

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

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Committee Secretary
State Development, Infrastructure and Works Committee
Parliament House, George Street, Brisbane QLD 4000
Email: SDIWC@parliament.qld.gov.au

Dear Committee Secretary

**South East Queensland Community Alliance (SEQCA) submission about the
Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025**

The Southeast Queensland Community Alliance (SEQCA) is a not-for-profit umbrella organisation formed by planning and environmental advocacy groups based across southeast Queensland (SEQ).

SEQCA advocates to protect and improve the liveability of SEQ communities; to promote sustainable, resilient and nature positive development and to ensure greater transparency and accountability in all planning and development related matters. Further information about SEQCA is available at <https://seqalliance.org/>

SEQCA has reviewed the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 (the Bill) and associated materials, and we make the following comments.

1. The Bill proposes significant changes to Queensland laws affecting planning, development approval, environmental protection and heritage protection which should have been the subject of extensive community consultation by the Government before being introduced to Parliament.
2. The Bill includes measures which appear designed to slow down the development of renewable energy projects in Queensland. This will impede progress by Queensland in dealing with the climate emergency which is inflicted devastating weather events upon us.
3. While slowing down development of important renewable energy projects, the Bill proposes to exempt Olympic related activities from several laws which are there to ensure good governance of matters such as protecting Queensland's environment and heritage.
4. Queensland already has legal processes for Ministerial designated projects so there is no need for new legal processes specifically for development of projects for the 2032 Olympics.
5. Measures proposed in the Bill to ease development of Olympic related activities would conflict with Queensland's contractual commitments to the International Olympic Committee (IOC).

SEQCA recommends that the Committee advise the Government to:

1. Withdraw the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025.
2. Consider an appropriate strategy and legislation for facilitating new renewable energy projects to assist Queensland in rapidly reducing its Greenhouse Gas Emissions.
3. Undertake a proper and thorough review of Queensland's planning laws which have, over recent years, eroded opportunities for community input. This review would be the appropriate way to examine requirements for developers to demonstrate social licence and community benefit and to consider how these requirements should be applied to particular classes of projects.
4. Get on with delivering facilities for the 2032 Olympics using existing Queensland laws, and ensure that:
 - a. Development of Olympic venues and infrastructure does not adversely impact on places which have heritage and /or environmental significance:
 - b. Social licence and community benefit for the 2032 Olympics are earned through compliance with principles of good governance, including transparency.
5. Re-evaluate contentious plans to use both Victoria Park in Brisbane and the Birkdale Community Precinct in Redlands for development of Olympic venues, and consider alternatives which are more likely to earn social licence.

Attached are some comments relating to specific parts of the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025.

SEQCA has no objections to this submission being published.

SEQCA is available to discuss this submission further with the Committee.

Yours sincerely

Chris Walker
President
South East Queensland Community Alliance (SEQCA)

Attach.

Attachment – SEQCA comments on Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025

Proposed amendments to the Planning Act - Social impact and community benefit agreements

We welcome the intention of the proposed reforms to “frontload” the requirement to build social licence with communities before a development application is made and to provide certainty to industry and the community on relevant minimum requirements.

This intention is broadly compatible with the [Dyer Report](#)¹, Recommendation 9, “[T]o encourage local community groups to proactively identify opportunities for the broader community’s benefit, as well as take ownership of sound opportunities to secure support and funding”. (at p.47).

It is also consistent with the objectives of SEQCA to promote participation, transparency and accountability in development assessment.

However, we are concerned the proposed measures may be used to unilaterally delay or obstruct projects of broader national significance and some urgency. We offer the following recommendations to improve the proposed process and to ensure applications will not be unreasonably delayed or hijacked by one party to the detriment of the wider public benefit.

Mediation requirements

Proposed s 106ZB(2) provides for voluntary referrals to mediation. To prevent protracted negotiations and delays by one party, it should be possible for **either party to refer to mediation at any time**.

If no agreement can be reached through the mediation process, a report should be prepared by the mediator advising on terms for a Community Benefit Agreement. That report should then be handed to the Assessment Manager or Minister if the application is called in. This will facilitate speedy and better-informed decision-making.

