

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

Submission No:	502
Submitted by:	Councillor Seal Chong Wah
Publication:	Making the submission and your name public
Attachments:	See attachment
Submitter Comments:	



COUNCILLOR
SEAL CHONG WAH
Paddington Ward



20 May 2025

Councillor Seal Chong Wah
Councillor for the Paddington Ward of Brisbane City Council
paddington.ward@bcc.qld.gov.au
44 Latrobe Terrace, Paddington QLD 4064
07 3403 2520

**Submission Regarding the Planning (Social Impact and Community Benefit)
and Other Legislation Amendment Bill 2025**

To Whom It May Concern,

Thank you for the opportunity to comment on the Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025.

I write this submission as the Councillor for the Paddington Ward of Brisbane City Council. The Paddington Ward of Brisbane City Council includes the majority of Victoria Park Barrambin, the neighbouring suburbs of Kelvin Grove and Herston, and a small part of the neighbouring suburb of Bowen Hills.

This submission is to oppose the proposed Planning (Social Impact and Community Benefit) and Other Legislation Amendment Bill 2025 (Qld) (the Bill) because of the extraordinary changes being proposed for the Games Independent Infrastructure and Coordination Authority (the GIICA).

This is an extensive Bill covering a wide range of issues. This submission will focus on Clause 72 regarding Victoria Park Barrambin, and the amendments to the *Brisbane Olympic and Paralympic Games Arrangements Act 2021* (Qld) in Clauses 58 and 66, regarding the GIICA.

Clause 72 Victoria Park Barrambin

Victoria Park Barrambin is a sacred First Nations meeting place. First Nations groups from across South East Queensland have gathered there for thousands of years for competition, ceremony and sustenance. It holds profound cultural importance to First Nations in the region that has been documented by historians.¹

It is also a key site of European contact and colonial conflict, and an important place for early industry and military use during World War II. It was designated as public parkland by the Queensland Government in 1864, and there is a Deed of Grant In Trust in place requiring the site to be used for parkland.

¹ [Brisbane Grammar School Environs: Indigenous Sites and History](#).

Currently, half of Victoria Park Barrambin is statutorily protected under the Queensland Heritage Register, as entry 602493.² The remainder of Victoria Park Barrambin has been recommended by The State Government of Environment, Tourism, Science & Innovation for this same protection, under the same entry number.

It is the largest park within a 5 km radius of the Brisbane CBD. It was a golf course for many decades until 2021 and, in 2023, the government opened the site up to the community, and through consultation, created a Master plan to protect and restore the park for future generations. It has been called the “green lungs of our city”.³

Victoria Park Barrambin is surrounded by some of the most densely populated, apartment-heavy suburbs in Queensland: Kelvin Grove, Spring Hill, Bowen Hills and Fortitude Valley. Therefore, adequate greenspace is vital for residents’ health and social cohesion, and to mitigate against the impacts of climate change and the urban heat island effect. Victoria Park Barrambin has mature vegetation, and wildlife.

Proposals for new stadiums and swimming pools within the heart of the city have been put forward with little to no consultation of the people who will be most affected. The first such proposal was to knock down and completely rebuild an existing stadium, The Gabba, meaning the loss of a school and loss of parkland for residents in a highly built-up area.

The latest proposal is for a major new Olympic stadium and swimming pool in Victoria Park Barrambin. This proposed Games infrastructure would be located within our constituencies’ boundaries, and I represent the local population that will be impacted.

Queenslanders were promised that the 2032 Olympic Games would be climate positive & carbon negative, cost neutral, and use 80% existing venues. Residents were also promised no new stadiums in Victoria Park Barrambin. Clauses 15.2 and 15.3 of the 2032 Olympic Host Contract Principles⁴ reinforces this promise (emphasis added):

“15.2. Pursuant to their obligations under §15.1, the Hosts, the Host NOC and the OCOG shall in particular:

a. define, implement and communicate a comprehensive and integrated sustainability programme compliant with the provisions of the “OHC – Operational Requirements – Sustainability and Legacy”; and

b. with regard to direct and indirect greenhouse gas emissions from Games-related activities, take the following measures in order to deliver Games that are climate positive:

i. establish a measuring, monitoring and public reporting mechanism;

*ii. **identify and implement measures to reduce emissions in order to ensure that the Games carbon footprint remains within the carbon budget for the Games as communicated by the IOC prior to the election of the Hosts;***

iii. compensate emissions to a level greater than the residual emissions, through carbon offset programmes agreed by the IOC; and

² [Queensland Heritage Register applications | Environment, land and water | Queensland Government](#) on 19 May 2025.

