



Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Bill 2024



Queensland

Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Bill 2024

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2024

A Bill

for

An Act to amend the *Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984*, the *Brisbane Olympic and Paralympic Games Arrangements Act 2021*, the *Electrical Safety and Other Legislation Amendment Act 2024*, the *Planning Act 2016*, the *Planning and Environment Court Act 2016*, the *Public Sector Act 2022*, the *Work Health and Safety Act 2011* and the legislation mentioned in schedule 1 for particular purposes, and to repeal the *Path to Treaty Act 2023*

The Parliament of Queensland enacts— 1

Part 1 Preliminary 2

Clause 1 Short title 3

This Act may be cited as the *Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024*. 4
5
6

Part 2 Amendment of Brisbane Olympic and Paralympic Games Arrangements Act 2021 7
8
9

Clause 2 Act amended 10

This part amends the *Brisbane Olympic and Paralympic Games Arrangements Act 2021*. 11
12

Clause 3 Amendment of long title 13

Long title, ‘a games venue and legacy delivery authority’— 14
omit, insert— 15

an independent games infrastructure and 16
coordination authority 17

Clause 4 Amendment of s 3 (Main purposes of Act) 18

Section 3(b), ‘the Games Venue and Legacy Delivery Authority’— 19
20

omit, insert— 21

the Games Independent Infrastructure and 22

	Coordination Authority	1
Clause 5	Replacement of ch 3, hdg (Games Venue and Legacy Delivery Authority)	2 3
	Chapter 3, heading—	4
	<i>omit, insert—</i>	5
	Chapter 3 Games Independent Infrastructure and Coordination Authority	6 7 8 9
Clause 6	Amendment of s 53AA (Establishment)	10
	Section 53AA, ‘Games Venue and Legacy Delivery Authority’—	11 12
	<i>omit, insert—</i>	13
	Games Independent Infrastructure and Coordination Authority	14 15
Clause 7	Amendment of s 53AD (Functions)	16
	(1) Section 53AD(1), before paragraph (a)—	17
	<i>insert—</i>	18
	(aa) to investigate and plan for potential venues and villages, and related infrastructure, for the Brisbane 2032 Olympic and Paralympic Games, including, for example—	19 20 21 22
	(i) conducting investigations of sites and existing or proposed facilities; and	23 24
	(ii) preparing project validation reports for the sites and facilities; and	25 26
	(2) Section 53AD(1)(aa) to (c)—	27

renumber as section 53AD(1)(a) to (d). 1

Clause 8 Insertion of new s 53ADA 2

After section 53AD— 3

insert— 4

53ADA 100-day review 5

(1) The authority must conduct a review, as directed by the Minister under section 55(1), of— 6
7

(a) games-related infrastructure projects; and 8

(b) other matters related to Queensland's preparation for delivering the Brisbane 2032 Olympic and Paralympic Games. 9
10
11

(2) The review must be conducted within 100 days after the commencement. 12
13

(3) The Minister must, as soon as practicable after the commencement, give the authority a direction under section 55(1) for the purposes of subsection (1). 14
15
16
17

(4) This section does not limit section 55. 18

(5) In this section— 19

games-related infrastructure projects means infrastructure projects related to the Brisbane 2032 Olympic and Paralympic Games, including projects for any of the following— 20
21
22
23

(a) sites or facilities that are or may become new, upgraded or temporary venues; 24
25

(b) sites or facilities that are or may become villages; 26
27

(c) transport infrastructure related to a site or facility mentioned in paragraph (a) or (b). 28
29

Clause 9	Amendment of s 53AE (Requirements for performance of functions)	1 2
	(1) Section 53AE, after paragraph (a)—	3
	<i>insert</i> —	4
	(aa) without limiting paragraph (a), ensure the games deliver legacy benefits for all of Queensland, including regional areas; and	5 6 7
	(2) Section 53AE(aa) to (e)—	8
	<i>renumber</i> as section 53AE(b) to (f).	9
Clause 10	Amendment of s 53AI (Requirement to prepare transport and mobility strategy)	10 11
	(1) Section 53AI(1), ‘Within 18 months after the commencement, the’—	12 13
	<i>omit, insert</i> —	14
	The	15
	(2) Section 53AI(4), ‘section 53AE(b)’—	16
	<i>omit, insert</i> —	17
	section 53AE(c)	18
Clause 11	Amendment of s 53AM (Requirement to prepare games coordination plan)	19 20
	(1) Section 53AM(1), ‘Within 12 months after the commencement, the’—	21 22
	<i>omit, insert</i> —	23
	The	24
	(2) Section 53AM(2), ‘section 53AD(1)(c)’—	25
	<i>omit, insert</i> —	26
	section 53AD(1)(d)	27

Clause 12	Omission of s 53AN (Memorandum of understanding)	1
	Section 53AN—	2
	<i>omit.</i>	3
Clause 13	Amendment of s 53BF (Composition)	4
(1)	Section 53BF(1), ‘7 persons’—	5
	<i>omit, insert—</i>	6
	9 persons	7
(2)	Section 53BF—	8
	<i>insert—</i>	9
	(1A) At least 1 of the directors must be a person who the Minister considers represents the interests of a regional area.	10 11 12
(3)	Section 53BF(2)—	13
	<i>omit, insert—</i>	14
	(2) The Minister may nominate a person only if—	15
	(a) the person is appropriately qualified; and	16
	(b) the person is not a person mentioned in subsection (4).	17 18
(4)	Section 53BF(4), ‘and the members of the selection panel’—	19
	<i>omit.</i>	20
(5)	Section 53BF—	21
	<i>insert—</i>	22
	(4A) The nomination of a person as a director for the purpose of subsection (2) must state that the person is nominated for that purpose.	23 24 25
(6)	Section 53BF(1A) to (5)—	26
	<i>renumber</i> as section 53BF(2) to (7).	27

