Speech By

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PLANNING (SOCIAL IMPACT AND COMMUNITY BENEFIT) AND OTHER LEGISLATION AMENDMENT BILL

Mr RUSSO (Toohey—ALP) (4.11 pm): Today I rise to speak to the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025. This is a bill that claims to improve social accountability in planning but, in its current form, does the opposite. This legislation amends the Planning Act 2016 to require social impact assessment and community benefit agreements for certain types of development before a development application can be properly made. The stated intent is to front-load community engagement and to empower local governments to negotiate better legacy outcomes.

At face value, this seems to be a positive step but we must look deeper because this bill is riddled with contradictions. There are two core aspects of this bill, and they sit in stark contradiction. The bill imposes unprecedented planning obligations on renewable energy projects—requirements that not even coal or gas projects must meet. At the same time, it removes nearly all planning environmental, cultural and community protections for 2032 Olympic infrastructure projects. On the one hand, the government insists on raising the bar for clean energy; on the other, it bulldozes community consultation and legal rights in the name of Olympic deadlines.

Let's start with the clear lack of balance and the erosion of community voice. More than 1,100 submissions were received during the public inquiry. None supported the bill in its current form, though many agreed with its intent. Despite overwhelming public input, the committee report glossed over key stakeholder concerns, giving disproportionate weight to the LNP government's position.

Community consultation and court access rights for Olympic projects are stripped, effectively silencing the very people this bill claims to empower. This is not participatory planning; this is exclusion by design. Olympic projects have no safeguards, no security. The bill exempts Olympic infrastructure from nearly all of the safeguards. There are no environmental protections, no cultural or heritage protections, no requirement for public consultation and no avenue for court challenge. Take, for instance, the proposed 60,000-seat stadium planned on heritage-listed land under this bill. It can proceed without any of the checks and balances that typically apply. First Nations voices have raised urgent concern. Kristen Hodge, the co-chair of the First Nations Legal Policy Committee highlighted that simply posting cultural heritage notices online will exclude remote and regional communities. Under the current system, notices appear in newspapers. That change alone may silence vital community voices and compromise the integrity of cultural heritage management plans.

At the same time, the bill creates a new regulatory burden for renewable energy projects, including mandatory social impact assessments and mandatory community benefit agreements. These requirements must be met before a development application can be even lodged. The consequences are real. The $1 billion Moonlight Range Wind Farm near Rocky has already been delayed; investors are pulling back; industry confidence is plummeting. Queensland risks falling behind in the clean energy transition.

Despite the Premier's direction for consistency across sectors, the bill imposes a far stricter regime on renewables, as I said earlier, than on mining or agriculture. The Queensland Renewable Energy Council has been clear: this new framework 'goes significantly beyond' what the resource sector is required to do. What is more concerning is the lack of a coherent policy framework. The promised Queensland Energy Roadmap has been delayed until the end of 2025. There is no economic modelling on how this bill might affect electricity prices. Household rebates have been scrapped, yet no explanation has been offered on how this legislation will impact power bills. The Queensland Law Society warns these reforms are likely to adversely impact the renewable energy sector. The Queensland Bar Association cautions that the bill may challenge the institutional integrity of the Supreme Court, raising the risk of a High Court action.

Let us be clear about what is at stake here. Community consultation rights, especially for Olympic developments, may be permanently weakened; renewable energy may face unjustified barriers, risking project delays, cancellations and lost jobs. Power prices may rise with no transparency or modelling provided to explain why. Judicial oversight may be undermined, raising serious constitutional concerns. The bill is not what it appears to be. While it claims to enhance social accountability, it, in fact, disregards stakeholder and community feedback. It creates a two-tiered system: tough for renewables; lenient for Olympic projects. It undermines our environmental, legal and democratic institutions. It is important to highlight the comments made by some submitters. Mitchel Batty, Queensland Environmental Law Association President, advised—

QELA is not supportive of effectively the extra layer of regulation that would see other requirements being introduced in order for a properly made development application to be lodged. Effectively, if there is an intent to further regulate particular types of development then there is an ability to do that in the current system through the already in place assessment processes.

Cate Heyworth-Smith KC, the President of the Bar Association in Queensland, advised—

Aside from the breathtaking dismantling of the rights of individuals, this appears very much to be a challenge to the institutional integrity of the Supreme Court by state legislation. It would be unsurprising to this committee, with respect, that there is High Court authority which may be called in aid of having that legislation struck down.

I further quote—

Who decides prior to the commencement of the proceeding if there is a reasonable prospect that the proceeding will prevent the timely delivery of a venue? What plaintiff will simply accept that they cannot commence the proceeding on the basis that those hazily drafted criteria might be found to exist? Those criteria can only realistically be pleaded as a defence after the claim has been regularly instituted. The best the courts could do would be to see whether early summary determination might be appropriate. The position becomes hopelessly circular.

Kirsten Hodge, the First Nations Legal Policy Committee co-chair, said—

The cultural heritage legislation in Queensland is already at the bare minimum. It already provides mechanisms where, if there is no Aboriginal party, the proponent or the land user can proceed if they do not reach agreement. By taking those stop-work orders and injunctions away from First Nations people, you are taking away their ability to identify what is culturally significant to them. We have a Commonwealth piece of legislation with native title that has a stringent procedure that the court goes through, but this is the only legislation in Queensland that gives First Nations people the ability to say, 'This is culturally important to me.'

The Bar Association submission further stated—

The Association observes, with respect, that deeming something that is *prima facie* unlawful to be lawful if vaguely expressed criteria are said to apply will likely create more legal disputation rather than less.

The bill is performative, not genuine. It is more about optics than outcomes, more about appearing consultative than being inclusive. Above all, it lacks authenticity. The disconnect between what is being presented and the actual intent of the bill could not be more glaring. We must ask ourselves: is this the planning legacy we want to leave behind, one that fast-tracks stadiums and silences communities while placing unnecessary roadblocks in front of the clean energy transition? Queensland deserves better. Let's not settle for performative politics; let's demand genuine planning reform, one that is fair.