

# RENEWABLE ENERGY COMMUNITY BENEFIT AGREEMENT POLICY

## STATUTORY POLICY

### 1. Scope

The Renewable Energy Community Benefit Agreement Policy (this Policy) applies to all large-scale renewable energy generation and storage developments and projects located within, or that result in impacts on the Livingstone Shire local government area.

This Policy applies to the CEO, Executive Leadership Team, Council's legal advisors and other relevant officers involved in development or project negotiations. This Policy must be read alongside relevant legislation, Council's Corporate and Operational Plans, and associated governance frameworks.

### 2. Purpose

The purpose of this Policy is to establish a framework for the implementation of a Community Benefit System (CBS) for renewable energy generation and storage developments, (or projects) in the Livingstone Shire Council.

The framework will:

- a) avoid, manage, mitigate and counterbalance the social impacts of these types of developments on communities;
- b) provide a mechanism for community benefit, or legacy project as a result of these types of developments;
- c) define the mandatory expectations and minimum standards of meaningful engagement with communities and stakeholders through the SIA process;
- d) set out expectations and requirements for negotiating and establishing a CBA, prior to the DA process; and
- e) ensure that executed CBAs align with Council's long term strategic outcomes or objectives.

### 3. References (legislation/related documents)

#### Legislative reference

*Human Rights Act 2019*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Planning Act 2016*

*Planning Regulation 2017*

*Statutory Bodies Financial Arrangements Act 1982*

*Statutory Bodies Financial Arrangements Regulation 2019*

#### Related documents

[Livingstone Shire Council Fees and Charges Register](#)

[Water for pumped hydro energy storage \(PHES\) projects](#)

[State code 23: Wind Farm Development](#)

[State code 26: Solar farm development](#)

[State code 27: Battery Storage Facility Development](#)

#### 4. Definitions

To assist in interpretation, the following definitions shall apply:

Battery Energy Storage System (BESS)	A BESS is a rechargeable battery system that stores electrical energy from sources like renewable power, the grid, or other generators. These systems help stabilise the grid, integrate intermittent renewable sources like solar and wind, and provide backup power for homes, businesses, and industrial applications. (A BESS typically includes a battery bank, power conversion system, and control system with a capacity of 50MW or more.)
Chief Executive Officer (CEO)	Chief Executive Officer of Livingstone Shire Council A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> . This includes a person acting in this position.
Community Benefit Agreement (CBA)	A legally binding agreement intended to ensure developments provide specific benefits to the host communities.
Community Benefit System (CBS)	Requires proponents of developments, as prescribed under Section 51F of the Planning Regulation 2017, to identify and address social impacts on communities (a SIA) in advance of the DA process.
Council	Livingstone Shire Council.
Cumulative impact	Through the SIA process, cumulative impacts of multiple projects in a region or area should be identified and considered in the development of management measures, to the extent it is reasonably practical.
Development (or Project)	A large-scale energy generation and storage infrastructure to be constructed.
Energy generation and storage developments	Infrastructure to be developed and operated with technologies that generate, capture, store and deliver power efficiently and sustainably from renewable sources.
Executive Leadership Team (ELT)	Executive Leadership Team – the group of employees of Livingstone Shire Council: a) who report directly to the Chief Executive Officer; and b) whose position ordinarily would be considered to be a senior position in the local government’s corporate structure. This includes a person acting in this position.
Monetary Contribution	A monetary amount made as a community benefit included in a CBA.
Nameplate Capacity	The manufacturers stated maximum output installed.
Large Scale	Energy generation developments with a nameplate capacity greater than one (1) megawatt (MW), designed to generate electricity for export to the main power grid.

Legacy Project or Public Benefit	A physical, social, cultural, environmental or economic investment delivered in partnership with a major development, or project that provides enduring value to the community.
Life of the Project	The expected operational lifespan of the renewable energy facility (defined in the development approvals).
Megawatt (MW)	A Megawatt, (1 million watts), is used to measure the instantaneous output of large-scale energy sources like power plants and wind farms. One megawatt delivered continuously 24 hours a day for a year (8,760 hours) is called an average megawatt. For perspective, one megawatt can power approximately 600 homes.
Planning Act 2016	The primary legislation governing planning and development in Queensland.
Planning Regulation 2017	Supporting legislation that provides the mechanics for how the Planning Act 2016 operates.
Producer Price Index (PPI)	An economic metric measuring the average change over time in selling prices received by domestic producers for their output. It acts as a key indicator of wholesale inflation, tracking price shifts from the seller's perspective before they reach consumers.
Proponent	The developer, operator, or owner of a large-scale energy generation and storage infrastructure development. This includes any company or entity seeking development approval for such development.
Queensland Planning Framework	A framework for planning and development in Queensland enforced through the Queensland Planning Act 2016 and supported by other relevant legislation and regulations.
Social Impact	The ways people and communities are affected by a development throughout their lifecycle.
Social Impact Assessment (SIA)	A process of engagement activities with the community and stakeholders that helps identify how a development might affect the people living and working nearby, both in positive and negative ways.
Social Impact Management Plan (SIMP)	A statutory management tool that translates the findings of a SIA into clear, measurable and enforceable commitments by the proponent.

