

[Act 1995 No 10]



New South Wales

# Olympic Co-ordination Authority Bill 1995

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.\*

### Overview of Bill

The object of this Bill is to constitute the Olympic Co-ordination Authority and to confer functions on the Authority with respect to the preparations for the Sydney Olympic Games, including:

- (a) planning for and providing Olympic venues and facilities, and
- (b) co-ordinating and reporting on all aspects of the preparations for the Olympic Games, and
- (c) exercising other functions in connection with the Olympic Games and the development of the Homebush Bay area.

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\* Amended in committee—see table at end of volume.

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## Outline of provisions

### **Part 1 Preliminary**

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

**Clause 3** defines certain words and expressions used in the proposed Act. Important definitions include *Olympic Games* (namely the Sydney Olympic Games in the year 2000) and *Olympic venues and facilities* (namely, sporting venues, training facilities, media facilities, residential accommodation and other facilities related to the Olympics).

### **Part 2 Constitution of Olympic Co-ordination Authority**

**Clause 4** constitutes the Olympic Co-ordination Authority as a statutory corporate body.

**Clause 5** declares that the Authority represents the Crown.

### **Part 3 Management of Authority**

**Clause 6** provides for the affairs of the Authority to be managed and controlled by the Director-General of the Authority.

**Clause 7** provides that the Authority is to be subject to the control and direction of the Minister.

**Clause 8** requires the Authority to prepare a corporate plan for each financial year and to exercise its functions, as far as practicable, in accordance with that plan.

**Clause 9** provides for the employment of public service staff of the Authority. The clause also enables the Authority to make arrangements for the use of the services of any staff or facilities of a Government agency and to engage consultants.

## **Part 4 Functions of Authority**

### **Division 1 Principal functions**

**Clause 10** provides that the Authority is to plan for and provide Olympic venues and facilities. The Authority is required to match the requirements of the Sydney Organising Committee for the Olympic Games (“SOCOG”) for staging the Games with the long term requirements of Sydney and to ensure that the venues and facilities are provided within agreed timeframes and budget allocations.

**Clause 11** confers on the Authority co-ordination and reporting functions with respect to the Olympic Games. In particular, the Authority has the following functions:

- (a) assisting the Government in the administration of agreements with SOCOG and liaising with SOCOG,
- (b) monitoring and reporting on all works being carried out for those venues and facilities,
- (c) liaising with the Treasury on the co-ordination and management of capital expenditure for the Olympic Games and reporting to the Government on overall expenditure associated with the Olympic Games,
- (d) providing advice and administrative assistance on matters associated with the Olympic Games.

**Clause 12** authorises the Authority to exercise its functions with respect to the Olympic Games also with respect to the Paralympic Games.

**Clause 13** confers on the Authority functions with respect to the orderly and economic development of the Homebush Bay area (whether or not related to the Olympic Games).

### **Division 2 Functions relating to land**

**Clause 14** enables the Authority to acquire land by agreement or by compulsory process in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*.

**Clause 15** deals with the application of the *Public Works Act 1912* to operations of the Authority.

**Clause 16** confers additional functions on the Authority with respect to land. In particular, it authorises the Authority to erect buildings and structures, to carry out works and to set out and construct roads.

**Clause 17** enables the Authority to surrender land to the Crown to be dedicated for any public purpose or as a public road.

### **Division 3      Miscellaneous provisions relating to functions**

**Clause 18** confers supplemental and incidental functions on the Authority and ensures that the Authority can exercise its functions in or outside New South Wales.

**Clause 19** allows the Authority to delegate its functions to members of its staff and other authorised persons.

**Clause 20** allows the Authority to form subsidiary companies and to acquire interests in companies, subject to Ministerial control. A company in which the Authority has a controlling interest does not represent the Crown.

**Clause 21** establishes an Officers' Committee for the Olympics comprising the Director-General of the Authority, the President of SOCOG and other senior officers. The committee is to advise the Government on matters that are relevant to the functions of the Authority.

### **Part 5      Application of planning and related legislation to Authority**

**Clause 22** defines the circumstances in which development is carried out by the Authority. The clause also gives words and expressions used in this Part the same meanings as in the *Environmental Planning and Assessment Act 1979* ("the EPA Act").

**Clause 23** declares that development carried out by the Authority is not designated development for the purposes of the EPA Act.

**Clause 24** requires the Authority, when carrying out development requiring consent under the EPA Act, to seek the views of SOCOG, local councils and other bodies and to take certain matters into account, including long term planning strategy in the area, post-Olympic use, arrangements for persons with disabilities, consistency with agreed environmental guidelines relating to the Olympic bid and ecologically sustainable development.

**Clause 25** provides that the Authority (and not only the relevant local government council) may grant building and related approvals under the *Local Government Act 1993* relating to its development.

**Clause 26** provides that the Authority (and not only the relevant local government council) may grant subdivision approval under the relevant legislation relating to its development.

## **Part 6      Miscellaneous**

**Clause 27** authorises Government agencies to enter into agreements with the Authority for the purposes of the proposed Act.

**Clause 28** provides for the publication by the Authority of procedures or guidelines relating to the disclosure of conflicts of interests and activities of consultants.

**Clause 29** contains secrecy provisions relating to information obtained by persons in connection with the administration or execution of the proposed Act, including offences relating to the misuse of that information for financial gain.

**Clause 30** protects the Director-General of the Authority, members of the Officers' Committee for the Olympics and other persons acting under the direction of the Authority or that Committee from personal liability for acts done in good faith for the purpose of executing the proposed Act or any other Act.

**Clause 31** provides for the financial year of the Authority.

**Clause 32** relates to the service of documents on the Authority.

**Clause 33** relates to the custody and use of the seal of the Authority.

**Clause 34** enables the Authority to recover as a debt any charge, fee or money due to the Authority.

**Clause 35** states that proceedings for offences under the proposed Act are to be taken before a Local Court constituted by a Magistrate sitting alone.

**Clause 36** states that the proposed Act binds the Crown.

**Clause 37** enables regulations to be made for the purposes of the proposed Act.

**Clause 38** gives effect to the amendments of other Acts contained in Schedule 1. The amendments are consequential on the establishment of the Authority and also on the transfer of the administration of the *Sydney Organising Committee for the Olympic Games Act 1993* from the Premier to the Minister for the Olympics.

**Clause 39** gives effect to the savings, transitional and other provisions contained in Schedule 2.

**Clause 40** repeals a spent Act.

**Clause 41** requires the Minister, after the conclusion of the Olympic Games, to review the proposed Act for the purposes of its repeal and the dissolution of the Authority.

## **Schedules**

**Schedule 1** makes consequential amendments to the following Acts:

Clean Waters Act 1970

Freedom of Information Act 1989

Growth Centres (Development Corporations) Act 1974

Land and Environment Court Act 1979

Public Authorities (Financial Arrangements) Act 1987

Public Finance and Audit Act 1983

Public Sector Management Act 1988

Sydney Organising Committee for the Olympic Games Act 1993

Water Act 1912

**Schedule 2** contains savings, transitional and other provisions, including provision for the abolition of the Olympic Co-ordination Agency and the dissolution of the Homebush Bay Development Corporation and the transfer of their assets and liabilities to the Authority.