

## Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025

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<b>Submitted by:</b>	Infrastructure Association of Queensland
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## **RE: Infrastructure Association of Queensland Submission to Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025**

The Infrastructure Association of Queensland (**IAQ**) organisation welcomes this opportunity to provide a written submission for the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 (the **Bill**), specifically the Brisbane Olympic and Paralympic Games Amendments. The Brisbane 2032 Olympic and Paralympic Games (**2032 Games**), enabled through the *Brisbane Olympic and Paralympic Games Arrangement Act 2021* (**Act**), represents a transformative, once-in-a-century opportunity for Queensland and receives strong support from the infrastructure industry.

IAQ is the peak body representing the infrastructure industry in Queensland. Formed in 1994, we foster private sector investment in infrastructure and help develop a deeper understanding between the public and private sectors. Our 2032 Games Working Committee (**Games Committee**) is focused on working with the Government and other industry bodies to ensure industry can coordinate a collective approach to effectively deliver the 2032 Games and the necessary legacy benefits.

IAQ generally supports the Queensland Government's Bill and below offers information for consideration to maximise positive outcomes.

### **Timely delivery of 2032 Games venues, villages and Games-related transport infrastructure**

IAQ is supportive of the Queensland Government's objective to streamline the planning approvals process for the delivery of venues, villages and Games-related transport infrastructure for the 2032 Games. The 2032 Games are an immovable deadline, and we agree that it is critical to ensure that appropriate frameworks are in place so that venues, villages and Games-related transport infrastructure are delivered by that deadline.

IAQ notes that governments responsible for the delivery of previous Olympic and Paralympic Games, including the Sydney 2000 and London 2016 Games, have implemented special planning processes for Games-related infrastructure. The nature and scale of these special planning processes have differed according to the governing authority, regulatory framework and the specific needs of the particular Games. IAQ also notes that the approach adopted for the Gold Coast Commonwealth Games 2018 was streamlined planning and coordination delivery of Games-related development through a Priority Development Area.

For the 2032 Games, the approach proposed by the Queensland Government to achieve its objective of timely delivery is to declare those developments listed in the Bill as lawful and not subject to compliance or approval under the *Planning Act 2016* or other relevant legislation listed (including the *Environmental Protection Act 1994* and *Nature Conservation Act 1992*) (**Excluded Legislation**). This approach is different to the approach adopted under other special purpose legislation that provides exemptions from approval requirements, although it shares some similarities with the effect of a prescribed Major Event under the *Major Events Act 2014*. IAQ notes that the *Major Events Act 2014* could (as the law currently stands) potentially be utilised during the conduct of the Games themselves in 2032.

IAQ understands that the intention of the Bill is that these nominated developments will not be able to be challenged, appealed against or reviewed. Given the potential wide-ranging impacts of this, IAQ is supportive of a considered approach to the implementation and use of the matters provided for in the Bill. In this regard, we make the following comments for the Government's consideration:

- **Assessment process** – in previous briefings, the Queensland Government has indicated that the nominated developments will be subject to appropriate 'checks and balances' and will be required to undergo a thorough design, technical and environmental assessment process (including potential community engagement). At this stage, there is limited detail on the nature of this assessment process or the nature of the 'checks and balances' that will apply. Clarity on the nature of these 'checks and balances' (which should be robust) will help industry ensure it is ready to partner with the Government in delivering for 2032 and beyond, in full compliance with all relevant requirements and community expectations. The Queensland Government may wish to consider issuing additional guidance on any proposed assessment process for the nominated developments, any proposed community consultation and the process by which GIICA will seek allocations of funding from the Queensland Government for each authority venue (under new section 53AD of the Act).
- **Community support and social licence** – it is important for the Queensland Government to ensure that public confidence and support for the nominated developments (and the 2032 Games more broadly) is maintained and, preferably, enhanced. This is critical from an industry perspective for a wide range of reasons, including ensuring that delivery of infrastructure and services related to the 2032 Games continues to attract the best and brightest in Queensland and beyond. Further to the additional guidance we have raised for consideration in the item above, the Queensland Government may also wish to consider providing additional guidance on any minimum outcomes to be achieved by the nominated developments in relation to environmental, heritage and social impacts, and any proposed processes to be established for addressing any such potential environmental, heritage and social impacts.
- **Clarity regarding 'legacy use of an authority venue, other venue or village'** – the Bill sets out the specific 'legacy uses' for each 'nominated authority venue, other venue or village', making these legacy uses lawful regardless of the requirements under the Excluded Legislation. While it may be justifiable to make a legacy use lawful for the purposes of the *Planning Act 2016* (to bypass the process for obtaining a material change of use permit for the legacy use), the broad drafting of the Bill is such that it may operate in the long term to override other critical frameworks, including the *Environmental Protection Act 1994*. For example, if in 20 years the legacy use of a venue was being conducted in breach of general environmental duties under the *Environmental Protection Act 1994*, the new clauses in the Bill could arguably operate to prevent the regulator from taking enforcement action to rectify that breach. The Queensland Government may wish to clarify these potential ambiguities in the Bill.
- **Impact on other infrastructure providers** – the Bill provides that any provision under the Excluded Legislation (including the *Local Government Act 2009*, *City of Brisbane*

