



QUEENSLAND
FARMERS'
FEDERATION



Planning (Social Impact and Community Benefit) and Other Legislation Amendment Regulation 2025 **May 2025**

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Prepared for
The State Development, Infrastructure and
Works Committee

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This submission is provided to:

The Secretariat, State Development, Infrastructure and Works Committee
Submitted via email sdiwc@parliament.qld.gov.au

Our members

- Queensland Fruit & Vegetable Growers
- Cotton Australia
- Canegrowers
- Greenlife Industry QLD
- eastAUSmilk
- Australian Cane Farmers Association
- Queensland United Egg Producers
- Turf Queensland
- Pork Queensland
- Australian Chicken Meat Federation
- Bundaberg Regional Irrigators Group
- Burdekin River Irrigation Area
- Central Downs Irrigators Ltd
- Fairburn Irrigation Network
- Mallowa Irrigation
- Pioneer Valley Water Co-operative Ltd
- Theodore Water Pty Ltd
- Eton Irrigation
- Lockyer Valley Water Users

About the Queensland Farmers' Federation

The Queensland Farmers' Federation (QFF) is the united voice of agriculture in Queensland.

Our members are agricultural peak bodies who collectively represent more than 13,000 farmers who produce food, fibre and foliage across the state.

QFF's peak body members come together to develop policy and lead projects on the key issues that are important to their farmer members and the Queensland agriculture sector.

Together, we form a strong, unified voice leveraging our effectiveness by working together to drive policy and initiatives that support a strong future for Queensland agriculture.

Submission

QFF welcomes the opportunity to provide comment to the State Development, Infrastructure and Works Committee on the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Regulation 2025* (the Bill). We provide this submission without prejudice to any additional submission from our members or individual farmers.

Introduction

The Queensland agriculture sector has long demonstrated resilience and adaptability in the face of change. As the state continues its integrated energy transition, it is crucial to adopt a comprehensive and coordinated approach to ensure that landholders, agricultural production, and regional communities are not adversely impacted, that risks are managed, and opportunities maximised.

It is important that agriculture can rely on the government taking a leadership role in developing an integrated energy strategy that maximises our natural assets and delivers optimised, affordable, reliable energy for all Queenslanders. Given Queensland's abundance of wind and sun, and the longevity and advanced state of renewable energy technologies, it makes sense that, wind and solar energy are part of the State's integrated energy strategy moving forward. Transitioning renewable energy into the mix requires careful planning, transparent communication, and meaningful consultation with local communities.

Integrating renewable energy into Queensland's energy mix is a necessary contribution to the Queensland Government's commitment to drive down electricity bills for Queenslanders and prioritise the delivery of an energy system that is affordable, reliable and sustainable in the long term. Additionally, and importantly, renewable energy technologies enable opportunities for on-farm energy resilience, reliability and affordability and deliver benefits to regional communities. Integrating renewable energy into Queensland's energy future, without disrupting agricultural production or rural livelihoods, is achievable through a clear and enforceable regulatory framework.

Overview

QFF understands the intent of this new Bill is to amend the *Planning Act 2016* to introduce a community benefit system into the Queensland planning framework for renewable energy development (wind and solar farms). In most cases, this will be enabled by requiring a proponent

to conduct a social impact assessment and enter into a community benefit agreement with the local government (as a minimum) before lodging a development application.

QFF supports the intent of the proposed Bill to build social license, improve transparency, deliver tangible benefits to communities, empower councils and communities, and foster positive legacy benefits for local and regional host communities. QFF has, however, some concerns in relation to the detail contained within the draft Bill. QFF has considered the impacts of this Bill through the lens of:

- protecting agriculture to ensure it remains a long-term viable enterprise in a region
- ensuring landholders have flexibility to make decisions in relation to their land
- ensuring appropriate frameworks and protections are in place that mitigates any potential or realised impacts
- maximising the benefits for participating communities and host landholders
- reducing cumulative impacts and consultation fatigue on communities
- enhancing future opportunities for agriculture and communities in relation to renewable energy

In reviewing the draft Bill, QFF has tried to keep sight of the problems we are actually trying to solve with this Bill. These are listed below.

