



# ***STATE DEVELOPMENT, INFRASTRUCTURE AND INDUSTRY COMMITTEE***

## **Members present:**

Mr DF Gibson MP (Chair)  
Mr WS Byrne MP  
Mr MJ Hart MP  
Mr MJ Crandon MP (via teleconference)  
Mr R Katter MP  
Ms KN Millard MP  
Mr BC Young MP

## **Staff present:**

Ms E Pasley (Research Director)  
Ms M Westcott (Principal Research Officer)

## **PUBLIC BRIEFING—INQUIRY INTO THE MAJOR EVENTS BILL 2014**

### **TRANSCRIPT OF PROCEEDINGS**

**MONDAY, 8 SEPTEMBER 2014**

**Brisbane**

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### **Committee met at 11.32 am**

**CHAIR:** Good morning. I declare open the public briefing for the committee's inquiry into the Major Events Bill 2014. I thank you all for your attendance here today. I am David Gibson, member for Gympie and chair of the committee. The other committee members here with me today are: Mr Bill Byrne, the member for Rockhampton, Mr Michael Hart, the member for Burleigh, Ms Kerry Millard, the member for Sandgate and Mr Bruce Young, the member for Keppel. Mr Michael Crandon, the member for Coomera, will participate by teleconference a little bit later on during the day, and we hope that the member for Mount Isa, Mr Rob Katter, will be joining us once his flight details are sorted.

This briefing is being broadcast live via the parliamentary services website and a transcript will be made by parliamentary reporters and published on the committee's website. For the benefit of Hansard, can I please request that representatives speak clearly into the microphones and state their name and the position by which they are appearing before the committee when they first speak. The aim of the briefing today is for the committee to gather preliminary information in relation to the bill. This briefing is a formal committee proceeding, and as such you should be guided by schedule 8 of the standing orders, a copy of which has been provided to you.

I now welcome representatives from the Department of Tourism, Major Events, Small Business and the Commonwealth Games, Dr Jeanette Young, Chief Health Officer, and officers from the QPS.

**CRIMMINS, Inspector Tony, Intelligence, Counter-Terrorism and Major Events Command, Queensland Police Service**

**ELLIOTT, Mr Nick, Assistant Director-General, Commonwealth Games, Department of Tourism, Major Events, Small Business and the Commonwealth Games**

**MORGAN, Ms Filly, Executive Director, Office of Commonwealth Games Coordination, Department of Tourism, Major Events, Small Business and the Commonwealth Games**

**WATTS, Mr Jordan, Manager, Policy and Legislation, Office of Commonwealth Games Coordination, Department of Tourism, Major Events, Small Business and the Commonwealth Games**

**YOUNG, Dr Jeanette, Chief Health Officer, Department of Health**

**Mr Elliott:** Thank you, Chair, and good morning to the committee and staff. I thank the committee for the invitation to provide a briefing at this public hearing regarding the Major Events Bill 2014. We have introduced the members of the department who are here today, and you have also acknowledged Dr Jeanette Young, the chief health officer, who is in attendance to assist. We also have Inspector Tony Crimmins from the Intelligence, Counter-Terrorism and Major Events Command in the Queensland Police Service and Senior Sergeant David Flynn here today.

As the Minister for Tourism, Major Events, Small Business and the Commonwealth Games indicated in the House on 26 August 2014, the government is introducing the Major Events Bill to provide a generic legislative framework that may be used for the conduct of future major events held in Queensland such as the 2018 Commonwealth Games. The provisions in the bill relate to matters such as road and traffic management, commercial protections to assist organisers to stage the event, registration exemptions for visiting health practitioners and crowd management and safety. The bill was modelled on similar legislation in other jurisdictions.

Under the bill, a regulation prescribes a major event and which particular provisions are to apply to the event. Before a recommendation is made to the governor-in-council to prescribe a major event, the minister must undertake consultation with affected ministerial portfolios and local

governments and be reasonably satisfied that the event is a large state, national or international sporting or cultural event and that it is in the public interest to do so. Not all events held in Queensland will be prescribed as major events. Fun runs, stadium events and the like which happen regularly will not be affected. Similarly, not all provisions are likely to be triggered for every major event; for example, an event such as the 2018 Commonwealth Games would require the full suite of legislation, but the V8 Supercars would require fewer provisions to be triggered.