*Act 2010 and Water Supply (Safety and Reliability) Act 2008*) that would otherwise prohibit, restrict or limit the carrying out of the nominated development, will not apply in relation to the nominated development. These Acts set out (among other things) restrictions on interfering with and otherwise impacting on applicable infrastructure without the consent of the infrastructure owner. The Queensland Government may wish to consider implementing direct arrangements with applicable infrastructure providers to ensure that any impacts on critical infrastructure are appropriately mitigated and there is clarity for entities delivering the nominated developments.

## **Maximise industry involvement**

IAQ supports the State Government in seeking written submissions on the Bill.

It is acknowledged that one function of the Bill is to streamline the delivery of the 2032 Games, including planning pathways, to ensure the timely delivery of critical infrastructure. Streamlining planning approvals for these projects may reduce the Queensland Government procurement opportunities for industry designers, engineers, planners, lawyers, urban designers, sustainability consultants etc. We encourage the Queensland Government to uphold strong checks and balances throughout delivery to support the delivery of the 2032 Games and legacy benefits desired across social, environmental, and transport priorities. Some immediate suggestions for consideration, to assist the industry in preparing for procurement opportunities, are:

- Maximise opportunities for the public and private sectors to collaborate together. An example includes developing an industry reference group for feedback, resolving issues, and collaborating on solutions
- Develop and publicise opportunities for industry involvement on specific venues, villages and Games-related transport infrastructure, such as delivery cases/project validation reports, reference designs, peer reviews, and market sounding for construction, in a similar manner to other established Queensland construction programs.

By adopting these suggestions, the Queensland Government can ensure that the 2032 Games leaves a lasting legacy of collaboration and innovation within the industry.

## **Identification of Games-related transport infrastructure**

The 2032 Games will facilitate the accelerated delivery of key major infrastructure projects.

Chapter 3, Part 3 of the Bill removes the requirements to prepare the Transport and Mobility Strategy. The Explanatory Notes advise that this strategy is intended to be prepared by the Department of Transport and Main Roads, however, it is not yet known where this strategy will be captured in legislation. IAQ urge this to be captured elsewhere in legislation to identify Games-related transport infrastructure projects critical for delivery by 2032, and describe measures to prioritise these projects. There are various risks associated with infrastructure delivery, including cost and availability of materials and labour, delivery timeframes, coordination of project delivery and driving innovation. We believe that some of these risks can be mitigated through the early identification and careful planning of the Games-related transport infrastructure.



Following the completion of the time-critical Transport and Mobility Strategy, IAQ supports Schedule 4 of the Bill (list of Games-related transport infrastructure, subject to the Games project) being amended to identify the Games-related transport infrastructure that this Bill affects.

### **Clearer delineation of roles and responsibilities**

IAQ generally welcomes the steps that the Bill takes to provide greater delineation of roles and responsibilities to deliver the venues, villages and Games-related transport infrastructure. Increasing the clarity of roles and responsibilities among the Games entities will drive accountability and ensure that the Games entities are able to focus on carrying out their respective activities in time for the Games. While this is a positive step, decentralising some of the coordination responsibilities away from the Games Independent Infrastructure and Coordination Authority (GIICA) will require the Government to ensure that it can take on the lead coordination role.

Given the complexity of the Games infrastructure program, it is critical that Games entities work together collaboratively to provide coordinated decision-making. IAQ supports the Bill's creation of a Games Leadership Group with representatives from the Queensland Government, Commonwealth Government, Brisbane City Council, Brisbane 2032 Organising Committee and GIICA to provide strategic direction, facilitate collaborative decision making and provide oversight and advice to Games entities. IAQ notes that this model is similar to the governance model for Paris 2024, which included the Inter-Ministerial Delegation to the Olympic and Paralympic Games that was responsible for guiding and coordinating the efforts of different Games entities. To be effective, the governance and coordination model for the 2032 Games should prioritise efficiency to allow Games entities to work at pace and avoid indecision and lost momentum over the next seven years. Industry must have confidence that the Games entities can resolve complex issues decisively and with expedition.

### **Closing**

IAQ stands ready with the State Government in supporting our communities and industries in becoming Games-ready. Please lean on us to help constructively.

Should you wish to discuss any of the above information in more detail, please contact Games Committee co-chair Brad Wood at [REDACTED] or [REDACTED].

Yours sincerely,



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