³ [Brisbane City Council Victoria Park Barrambin Master Plan](#).

⁴ [2032 Olympic Host Contract Principles](#).

iv. collaborate with Host Country Authorities and other third parties to **create further climate benefits for local communities.**

*15.3 In line with their Pre-election Commitments, the Hosts, the Host NOC and the OCOG shall maximise the use of existing and planned infrastructure in the Host Country (or, where relevant, outside the Host Country under the conditions set forth in the Olympic Charter) and consider temporary and demountable venues in all situations where new permanent venues are not supported by viable business plans and fulfilling long-term legacy needs of the Host Country, as further defined in the "OHC – Operational Requirements – Venues". **Where new permanent venues need to be constructed, the Hosts, the Host NOC and the OCOG shall ensure that they are not located in or adjacent to statutory nature, cultural protected areas or World Heritage Sites.***"

The Government has since proposed 2 stadiums in Victoria Park Barrambin. This proposal breaks the Government's promise, and the Olympic Host Contract Principles. Our community feels extremely betrayed.

Under schedule 1 in Clause 72, the Bill seeks to lock in 2 stadiums in Victoria Park Barrambin. There is a local residents' group⁵ who have received a lot of support from all sides of politics, as well as city dwellers who are extremely unhappy, frustrated and feel that the games will mean losing 64 hectares of precious parkland.

This will have a major impact on Brisbane's climate resilience to heat, pollution, and ecosystem collapse. It will seriously damage First Nations connection to this deeply culturally significant land. They will degrade the area for the thousands who live in the local area, and thousands more in the future. Once lost, it will be lost forever.

Clause 66 Part 2 Overriding Protections

Clause 66 of the Bill proposes extraordinary expansions of the powers of the GIIA.

Under Clause 66, Part 2, all games-related development for venues, villages, and transport infrastructure, are taken to be lawful in regards to, declared to have complied with all requirements of, and not prohibited, restricted or limited by any of the following acts:

1. the *City of Brisbane Act 2010* (Qld);
2. the *Coastal Protection and Management Act 1995* (Qld);
3. the *Economic Development Act 2012* (Qld);
4. the *Environmental Offsets Act 2014* (Qld);
5. the *Environmental Protection Act 1994* (Qld);
6. the *Fisheries Act 1994* (Qld);
7. the *Integrated Resort Development Act 1987* (Qld);
8. the *Local Government Act 2009* (Qld);
9. the *Nature Conservation Act 1992* (Qld);
10. the *Planning Act 2016* (Qld);
11. the *Queensland Heritage Act 1992* (Qld);

⁵ [Save Victoria Park](#).

12. the *Regional Planning Interests Act 2014* (Qld);
13. the *South-East Queensland Water (Distribution and Retail Restructuring Act 2009* (Qld);
14. the *Vegetation Management Act 1999* (Qld); and
15. the *Water Supply (Safety and Reliability) Act 2008* (Qld).

It also disallows any civil proceedings against these developments if they would delay any of these developments.

This is extremely concerning, as these Acts exist to protect, and create legal oversight for development and planning, state heritage, the environment, and more. By making so many legal exemptions for games-related development, the Bill raises serious issues of our democratic rights, due diligence, transparency, accountability and integrity.

Fundamentally, this undermines the foundational democratic principles of the rule of law, equality before the law, and judicial review.

Clause 66 Part 3 Overriding Cultural Heritage Processes

Clause 66 Part 3 would let games-related projects sidestep the Cultural Heritage Management Plan creation process set in Part 7 of the *Aboriginal Cultural Heritage Act 2003* (Qld), and create its own process called a 'Part 3 Plan'. It sets an incredibly short 60 day timeframe for negotiating a Cultural Heritage Management Plan, after which it defaults to a plan set by the Bill if negotiations do not succeed.

This simply is not enough time for sufficient discussions within the relevant parties, nor to fully examine and quantify the scale of cultural heritage impacts. Arguably this alone is a failure to meet the 'good faith' test outlined in Clause 66 section 53DN.

Most alarmingly, Clause 66 section 53DU disallows stop orders or injunctions to be ordered that would delay games-related projects. This dangerous limitation would let development proceed without an agreed Part 3 Plan, because no party actually has the power to halt it.