- Ensuring agriculture is a long-term viable industry across productive agricultural landscapes within the participating regions.
- Maintaining an individual landholder's ability to have flexibility in being able to make decisions in relation to the best use of their land and the future viability of their enterprises.
- Ensuring the renewable energy opportunities are realised and the risks appropriately mitigated so that Queensland, the agricultural sector, and regional communities gain maximum benefit.
- Allowing future opportunities (such as on farm renewable energy, distributed energy, behind the grid technology, microgrids etc.) to develop and ensuring they are not unnecessarily hindered by excessive legislation.
- The avoidance of duplication, minimisation of cumulative impacts and consultation fatigue, and the maximisation of benefits.

Upon reviewing the draft Bill and accompanying consultation materials, QFF provides the following feedback on the Bill's key components.

Social Impact Assessments (SIA)

QFF supports more rigorous assessment of the cumulative impacts of renewable energy developments, as would be facilitated by a SIA. Feedback from regional communities, local government and existing industries, emphasises that renewable energy proponents and assessment managers must understand and recognise that not all project impacts, disruptions and offset measures are the same across regional Queensland. The cumulative effect of developments and their activities must be considered by proponents and planned for.

The requirements in the proposed Bill do not adequately address the cumulative impacts experienced in a region and will likely increase the consultation fatigue already occurring in communities. QFF urges the Committee to consider requiring regional assessments be conducted as part of the already established Renewable Energy Zone (REZ) approach. By taking a regional approach, cumulative impacts of multiple projects can be assessed, planned for and

mitigated with greater coordination and less impact on the community and businesses who live and operate there. With so many proponents involved, it is important that the Bill does not promote consultation fatigue and duplication which may well result from all having to conduct their own social impact assessments.

Additionally, QFF emphasises that agricultural industry groups and businesses must be included in the SIA process so that the sector's unique challenges and needs are represented.

Community Benefit Agreement (CBA)

QFF supports a community benefit system and has long advocated for a coordinated or strategic approach to maximising benefits and opportunities for those most impacted by renewable energy developments. QFF supports the coordination and strategic delivery of community benefits and initiatives like funds that achieve lasting and meaningful outcomes aligned with regional community priorities. QFF however, asks that the Committee re-considers requiring proponents enter into individual agreements with local governments. Rather, consideration should be given to the creation of a separate governing entity, perhaps by REZ region, to negotiate, administer and distribute these funds, of which relevant local governments would be a party. This supports the Bill's intent of creating a community benefit system, however, delivers greater coordination, efficiency and consistency than what is proposed in the Bill.

QFF notes the approach for CBAs to be informed by SIAs, which require input from the impacted community, safeguards regional communities from being overlooked through fluctuations of a development project lifecycle. QFF reiterates that specific feedback from agricultural industry representatives for that region and key stakeholders must be sought on the contents of CBAs to ensure priorities, opportunities and risks for agriculture sector are sufficiently considered. QFF also urges the government to support the provision of low-cost power be included in CBAs, as this remains a key issue impacting the profitability of our members and would be a welcome benefit to farmers and communities. Community and industry benefit sharing requires a thorough understanding of each community's priorities, and a one-size-fits all approach will not achieve the best outcomes.

Mediation process

QFF supports the inclusion of a voluntary mediation process that would include a third party to assist in negotiating CBAs, should parties require support to come to an agreement. Given these are commercial agreements between various parties, this is a pragmatic approach to resolving disputes that may arise.

CEO reserve powers

QFF understands that, in limited circumstances, the CEO may determine that a social impact assessment and community benefit agreement may not be required after having regard to a certain set of circumstances. This seems to be a pragmatic approach and typical of other planning processes. QFF recommends that planning guidance be made publicly available on when these powers may be enacted so to give the community and proponents clarity on its application.

Transitional provisions

QFF understands that 'in process' development applications being assessed at the time of this Bill being enacted will be considered not properly made and will thus be required to undertake

the SIA/CBA process. Applying this retrospectively will cause significant delays and costs, with little added benefit for councils or communities. Many planned projects have already negotiated benefit-sharing or completed social impact assessments that, while different from the proposed requirements, still meet the intent. Consideration should be given as to whether those applications nearing decision, who can demonstrate sound social license is in place with landholders and communities, could be exempted. This would reduce the administrative costs for these developments and stop the need to re-consult with communities who may have already been through a consultation process to avoid exacerbating consultation fatigue.

Operational considerations

QFF asks that the Committee consider the following points on how to implement these amendments responsibly and sustainably and in a way that effectively solves the problems and achieves the outcomes we are all striving for.

