



Select Committee on the 2026 Commonwealth Games Bid

Hearing Date: 9 August 2024

Questions taken on notice

Directed to: DJSIR **Received**

Date: 5 September 2024

1. **a) Joe McCracken, page 37**

Question asked:

Okay. Well, I know that there is clause 5.8 of the project brief, where the CFMEU by themselves are particularly mentioned. Why would that have been?

Tim ADA: Sorry, Mr McCracken, I just do not have it in front of me, and I probably need to cite the context. I am happy to take that question on notice. 'I don't know' is the answer to your question, without having that here.

Joe McCracken: Okay. I am happy for you to take that on notice. I guess I am trying to understand how these sorts of things happen. I mean, who would have asked for specific unions to be named in these clauses? Who is responsible for that?

Tim ADA: I am happy to take that question on notice, Mr McCracken.

Response:

The department understands the document referred by the Committee, "Commonwealth Games Athlete Villages – Project Brief – Version 2" dated 30 May 2023 was prepared by Development Victoria and was available from Buying for Victoria as part of the tender process for the Villages procurements.

The department did not prepare the document referred to by the Committee, however it is noted that clause D5.8 is not exhaustive and states "that the following unions may need to be consulted and engaged with based on the scope of Works (including but not limited to) ...".

The department is unable to comment on the drafting further and questions related to the document should be referred to Development Victoria.

b) David DAVIS, page 41**Question asked:**

Mr Ada, you have been before this committee before, and I want to pick up where Mr McCracken left off. It is the case that the document he was referring to did name the CFMEU but did not name the Australian Workers' Union. Why is that? Why leave out that large construction union?

Tim ADA: I cannot explain that, Mr Davis, in all honesty. I cannot, and I have said to Mr McCracken that –

David DAVIS: Not part of a corrupt deal by government to favour the CFMEU, who have got their tentacles all around the government?

Tim ADA: No. I am answering your question and Mr McCracken's question. I do not know why it cites that union and not others. As I said to Mr McCracken, my understanding was that we had a number of engagements with building industry group unions during that period of May, June and July.

David DAVIS: So you will come back with a specific answer on that point, is that right?

Tim ADA: Yes, that is what I have committed to.

Response:

[As noted in response to question 1\(a\) the department understands the document referred to is a document prepared by Development Victoria.](#)

[Questions related to the drafting of the document should be referred to Development Victoria.](#)

c) David DAVIS, page 49**Question asked:**

I just want to return to this CFMEU issue and the 5.8 clause that we have referred to, which mentioned the CFMEU alone – gave it a leg up. Is there anything that you can do to shed some light on why the CFMEU was given the special privilege, and can you utter the word 'CFMEU'? ...

Tim ADA: As I have said before, the CFMEU is one of four unions that make up the building industry group that I have mentioned before. I have said previously, and with all due respect, Mr Davis, I do not know of the document you have referred to. I have taken the question on notice and will endeavour to come back to you if I can shed any more light on that.

Response:

As noted in response to questions 1(a) and 1(b) the department understands the document referred to was prepared by Development Victoria.

As noted in response to question 1(a) clause D5.8 is drafted inclusively, and states “that the following unions may need to be consulted and engaged with based on the scope of Works (including but not limited to ...)”

Questions related to the drafting of the document should be referred to Development Victoria.

2. **Joe McCRACKEN, page 38**

Question asked:

So do you know how much the agreements were progressed then? If you said that agreement had not been struck, do you know of the negotiations? I mean, you obviously have some understanding if you know the agreements had not been struck. What progress had been made?

Tim ADA: There were a series of discussions – I think two or three discussions. I was not personally involved in those meetings, but I understand that they did take place.

Joe McCRACKEN: Are there any meeting notes that you have from them available or that you could get access to, which we could then have?

Tim ADA: I am happy to take that question on notice.

Response:

The department’s records indicate that various meetings were held with representatives from the department and the Construction, Forestry, Maritime, and Energy Union, Electrical Trade Union, Plumbing and Pipe Trades Employees Union and Victoria Trades Hall. Meetings were held on 11 May, 14 and 28 June and 5 and 12 July 2023.

The department does not have a record of notes from the meeting in May 2023.

As the department’s notes from the meetings in June and July may contain matters of executive privilege, these must be considered by the government. We will provide our response as soon as we are authorised to do so.

3. **David DAVIS, page 52**

Question asked to:

...Mr Betson might be able to answer about the involvement of the CFMEU in all these sporting projects that might still flow and the list that came out earlier on that we saw, which was referred to by Mr Galea. Will they have CFMEU involvement – those sporting projects?

Peter BETSON: I would have to take that on notice, Mr Davis. I am not aware of that at the moment. As I said, we are in concept design and we are in design procurement at the moment. We have not had head contractors appointed -

Response:

The Regional Sports Infrastructure Package (RSIP) is largely in the design and procurement phase. The eligibility criteria for Head Contractors to qualify for tendering on the RSIP projects does not include any requirement to be affiliated with any union.

4. **David DAVIS, page 52**

Question asked:

You have listed that number of projects out and we have obviously got that list, so thank you. The numbers against it – how much is allocated to each of these projects, which was not on the list? Can you provide that, please?

Tim ADA: I think the intention, Mr Davis, is that obviously there is a global number for the 16 projects, but just to not prejudice the procurement process, the government –

The CHAIR: That would have to happen after procurement, is that right? If you were going to provide that, it would have to happen after procurement? Is that correct? So it would be possible.

Tim ADA: That is right. I think it is a point in time. One of the things we would not want to do is to say ‘Well, that’s the budget for that project’ and potentially prejudice the procurement process.

The CHAIR: So if someone comes in and says ‘Well, we’ve seen how much money they’ve got. We’ll put in a tender for that amount’ – okay, I understand that.

David DAVIS: I thereby ask three things. One is that we are provided with those numbers when it has occurred. The second thing is the list of those projects that involve Development Victoria. Can we have that list? Thirdly, can we have an assurance or not as to whether the CFMEU will be preferenced in those Development Victoria arrangements.

Response:

The department is unable to provide the project budgets until Head Contractors have been appointed. Sharing budget information before this occurs may materially damage the State's financial or commercial interests by undermining the tender process and contract negotiations.

Development Victoria will lead the delivery of the following RSIP projects on behalf of the State and project partners:

- Armstrong Creek Sports Centre
- Waurin Ponds Sporting Complex
- Gippsland Sports Entertainment Park
- Stead Park
- Bendigo Showgrounds
- Bendigo Stadium
- Ballarat Major Events Precinct - Mars Stadium and Ballarat Regional Athletics Centre
- Morwell Gun Club.

The department otherwise notes Mr Davis MP's comments.