## 5. Policy Statement

Council acknowledges the importance and the opportunities for the long-term economic and social benefits of renewable energy generation and storage infrastructure and recognises that negotiated CBAs are a key statutory mechanism that will offset a development's impact on the Shire by delivering a legacy project that is tangible and provides a place-based benefit to local communities.

Under existing legislative powers, this policy is mandatory for wind and solar developments and includes Battery Energy Storage Systems (BESS) projects over 50MW or more, as well as pumped hydro energy storage developments.

The policy operates within Queensland's statutory planning framework and requires proponents of these developments to identify and address social impacts on communities through a Social Impact Assessment (SIA). The SIA is required to inform the development of a Community Benefit Agreement (CBA) that must be negotiated with the Chief Executive Officer (CEO) of Livingstone Shire Council (Council). The CBA, which requires tangible benefit-sharing outcomes, (or legacy project/s), must be executed prior to entering the formal development assessment (DA) process.

The objectives of this Policy are to promote community benefit strategies and outcomes associated with the renewable energy sector that:

- are guided by a strong SIA process and/or other previously identified local needs as identified through community plans or demonstrated public consultation;
  - NB: Proponents must provide Council with formal notice and supporting documentation (including statutory planning studies and technical reviews of the development) within 30 business days prior to initiating the first SIA community consultation session.
- secure CBA's that create significant physical, social, economic, cultural and environmental benefits for communities and are reflected by the community's expectations and desires;
- where appropriate, collaborate with, and/or add value to existing local initiatives and/or organisations;
- maximises returns on investment for the betterment of our communities; and
- align with Council's priorities, strategic direction and policies.

Council will not endorse or enter into a CBA unless it is satisfied the agreement delivers a substantial legacy project or public benefit. Renegotiation of the CBA with the proponent will be required before any development approval.

## 5.1 Guiding Principles

This policy will guide the negotiations of a successfully endorsed CBA by these guiding principles:

**a) Strategic Alignment:** CBA's must:

- support and align with Council's Corporate & Operational Plans as well as key community and infrastructure strategies;
- support the enabling of long-term economic growth and increased liveability; and
- provide a legacy of long-term beneficial impact/s in the community.

**b) Transparency:** The negotiation, assessment and implementation of CBA's will include:

- a fair, transparent, consistent and accountable framework of governance, administered by Council in accordance with the Local Government Act 2009 and relevant financial regulation;
- consistency with relevant sections of the Queensland Planning Act 2016 and Planning Regulation 2017; and
- a clear accountable process for operational delivery and monitoring.

**c) Inclusive Community:** The following principles will apply to all CBA's:

- Community feedback and sentiment must be captured through meaningful engagement (consistent with Queensland government and industry best practice toolkits) as part of the SIA and used to specify plans to alleviate impacts and elevate social and environmental outcomes.
- Appropriate governance processes will determine Community Benefit outcomes and will be aligned with Council's priorities and plans.

- Funding allocation determination must consider equity of the geographic impact on communities.
- d) Integrity and Exclusions:** CBAs are a goodwill-based appendix to regulatory compliance and must not be used:
- as a substitute for statutory or development conditions; or
  - as a substitute for infrastructure charges; or
  - or utilised to offset state government responsibilities; or
  - to grant unfair or preferential benefit to individual parties; or
  - to replace obligations under the Environment Impact Statement, Indigenous Land use Agreements and/or Cultural Heritage Management Plans with First Nations representatives or the SIA processes; or
  - to offset annual general rates and contributions based on land use; or
  - as a private agreement between proponents and landowners, including adjoining landowners affected by the development or project.

## 5.2 Legacy Projects

To be considered a legacy project or public benefit, the following criteria will be applied to the initiative during the assessment process:

- must be aligned with Council's endorsed strategic priorities and plans
- must provide an ongoing economic intergenerational benefit to the community beyond the operational life and immediate footprint of the development for example, but not limited to:
  - tangible economic opportunities are provided through local jobs, training and supply chain participation
  - supports long term economic diversification and resilience for communities
- must identify and address a demonstrated community need or opportunity and address and mitigate any adverse social impacts, (including cumulative impacts), that the community may experience during, and well beyond the life of the project for example, but not limited to:
  - social and community wellbeing is improved through enhanced access to services, safety and cultural recognition
  - enhanced liveability, connectivity and environmental outcomes
- must support environmental sustainability, resilience to changing climate conditions and restoration of the development or project site upon decommissioning. For example, but not limited to:
  - demonstrated prevention of environmental harm beyond statutory obligations
  - alignment with QLD and Australian Federal Government net zero objectives
- must ensure good governance and transparency for example, but not limited to:
  - decision making is inclusive and accountable
  - priorities are informed via meaningful and captured community consultation and engagement
  - mechanisms are in place for outcomes to be monitored and publicly reported

## 5.3 Monetary Contribution

As a condition of hosting a large-scale renewable energy generation and/or storage development (or project) in the Livingstone Shire, Council requires a proponent to make a monetary contribution.