The majority of the provisions in the bill already exist in one form or another in Queensland's statute books. The bill consolidates these provisions into a single piece of legislation so that they can be applied to prescribed major events via regulation as required. This is more efficient, as currently several statutory instruments may be required for one event. The bill, if enacted, will repeal and replace the Motor Racing Events Act 1990 and the Health Practitioners (Special Events Exemption) Act 1998. It will also omit and replace chapter 19, part 2 from the Police Powers and Responsibilities Act 2000.

I would now like to briefly outline some of the key provisions covered in the bill. The bill provides for the appointment of authorised persons to enforce various provisions of the legislation. Chapter 19, part 2 of the Police Powers and Responsibilities Act and the Motor Racing Events Act contain similar provisions to the bill, as does major events legislation in other Australian jurisdictions. In particular I note that chapter 19, part 2 of the Police Powers and Responsibilities Act provides for authorised persons to be appointed to assist police officers and perform a range of tasks for special events declared via regulation by the police minister. These include asking an entrant for consent to a basic search prior to entering special event sites and refusal of entry and removal from a special events site. These powers have previously been used for events in Queensland, including the 2001 Goodwill Games and the 2003 Rugby World Cup, where authorised persons assisted police officers—for example, by using electronic screening devices. Under the bill, only persons with relevant experience, expertise and training can be appointed as authorised persons. These powers would not necessarily apply across the board to all authorised persons and are intended to be limited to a person's relevant skills and experience, which can be specified in the regulation. Only police officers would be granted all 'authorised person' powers.

The bill provides for exemptions from the registration requirements in Queensland legislation for health practitioners who accompany overseas visitors. These provisions are based on the current Health Practitioners (Special Events Exemption) Act 1998, which come into force by the health minister declaring a special event via regulation. This act was based on the corresponding laws in New South Wales that were drafted for the Sydney 2000 Olympics. Queensland laws were used to enable foreign Olympic teams to complete their pre-event training in Queensland and bring in their own health staff prior to the Olympics. They have been used for a range of international events in Queensland since this time.

The bill will prohibit unauthorised street trading in the vicinity of major event areas during major events. This will cover roads, footpaths and other public places that are within the surrounding vicinity of the major event area identified in the regulation. This provision will not apply to trading that ordinarily occurs on premises within the area. The inclusion of these provisions will help prevent marketing activity by a third party that seeks to ambush increased interest from the major event without becoming an official sponsor. These provisions are necessary to meet contractual commitments made by the government in terms of hosting the Commonwealth Games.

The ticket scalping provisions in the bill, although not new, will be broadened. Ticket scalping provisions are currently contained in the Major Sports Facilities Act 2001 and the Motor Racing Events Act; however, these provisions only apply to declared major racing events and events which are held in Stadiums Queensland facilities such as Suncorp Stadium, the Brisbane Cricket Ground and the Brisbane Entertainment Centre. The scope of the proposed ticketing provisions within the bill is broader. They will cover all games events including, for example, all the events at the aquatic centre at Southport which would not be protected under existing legislation. The ticket scalping provisions in the bill are comparable to what is currently contained in the Major Sports Facilities Act. Under the bill, a person will be prohibited from selling or offering a ticket for sale without the approval of the major event organiser in a major event area or in the vicinity of a major event area. The bill also prohibits a person selling or offering a ticket for sale on any medium, including over the internet or in a newspaper, to a major event at a price that exceeds the original ticket price by more than 10 per cent.

In summary, the Major Events Bill consolidates legislation that applies to major events into one generic piece of legislation, meets the commitments that the government has made to host upcoming major events and also provides the legislation required to stage the V8 Supercars motor

racing events. In addition, the bill can be used for future major events that may be hosted in Queensland, removing the need for further event-specific legislation to be drafted. It brings Queensland into line with other Australian states that already have similar major events legislation in place.

**CHAIR:** Thank you very much. Perhaps we can start the questioning with comparisons to other states. Would you like to highlight for us the major differences between what is being proposed for Queensland and what is currently in place in other states or territories in Australia?

**Mr Elliott:** When we began the task of looking at the legislative requirements to support major events, we looked at legislation that was used for the Sydney Olympics, Melbourne 2006, the recently completed Glasgow games, and also the major events legislation that is in place in New South Wales, Victoria and South Australia. In terms of the specific clauses, I might ask Jordan to run through the comparison between them.

