

13 August 2025

PoweringWA
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Re: Draft Guideline on Community Benefits for Renewable Energy Projects

Thank you for the opportunity to make a submission on the *Draft Guideline on Community Benefits for Renewable Energy Projects*. We commend the detailed thinking undertaken by PoweringWA to prepare a comprehensive draft guideline.

Perth-based and Western Australian owned, 361 Degrees Strategic Engagement and Communications has worked extensively in the infrastructure and property planning and development space for over 19 years and is considered one of Western Australia's leading Project Communications consultancies. Our Directors and consultants also bring a wealth of knowledge and experience from executive and senior roles in government and industry.

We wish to specifically focus our feedback in the following areas:

- Serving the Common Good
- Using impact studies to inform mitigation initiatives
- Setting expectations

In this submission, we make the following recommendations for PoweringWA's consideration:

1. We encourage PoweringWA to review the proposed Community Benefits approach through a Common Good lens. Creating a shared understanding and process that benefits everyone in the community rather than maximising individual self-interest.
2. We encourage PoweringWA to assess if the *Telecommunications Act 1997 (Cwth)* is an exemplar regulatory framework that could be used as a benchmark to support renewable energy projects.
3. The draft guidelines would benefit from the inclusion of several key regulatory elements including:
 - a. Free, accessible, independent and binding dispute resolution.
 - b. Clarity and certainty in town planning, including an appeals mechanism where a local government is unable or unwilling to consider a renewable energy project on its merits.
 - c. Clarity and certainty in the powers of renewable energy providers to access private property to maintain infrastructure, independent of any private arrangement with property owners.
4. We encourage PoweringWA to promote social impact assessments as a starting point for renewable energy projects and to align these assessments with a localised version of the New South Wales Government's Social Impact Assessment Guidelines.
5. We invite PoweringWA to reframe Community Benefit approach as a possible outcome from a social impact assessment process, with Community Benefits as one of several solutions to mitigate and manage social impact.

We also acknowledge the Draft Guidelines have been prepared in a political context where major and minor parties are continuing a decade long debate over the most appropriate response to climate change. While renewable energy remains a national political issue, any proposed approach that is seen to favour one side of the political debate could further politicise existing renewable energy projects and make it more difficult for new projects to gain community acceptance, regulatory approval, and disrupt awareness raising and community education campaigns. It is within this context that we have made our recommendations.

Serving the Common Good

The Common Good is a philosophical concept that refers to what is beneficial for all (or most) members of the community. It emphasises collective well-being rather than individual interests. Ideally, in liberal democracies such as Australia, the Common Good guides government decision making and is relied on by government to legitimise activities where some stakeholders are disadvantaged by a decision.

The Common Good has long been relied on for the deployment of critical commercial and government owned infrastructure that is the foundation of the modern Australian economy and underpins our high standard of living. This includes the location of transmission lines and power generation infrastructure.

The Common Good does not mean that the concerns of opposing individuals are ignored by decision-makers – the opposite is true. Project proponents have a moral imperative to manage and mitigate their adverse impact using as-low-as-reasonably-practicable (ALARP) principles. What it does mean is that opposing individuals do not possess the right to veto projects that serve the Common Good.

361 Degrees believes that the deployment of renewable energy infrastructure serves the Common Good and that this should be the philosophical foundation for the guidelines. We encourage PoweringWA to review the proposed Community Benefits approach through a Common Good lens.

This would significantly expand the scope to include extending regulatory and legislative powers to renewable energy providers that are currently available to existing utilities and commercial telecommunications providers. We encourage PoweringWA to assess if the *Telecommunications Act 1997 (Cwth)* is an exemplar regulatory framework that could be used to support renewable infrastructure proponents.

We also suggest the draft guidelines would benefit from the inclusion of several key regulatory elements including:

- A free, accessible, independent and binding dispute resolution body.
- Clarity and certainty in town planning, including an appeals mechanism where a local government is unable or unwilling to consider a renewable energy project on its merits.
- Clarity and certainty in the powers of renewable energy providers to access private property to maintain infrastructure, independent of any private arrangement with property owners.