I find this especially alarming because I know firsthand that the two venues proposed in Victoria Park Barrambin would cause enormous cultural harm. Associate Professor Ray Kerkhove and Professor Ben Wilson have documented some of the sites and history⁶, stating that it is "a place of deep spiritual significance"⁷, and a place of "large inter-tribal gatherings".⁸

Brisbane City Council's own Master Plan⁹ for the park details the rich cultural history of the site, and commits to celebrate First Nations culture and continued consultation with Traditional Owners.

This Government has committed to building stadiums in Victoria Park Barrambin without consulting the Traditional Owners of this land, and the Bill continues this pattern of undermining Traditional Owners.

⁶ [Brisbane Grammar School Environs: Indigenous Sites and History](#).

⁷ [Ibid](#) page 2.

⁸ [Ibid](#) page 5.

⁹ [Brisbane City Council Victoria Park Master Plan](#).

Clause 58 Undermining Integrity

Clause 58 of the Bill removes almost all restrictions on persons that the Minister may nominate to the GIICA board. Most alarmingly, this includes Ministers, MPs, and other elected office holders, and directors of corporations. Clause 58, subclause 53BF(2) explicitly ensures that Ministers can be nominated to the board. This undermines the intended independence of the GIICA, and raises severe integrity and corruption concerns.

Clause 58 & 66 In Combination

The combined amendment outlined in Clauses 58 and 66 of the Bill create an unbelievable opportunity for corruption, and almost no legal recourse for the public. The Bill guards GIICA-led games-related developments from relevant Acts and judicial review except for jurisdictional errors, and allows the Minister to hand-pick themselves, other Ministers, MPs, and directors of companies to the GIICA board.

GIICA board members have immense power to create opportunities for profit making - such as through allowing new sporting stadium developments on the protected land of Victoria Park Barrambin - that would normally be restricted or impossible through other means, or require democratic support from the public. This board will decide which companies receive transfers of wealth from the public on the scale of tens, hundreds, and thousands of millions of dollars. As such, they will be lobbied or pressured by well-resourced interest groups and companies, as well as many of their existing connections. Allowing Ministers, MPs, and especially directors of companies to make these decisions will all but ensure that these decisions are corrupt and not made in the best interest of the public.

Because of the extraordinary limits on judicial review, there is no way for the public to challenge these developments outside of jurisdictional error, and uncover major corruption before it is deeply rooted.

There is no way that these clauses can be implemented without allowing widespread large-scale corruption to occur, regardless of the efforts of integrity bodies.

Conclusion

In conclusion, the Bill would bypass checks and balances that effectively exempt the declared venues and villages from 15 Acts, undermine Cultural Heritage Processes, and block any legal challenges and review by the courts that may result in a delay. The Bill undermines integrity and core democratic principles, creating an opportunity for prolific corruption.

I write as the Brisbane City Councillor for the Paddington Ward. I sincerely hope that you will consider the concerns outlined in this letter, and act upon them. I respectfully request that your report to Parliament recommend that:

1. Clause 72 be amended to remove Victoria Park Barrambin venues from Schedule 1 (Authority venues);

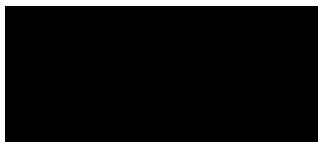
2. Clause 58 be removed to disallow Ministers, MPs, elected office holders and directors of corporations from nomination to the GLICA board;
3. Clause 66 be removed to subject Games-related development to existing Acts, First Nations cultural heritage processes, and democratic legal challenge; and
4. To also consider other community objections to the Bill.

Our community has expressed their opposition to the stadiums in Victoria Park Barrambin.

These games are about creating a legacy for the people of Brisbane and Queensland. It should not make grandiose gestures that would undermine cultural heritage, climate resilience and greenspace utility, for present and future generations. We should not accept such an anti-democratic process for an Olympic Games that prides itself on important universal principles and values of fairness, good governance, respect and sustainability.

Should you require any further information, please do not hesitate to contact me at 07 3403 2520, or via email at paddington.ward@bcc.qld.gov.au.

Warm regards



Seal Chong Wah

Councillor for Paddington Ward



(07) 3403 2520



paddington.ward@bcc.qld.gov.au



@CrSealChongWah



crsealchongwah



44 Latrobe Terrace, Paddington QLD 4064



www.sealchongwah.com



@seal_chongwah