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

Submission No:	474
Submitted by:	Saunders Havill Group
Publication:	Making the submission and your name public
Attachments:	See attachment
Submitter Comments:	

saunders havill group

Saunders Havill Group Pty Ltd
ABN 24 144 972 949

9 Thompson Street
Bowen Hills QLD 4006

1300 123 SHG

www.saundershavill.com

20 May 2025

Committee Secretary
State Development, Infrastructure and Works Committee
Parliament House
George Street
Brisbane QLD 4000

Dear Sir / Madam,

RE: SUBMISSION – INQUIRY INTO THE PLANNING (SOCIAL IMPACT AND COMMUNITY BENEFIT) AND OTHER LEGISLATION AMENDMENT BILL 2025

Saunders Havill Group (SHG) welcomes the opportunity to provide feedback on the proposed planning reforms outlined in the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025* (the Bill).

As a multidisciplinary consultancy actively involved in the development assessment and delivery of renewable energy and infrastructure projects across Queensland, SHG has a strong interest in ensuring the planning framework remains efficient, transparent and responsive to emerging technologies and land use trends, while also delivering outcomes that reflect community expectations and manage complex land use interfaces.

We provide the following key comments and recommendations for your consideration:

1. Definition of Prescribed Renewable Energy Facility

Part 5, Section 10(4) of the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Regulation 2025,* prescribes the uses subject to the proposed Community Benefit System and assessment by the State Assessment and Referral Agency (SARA) and includes a new definition of 'relevant renewable energy facility' as follows:

> *Relevant renewable energy facility means—*
>
> *(a) a prescribed renewable energy facility; or*
> *(b) a renewable energy facility for the generation of electricity or energy from a source of solar energy, other than a prescribed renewable energy facility, if the facility is in a priority development area.*

Section 21(2) subsequently defines a prescribed renewable energy facility as:

> *A renewable energy facility for the generation of electricity or energy from a source of solar energy if—*
>
> *(a) the facility generates 1MW or more of electricity or energy from a source of solar energy; or*

(b) the total area of land used for solar panels and structures for mounting solar panels, including any land between the solar panels and structures, is 2ha or more.

While we appreciate the intent of this definition, the current wording has created uncertainty within the industry, particularly regarding whether Battery Energy Storage Systems (BESS), either as standalone facilities or co-located with solar farms, fall within the scope of a prescribed renewable energy facility.

Our interpretation is that the definition of a prescribed renewable energy facility does not include BESS. BESS projects are not primary generators of electricity or energy, but rather facilities that store and release electricity previously generated from other sources. Accordingly, BESS projects should be treated distinctly from generation facilities to avoid unnecessary regulatory complexity.

We therefore recommend amending the definition of *prescribed renewable energy facility* under Schedule 24 of the *Planning Regulation 2017* as follows:

Prescribed renewable energy facility means a renewable energy facility for the generation of electricity or energy from a source of solar energy if—

(a) the facility generates 1MW or more of electricity or energy from a source of solar energy; or
(b) the total area of land used for solar panels and structures for mounting solar panels, including any land between the solar panels and structures, is 2ha or more.
(c) does not include:
i. a battery storage device
ii. a battery storage facility

This amendment would provide greater clarity and ensure consistent interpretation by proponents and assessment authorities. It would also reinforce the importance of facilitating the timely delivery of BESS facilities, which are essential to supporting Queensland's renewable energy targets of 70% renewable energy by 2032 and 80% by 2035. BESS projects need to be deployed at scale and speed and the planning system must play a key enabling role.

2. Threshold for Prescribed Renewable Energy Facilities

Prior to implementing changes to policy or assessment requirements, it is essential that the State Government establish a threshold for prescribed renewable energy facilities that is both appropriate and proportionate to the scale and impact of development.

As currently drafted, the Bill defines a prescribed renewable energy facility as any project generating 1MW or more or occupying 2ha or more. SHG strongly urges the Committee to consider increasing the capacity threshold to **5MW**, which more appropriately reflects the scale at which solar farms typically begin to involve complex technical, environmental or social considerations that may warrant more detailed development assessment.

Projects below this scale are unlikely to give rise to the level of complexity, infrastructure demand or social impact that would justify financial contributions to third parties and more onerous assessment requirements under the new planning framework. For example, a 3MW solar farm which typically occupies around 6ha, is captured under the current definition- despite its relatively modest size and limited potential for signifcaint adverse impacts. Applying a low threshold risks placing undue regulatory burden on smaller-scale projects, discouraging investment in distributed and embedded renewable energy systems.