Clause 14	Amendment of s 53BG (Chairperson)	1
	(1) Section 53BG(2)—	2
	<i>omit.</i>	3
	(2) Section 53BG(3) to (6)—	4
	<i>renumber</i> as section 53BG(2) to (5).	5
Clause 15	Omission of s 53BH (Selection panel for nomination of directors and chairperson)	6
	Section 53BH—	7
	<i>omit.</i>	8
Clause 16	Amendment of s 53BI (Role of president of board of corporation)	10
	(1) Section 53BI(2)—	11
	<i>omit, insert—</i>	12
	(2) For subsection (1), the president may attend a board meeting if invited by the chairperson and may participate in the board’s deliberations.	13
	(2A) However, the president may not vote at the board meeting.	14
	(2) Section 53BI(3), ‘Subsection (4)’—	15
	<i>omit, insert—</i>	16
	Subsection (5)	17
	(3) Section 53BI(3)(a), after ‘meeting’—	18
	<i>insert—</i>	19
	attended by the president under this section	20
	(4) Section 53BI(2A) to (5)—	21
	<i>renumber</i> as section 53BI(3) to (6).	22
		23
		24
		25
		26

Clause 17	Amendment of s 53BL (Vacancy in office)	1
	Section 53BL(f), ‘section 53BF(3)’—	2
	<i>omit, insert</i> —	3
	section 53BF(4)	4
Clause 18	Amendment of s 53CD (Appointment)	5
	Section 53CD(1), ‘and after consulting the games delivery partners’—	6
	<i>omit.</i>	7
		8
Clause 19	Amendment of s 54A (Funding agreements)	9
	Section 54A(1), note—	10
	<i>omit.</i>	11
Clause 20	Insertion of new ch 5, pt 1, hdg	12
	Before section 63—	13
	<i>insert</i> —	14
	Part 1	Transitional provision
		for Brisbane Olympic
		and Paralympic Games
		Arrangements
		Amendment Act 2024
Clause 21	Amendment of s 63 (Interim chief executive officer)	20
	(1) Section 63(1), ‘, after consulting the games delivery partners,’—	21
	<i>omit.</i>	22
		23
	(2) Section 63(4)—	24
	<i>omit, insert</i> —	25

	(4)	The interim chief executive officer has the functions, and may exercise the powers, of the chief executive officer.	1 2 3
	(4A)	A reference to the chief executive officer of the authority in section 53AH or 53CK or chapter 4 includes a reference to the interim chief executive officer.	4 5 6 7
Clause 22	Omission of s 64 (Requirement for authority to enter into funding agreement)		8 9
		Section 64— <i>omit.</i>	10 11
Clause 23	Insertion of new ch 5, pt 2		12
		Chapter 5— <i>insert—</i>	13 14
	Part 2	Transitional provisions for Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024	15 16 17 18 19 20
	64	Change in authority’s name and references to Games Venue and Legacy Delivery Authority	21 22
	(1)	To remove any doubt, it is declared that the amendment of section 53AA by the <i>Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024</i> has effect only to change the name of the authority and does not establish a new authority.	23 24 25 26 27 28
	(2)	In an instrument, a reference to the Games Venue	29

and Legacy Delivery Authority may, if the
context permits, be taken to be a reference to the
Games Independent Infrastructure and
Coordination Authority.

- 65 Application of amended s 63 to interim chief executive officer of authority**
- (1) This section applies in relation to a person who, before the commencement, held office under former section 63 as the interim chief executive officer.
- (2) Amended section 63 applies, and is taken to have always applied, to the person.
- (3) Anything done by the person before the commencement in the purported performance of a function, or exercise of a power, of the interim chief executive officer is as valid as it would have been had amended section 63 been in force when the thing was done.
- (4) In this section—
- amended section 63* means section 63 as amended by the *Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024*.
- former section 63* means section 63 as it was in force immediately before the commencement.

- Clause 24 Amendment of sch 1 (Dictionary)**
- Schedule 1—
- insert—*
- regional area* means a part of the State outside south-east Queensland.

Part 3	Repeal of Path to Treaty Act 2023 and related provisions	1 2	
Division 1	Amendment of Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984	3 4 5 6	
Clause 25	Act amended	7	
	<i>This division amends the <i>Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984.</i></i>	8 9 10	
Clause 26	Insertion of new pt 13	11	
	After part 12—	12	
	<i>insert—</i>	13	
	Part 13	Repeal and transitional provisions for Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024	14 15 16 17 18 19 20
	Division 1	Repeal of Path to Treaty Act 2023	21 22
	100 Repeal		23
	The Path to Treaty Act 2023, No. 12 is repealed.	24	

