

# **Proclamation - Planning (Social Impact and Community Benefit) and Other Legislation Amendment Act 2025**

Explanatory notes for SL 2025 No. 79

made under the

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

## **General Outline**

### **Short title**

*Proclamation - Planning (Social Impact and Community Benefit) and Other Legislation Amendment Act 2025.*

### **Authorising law**

Section 2 of the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Act 2025*.

### **Policy objectives and the reasons for them**

The objective of the proclamation is to commence the remaining provisions of the *Planning (Social Impact and Community Benefit) and Other Legislation Amendment Act 2025* (the Act) that did not commence on assent, on 30 June 2025, being:

- Chapter 2 Social impact and community benefit agreements
- Chapter 4 Brisbane Olympic and Paralympic Games amendments, Part 3 Amendments commencing by proclamation
- Chapter 5 Other amendments
- Schedule 1 Other amendments.

#### *Planning Act 2016 and Other Legislation*

Broadly, the commencement of Chapter 2 of the Act will give effect to provisions which:

- require a proponent to conduct a Social Impact Assessment (SIA) and enter into a Community Benefit Agreement (CBA) with the local government before lodging a development application, with both documents submitted to the assessment manager as part of a properly made application;

- providing for the *Planning Regulation 2017* (Planning Regulation) to prescribe the uses which require a SIA and CBA prior to lodging a development application;
- providing a reserve power for the chief executive of the department administering the *Planning Act* to allow a development application to be lodged with an assessment manager without a SIA and/or CBA, as well as the authority to impose conditions for social impacts; and
- providing transitional provisions to clarify how the Planning Act and subsequent Planning Regulation amendments apply to a development application that has been made, or lodged, but not decided.

The commencement of Chapter 5 and Schedule 1 will make minor and consequential amendments to the *Building Act 1975*, the *Environmental Offsets Act 2014*, the *Planning Act 2016* and the *Planning and Environment Court Act 2016* to give effect to the provisions in Chapter 2 of the Act.

### *Brisbane Olympic and Paralympic Games Arrangements Act 2021*

The *Brisbane Olympic and Paralympic Games Arrangements Act 2021* (BOPGA Act) established the Brisbane Organising Committee for the 2032 Olympic and Paralympic Games (Corporation) and its board on 20 December 2021 to undertake and facilitate the organisation, conduct, promotion and commercial and financial management of the Brisbane 2032 Olympic and Paralympic Games (the Games).

In November 2024, the Games Independent Infrastructure and Coordination Authority was established through the *Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024* and tasked with conducting a comprehensive review of Games infrastructure and planning (100 Day Review). The 100 Day Review was completed and issued to the Queensland Government on 8 March 2025.

The 100 Day Review Report recommended that strategic governance groups be reviewed and streamlined to enhance efficiency and effectiveness of decision making, including through reducing Corporation Board membership.

On 25 March 2025, the Queensland Government released the 2032 Delivery Plan which included committing to streamlining membership of the Corporation Board, in line with the 100 Day Review recommendation.

To support implementation of certain governance changes identified in the 2032 Delivery Plan, Chapter 4, Part 3 of the Act contains amendments to the BOPGA Act to streamline membership of the Corporation Board and support efficient and effective decision-making, including by:

- reducing the maximum number of independent directors from five to up to three;
- reducing Queensland Government nominations from four to one;
- reducing Australian Government nominations from four to one;
- reducing the number of Australian Olympic Committee representatives on the Board from three to two;
- reducing the number of Vice Presidents from six to two;

- ensuring the three key local government areas involved in delivering the Games, being Brisbane City Council, City of Gold Coast and the Sunshine Coast Council, can each nominate one director to the Corporation's Board;
- removing certain processes, criteria and waiting periods for the appointment of nominated directors; and
- providing for certain existing directors to vacate office on commencement of the provisions.

Commencing Chapter 4, Part 3 of the Act by proclamation will facilitate the vacating of office for certain existing directors and enable the appointment or re-appointment of directors under the amended Board composition concurrently.

## **Achievement of policy objectives**

The policy objective is achieved by fixing 18 July 2025 as the commencement date for the remaining provisions of the Act, that did not commence on assent, being:

- Chapter 2 Social impact and community benefit agreements
- Chapter 4 Brisbane Olympic and Paralympic Games amendments, Part 3 Amendments commencing by proclamation
- Chapter 5 Other amendments
- Schedule 1 Other amendments

## **Consistency with policy objectives of authorising law**

The Proclamation is consistent with the policy objectives of the Act.

## **Inconsistency with policy objectives of other legislation**

No inconsistency with the policy objectives of other legislation have been identified.

## **Alternative ways of achieving policy objectives**

The proclamation is the only effective means of achieving the policy objective.

## **Benefits and costs of implementation**

### *Planning Act 2016 and Other Legislation*

There are no costs associated with the proclamation.

### *Brisbane Olympic and Paralympic Games Arrangements Act 2021*

The benefits of commencing the provisions of the Act that reduce the size of the Corporation Board include reducing the travel and administrative costs of the Corporation and reducing administrative costs in the appointment process. Additionally, reducing the size of the Corporation Board is estimated to save more than \$2.4 million by the time the Games are held.

## **Consistency with fundamental legislative principles**

The Proclamation is consistent with fundamental legislative principles as set out in the *Legislative Standards Act 1992*.

## **Consultation**

As the Proclamation is minor and machinery in nature, no regulatory impact analysis is required under the *Queensland Government Better Regulation Policy*.

### *Planning Act 2016 and Other Legislation*

No stakeholders were required to be consulted in relation to the Proclamation.

### *Brisbane Olympic and Paralympic Games Arrangements Act 2021*

The Corporation was consulted in relation to the Proclamation.