

Brisbane Olympic and Paralympic Games Arrangements Amendment Bill 2024

Explanatory Notes

FOR

Amendments to be moved during consideration in detail by the Honourable Grace Grace MP, Minister for State Development and Infrastructure, Minister for Industrial Relations and Minister for Racing

Short title

The short title of the Bill is the Brisbane Olympic and Paralympic Games Arrangements Amendment Bill 2024.

Policy objectives and the reasons for them

The Housing, Big Build and Manufacturing Committee (the Committee) tabled its report on the Brisbane Olympic and Paralympic Games Arrangements Amendment Bill 2024 (the Bill) on 17 May 2024. In reference to feedback from the City of Gold Coast, the Committee agreed that, given the resources and partnership invested by the City of Gold Coast in the Brisbane 2032 Olympic and Paralympic Games (Brisbane 2032), it is appropriate for the Government to consider amending clause 12 of the Bill to include the City of Gold Coast Mayor on the board of the Brisbane Organising Committee for the 2032 Olympic and Paralympic Games (corporation).

The City of Gold Coast has a critical role in delivering a successful Olympic and Paralympic Games. After Brisbane, the Gold Coast will be the next most significant council during Brisbane 2032. The City of Gold Coast is currently proposed to host 12 events across six competition venues during Brisbane 2032 and will accommodate 2,600 athletes in the Gold Coast Athlete Village. Additionally, the City of Gold Coast hosted a successful Commonwealth Games in 2018, and this unique experience may be leveraged by the corporation to deliver a successful Brisbane 2032.

Following introduction of the Bill, Brisbane City Council raised concerns with the drafting of clause 20, section 53AM(4)(b) of the Bill. Brisbane City Council requested amendments to the Bill to ensure that, in making the Games Coordination Plan, the Games Venue and Legacy

Delivery Authority (authority) is not able to impose an obligation on Brisbane City Council that is materially different to any relevant agreement held between Brisbane City Council and the State.

Upon establishment, it is important that the authority is able to continue progressing the significant venue delivery work government has undertaken to date. However, there is some doubt about whether clause 29, section 63(4) is sufficient to allow the interim chief executive officer to be able to enter into substantive contract or arrangements on behalf of the authority.

The objectives of the amendments to be moved during consideration in detail of the Bill are to:

- ensure the City of Gold Coast is appropriately represented on the corporation's board given the City of Gold Coast's critical role, responsibility and resources invested in the planning, preparation and delivery of Brisbane 2032 and experience in delivering mega-events;
- ensure there is no doubt that the Games Coordination Plan will not impose an obligation on a games delivery partner that is inconsistent with commitments the partner already holds under a relevant agreement; and
- ensure the interim chief executive officer of the authority will have the powers required to negotiate and enter into substantive procurement arrangements regarding the venue delivery functions of the authority.

Achievement of policy objectives

The objectives are achieved by amending the Bill to:

- add the City of Gold Coast Mayor as a director of the corporation's board in clause 12,
- omit the words "take reasonable steps to" in clause 20, section 53AM(4)(b), and
- replace the words "start performing" with "perform" in clause 29, section 63(4)(a).

Alternative ways of achieving policy objectives

There are no alternative ways for achieving the policy objectives.

Estimated cost for government implementation

There will be no additional costs for the Queensland Government in implementing these amendments.

Consistency with fundamental legislative principles

The amendments are consistent with fundamental legislative principles.

Consultation

Amendment 1 responds to a submission made to the Committee during the Committee's inquiry into the Bill, and the Committee's report.

The Brisbane City Council was informed of the proposed amendment to the Bill resulting from their feedback.

Consistency with legislation of other jurisdictions

The Bill is specific to the State of Queensland and is not uniform with any current legislation of the Commonwealth or another State or Territory.

Notes on provisions

Amendment 1 amends clause 12 to adjust the composition of the corporation's board to add the City of Gold Coast Mayor as a director. This amendment is intended to ensure that the City of Gold Coast is afforded the appropriate representation on the corporation's board to reflect their critical involvement in Brisbane 2032 and experience in delivering mega-events.

Amendment 2 amends clause 20, section 53AM(4)(b) of the Bill to ensure that there is no doubt that the authority, in making the Games Coordination Plan, is not able to impose an obligation on a games delivery partner that is materially different to a commitment made by the partner under a relevant agreement. Relevant agreements, for the purpose of making the Games Coordination Plan, are the host contract or agreements associated with the host contract made between the State and a games delivery partner.

In drafting the Bill, it was not the Queensland Government's intention to allow the Games Coordination Plan to be inconsistent with the host contract or an agreement a games delivery partner holds with the State to enable it to enter into the host contract.

Amendment 3 amends clause 29, section 63(4)(a) of the Bill to ensure that the interim chief executive officer of the authority will have the same powers as the chief executive officer to negotiate and enter into arrangements, such as procurement arrangements regarding the venue delivery functions of the authority. This amendment aligns with the original policy intent as it intends to enable the authority to continue progressing existing government venue delivery activities upon establishment, prior to the appointment of the authority's board and the subsequent appointment of the chief executive officer.