**Mr Watts:** In Australia at the moment, New South Wales and Victoria currently have the Major Events Act 2009 and the Major Sporting Events Act 2009 respectively. More recently South Australia has brought into force the Major Events Act 2013. To answer your question in summary, the Queensland legislation is consistent with the legislation that is currently in force in those states.

**CHAIR:** That is a great throwaway line, but in what ways is it different? I understand it is consistent. How is it different? Is it exactly word for word the same?

**Mr Watts:** No, it is not exactly word for word the same.

**CHAIR:** What powers are different or what provisions are different in Queensland?

**Mr Watts:** The main difference with the Queensland act as opposed to the other acts in force in other states is that the Queensland act can also be used for motor racing. Currently the other states and territories maintain separate motor racing legislation. That really is just the key difference. All the other acts provide for authorised persons, for example. All the other acts provide for a major act to be declared via regulation. In Victoria they provide for a major event to be declared by a statutory instrument, not a regulation. But they all operate in the same way in that there is a principal act which has all the pieces of legislation that can be enacted for a major event, and then a regulation declares the major event and which particular aspects of the legislation are brought into force for that major event.

**CHAIR:** For Queensland, including the motor vehicle side, was that a policy decision, or it was something from a legislative perspective—

**Mr Watts:** It was basically to help achieve greater red tape reduction because at the moment in Queensland there is the Motor Racing Events Act 1990 that was brought into force for the first Indy event, and since that time it is now used for the Townsville and the Gold Coast V8 events. What the department looked at as part of this process is the common provisions that are in that piece of legislation and how they could all be rolled together into a generic model, which is what this bill provides.

**CHAIR:** In terms of the authorised person element, is it the same structure in other states in that the event organiser designates who the authorised person is or is it considered differently in other jurisdictions?

**Mr Watts:** It differs. It is considered differently in some other jurisdictions. The department looked at, as part of this process, the Commonwealth Games specific legislation that Melbourne put in place and that specific piece of legislation, the Commonwealth Games Arrangements Act 2001, provided for authorised persons to be appointed by the, as it is my understanding, statutory body that was appointed by government. There are other arrangements in place at the moment in the other major events legislation that is currently in force. The way this bill is intended to work is it would administratively allow a major event organiser to appoint an authorised person, and that is based on what happens now in the Motor Racing Events Act, which is used, as I have said, each year for Townsville and the Gold Coast. However, the regulation which provides for those powers to come into force can actually stipulate the specific levels of skills, experience or training that would be required for a person to be appointed and that would be done in consultation with the Minister for Tourism, Major Events, Small Business and the Commonwealth Games and the Minister for Police.

**CHAIR:** Please excuse me because I do not have a copy of the bill in front of me, but the regulation may stipulate or the regulation must stipulate? I know it is a small word, but it is a significant one.

**Mr Watts:** I will refer to that provision now, if that is okay.

**CHAIR:** Yes, if you could.

**Mr Watts:** The provision in question is clause 56 of the bill. Subsection (2) provides—

However, the major event organiser may appoint a person as an authorised person only if—

- (a) the organiser is reasonably satisfied the person is qualified for appointment because the person has the necessary experience, expertise or training; or
- (b) the person has the experience, expertise or training prescribed by regulation.

Bear in mind this provision could only ever come into effect via regulations. The government would always retain the capacity to prescribe by regulation the specific requirements that may need to be met.

**CHAIR:** Just so I am really clear, so government is obliged to prescribe by regulation? If the regulation did not stipulate what the authorised person's experience, expertise or training is—if the regulation was silent in that matter—then they could not be an authorised person? Is that how the bill is worded?

**Mr Watts:** That is how it is intended to operate, bearing in mind that the authorised person powers would not necessarily be activated at all or could be activated on a sliding scale. So in the event that the full scale of the powers were to be put in force, then the government would have the capacity under subclause (b) when providing the mechanism for those powers to be used and for persons to be authorised to stipulate the levels of skills, experience, expertise or training required.

**CHAIR:** Okay, but if the government does not stipulate those levels, does subclause (a) then kick in that the organiser can be satisfied?

**Mr Watts:** Yes.

**CHAIR:** So we could have a situation where the regulation is silent with regard to those skills and it is left at the discretion of the organiser as to who or what skill set an authorised person needs to have?

**Mr Watts:** We potentially could have that.

**CHAIR:** As the bill is worded now—

**Mr Watts:** As the bill is worded, which is based on the current wording in the corresponding clause in the Motor Racing Events Act which is used for those events.