Contributions will be used for Council identified priorities and informed by the proponent's acceptable SIA. Expenditure will be directed to, (but not limited to):

- Long-term strategic outcomes consistent with adopted plans
- Strategic projects or large-scale infrastructure projects
- Energy transition and sustainability opportunities and initiatives
- Economic development and investment attraction opportunities and initiatives
- Other infrastructure provisions that provide for the continued social and economic development of the Livingstone Shire.

A proponent monetary contribution may be negotiated; however, Council's minimum thresholds for each development type, as detailed below, apply. These thresholds:

- will be reviewed and adjusted annually at Council's discretion to ensure contributions remain appropriate in changing economic conditions
- are a minimum base contribution and are calculated using a transparent, fixed-rate formula endorsed by Council,
- are informed by industry standards and based on the type of energy project and its installed generation or nameplate storage capacity (MW).

A minimum base contribution shall apply, calculated using a transparent and fixed rate formula endorsed by Council. This formula will be informed by industry standards and is to be based on the type of energy project and its installed generation or storage capacity, expressed in megawatts (MW). The following rates apply to all Community Benefit Agreements executed within the 2025/26 Financial Year. Calculation is based on the nameplate capacity of the development, indexed annually to the Producer Price Index (PPI). Rates are to be adjusted annually throughout the life of the agreement by the Producer Price Index (PPI) March Quarter.

<b>Project Type</b>	<b>\$ per Mega Watt (MW)</b>
Solar	\$850
Wind	\$1050
Battery Energy Storage System (BESS)	\$150 (MWh)
Energy Storage Developments (Hydro)	\$850

For all agreements executed beyond the 2025/26 Financial Year, these rates are to be adjusted annually by the Producer Price Index (PPI), ensuring the base contribution remains equitable and commensurate with changing economic conditions.

The first-year contribution is to be made 30 business days prior to the first day of export to the grid and made annually on the anniversary of this date thereafter, for the full operational life of the development.

#### **5.4 Administration Fees**

Council administrative costs in relation to the establishment of the SIA and CBA will be listed in Council's Fees & Charges Register to be recovered prior to the execution of the CBA by the proponent in line with legislative requirements.

These will apply to proponents for Council to:

- participate in the SIA processes,
- consider the SIA report
- negotiate, execute, vary and monitor compliance with the CBA
- participate in any mediation

In addition, Council shall require an additional operating contribution, at minimum, five per cent (5%) in addition to the annual monetary contribution, paid annually, to recover the ongoing costs associated with monitoring and reporting obligations.

### **5.5 Pooling of Monetary Contributions**

Council may choose to pool funds paid under all CBAs for infrastructure, program or service priorities considered by Council to deliver strategic public benefits. Unspent community benefit agreement funds will be recognised as having externally imposed restrictions at the reporting date and recognised as restricted cash.

### **5.6 Public Recognition**

Council will communicate to the public regarding how hosting clean energy generation and storage developments in the Shire has, (or will), directly benefited the community to reinforce a positive narrative of the industry. When and where appropriate, Council may:

- formally recognise the proponent's monetary contribution and social license objectives contained within negotiated CBA's;
- have signage, acknowledging the proponent and the related project, program, event or service delivered;
- invite the proponent's representatives to attend and be acknowledged at community events related to funded initiatives; and
- provide and promote media releases and stories highlighting the community outcomes enabled by the proponent's monetary contribution.

### **5.7 Authority**

Entering an acceptable CBA will be at the discretion of Council through a formal resolution or endorsement. Council will set the strategic direction on CBA priorities and will review this direction as part of the normal cycle of monitoring and review system.

Roles and Responsibilities within Council:

- The Chief Executive Officer (CEO) is authorised to negotiate, amend, and execute CBAs in line with this policy and relevant legislation, and may delegate responsibilities in accordance with Council's delegation framework
- Relevant General Managers and officers are responsible for supporting negotiation, monitoring performance and ensuring compliance with this policy
- Council's Development Assessment and Economic Development teams will support the consultation/engagement processes to ensure community priorities are adequately captured
- Council retains the right to request briefings at any time with the proponent

### **5.8 Monitoring, Reporting and Review**

All negotiated CBA's will be publicly available on Council's website. Council will undertake monitoring and reporting activities in accordance with all applicable legislative requirements.

## **6. Changes to this Policy**

A review of the policy is to be undertaken every 4 years from the adoption date of the last review. This Policy is to remain in force until any of the following occur:

- 1) The related information is amended/replaced; or
- 2) The related legislation or government documents are amended or repealed; or
- 3) A request from the Chief Executive Officer or Council; or

4) Other circumstances as determined from time to time by the Council.

**7. Repeals/Amendments**

<b>Version</b>	<b>Date</b>	<b>Action</b>
1.0	07/04/2026	Adopted

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