The proposed 5MW threshold is a well-established regulatory benchmark in the National Electricity Market (NEM). Under the National Electricity Rules (NER), generating systems with a nameplate rating of 5MW or more are typically required to register with the Australian Energy Market Operator (AEMO) as generators (some exemptions apply). Aligning planning thresholds with national benchmarks will ensure consistency across jurisdictions and enable the Community Benefits System to focus on renewable energy projects of a scale where meaningful benefits can be generated and delivered to local communities.

3. Community Benefit Agreement

The proposed amendments under the Bill include the introduction of a mandatory Community Benefit Scheme, requiring proponents of large-scale solar farms to complete a Social Impact Assessment and enter into a Community Benefit Agreement (CBA) with the relevant local government prior to lodging a development application.

Under the new provisions, proponents must commit to measures that manage, mitigate and offset potential social impacts, while also delivering tangible, lasting benefits to the host community. The intent of the CBA to foster social licence and ensure communities experience enduring value from renewable energy developments is acknowledged and supported in-principle.

However, it is strongly recommended that detailed guidance material be prepared to support both local governments and proponents. This guidance should clarify what constitutes a relevant, appropriate and fit-for-purpose CBA across different communities and project contexts. Without this clarity, there is a risk of inconsistent expectations, delays in negotiations and uncertainty during the early stages of project development.

Further, it should be considered whether regional and rural local governments, which are typically where large-scale solar farms are located, have the necessary resources and expertise to negotiate a CBA that is both appropriate and fit-for-purpose. Without adequate resourcing or support, these Councils may find it challenging to engage meaningfully in what is often a complex and technically demanding negotiation process.

Finally, additional justification is required for mandating a fully executed CBA prior to development application lodgement. Entering into such agreements at this embryonic stage may be premature, particularly where project details, technology selection and layout are still subject to refinement or where

critical matters such as land tenure, landowner lease arrangements, network connection agreements or environmental approvals (under the EPBC Act) remain unresolved. The adoption of a more flexible and pragmatic approach such as requiring evidence of CBA negotiations or an in-principle agreement at lodgement, with finalisation prior to the development approval decision would still achieve the desired community outcomes. This would also reduce unnecessary procedural burden, avoid premature commitments and limit the need to amend executed agreements as project details evolve.

4. Social Impact Assessment

Under the proposed amendments, proponents of large-scale solar farms will be required to prepare a Social Impact Assessment (SIA), evaluating how a project may affect the local community. The SIA must address the positive and negative impacts of the proposal, including those related to workforce management, housing and accommodation availability, capacity and affordability, local business procurement and community well-being. In addition, the management measures developed through the SIA process are to inform the development of a Social Impact Management Plan (SIMP) and the Community Benefit Agreement.

While the SIA requirement is supported in-principle, it is critical to acknowledge that the existing 2018 Social Impact Assessment Guideline issued by the Coordinator-General is not well-suited to large-scale solar farms, as it was developed for complex major resource projects subject to the Environmental Impact Statement (EIS) process.

Given the growing number and variety of renewable energy projects now subject to SIA requirements, it is strongly recommended that dedicated, fit-for-purpose SIA guidelines for large-scale solar farms be developed. These guidelines should reflect the unique characteristics, development footprints and community interactions of solar farms and provide clear direction on what constitutes an appropriate and proportionate assessment.

Importantly, the SIA will form the foundation for the Community Benefit Agreement and therefore must be approached consistently and transparently. To support this, a standardised SIA template should be prepared and made available to proponents and local government. This will help ensure a robust, consistent and equitable assessment approach across renewable projects and jurisdictions, reducing ambiguity in both impact assessment and the negotiation of benefit-sharing measures.

5. Resourcing of Assessment Functions

Planning reform must be accompanied by a commensurate uplift in State Government resourcing to ensure successful implementation. SHG is concerned that SARA may not currently have the capacity to manage the anticipated increase in volume of large-scale renewable energy development applications—particularly if the current low threshold for prescribed facilities is retained and in light of the State's concurrent prioritisation of social and affordable housing proposals.

We therefore recommend a resourcing uplift for SARA and DSDIP's Development Assessment and Approvals Team (DAAT) to ensure the planning system can respond efficiently and effectively to the scale and complexity of Queensland's renewable energy transition.

Thank you for the opportunity to provide this submission. Should the Committee wish to discuss any of the matters raised, I would be pleased to assist further and can be contacted on [redacted] or via email at [redacted].

Yours sincerely,
Saunders Havill Group

[redacted]

Julian Wooderson
Principal - Town Planning