming operations.

On this basis government should consider a threshold/exemption for small scale renewable energy activities that are ancillary to grazing / farming operations.

## Conclusion

Overall, Coexistence Queensland is supportive of the intent of the Bill.

There is room for improvement on the consideration of cumulative impacts, transparency and some mechanisms for public consultation, which may be implemented via the supporting instruments. We also urge consideration of whether the Bill provisions as currently drafted provide procedural fairness in relation to the applicant and local government.

Public consultation on the instruments that will support implementation of the Bill is essential to achieving community and industry support of the amendments and minimising the risk of unintended consequences. Coexistence Queensland looks forward to ongoing participation in the processes of developing the tools to support implementation of the Bill.



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