

4 September 2023

Queensland Department of State Development, Infrastructure, Local Government and Planning

Submitted via email to windfarms@dsdilgp.qld.gov.au

Dear State code 23 review team,

Re: Updates to State code 23: Wind farm development and the associated planning guidance

North Queensland Conservation Council (NQCC) welcomes the opportunity to respond to the proposed updates to State code 23.

NQCC is the voice for the environment in North Queensland, with a broad mandate to “protect the land, waters and atmosphere of the region”. Representing 1500+ supporters who are passionate about the protection of North Queensland’s environment, we recognise the need to transition to renewable energy to mitigate the worst impacts of climate change, alongside the need to protect nature, cultural heritage and communities.

We are deeply concerned that the current planning framework is approving projects with significant impacts on nature and cultural heritage, without appropriate community consultation.

Our overarching concern is that renewable energy projects are being proposed in areas that are unsuitable for development due to high biodiversity value. While the review of State code 23 is essential, it will only be effective in overcoming inappropriate development if it comes alongside other planning reforms.

We need a planning system that works across the board to manage the cumulative impacts on native species, ecosystems and communities of the renewable roll out. This includes good Queensland-wide and regional planning, based on a coordinated mapping approach to assess cultural heritage, biodiversity and land use values around the state and identify areas which are not suitable for development.

This needs to be supported by changes to the *Planning Regulation 2017* that ensures that these areas are avoided, and communities and First Nations people are meaningfully consulted. The Planning Act framework currently allows wind farms to be code assessed without formal community involvement via submission opportunities. For wind farms which trigger a certain level of impact to the community, or the environment, impact assessment should be triggered. A requirement for community consultation, through impact assessment, is essential for good community, environment and industry outcomes for developments with high potential impact.

We urge the Queensland Government to accelerate and coordinate regional planning instruments and coordinated mapping, alongside changes to the Planning Regulation to ensure a successful transition for nature and people.

With regard to the proposed changes to State code 23, we urge the Government to:

- Change the language from harm minimisation to avoidance, in both environmental impacts and natural watercourse impacts, to start at the top of the hierarchy of environmental protection - with clear definition of what level of impacts must be avoided
- Define the statement 'high environmental value', to provide more guidance and certainty to community and proponents
- Provide a definition of 'adverse impacts', with examples to assist with interpretation of this term
- Add national parks and World Heritage areas as sensitive sites which require a buffer zone from development
- Plan for natural hazards management and response with local emergency services especially fire brigades, including potential hazard impacts to adjacent sites
- Provide guidance on the extent of rehabilitation required, considering turbine replacement and decommissioning, and resource monitoring of rehabilitation plan implementation
- Mandate detailed minimum recycling requirements and set decommissioning standards to define and measure the "greatest extent possible", with conditions provided which reflect the standards
- Ensure that free prior and informed consent and self-determination are upheld for First Nations of Country proposed to be impacted, as required under section 28 of the Human Rights Act 2019 (Qld)
- Require community engagement beyond worker camps, ideally by providing regulatory reform with minimum standards for engagement and accessibility of information.

With these changes, and broader planning reform described above, we believe the State Government can lead a renewable energy roll out which protects nature and communities while rapidly reducing our emissions.

Yours sincerely,



Crystal Falknau
Coordinator
North Queensland Conservation Council