Division 2	Transitional provisions	1
101 Particular terms have meaning given under repealed Act		2 3
(1)	In this part, a term defined under the repealed Act but not under this Act has the meaning given by the repealed Act.	4 5 6
(2)	In this part— <i>repealed Act</i> means the repealed <i>Path to Treaty Act 2023</i> .	7 8 9
102 Treaty Institute and Treaty Institute Council		10
(1)	On the commencement—	11
(a)	the Treaty Institute and the Treaty Institute Council are abolished; and	12 13
(b)	each member of the Treaty Institute Council goes out of office.	14 15
(2)	No compensation is payable to a person because of subsection (1)(b).	16 17
(3)	To remove any doubt, it is declared that subsection (2) does not limit or otherwise affect a person’s right to a benefit or entitlement that had accrued before the commencement.	18 19 20 21
103 State is successor in law of Treaty Institute		22
(1)	The State is the successor in law of the Treaty Institute.	23 24
(2)	Subsection (1) is not limited by another provision of this part.	25 26
104 Assets and liabilities		27
	On the commencement, the assets and liabilities	28

of the Treaty Institute immediately before the 1
commencement become assets and liabilities of 2
the State held in the department. 3

**105 Records and other documents—Treaty 4
Institute 5**

On the commencement, the records and other 6
documents of the Treaty Institute immediately 7
before the commencement become records and 8
documents of the department. 9

**106 Contracts, agreements, undertakings, other 10
arrangements and instruments 11**

- (1) This section applies to a contract, agreement, 12
undertaking or other arrangement to which the 13
Treaty Institute was a party, or an instrument that 14
applied to the Treaty Institute, immediately 15
before the commencement. 16
- (2) The State is a party to the contract, agreement, 17
undertaking or arrangement, or the instrument 18
applies to the State, in place of the Treaty 19
Institute. 20
- (3) Without limiting subsection (2)— 21
- (a) any right, title, interest or liability of the 22
Treaty Institute arising under or relating to 23
the contract, agreement, undertaking, 24
arrangement or instrument is a right, title, 25
interest or liability of the State; and 26
- (b) a current instrument, including a benefit or 27
right provided by the contract, agreement, 28
undertaking, arrangement or instrument, 29
given to, by or in favour of the Treaty 30
Institute before the commencement is taken 31
to have been given to, by or in favour of the 32
State; and 33

- (c) an application relating to the contract, agreement, undertaking, arrangement or instrument made in the name of the Treaty Institute before the commencement is taken to have been made in the name of the State; and
- (d) a current instrument under which an amount is, or may become, payable to or by the Treaty Institute is taken to be an instrument under which the amount is, or may become, payable to or by the State in the way the amount was, or might have become, payable to or by the Treaty Institute; and
- (e) a current instrument under which property, other than money, is or may become liable to be transferred, conveyed or assigned to or by the Treaty Institute is taken to be an instrument under which property is, or may become liable to be, transferred, conveyed or assigned to or by the State in the way the property was, or might have become, liable to be transferred, conveyed or assigned to or by the Treaty Institute.

107 Proceedings not yet started 24

A proceeding that, immediately before the commencement, could have been started by or against the Treaty Institute within a particular period may be started by or against the State within the period. 29

108 Current proceedings 30

- (1) This section applies to a proceeding that, immediately before the commencement, had not ended and to which the Treaty Institute was a party. 34

-
- (2) On the commencement, the State becomes a party to the proceeding in place of the Treaty Institute. 1
2
- 109 Truth-telling and Healing Inquiry** 3
- (1) On the commencement— 4
- (a) the Inquiry is abolished; and 5
- (b) each member of the Inquiry goes out of office. 6
7
- (2) On the commencement, each member of the Inquiry becomes entitled to a one-off payment equivalent to 4 weeks of the member’s remuneration package. 8
9
10
11
- (3) No compensation is payable to a person because of subsection (1)(b), other than the payment mentioned in subsection (2). 12
13
14
- (4) To remove any doubt, it is declared that subsection (3) does not limit or otherwise affect a person’s right to a benefit or entitlement that had accrued before the commencement. 15
16
17
18
- (5) In this section— 19
- remuneration package*, of a member of the Inquiry, means the member’s remuneration decided by the Governor in Council under section 69 of the repealed Act. 20
21
22
23
- 110 Records and other documents—the Inquiry** 24
- On the commencement, the records and other documents of the Inquiry immediately before the commencement become records and documents of the department. 25
26
27
28

111 Saving of operation of particular provisions of repealed Act	1 2
(1) Sections 59, 63, 89 and 91 of the repealed Act are declared to be laws to which the <i>Acts Interpretation Act 1954</i> , section 20A applies.	3 4 5
(2) For subsection (1), a reference in section 59(2) of the repealed Act to the Treaty Institute is taken to be a reference to the State.	6 7 8
112 Effect on legal relationships	9
(1) Anything done under this part—	10
(a) does not make the State liable for a civil wrong or a contravention of a law or for a breach of contract or confidence; and	11 12 13
(b) does not make the State in breach of any instrument, including an instrument prohibiting, restricting or regulating the assignment, novation or transfer of a right or liability or the disclosure of information; and	14 15 16 17 18 19
(c) does not fulfil a condition that—	20
(i) terminates, or allows a person to terminate, an instrument or obligation; or	21 22 23
(ii) modifies, or allows a person to modify, the operation or effect of an instrument or obligation; or	24 25 26
(iii) allows a person to avoid or enforce an obligation or liability contained in an instrument; or	27 28 29
(iv) requires a person to perform an obligation contained in an instrument; or	30 31 32

-
- (v) requires any money to be paid before
its stated maturity; and
- (d) does not release a surety or other obligee,
wholly or partly, from an obligation.
- (2) If, apart from this section, the advice, consent or
approval of a person would be necessary to do
something under this part, the advice is taken to
have been obtained or the consent or approval is
taken to have been given unconditionally.
- (3) If giving notice to a person would be necessary to
do something under this part, the notice is taken to
have been given.
- (4) A reference in this section to the State includes a
reference to an employee or agent of the State.
- 113 Part applies despite other laws and
instruments**
- A thing may be done under this part despite any
other law or instrument.
- 114 References to Treaty Institute and Inquiry**
- In a document, a reference to the Treaty Institute
or to the Inquiry is, if the context permits, taken to
be a reference to the State.
- 115 Transitional regulation**
- (1) A regulation (a *transitional regulation*) may
make provision about a matter for which—
- (a) it is necessary to make provision to allow or
facilitate the doing of anything to achieve
the transition from the operation of the
repealed Act; and
- (b) this part does not provide or sufficiently
provide.

	(2)	A transitional regulation may have retrospective operation to a day not earlier than the day this section commences.	1 2 3
	(3)	A transitional regulation must declare it is a transitional regulation.	4 5
	(4)	This section and any transitional regulation expire on the day that is 1 year after the day this section commences.	6 7 8
	Division 2	Other amendments	9
Clause 27	Legislation amended		10
		Schedule 1 amends the legislation it mentions.	11
	Part 4	Other amendments	12
	Division 1	Amendment of Electrical Safety and Other Legislation Amendment Act 2024	13 14 15
Clause 28	Act amended		16
		This division amends the <i>Electrical Safety and Other Legislation Amendment Act 2024</i> .	17 18
Clause 29	Omission of s 2 (Commencement)		19
		Section 2—	20
		<i>omit.</i>	21

Clause 30	Omission of pt 5, div 3 (Amendments commencing on 1 January 2025)	1 2
	Part 5, division 3—	3
	<i>omit.</i>	4
	<i>Editor's note—</i>	5
	Legislation ultimately amended—	6
	• <i>Work Health and Safety Act 2011</i>	7
	Division 2	
	Amendment of Planning Act 2016	8
Clause 31	Act amended	9
	This division amends the <i>Planning Act 2016</i> .	10
Clause 32	Amendment of s 106B (Definitions for part)	11
	Section 106B, definition <i>application period</i> —	12
	<i>omit, insert—</i>	13
	<i>application period</i> , in relation to a relevant application, means—	14 15
	(a) the period stated in a declaration notice for the application under section 106F(1)(g)(i);	16 17
	or	18
	(b) if the period mentioned in paragraph (a) is extended or shortened under section 106HA—the period as extended or shortened.	19 20 21 22
Clause 33	Amendment of s 106F (Content of declaration notice)	23
	Section 106F(1)(g)(i), '(the <i>application period</i>)'—	24
	<i>omit.</i>	25

Clause 34	Amendment of s 106G (Period of declaration)	1
	Section 106G—	2
	<i>insert</i> —	3
	<i>Note</i> —	4
	For the revocation of a declaration, see division 2B.	5
Clause 35	Insertion of new ch 3, pt 6A, divs 2A and 2B	6
	Chapter 3, part 6A—	7
	<i>insert</i> —	8
	Division 2A Amending declarations	9
	106HA Amending declaration	10
	(1) The Minister may, by notice given to the applicant for the relevant application (an <i>amendment notice</i>), amend a declaration made under section 106D in relation to the application that is in effect.	11 12 13 14
	<i>Note</i> —	15
	For when a declaration stops having effect, see section 106G.	16 17
	(2) Without limiting subsection (1), the Minister may amend the declaration—	18 19
	(a) to change the restarting point for the relevant application; or	20 21
	(b) to extend or shorten the application period for the relevant application.	22 23
	(3) However, an amendment mentioned in subsection (2)(b) can not—	24 25
	(a) be made after the application period for the relevant application ends; or	26 27
	(b) state that the application period for the relevant application ends on a day that is	28 29

- before the day the amendment notice is given. 1
2
- (4) The amendment notice must state— 3
- (a) the day the notice is given; and 4
- (b) details of the relevant application; and 5
- (c) details of the amendment being made; and 6
- (d) the reasons for making the amendment; and 7
- (e) any other matter prescribed by regulation. 8
- (5) The amendment takes effect on the day the amendment notice is given. 9
10
- (6) The Minister must— 11
- (a) give a copy of the amendment notice to each entity to which the declaration notice for the declaration was given; and 12
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- (b) publish a copy of the amendment notice on the department’s website. 15
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- (7) If the declaration is amended to change the restarting point for the relevant application, the process for administering the application starts again from the restarting point as changed. 17
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- 106HB Notice of proposed amendment** 21
- (1) This section applies if— 22
- (a) the relevant application was made to the decision-maker for the application before the declaration was made; or 23
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- (b) an application that is not substantially different from the relevant application has been made to the chief executive within the application period for the application. 26
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- (2) Before amending the declaration under section 106HA, the Minister must— 30
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|---|----------------------------------|
| (a) give a notice to each entity mentioned in section 106C(2)(a) to (d) that states— | 1
2 |
| (i) that the Minister is proposing to amend the declaration; and | 3
4 |
| (ii) the day the notice is given; and | 5 |
| (iii) details of the relevant application; and | 6 |
| (iv) details of the proposed amendment; and | 7
8 |
| (v) the reasons for making the proposed amendment; and | 9
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| (vi) that the entity to which the notice is given may make representations to the Minister about the proposed amendment within the stated period of at least 5 business days after the day the notice is given; and | 11
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| (vii) any other matter prescribed by regulation; and | 17
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| (b) consider any representations about the proposed amendment made during the period stated in the notice. | 19
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21 |
| (3) Subsection (4) applies if the notice given under subsection (2)(a) states that the process for administering the application is suspended until a stated day. | 22
23
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| (4) Subject to section 106HA(7), the process for administering the application stops on the day the notice is given and restarts on the stated day from the point in the process at which it stopped. | 26
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Division 2B Revoking declarations 30

106HC Revoking declaration	1
(1) The Minister may, by notice given to the applicant for the relevant application (a <i>revocation notice</i>), revoke a declaration made under section 106D in relation to the application that is in effect.	2 3 4 5
<i>Note—</i>	6
For when a declaration stops having effect, see section 106G.	7 8
(2) However, the Minister may revoke the declaration only if the Minister—	9 10
(a) is satisfied that section 106D(2)(a), (b) or (c) does not apply in relation to the relevant application; or	11 12 13
(b) considers that the declaration is no longer appropriate in all the circumstances.	14 15
(3) The revocation notice must state—	16
(a) that the declaration is revoked; and	17
(b) the day the notice is given; and	18
(c) details of the relevant application; and	19
(d) the reasons for revoking the declaration; and	20
(e) the effect of the revocation under section 106HE, 106HF or 106HG; and	21 22
(f) for a relevant application in relation to which section 106HF applies—the point in the process for administering the application from which the process must restart; and	23 24 25 26
(g) any other matter prescribed by regulation.	27
(4) In deciding the point mentioned in subsection (3)(f), the Minister may have regard to any matter the Minister considers relevant.	28 29 30
(5) The revocation takes effect on the day the revocation notice is given.	31 32
(6) The Minister must—	33

- (a) give a copy of the revocation notice to each entity to which the declaration notice for the declaration was given; and
- (b) publish a copy of the revocation notice on the department's website.

106HD Notice of proposed revocation

- (1) This section applies if—
 - (a) the relevant application was made to the decision-maker for the application before the declaration was made; or
 - (b) an application that is not substantially different from the relevant application has been made to the chief executive within the application period for the application.
- (2) Before revoking the declaration under section 106HC, the Minister must—
 - (a) give a notice to each entity mentioned in section 106C(2)(a) to (d) that states—
 - (i) that the Minister is proposing to revoke the declaration; and
 - (ii) the day the notice is given; and
 - (iii) details of the relevant application; and
 - (iv) the reasons for the proposed revocation; and
 - (v) the effect of the revocation under section 106HE, 106HF or 106HG; and
 - (vi) that the entity to which the notice is given may make representations to the Minister about the proposed revocation within the stated period of at least 5 business days after the day the notice is given; and

(vii) any other matter prescribed by regulation; and	1 2
(b) consider any representations about the proposed revocation made during the period stated in the notice.	3 4 5
(3) Subsection (4) applies if the notice given under subsection (2)(a) states that the process for administering the application is suspended until a stated day.	6 7 8 9
(4) Subject to sections 106HE to 106HG, the process for administering the application stops on the day the notice is given and restarts on the stated day from the point in the process at which it stopped.	10 11 12 13
106HE Effect of revocation—relevant application made and decided before declaration made	14 15
(1) This section applies if—	16
(a) a declaration in relation to the relevant application is revoked under section 106HC; and	17 18 19
(b) the relevant application was made to the decision-maker for the application before the declaration was made.	20 21 22
(2) Subsections (3) to (5) apply if, before the declaration was made, the decision-maker for the relevant application had decided the relevant application, and given a decision notice for the relevant application to at least 1 entity under—	23 24 25 26 27
(a) if the relevant application is a development application—section 63(1), 64(6) or 76(2); or	28 29 30
(b) if the relevant application is a change application—section 64(6), 76(2) or 83(1) or (2).	31 32 33
(3) On the day the revocation takes effect, section	34

106H(2)(a) stops applying in relation to the decision.	1 2
(4) The decision notice is taken to have been given to the entity by the decision-maker on the day the revocation takes effect.	3 4 5
(5) A decision notice given in relation to the decision is not invalid merely because the decision notice is given, or taken to have been given, to an entity after any period for giving the notice under this Act or the development assessment rules has ended.	6 7 8 9 10 11
(6) Subsection (7) applies if, before the declaration was made—	12 13
(a) the applicant had given a deemed approval notice to the decision-maker for the relevant application under section 64; and	14 15 16
(b) the decision-maker had not given a decision notice for the relevant application to the applicant under section 64(6).	17 18 19
(7) The decision-maker for the relevant application is taken to have given a deemed approval to the applicant on the day the revocation takes effect.	20 21 22
(8) Subsection (9) applies if, before the declaration was made—	23 24
(a) a person's appeal period for an appeal in relation to the decision or deemed approval had ended; and	25 26 27
(b) the person had not started an appeal in relation to the decision or deemed approval.	28 29
(9) Despite section 229, the person may not appeal against the decision or deemed approval.	30 31

106HF Effect of revocation—relevant application made but not decided before declaration made	1 2
(1) This section applies if—	3
(a) a declaration in relation to the relevant application is revoked under section 106HC; and	4 5 6
(b) the relevant application was made to the decision-maker for the application before the declaration was made; and	7 8 9
(c) the decision-maker for the relevant application had not, before the declaration was made, given a decision notice for the application to at least 1 entity under—	10 11 12 13
(i) if the relevant application is a development application—section 63(1), 64(6) or 76(2); or	14 15 16
(ii) if the relevant application is a change application—section 64(6), 76(2) or 83(1) or (2); and	17 18 19
(d) the applicant had not, before the declaration was made, given a deemed approval notice to the decision-maker for the relevant application under section 64.	20 21 22 23
(2) Subject to subsection (3), the decision-maker for the relevant application must assess and decide the application under parts 1 to 5.	24 25 26
(3) The process for administering the relevant application starts again from the point stated in the notice revoking the declaration.	27 28 29
106HG Effect of revocation—other applications	30
(1) This section applies if—	31

	(a) a declaration in relation to the relevant application is revoked under section 106HC; and	1 2 3
	(b) an application that is not substantially different from the relevant application has been made to the chief executive within the application period for the application.	4 5 6 7
	(2) The application made to the chief executive is taken to have been withdrawn.	8 9
Clause 36	Insertion of new s 106IAA	10
	After section 106I—	11
	<i>insert—</i>	12
	106IAA Reference to matter stated in declaration notice	13 14
	In this division, a reference to a matter stated in the declaration notice for the relevant application is, if the declaration is amended under section 106HA in relation to the matter, a reference to the matter as amended.	15 16 17 18 19
Clause 37	Insertion of new ss 106MA and 106MB	20
	After section 106M—	21
	<i>insert—</i>	22
	106MA Request to change application	23
	(1) Before the application is decided under this division, the Minister may, by notice given to the applicant, ask the applicant to change the application.	24 25 26 27
	(2) However, the Minister may make the request only if—	28 29

- (a) the Minister is satisfied that section 106D(2)(a), (b) and (c) applies in relation to the application as changed; and
 - (b) the change does not include prohibited development; and
 - (c) the change is not a change of applicant.
- (3) The request must state—
- (a) each change the applicant is requested to make to the application; and
 - (b) the reasons for making the request; and
 - (c) that the application may lapse at the end of the reasonable period stated in the request under section 106MB(2); and
 - (d) any other matter prescribed by regulation.
- (4) The Minister must—
- (a) give a copy of the request to each entity to which the declaration notice for the declaration was given; and
 - (b) publish a copy of the request on the department’s website.
- (5) When exercising a power under this section, the Minister need not—
- (a) give notice to anyone other than under this section; or
 - (b) consult with anyone; or
 - (c) consider any material given to the Minister by anyone in relation to the exercise or proposed exercise of the power.

106MB Effect of request under s 106MA

- (1) This section applies if the Minister asks the applicant to change the application under section

106MA.	1
(2) The application lapses at the end of the reasonable period stated in the request unless the applicant gives the chief executive—	2 3 4
(a) the application including each requested change; and	5 6
(b) if section 52(2)(b) would apply in relation to the change if the change were made under that section—the written consent of the owner of the premises the subject of the application as changed to the making of the change.	7 8 9 10 11 12
(3) Subsection (4) applies if—	13
(a) the applicant gives the chief executive the things mentioned in subsection (2) within the period stated in the request; and	14 15 16
(b) the request states that the process for administering the application as changed will start again from a stated point in the process.	17 18 19 20
(4) The process for administering the application starts again from the stated point.	21 22
(5) In deciding the point mentioned in subsection (3)(b), the Minister may have regard to any matter the Minister considers relevant.	23 24 25
(6) To remove any doubt, it is declared that a change to the application under section 106MA and this section does not affect the application or operation of the declaration or this division in relation to the application.	26 27 28 29 30
Clause 38 Amendment of sch 2 (Dictionary)	31
Schedule 2, definition <i>application period</i> —	32
<i>omit, insert</i> —	33

	<i>application period</i> , in relation to a relevant application, for chapter 3, part 6A, see section 106B.	1 2 3
Division 3	Amendment of Planning and Environment Court Act 2016	4 5
Clause 39	Act amended	6
	This division amends the <i>Planning and Environment Court Act 2016</i> .	7 8
Clause 40	Amendment of s 11 (General declaratory jurisdiction)	9
	Section 11—	10
	<i>insert—</i>	11
	(5) Subsections (6) and (7) apply if—	12
	(a) a development application or change application under the Planning Act is declared to be an application for State facilitated development under section 106D of that Act; and	13 14 15 16 17
	(b) the declaration is revoked under section 106HC of that Act.	18 19
	(6) Despite subsection (2), a person may start a declaratory proceeding in relation to the effect of the revocation under the Planning Act, section 106HE, 106HF or 106HG.	20 21 22 23
	(7) Also, to remove any doubt, it is declared that a person may start a declaratory proceeding in relation to the process for administering the development application or change application under the Planning Act.	24 25 26 27 28

Division 4	Amendment of Public Sector Act 2022	1 2
Clause 41	Act amended	3
	This division amends the <i>Public Sector Act 2022</i> .	4
Clause 42	Amendment of s 215 (Remuneration and conditions)	5
(1)	Section 215(1) to (3)—	6
	<i>omit, insert—</i>	7
	(1) The commissioner is entitled to be paid the remuneration and allowances decided by the Governor in Council.	8 9 10
	(2) The Governor in Council may remove the commissioner from office only if the commissioner—	11 12 13
	(a) has engaged in misconduct; or	14
	(b) has become incapable of performing the commissioner’s functions because of mental or physical incapacity; or	15 16 17
	(c) has neglected the commissioner’s duties or performed the commissioner’s functions incompetently.	18 19 20
(2)	Section 215(5), ‘Minister’—	21
	<i>omit, insert—</i>	22
	Governor in Council	23
(3)	Section 215—	24
	<i>insert—</i>	25
	(6) Despite section 38, chapter 3, part 8, divisions 3 and 5 do not apply to the commissioner.	26 27
	(7) In this section—	28
	<i>misconduct</i> means—	29

	(a) inappropriate or improper conduct in an official capacity; or	1 2
	(b) inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the office of commissioner.	3 4 5
(4)	Section 215(4) to (7)—	6
	<i>renumber</i> as section 215(3) to (6).	7

Clause 43	Replacement of s 216 (Vacancy in office)	8
	Section 216—	9
	<i>omit, insert</i> —	10
	216 Vacancy in office	11
	The office of the commissioner becomes vacant if—	12 13
	(a) the commissioner—	14
	(i) completes a term of office and is not reappointed; or	15 16
	(ii) resigns by signed notice, giving at least 1 month’s notice, given to the Minister; or	17 18 19
	(iii) becomes a disqualified person; or	20
	(iv) is removed from office under section 215(2); or	21 22
	(b) the office otherwise becomes vacant under the instrument of appointment or under the terms and conditions mentioned in section 215(4).	23 24 25 26

Clause 44	Amendment of ch 9, pt 2, hdg (Savings and transitional provisions)	27 28
	Chapter 9, part 2, heading, after ‘provisions’—	29

insert— 1
for Act No. 34 of 2022 2

Clause 45	Insertion of new ch 9, pt 3	3
	Chapter 9—	4
	<i>insert—</i>	5
	Part 3	6
	Transitional provisions	7
	for Brisbane Olympic	8
	and Paralympic Games	9
	Arrangements and	10
	Other Legislation	11
	Amendment Act 2024	11
	327 Definitions for part	12
	In this part—	13
	<i>current commissioner</i> means the commissioner appointed before the commencement.	14 15
	<i>former</i> , for a provision of this Act, means the provision as in force immediately before the commencement.	16 17 18
	<i>new</i> , for a provision of this Act, means the provision as in force from the commencement.	19 20
	328 Remuneration and conditions of commissioner	21 22
	(1) New section 215 applies to a commissioner only if the commissioner is appointed or reappointed after the commencement.	23 24 25
	(2) Former section 215 continues to apply to the current commissioner in relation to the term stated in the current commissioner’s original instrument	26 27 28

-
- of appointment. 1
- (3) However, in relation to the current 2
commissioner— 3
- (a) the appointment and written contract of 4
employment between the current 5
commissioner and the Minister may not be 6
terminated under former section 215(3); and 7
- (b) the current commissioner may be removed 8
from office only under new section 215(2); 9
and 10
- (c) new section 215(5) applies to the current 11
commissioner. 12
- (4) If the current commissioner is removed from 13
office under new section 215(2), the appointment 14
and written contract of employment between the 15
current commissioner and the Minister is taken to 16
be terminated. 17
- (5) Subsection (3) and (4) apply despite anything in 18
the appointment and written contract of 19
employment between the current commissioner 20
and the Minister, or in the terms and conditions 21
mentioned in former section 215(5). 22
- (6) However, a term of the written contract of 23
employment between the current commissioner 24
and the Minister that enables the current 25
commissioner and the Minister to terminate the 26
contract by mutual agreement continues to apply 27
in relation to the current commissioner. 28

329 Vacancy in office of commissioner 29

- (1) New section 216(a) applies to a commissioner 30
whether the commissioner is appointed before or 31
after the commencement. 32
- (2) Also, the office of the commissioner held by the 33
current commissioner becomes vacant if the 34

office becomes vacant under the written contract 1
of employment between the current 2
commissioner and the Minister or under the terms 3
and conditions mentioned in former section 4
215(5). 5

Division 5 **Amendment of Work Health and** 6
Safety Act 2011 7

Clause 46 **Act amended** 8
This division amends the *Work Health and Safety Act 2011*. 9

Clause 47 **Amendment of s 85 (Health and safety representative** 10
may direct that unsafe work cease) 11
(1) Section 85(1)— 12
omit, insert— 13
(1) A health and safety representative may, by giving 14
a written notice stating the matters mentioned in 15
section 85A (a *cease work notice*) to a worker, 16
direct the worker to cease work if— 17
(a) the worker is in a work group represented by 18
the health and safety representative; and 19
(b) the health and safety representative has a 20
reasonable concern that to carry out the 21
work would expose the worker to a serious 22
risk to the worker’s health or safety, 23
emanating from an immediate or imminent 24
exposure to a hazard. 25
(2) Section 85(2)(a), after ‘undertaking’— 26
insert— 27
for whom the worker is carrying out work 28
(3) Section 85— 29

	<i>insert—</i>	1
	(2A) As soon as practicable after giving a cease work notice under subsection (1), the health and safety representative must—	2 3 4
	(a) give the person conducting the business or undertaking a copy of the cease work notice; and	5 6 7
	(b) display, in a prominent way in an area used by the workers who are in the work group, a copy of the cease work notice.	8 9 10
	(4) Section 85(7) and (8)—	11
	<i>omit.</i>	12
	(5) Section 85(9)—	13
	<i>renumber</i> as section 85(7).	14
Clause 48	Amendment of s 85A (Contents of cease work notice)	15
	Section 85A(d)(i)—	16
	<i>omit, insert—</i>	17
	(i) if the direction is given under section 85(1)—the notice is given to the worker; or	18 19 20
Clause 49	Amendment of s 118 (Rights that may be exercised while at workplace)	21 22
	Section 118, notes—	23
	<i>omit, insert—</i>	24
	<i>Note—</i>	25
	The use or disclosure of personal information obtained under this section is regulated under the <i>Privacy Act 1988</i> of the Commonwealth.	26 27 28

Clause 50	Replacement of s 119 (Notice of entry)	1
	Section 119—	2
	<i>omit, insert—</i>	3
	119 Notice of entry	4
	(1) Before entering a workplace under section 117, a WHS entry permit holder must give notice of the proposed entry and the suspected contravention of this Act or the <i>Electrical Safety Act 2002</i> to—	5 6 7 8
	(a) the relevant person conducting a business or undertaking; and	9 10
	(b) the person with management or control of the workplace.	11 12
	(2) The notice must comply with a regulation made for this section.	13 14
	(3) The notice must be given during usual working hours at that workplace at least 24 hours, but not more than 14 days, before the entry.	15 16 17
	(4) Subsection (5) applies if a WHS entry permit holder reasonably believes that a relevant worker is exposed to a serious risk to their health and safety, emanating from an immediate or imminent exposure to a hazard.	18 19 20 21 22
	(5) Despite subsections (1) and (3), the WHS entry permit holder may give the notice to the persons mentioned in subsection (1) as soon as reasonably practicable after entering the workplace.	23 24 25 26
	(6) A notice given or purported to be given under this section is not invalid only because of—	27 28
	(a) a formal defect or irregularity in the notice; or	29 30
	(b) a failure to use the correct name of a person or relevant union mentioned in the notice if the notice sufficiently identifies the person or union.	31 32 33 34

Clause 51	Insertion of new pt 16, div 10	1
	Part 16—	2
	<i>insert—</i>	3
	Division 10	4
	Transitional provisions for Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024	5 6 7 8 9
	362 Definitions for division	10
	In this division—	11
	<i>amendment Act</i> means the <i>Brisbane Olympic and Paralympic Games Arrangements and Other Legislation Amendment Act 2024</i> .	12 13 14
	<i>former</i> , for a provision of this Act, means the provision as in force immediately before the commencement.	15 16 17
	363 Existing directions to cease unsafe work given under former s 85(1)	18 19
	(1) This section applies if, before the commencement, a health and safety representative gave a direction under former section 85(1).	20 21 22 23
	(2) Former section 85 continues to apply in relation to the direction as if the amendment Act, section 47 had not commenced.	24 25 26
	364 Entry to workplace before commencement	27
	(1) This section applies if—	28

- | | | |
|-----|--|------------------|
| (a) | a WHS entry permit holder entered a workplace under section 117 before the commencement; and | 1
2
3 |
| (b) | immediately before the commencement, the WHS permit holder had not given notice of the entry and the suspected contravention under former section 119. | 4
5
6
7 |
| (2) | Former section 119 continues to apply in relation to the entry as if the amendment Act, section 50 had not commenced. | 8
9
10 |

Schedule 1	Other amendments	1
	section 27	2
	Information Privacy and Other Legislation Amendment Act 2023	3 4
1	Schedule 1, part 2, amendments of the <i>Path to Treaty Act</i> 2023—	5 6
	<i>omit.</i>	7
	Public Records Act 2023	8
1	Section 24(7), examples, second dot point—	9
	<i>omit.</i>	10
2	Schedule 3—	11
	<i>insert—</i>	12
	<i>Aboriginal law</i> means the body of culturally embedded principles and practices that governs a community or group of Aboriginal peoples.	13 14 15
	<i>Aboriginal tradition—</i>	16
	(a) means the body of customs, traditions, observances and beliefs of Aboriginal peoples generally or of a particular community or group of Aboriginal peoples; and	17 18 19 20 21

	(b) includes any such customs, traditions, observances and beliefs relating to particular persons, areas, objects or relationships.	1 2 3 4
	<i>Ailan Kastom</i> —	5
	(a) means the body of customs, traditions, observances and beliefs of Torres Strait Islander peoples generally or of a particular community or group of Torres Strait Islander peoples; and	6 7 8 9 10
	(b) includes any such customs, traditions, observances and beliefs relating to particular persons, areas, objects or relationships.	11 12 13 14
	<i>Torres Strait Islander law</i> means the body of culturally embedded principles and practices that governs a community or group of Torres Strait Islander peoples.	15 16 17 18
3	Schedule 3, definition <i>culturally sensitive information</i>, ‘, as defined in the <i>Path to Treaty Act 2023</i>’—	19 20
	<i>omit.</i>	21