Whilst it is appropriate and desirable to ensure social impacts and community benefits are identified and determined early in the process, the process should not allow for deadlocked, protracted or delayed decision-making.

Pre-existing applications

The proposed framework for dealing with pre-existing applications (proposed s 106U and proposed Regulation Pt 5B) is unnecessarily burdensome on applicants and runs counter to the objective of providing business certainty and efficiency. We propose a simplified framework for applications submitted but not yet determined such that a final assessment cannot be made until a social impact report and community benefit agreement has been submitted to the Assessment Manager.

¹ Community Engagement Review: Report to the Minister for Climate Change and Energy, December 2023 <https://www.dcceew.gov.au/sites/default/files/documents/community-engagement-review-report-minister-climate-change-energy.pdf>

Assessment criteria and appeal rights

We welcome proposed s106ZI (2) which prevents the adequacy of the Community Benefit Agreement being used as a reason for refusing an application (unless the application is called in by Minister). We acknowledge terms and development conditions imposed in relation to community benefit agreements will not be subject to third party appeal rights.

Impact assessment for prescribed renewable energy facilities

We argue prescribed renewable energy facilities **should not be classed as impact assessable development**. Impact assessment raises the prospect of third-party appeal rights that may unreasonably postpone and frustrate efficient development decision-making. Understanding that matters of social impact and community benefit will have been pre-determined before an application is lodged and cannot be litigated, we argue the proposed designation of prescribed renewable energy facilities as impact assessable development serves no useful purpose and runs counter to the usual scheme for development applications assessed by SARA.

Impact assessment creates opportunities for additional delays late in the assessment process – an outcome antithetical to the stated objective of the proposed amendments. Matters of local interest can and should be litigated through the proposed framework for social impact assessment and community benefit agreements (noting matters of national environmental significance are subject to the EPBCA).

Proposed amendments to the Economic Development Act

We **do not** support proposed new sections 32Q, 32ZD, 32ZK, 32ZW and proposed new s 134(6).

These proposed amendments will allow the Governor-in-Council, at its absolute discretion, to dismiss the Chief Executive, other executive officers and any appointed board members. We disagree these proposed amendments in any way “enhance efficiency and flexibility” or serve in any useful way to speed up the efficient delivery of housing supply. On the contrary, the proposed reforms leave professional officers serving at the whim of the government of the day putting at risk independent, professional judgment and objective, long term decision-making for the public benefit. These officers are involved in the “effective and efficient administration of MEDQ” (ED Act, s 32ZA) and are entitled to hold their positions free of any undue political interference.

Proposed amendments to the Olympic and Paralympic Games Arrangements Act

We acknowledge the 2032 Brisbane Olympic Games will require a carefully coordinated and ambitious program of work but, as a matter of general principle, **we do not support the premature and sweeping exemptions from other relevant legislation** proposed in this Bill. We base our view on the Olympic Host Contract Operational Requirements (October 2022 Addendum) which state that, at this point in time, the Host country should be focused on:

[I]mplementing a Games Plan that encourages the OCOG to allocate its early years to **focus on strategic elements** (e.g. scoping, securing resources, **public engagement and communication**) before shifting focus approximately four years before the Games to planning, operational readiness and legacy realisation” (at p.69).

Some of our specific concerns are addressed below.

Environment and Sustainability issues

The Olympic Host Contract Operational Requirements (October 2022 Addendum) raise clear expectations and set high standards for the sustainability, impact and legacy of the 2032 Brisbane Olympic Games. These contractual arrangements constitute the social licence with the community to bring the Olympics Games to Queensland in 2032.

It is our intention, and those of other community organisations to hold the Queensland Government to account for efficient, willing and exemplary satisfaction of the outcomes enshrined in this contract and the principles in the original Host City Contract (July 2021).

Contrary to the expectations of these contracts, the proposed Bill will exclude Games related works from the operation and oversight of a range of Acts including the Environment Protection Act, the Environmental Offsets Act and the Vegetation Management Act (proposed s 53DD).

We find this proposed amendment is antithetical to the contractual obligations the Queensland Government has signed up to and constitutes a premature and unjustified level of overreach and community exclusion.