Using impact studies to inform mitigation initiatives

Impact studies are foundational assessments for any significant infrastructure or construction project. These studies will often inform a Social Impact Assessment and a Social Impact Management Plan. Appreciating social impact is critical for renewable energy projects. It can be used to inform designers and engineers, encourage the engineering-out of impacts and

engineering-in of opportunities, and identify mitigation and management strategies to limit adverse social impacts.

The Community Benefit arrangements proposed in the Draft Guideline are a valid approach that can be used by social impact practitioners to mitigate adverse impacts, but it is only one approach and, it may not be appropriate in all circumstances. Impact studies provide a longer-term view of how a wider range of benefits can be deployed across the project lifecycle and tailored for different scenarios during planning and design to construction, through to operations.

The Draft Guideline pre-empts the outcome of a comprehensive social impact study process and encourages a one-size-fits-all approach to impact mitigation. In a scenario where the most significant impacts are experienced by those neighbouring the renewable energy project, there is a real risk that the Draft Guideline will direct resources away from actions to support the most impacted, in favour of a generic cash-for-complaints approach.

We encourage PoweringWA to promote social impact assessments as a starting point for renewable energy projects, with Community Benefits as one possible solution and to align these assessments with a localised version of the New South Wales Government's Social Impact Assessment Guidelines.

The Draft Guideline refers to following a best practice approach in how they are developed. However, there is no reference to what underpins this approach. An impact study will establish a consistent foundation for a best practice approach, guiding project proponents on how to engage (using best practice) with their communities as well as identify and mitigate impacts through delivering equitable benefits.

We invite PoweringWA to reframe the Community Benefit approach as a possible outcome from a social impact assessment process, with Community Benefits being one of several solutions to mitigate and manage social impact.

Setting expectations

The Community Benefits approach outlined in the draft guideline is well understood in Western Australia and is favoured by the resources sector. Anecdotal evidence from discussions with corporate partners and existing and past community beneficiaries, suggest the outcomes of this approach are at best mixed. Issues include misappropriation of funding, poor allocation of funds, lack of transparency, and poor governance.

The model favoured in the Draft Guideline may not be readily transferrable or appropriate for the renewable energy sector. Small regional Western Australian local governments are at risk of becoming reliant on this type of funding to advance local priorities and supplement revenue shortfalls. This income source can become an expectation, rather than a mitigation aligned to managing the social impact associated with renewable energy projects.

There is no guarantee in the Draft Guideline that funding by the renewable energy provider will be used to manage the social impact created by the project. Nonetheless, the provider of the funding can reasonably expect that its funding contribution will be used for this purpose. There is a very real prospect under the Draft Guideline that funding will be diverted from social impact management to other unfunded or underfunded local priorities.

The Community Benefits approach also sends a clear message to communities that it is in their financial interests to oppose renewable energy projects to maximise the funding contribution from project proponents. This is a cash-for-complaints model. It could financially disadvantage communities that embrace renewable energy projects and reward communities

that oppose renewable energy projects. It may also set a high expectation that other significant infrastructure projects will provide ongoing funding to support local community priorities. In addition to increasing the overall costs of infrastructure provision in regional areas, this presents a risk of a logistical and governance nightmare.

Small communities are unlikely to have the capacity and skills to manage multiple community funds with differing governance requirements. This lack of capacity was evident when the WA Community Foundation was in operation. Established in 2004 to support community foundations to distribute endowed funds for WA communities, the Foundation was wound up in 2010 due to the high administrative costs of managing multiple governance arrangements of different funds. Expecting regional local governments to have the capacity to undertake a similar role, may result in a similar outcome.

If you require clarification or wish to discuss any of the points raised in this submission, please contact Jamie Robertson, Director, on 9467 3689 or email jamie.robertson@361degrees.com.au

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