

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

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# **Response to proposed social impact and community benefit amendments to introduce a community benefit system into the Queensland planning framework**

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To: Queensland Government Renewable energy Planning Group, via email:  
[renewablesplanning@dasilgp.qld.gov.au](mailto:renewablesplanning@dasilgp.qld.gov.au)

## **Response to Part 5 of the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025**

To Planning Minister Jarrod Bleijie,

Thank you for the opportunity to provide feedback on Part 5 of the proposed Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 related to the amendment of Planning Regulation 2017.

We commend the Queensland Government for recognising and prioritising community benefits from renewable energy development as a significant policy issue. Through our work in Queensland, Community Power Agency and many others have observed that community engagement practices across large scale renewable energy development in Queensland has lagged behind some other states, where state governments have set higher and more rigorous expectations of engagement processes. This has meant that it is more common for communities to be less involved in large scale renewable energy development processes in Queensland, whether it be in co-design processes to determine benefit sharing arrangements or more sophisticated forms of community engagement on renewable energy projects, such as community co-ownership or co-investment in projects. We recognise the need for new measures to ensure that there is genuine engagement with communities, giving communities influence and control over siting, design, construction and benefit sharing, so that renewable energy developments are appropriate and deliver tangible benefits to local communities.

[Community Power Agency](#) is a not-for-profit organisation that works with government, industry and community practitioners to ensure that communities are engaged in and benefit from the transition to renewable energy. We have supported more than 50 community energy groups to develop and deliver their own clean energy goals, have pioneered Community Solar Gardens in Australia, and have provided guidance and policy advice for federal, state and local government in Queensland to support effective benefit sharing as well as community co-

investment or co-ownership in large scale renewable energy. Across all our work, we have found that actively encouraging and rewarding better quality community engagement and deploying mechanisms to share project benefits with host communities has profound flow-on impacts on social licence and social value for individual projects and the industry at large.

Below we identify some key considerations regarding these proposals, and offer some recommendations to ensure that they will work effectively to ensure community engagement, and deliver tangible benefits to communities across Queensland.

If you would like to receive more detailed information about our suggestions and feedback, please get in touch: [REDACTED]. We are also available to provide detailed advice and implementation support.

Kind regards,

Anna Berka

## Responses to the proposed bill and guidelines:

- 1. Clarify the distinction between social impact mitigation and community benefit sharing:** The mitigation of negative social impacts on a community or region is distinct from the sharing of *benefits* – financial and otherwise – from a development with communities. Social Impact Assessments (SIAs) are an important means for identifying negative (and positive) social impacts that a development may have on communities, but are not an appropriate tool for designing community benefit sharing arrangements. The purpose of community benefit sharing is to meet the needs and aspirations of a community beyond the impacts of a particular project, and rests on the tennent that the sun, wind and water are shared resources and the monetisation of these resources should be shared with the community that hosts them. For example, we consider that payments to neighbours are a standard part of the *impact mitigation*, and therefore should **not** be considered as community benefit sharing or included in the scope of Community Benefits Agreements (CBAs). The legislation should clarify this distinction between the mitigation of negative social impacts and community benefit sharing, and mandate strong community participation in the design and implementation of CBAs.
- 2. Provide local Councils with greater resources, capacity and guidance to negotiate coordinated and strategic Community Benefit Agreements (CBAs) with proponents in collaboration with communities:** Our work in Queensland has shown that local Councils are not aware of the full range of options that are available for renewable energy projects to deliver significant and long-lasting community benefits for the

lifetime of renewable energy asset, nor how options compare, or how best to deliver these benefit sharing mechanisms. As such, without significant capacity building and resourcing, local Councils are currently poorly positioned to serve as arbiters on these issues. Communities on the ground are also not aware of the full range of options that are available for renewable energy projects to deliver significant and long-lasting benefits to communities for the lifetime of renewable energy assets, and that present significant opportunities for rural diversification and regional development.

We recommend that the Queensland Government invest in building the knowledge and capacity of both local Councils and communities to negotiate community benefits, including community co-investment and co-ownership of large scale renewable energy assets. There are several ways of achieving this, ranging from development of appropriate guidance materials, to capacity building through training and awareness raising. These activities could be implemented across the state by implementing [Local Energy Hubs](#) (see point 7 of this submission).