**CHAIR:** Okay, and that is consistent with other states as to how they worded it or in their jurisdictions have they chosen a different wording which would require the government to specify in regulation?

**Mr Watts:** That is something I would have to take advice on. I would have to—

**CHAIR:** Take on notice?

**Mr Watts:** Take on notice, but I will say my understanding was we are the only state which prescribes by regulation that level and the reason we have done that is because we provide the capacity for the major event organiser to administratively appoint and then subclause (b) applies by providing government with that ability to prescribe if it wants.

**CHAIR:** Could you take the question on notice for us and come back?

**Mr Watts:** Yes.

**CHAIR:** That would be appreciated.

**Mr BYRNE:** I note that Nick stated upfront about the role of police officers as authorised officers. I also note that it is normal business practice, especially on licensed premises, that security guards can remove patrons from locations. Given what has just been described and what is in the explanatory notes about authorised persons, this seems to prevent security guards from being able to remove patrons from these premises. Is that the right interpretation?

**Mr Elliott:** Not at all. The appointment of an authorised officer could include a security guard and they could ask a person to leave, but they cannot forcibly remove a person. The forcible removal of a person can only be done by a police officer.

**Mr BYRNE:** But in other locations the forcible removal of people from venues is within the remit of the likes of security officers. Whether that is answered yes or no, the next question then is about the number of Queensland police officers required to deliver this sort of model. I would have thought that relying exclusively on the Queensland Police Service to fulfil that responsibility would carry a very considerable burden in these sorts of events. What do the numbers around that say?

**Mr Elliott:** Certainly, and that goes to the heart of the issue and the strategy in terms of the authorised officer provisions. One of the characteristics of a major event is the logistics around supporting the event. If I take a Commonwealth Games, for instance, I guess at one of the more extreme levels you have a number of events happening concurrently within a city with the movement of approximately 150,000 spectators on average to those events during the day—a huge demand from a logistics perspective and a huge demand from a police resourcing perspective. With regard to the appointment of an authorised officer, the police receive authorised officer powers under the bill via regulation. Other people who are appropriately trained, skilled and experienced can then receive varied responsibilities as authorised officers to help take the load from an event perspective. For instance, a private security contractor could be appointed an authorised officer if they have the appropriate training to be able to operate electronic screening devices, the wands or the walk-through detectors that we have downstairs and that relieves the responsibility of a police officer otherwise performing those functions. The bill is trying to provide capacity so that police can attend to the more significant issues and other appropriately trained authorised officers can deal with the entry and other requirements around supporting the event.

**Mr BYRNE:** But the physical removal remains the domain of the Queensland Police Service?

**Mr Elliott:** Yes.

**Mr YOUNG:** It says here that only police officers will be allowed to use reasonable force to remove persons from a major event.

**Mr Elliott:** That is right. So if I am appropriately trained as an authorised officer and I suspect that you have been doing something you should not be doing, then I can ask you to leave but I cannot compel you to leave and that is when I would have to call on police support.

**CHAIR:** I want to pick up on that. You said ‘if I was appropriately trained as an authorised officer’. How will the government or the department be aware that you were appropriately trained? Is there a certificate you need to produce? Is there some form of check and balance to say, ‘Yes, Nick Elliott has undergone the training and is authorised to do this’?

**Mr Elliott:** The detail of assessing a person’s training experience would be determined at the time of doing the regulation. There might be a security officers course or it might be a range of different levels of training depending on the role, or it might be training that is administered to allow somebody to actually perform that role. But I guess it will be a sliding scale depending on the responsibilities that an authorised officer might have to fulfil.

**CHAIR:** Sorry, but just to clarify, are you saying that within the term ‘authorised officer’ there will be varying responsibilities?

**Mr Elliott:** Correct, yes.

**CHAIR:** And that would need to be defined in the bill, so an authorised officer at the front gate is enabled to do A, B and C but an authorised officer on patrol can do all of the above plus D and E; is that right?

**Mr Elliott:** That is correct. One of the requirements in the bill is that an authorised officer wears photo ID that clearly states what they can do.

**Mr Watts:** Yes, the identity card.

**Mr BYRNE:** I understand the department supports 44 major events annually in Queensland; is that correct?

**Mr Elliott:** It goes to the term of what is a major event. Tourism and Events Queensland in their scale of major events has identified—if it is 44—44 that they are supporting this year. Under the bill there is a test for the minister to consider in determining what is a major event. The two do not necessarily align.