- **Consultation fatigue and cumulative impacts:** In areas of high development activity, there will be numerous SIAs occurring simultaneously contributing to consultation fatigue, such as in the Western Downs, and Gladstone local government areas. QFF supports the establishment of cross-agency reference groups on a needs basis to assess cumulative impacts and improve cross-department collaboration and information sharing to avoid duplication and deliver more holistic feedback. QFF also supports these processes being applied at a REZ level so that regional impact assessments can be undertaken, for the reasons outlined on pages 4 and 5.
- **Role of Local Government:** Local Government capability and capacity needs to be properly reviewed to ensure they are adequately supported to undertake the required SIA and CBA activities and discussions. Given that more projects are proposed to be subject to third party appeal rights, this may increase the risk of development applications being appealed to the Planning and Environment Court, further emphasising the need for Local Government to have the necessary expertise. Additionally, it is important to consider how enforcement and compliance requests will be managed in these communities' post-approval. Improving resources for local government is essential for community wellbeing. Local councils are frontline for their communities and have a key role to play. However, councils all have competing interests and different capabilities, so it is important that councils are supported appropriately to be able to effectively play their role.
- **Community benefit agreements (CBA):** QFF supports consistency, transparency, and equity of approach for communities. However, CBAs will naturally vary for different regions and communities, and their experience to date in the energy transition. How will the amendments manage the risk that some local government organisations are less equipped or experienced to negotiate, particularly in complex or drawn-out processes with multiple project proponents. What enforcement/monitoring mechanisms are in place to ensure the outcomes of the CBA are realised? QFF recommends the development of standardised CBA templates and planning-aligned guidance to provide greater certainty to communities, proponents and decision-makers.
- **Complaints management process:** It is unclear who or what agency is the escalation point should a complaints management process not prove effective in resolving a matter or if the complainant requests an independent review.
- **Large scale solar farms provisions under the Planning Regulation:** Requiring solar farms over 1 MW to be impact assessable will unnecessarily slow down approvals, increase costs and contribute to consultation fatigue. QFF is concerned this could deter small-to-medium projects, which are well-suited to marginal farmland and can provide farmers with extra

income. These smaller, distributed energy projects were largely overlooked in the Queensland Energy and Jobs Plan, which focused on large, transmission-scale developments. QFF urges the Committee to reconsider this, as supporting distributed energy is a key opportunity for the Government's upcoming energy roadmap. QFF strongly recommended that sensible, appropriate threshold limit be introduced to ensure that larger (and typically more impactful) developments trigger impact assessment, while smaller ones are assessed under a more-streamlined process. With respect to what a 'sensible, appropriate threshold limit' could be, this would be something the Government would need to consult on further to seek informed feedback from development, planning and legal stakeholders (at a minimum). QFF submits that the 1 MW threshold is too low and that a framework that includes an appropriate progression from code assessable / model conditions, to impact assessable through to declared coordinated projects would be a sensible approach. It is also important that a consistent and meaningful definition of high quality agricultural land is agreed upon. Please note, QFF will be submitting a comprehensive submission on the proposed State code 26: solar farm development as part of the Department of State Development, Infrastructure and Planning's consultation process.

Conclusion

QFF supports the primary objective of the Bill in its intent to introduce a community benefit system into the Queensland planning framework aimed at mitigating the adverse impacts of solar and wind projects on impacted communities. QFF is concerned about aspects of the proposed Bill and has offered recommendations to:

- protect agriculture to ensure it remains a long-term viable enterprise in a region
- ensure landholders have flexibility to do what they want on their land, and if impacts arise, consider and manage those impacts
- maximise the benefits for locally impacted communities, while reducing cumulative impacts and consultation fatigue.
- ensure Queensland can maximise the benefits from renewable energy, not just today, but into the future.

QFF urges the Committee to consider the important operational considerations identified above and ensure that any enacted amendments are based on a pragmatic assessment of risks to get the balance right between overregulation and finding commonsense solutions that are reasonable and sustainable.

QFF submits that planning and regulatory tools alone are not sufficient to deliver strong coexistence or optimal land use outcomes in Queensland. To achieve best practice and unlock the full benefits of the renewable energy opportunity, particularly for agriculture, a cornerstone of Queensland's economy and critical to Australia's food security, additional measures are required as well as continued collaboration and education across industry, government and community.

Yours sincerely

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