We note the Queensland Government is contractually bound in the Operational Requirements to:

[C]onduct an Environmental Materiality and Impact Assessment to identify, refine and assess the potential environmental issues that could affect the Games planning and staging of the OCOG and/or its stakeholders across the **areas of climate, biodiversity/natural sites, sourcing and resource management/circular economy**, infrastructure and mobility. (SIL 01 - Materiality and Impact Assessments)

[E]stablish a Biodiversity Mapping and Implementation Plan to set out how the Olympic and Paralympic Games will promote the conservation of biodiversity at Games venues. This shall include **measures to avoid negative ecological impacts from Games-related activities and initiatives to improve conditions for biodiversity**. (SIL 15 - Biodiversity Mapping and Implementation Plan)

Based on the OCOG Engagement Strategy, **put in place ongoing stakeholder engagement processes to identify impacts and to design appropriate response measures, informed by the perspectives and lived experiences of those who may be negatively and positively impacted by the delivery of the Games**, or credible proxies for their views where direct engagement is not feasible, as well as input from expert human rights, gender equality, safeguarding and environmental organisations. (SIL 05 - Stakeholder Engagement Plan)

We fail to see any genuine intention to honour these commitments in the proposed legislative amendments. We therefore urge the Government to:

1. Restore due process and fully implement the Environmental Protection Act and Environmental Offsets Act in relation to all proposed venues.

2. Engage with the community to ensure all loss of greenspace is adequately compensated for through the provision of nature-based offsets within the local government area where the impacts arise and in as close proximity to the impact as possible.
3. Honour its contractual commitments to provide net gains for biodiversity, sustainability and carbon emissions.

Impact and Legacy Issues

The Olympic Host Contract Operational Requirements (October 2022 Addendum) set high standards for the impact and legacy of the 2032 Brisbane Olympic Games. We are keen to see these impacts materialise. In addition to net positive outcomes for the environment (see above), **we expect to see long term outcomes that deliver affordable housing and integrated transport infrastructure** including green infrastructure and better public transport services across the whole region.

We note the 100-day review and the proposed legislative amendments fail to identify the location, funding, design or legacy impacts of the Olympic villages and transport infrastructure in any detail. There is a very real risk these priority legacy aspects of the Games will not be fully funded and will not meet community expectations. We urge the Government to identify these legacy issues quickly and to postpone the proposed amendments until these matters are resolved.

We note the Queensland Government is contractually bound in the Operational Requirements to:

- Develop in collaboration with the IOC, IPC, Host NOC, Host NPC and Host Country Authorities an **Integrated Sustainability, Impact and Legacy Strategy** encapsulating the environmental, social and economic dimensions.... The strategy shall highlight the areas of opportunity, maximise lasting positive impacts and be viewed as a detailed development and refinement of the vision, commitments and plans set out pre-election. (SIL 02 - Integrated Sustainability, Impact and Legacy Strategy)
- Based on the OCOG Engagement Strategy, put in place ongoing stakeholder engagement processes to identify impacts and to design appropriate response measures, informed by the perspectives and lived experiences of those who may be negatively and positively impacted by the delivery of the Games, or credible proxies for their views where direct engagement is not feasible, as well as input from expert human rights, gender equality, safeguarding and environmental organisations. (SIL 05 - Stakeholder Engagement Plan)

Transparency, accountability and community engagement

We note the proposed amendments, including s 53DD, are antithetical to the fulfillment of the following contractual obligations the Queensland Government has entered:

- In coordination with the relevant Host Country Authorities, develop appropriate governance structures and arrangements to oversee and account for the fulfilment of sustainability, impact and legacy requirements ... Ensure that such governance structures are based on the elements listed below: – **transparent mechanisms to resolve any potential issues in the implementation of policies, strategies and plans.** (SIL 04 - Governance and accountability)

- Based on the OCOG Engagement Strategy, **put in place ongoing stakeholder engagement processes to identify impacts and to design appropriate response measures, informed by the perspectives and lived experiences of those who may be negatively and positively impacted by the delivery of the Games**, or credible proxies for their views where direct engagement is not feasible, as well as input from expert human rights, gender equality, safeguarding and environmental organisations. (SIL 05 - Stakeholder Engagement Plan)

We keenly await further information and the implementation of meaningful measures to meet these obligations.