3. **Ensure that the proposed approach can facilitate genuine community engagement and participation in the co-design of CBAs:** Numerous academic and industry studies have shown that building strong community participation is an essential component of identifying meaningful benefits and suitable approaches to benefit sharing that underpin a strong social licence for renewable energy. If CBAs are negotiated, administered and overseen by local Councils without significant community participation and co-design, there is a strong risk that the proposed approach will not generate the necessary genuine engagement with communities on the ground and will ultimately disempower communities. There seems to be an implied sentiment in the proposed amendments that Council would hold and manage the funds for community benefit sharing on behalf of the community. This could have a significant risk to social license of a project and in turn delay the renewable energy roll out as a whole. Explicit clarification is needed in the amendments to state that only the community benefit agreements need to be made with Council, to document the proposed benefit sharing plan, not that Council needs to administer and deliver the benefit sharing funds

SIAs provide largely hypothetical ex-ante propositions for delivery of positive impacts and are not necessarily drawn from genuine engagement processes within the community (if for example based on surveys or door to door questionnaires) and are not best placed as the primary tool for the design of community benefit sharing programs.

We recommend that the Queensland Government fund communities and local Councils to undertake strategic planning processes to identify community needs and aspirations, including those beyond the jurisdiction of local governments (e.g. health, training or arts initiatives). This would provide communities with the opportunity to co-design a local strategy for prosperity, which can then be used by local Councils to

guide the negotiation of CBAs in alignment with this strategic plan. This will significantly streamline the process for industry and reduce engagement fatigue burdens on the community. We also recommend that local Councils are required to publish CBAs and related documents, ensuring full transparency and accountability in the negotiation process.

4. **Empower Traditional Owners and First Nations communities to co-design benefit sharing arrangements via CBAs:** Traditional Owners and First Nations communities must be better resourced to participate in the negotiation of CBAs, and local government should have a clear path for enabling their participation and self-determination of community benefits for their communities. It is imperative that Traditional Owners and First Nations communities have a seat at the table when Council and the wider community are negotiating CBAs with project proponents.

We recommend that the proposed legislation explicitly provide Traditional Owners and First Nations communities with rights to participate in the negotiation of CBAs, and that resources are committed to ensure that they have the capacity to participate fully and fairly in the process.

5. **Maximise the opportunity for strategic coordination of benefit sharing to ensure long-term legacy benefits for communities:** We see the negotiation of CBAs as an opportunity to strategically coordinate benefits for communities at an LGA and even regional or REZ scale where appropriate. Whilst we know it is imperative ‘project level’ community benefits are maintained for host communities immediately surrounding a project – as a means to build relationships, trust and social licence for the project – we also understand the need for community benefits to flow more widely across the region, to maximise long-term and leverage, positive legacies for regional development. Our [discussion paper on regional benefit sharing](#)<sup>1</sup> outlines an approach for striking this delicate balance between ‘project level’ benefits for host communities and the broader region. This paper has informed our approach to regional benefit sharing in the Queensland context, which has evolved through our current partnership with Western Downs Futures (a place-based community development initiative established by Western Downs Regional Council). Together with Western Downs Futures and several other local stakeholders, we are working to establish a pilot program for a community-centred, government supported and coordinated approach to regional benefit sharing from renewable energy projects in the region.

We recommend that the Queensland Government consider the opportunity for regional benefit sharing in the negotiation of CBAs, to ensure that local councils and host communities have scope to determine an appropriate allocation of community

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<sup>1</sup> Hicks, J & Mallee K (2023) [Regional Benefit Sharing – Creating strategic impacts for regions that host multiple renewable energy projects](#), Community Power Agency, Sydney.

benefits negotiated under CBAs to pooled funding schemes for regional benefit sharing, in line with community needs and aspirations.

6. **Ensure that cumulative impacts from projects are addressed in SIAs, including the cumulative effect of multiple community engagement processes:** SIA processes completed in a siloed fashion with each individual project will fail to capture the cumulative impacts and benefits to communities experiencing multiple renewable energy developments in their region. There is an opportunity to create an evolving database of information that project proponents build upon when completing their SIA processes, both avoiding duplication in the SIA engagement process and ensuring that cumulative impacts of multiple renewable energy projects proposed for a region are fully considered and tracked over time.