**Mr BYRNE:** There is no correlation between major events and government support to major events and what is deemed a major event based on the minister’s discretion?

**Mr Elliott:** What is deemed a major event based on the tests that are in the bill are in section 5, I think it is.

**Mr BYRNE:** So how many of the 44 do you believe would pass the tests theoretically? I do not think that is speculation. You must have an idea of the scale of the impact of this.

**Mr Elliott:** In terms of the requirement to use the provisions of this bill to support, not many. I can list the V8 Supercar events in Townsville and the Gold Coast for instance and potentially the Asian football cup in Brisbane. They are the only ones on our radar for this year, and the Commonwealth Games of course in 2018. But the other events can operate successfully without requiring the provisions in this bill.

**Mr BYRNE:** This bill though would provide a Trojan horse should there be a desire to take any of those events and put it under this; is that correct?

**CHAIR:** You might want to reword the question.

**Mr BYRNE:** This is a pretty broadscale bill, even though there are tests and things in there. It covers a whole lot of ground—a whole lot of territory. Theoretically, you could make a decision and any of them fit under it.

**Mr Watts:** Clause 13 of the bill actually provides some clarity perhaps in relation to this. For example, subclause (3) discusses the considerations for the minister to take into account such as the size of the event and if it is in the public interest for the event to be prescribed. Additionally, subclause (4) then looks at things the minister may consider such as the size of the event and the number of spectators that are likely to attend et cetera. The major events legislation that is in force interstate that I previously noted has those similar considerations to be made prior to an event being declared. The way this bill is intended to operate is that it would operate on an extraordinary basis when it does need to. There is a whole range of events that happen at the moment across the state that do not need any of these specific provisions to come into force. This is more for those really, really large events that need this legislation to come into force for a range of reasons and then it could be put into force.

**Mr HART:** Mr Elliott, what is the purpose in police officers being made authorised officers? Does this legislation give them any more power than they would normally have?

**Mr Elliott:** No. The legislation by and large takes provisions out of the Police Powers and Responsibilities Act into this Major Events Bill. It provides the authority then for them to do their job in a major event precinct.

**Mr HART:** Do they not have that power already?

**Mr Elliott:** They do. If it is a declared special event under the Police Powers and Responsibilities Act, yes, they do, but it has to be a declared special event by regulation by the police minister. The difference is it comes into the Major Events Bill and the Minister for Major Events consults with the police minister and then takes the Governor in Council regulation to invoke those provisions.

**Mr HART:** Who has carriage of the regulation?

**Mr Elliott:** The Minister for Major Events has the carriage, but under the bill she is required to consult with the police minister.

**CHAIR:** Just on that then, it talks about a police officer being an authorised person. If an off-duty police officer was at the event, would they be an authorised person?

**Mr YOUNG:** Yes.

**CHAIR:** Allow them to answer. Bruce, why don't we let them, who get paid for this, to answer that question? The member for Keppel is particularly enthusiastic. If the QPS officers would like to come forward to answer, we are happy for that to happen.

**Mr Elliott:** I will call on my colleague from the QPS.

**Insp. Crimmins:** Technically speaking, police officers are never off duty. So arguably they would be an authorised person. However, I do not think that is the intention of the legislation.

**CHAIR:** Under what currently exists. Nick was talking about the current arrangement.

**Insp. Crimmins:** Chapter 19.

**CHAIR:** Yes. Does that extend to all police officers or only those who are on duty at that event?

**Insp. Crimmins:** I have never considered that previously. It would extend to all police officers. The current legislation—and to pick up on an earlier question—does not really provide any extra powers for police, but what it does do is that it consolidates a range of powers that they use on a week-in, week-out basis managing major events at stadiums into one consolidated piece of legislation.

**CHAIR:** I will just continue. It talks about a 'police officer'. Is it specific to a Queensland police officer, or would that extend to an AFP police officer who was there on leave, or perhaps someone visiting from interstate?

**Insp. Crimmins:** It would only apply to a Queensland police officer. It could apply to police officers from interstate if the special constable provisions were enacted. That could occur for events the size of the Commonwealth Games, but I do not think that is the intention of the—

**CHAIR:** But it certainly would not pick up an off-duty police officer from another state or from the Federal Police service?

**Insp. Crimmins:** No it, would not.

**CHAIR:** But it will pick up off-duty police officers from Queensland who are attending that event?

**Insp. Crimmins:** Yes, it would, because technically they are never off duty.

**CHAIR:** All right. Other questions?

**Mr YOUNG:** When we talk about relevant training and expertise, do they get a certificate II or a certificate III in security at TAFE? There are lots of training organisations out there. Will there be some formal qualification that sits behind that relevant training?

**Insp. Crimmins:** Is that a question for me or for Nick? I am happy to answer it. Under chapter 19 part 2, for previous events when those provisions were used—and the regulation was initiated by the police minister—the Police Academy wrote a training package that was delivered for private security officers. However, for the purposes of coming events—for argument's sake the Commonwealth Games—Queensland police are well engaged in planning for that event. As far as satisfying our requirements for tier 1, which is contract security or private security individuals engaged to perform access control functions at venues, we will be engaging with industry to look at how we can source those officers. Part of those discussions in light of this bill will be talking about what expertise and experience they currently have as a contract security officer and any additional training they might require to perform that function at a venue for that event.

**Mr YOUNG:** So there will be some formal accreditation?

**Insp. Crimmins:** Yes, there will be either a recognition of existing skills or, if there is a need, there will be additional training provided as detailed in the bill.

**Mr YOUNG:** Okay.

**CHAIR:** You could have a situation—I will use the Commonwealth Games as an example—where they contract out to XYZ Security and every employee of XYZ Security is considered to be an authorised person. It would be looking at each individual's experience and abilities?

**Insp. Crimmins:** It would and there would be various checks done on all of those individuals, which has been done in the past just like it is done on workforce and persons entering the country for those events. There would be separate negotiations with all their employers. Their skills and experience would be considered and if they required additional training they would be provided with that training. If they passed that training, they would then be appointed to perform that role.

**CHAIR:** You say that if they required additional training they would be provided. Who would provide the training?

**Insp. Crimmins:** I think that is still to be negotiated at this stage.

**CHAIR:** Mr Elliott, do you want to pick up on that?

**Mr Elliott:** I think that goes to the work that is yet to happen in terms of the detailed planning around, for argument's sake, the security arrangements for the games and, for the specific roles, where those roles would be sourced. The contract arrangements that would be put in place are all yet to be negotiated and worked through in detail. But to go to your question before about appointment of authorised officers, the bill provides that it is an individual who gets appointed. So it is an assessment done on an individual basis rather than a wholesale appointment of a workforce.

**CHAIR:** An individual may appoint a person—

**Mr Elliott:** As an authorised person.

**CHAIR:** So—sorry—

**Mr Elliott:** So it is not the collective of XYZ Security; it is—

**CHAIR:** John Smith.

**Mr Watts:** And they are issued with an identity card outlining their powers et cetera.



**CHAIR:** Can I just pick up on that, because I disagree. If you look at clause 60 it states—

The identity card must—

- (a) contain a recent photo of the authorised person; and
- (b) identify the person as an authorised person under this Act; and
- (c) describe generally the powers of an authorised person under this Act.

It does not say anything about what their specific powers are. It says the general powers of an authorised person under this act. So could we have a situation where John Smith is an authorised person. He is on the front gate. Bob Smith is an authorised person, but he is doing roving patrols—different skill sets, different abilities. But the way this bill is worded right now, to me it reads that both their identity cards are exactly the same, because it just generally talks about the powers of an authorised person. Am I reading the bill correctly?

**Mr Elliott:** Yes, it does describe generally. Those words are there.

**CHAIR:** So if we wanted to go down what you had presented to us, we would need to be amending that bill to have more specific powers of that individual authorised person?

**Mr Watts:** This is something—

**Ms Morgan:** It would be in relation to the powers under the act, though—whether they have the power to stop or move vehicles, whether they have the power to require name and address, whether they have the power to—

**CHAIR:** My experience from being on committees is that you need to look at the wording. Describe generally the powers of an authorised person, not the authorised person.

**Ms Morgan:** Okay.

**Mr Watts:** This is something that we can certainly talk with parliamentary counsel about. The intent is exactly as it is described.

**CHAIR:** So the intent is that John Smith very clearly indicates what he can do. Bob Smith has a higher degree. But the way this is worded, to me, does not read that that would be the outcome of it. