

# Brisbane Olympic and Paralympic Games Arrangements Amendment Regulation 2024

Explanatory notes for SL 2024 No. 172

made under the

*Brisbane Olympic and Paralympic Games Arrangements Act 2021*

## General Outline

### Short title

The short title of the amendment regulation is the *Brisbane Olympic and Paralympic Games Arrangements Amendment Regulation 2024*.

### Authorising law

Section 62 of the *Brisbane Olympic and Paralympic Games Arrangements Act 2021*.

### Policy objectives and the reasons for them

On 6 June 2024, the *Brisbane Olympic and Paralympic Games Arrangements Amendment Act 2024* (Amendment Act) amended the *Brisbane Olympic and Paralympic Games Arrangements Act 2021* (BOPGA Act) with the primary purpose of establishing the Games Venue and Legacy Delivery Authority (Authority) to ensure Queensland's readiness to successfully host, and maximise the legacy and benefits from, the Brisbane 2032 Olympic and Paralympic Games (the Games).

Section 53AD of the BOPGA Act provides that a main function of the Authority is to deliver venues in time for the Games and within budget allocations, including managing effects on users of venues during their development.

Section 5A of the BOPGA Act provides that a *venue* is a site or facility, prescribed by regulation, that is to or may fulfil operational or sports-related needs for the Games.

To enable the Authority to undertake its function related to the delivery of venues, venues must be prescribed by regulation.

On 19 July 2024, the *Brisbane Olympic and Paralympic Games Arrangements Regulation 2024* was notified. It prescribed four venues including the Sleeman Sports Complex, the Sunshine Coast Stadium, the Sunshine Coast Indoor Sports Centre and the Sunshine Coast Mountain Bike Centre, and four villages including the Brisbane Athlete Village, the Gold Coast Athlete Village, the Kooralbyn Satellite Athlete Village and the Sunshine Coast Athlete Village.

The *Brisbane Olympic and Paralympic Games Arrangements Amendment Regulation 2024* (Amendment Regulation) prescribes two venues, as follows:

- **Moreton Bay Indoor Sports Centre**, to be developed within The Mill at Moreton Bay Priority Development Area under the Economic Development Act 2021, and
- **Barlow Park**, located on lot 761 on SP338643.

The proposed new Moreton Bay Indoor Sports Centre will provide 12 courts in an indoor sports centre with supporting change facilities, amenities and functional spaces. The community centre will be suitable for a range of indoor sports and community uses and may attract more events to the region.

Barlow Park in Cairns Regional Council is proposed to receive major upgrades to sporting and spectator facilities to meet the needs of the growing community. This includes upgrading the existing stadium, increasing seating capacity to 5,000, sustainability features, improved amenities and better equipment for broadcasters, athletes and the public. This upgrade will support Cairns to attract major events in the future, such as NRL matches.

Both venues prescribed have received investment approval from the Queensland and Commonwealth governments and were identified in the *IOC Future Host Commission Questionnaire Response Final Submission – May 2021* (the FHQ Response), which forms part of the Olympic Host Contract, and the Queensland Government’s March 2024 response to the independent Sport Venue Review.

## **Achievement of policy objectives**

By prescribing these venues, the Amendment Regulation will enliven the Authority’s ability to deliver the venues. This will enable development on and around those sites and areas identified by the State as a location for infrastructure to be used for the Games; facilitate the State’s obligations under the Olympic Host Contract; and ensure Queensland’s readiness to successfully host, and maximise the legacy and benefits from, the Games.

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

The Amendment Regulation is consistent with one of the primary objectives of the BOPGA Act, which is to establish the Authority to ensure Queensland’s readiness to successfully host, and maximise the legacy and benefits from, the Games.

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

The Amendment Regulation is consistent with the policy objectives of other legislation. Once prescribed, the planning and land acquisition powers in Chapter 3, Part 4 of the Act will apply to venues. These powers are consistent with the frameworks already in place under the *Planning Act 2016*, *Economic Development Act 2012* and *Acquisition of Land Act 1967*.

## **Benefits and costs of implementation**

The Amendment Regulation will have the benefit of enabling the Authority to deliver venues in time for the Games. The Authority will deliver venues within the funding envelope agreed between the Queensland and Commonwealth governments.

The planning and land acquisition powers in Chapter 3, Part 4 of the Act will apply to venues once prescribed. These powers require a further regulation and at that point, any benefits and costs will be considered.

## **Consistency with fundamental legislative principles**

The BOPGA Act permits venues to be prescribed by regulation (sections 5A and 62). Parliament recognised that it was impracticable to definitively list the venues in the BOPGA Act, and changes to the prescribed venues may be required over time, including once the final program of sports is determined by the International Olympic Committee in 2025.

Fundamental legislative principles were considered extensively during the development of the Amendment Act. The proposed Amendment Regulation has sufficient regard to rights and liberties of individuals, is within the power of the BOPGA Act and is consistent with the policy objectives of the BOPGA Act because it proposes to only prescribe venues that have been identified as a venue for use during the Games in the Olympic Host Contract and the Queensland Government's March 2024 response to the independent Sport Venue Review.

Accordingly, no potential inconsistencies with fundamental legislative principles have been identified.

## **Consultation**

In recognition of the significant funding commitments made by the Commonwealth Government towards venues which will support the delivery of the Games and are proposed for inclusion in the Amendment Regulation, the Commonwealth Government was consulted during development of the Amendment Regulation.

The planning and land acquisition powers in Chapter 3, Part 4 of the BOPGA Act will apply to venues once prescribed. These powers require a further regulation and at that point, any impacts on, and necessary consultation with, other agencies will be considered at that time.