We recommend that the Queensland Government work with local Councils and project proponents to establish databases for tracking the cumulative impacts of projects occurring in an LGA and/or wider region. This will help to ensure that social impacts are assessed with full context and transparency, supporting better planning, policy responses, and community outcomes. These databases should be accessible to relevant stakeholders, including local communities, Traditional Owners, local councils, and researchers, to promote shared learning and accountability.

7. **Maximise the opportunity to coordinate community engagement processes by implementing Local Energy Hubs:** The SIA process and community co-design of CBAs will necessitate a higher degree of community engagement which, if not well managed, could contribute to engagement fatigue within communities. While we see increased community participation as an inherently positive outcome, engagement fatigue is a risk that must be fully addressed and mitigated. There is an opportunity to coordinate both SIA engagement processes and CBA co-design with communities, to avoid the duplication of community participation processes and streamline the pre-approval phase of proposed projects.

Local Energy Hubs are a policy proposal to coordinate community engagement processes in regions experiencing multiple renewable energy project proposals.<sup>2</sup> A local energy hub in each region would form a central point of engagement for renewable energy developers, state agencies, and others to connect with the local region and understand its specific context. These hubs would maintain independence and, without speaking on behalf of their community, their staff would be positioned to help coordinate community engagement and feedback while reducing consultation fatigue in communities. Acting as distributors of reliable and evidenced information, they would also reduce the burden on local Councils and the Queensland Government

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<sup>2</sup> For more information on the Local Energy Hubs project proposal, please see our policy summary briefing note [here](#).

in managing misinformation and community concern about the energy transition more broadly.

We recommend that the Queensland Government work closely with the Federal Government to implement Local Energy Hubs in key regions across Queensland.

8. **Raise the threshold for mandatory SIAs and CBAs to 5MW+ solar projects and make community projects exempt from these requirements** - Under the new proposed legislation, the solar code would apply to all developments above 1 MW / 2 ha and would therefore affect projects led by local community organisations, implying that locally led projects would have to undertake an SIA and establish a CBA with council. Community energy projects are typically motivated by specific community needs (such as energy resilience, funding for community housing, educational, environmental projects, diversification of income streams, local employment, etc.). Because participatory processes and community benefits are central to community energy projects, these projects should be exempt from proposed requirements for SIA's and CBA agreements with council.

We recommend that the proposed legislation is amended to raise the threshold for application of the solar code to projects above 5MW, and to make community energy projects exempt, in order to avoid placing unnecessary administrative burden on small-scale projects and projects led by communities with primary purpose of delivering significant co-benefits in the form of distributed energy resources, energy resilience and community empowerment. This would require including legal definition for community energy projects, such as “*any renewable energy installation in which the majority of voting equity or net revenues are held by a community entity, and project governance provides for open local membership, democratic decision-making, and reinvestment of surpluses in community purposes*”, and an exemption clause. Similarly, specific provisions may be necessary for renewable energy projects led, owned and operated by local governments.

9. **Even the playing field for renewable energy and resource developments:** Any large energy infrastructure or resource project poses both risk of adverse impacts and potential opportunities for local communities, depending on technology, design, ownership and delivery models, and benefit sharing mechanisms utilised and its alignment with pertinent community needs on the ground. As such, it is not clear why a binding ‘Community Benefit Agreement’ should apply to solar and wind projects only. Taking the amendments in question alongside ongoing initiatives by the Resources Cabinet Committee to streamline fossil fuel developments, continued loopholes for "small" coal mines to avoid full environmental scrutiny, as well as intentions to repeal the renewable energy and potentially emissions reduction targets, there is a risk that these requirements exacerbate an already substantial uneven

playing field between renewable and non-renewable energy developments in Queensland.

We recommend that all energy and resource developments above a certain capacity would be required to demonstrate an ability to deliver community benefits.

10. **Provide further guidance on reporting and compliance obligations within CBA's to ensure that CBA's are uniformly legally attached to the project and are enforceable throughout the life of the project instead of at discretion of individual CBA negotiations and subject to compliance through development approval:** Because many community benefits are delivered after a project is commissioned and operational, the CBA negotiated between project proponents and local Council (in collaboration with communities) must be legally enforceable throughout the duration of the project, including if and when a project is sold-on from one developer to another, and/or passed on to an Engineering, Procurement and Construction ('EPC') firm after development approval is secured. While flexibility is necessary and desirable to accommodate changing circumstances in communities and markets, we recommend that any proposed changes to a CBA are made subject to community consultation, mandating full transparency and accountability to communities throughout the life of the project.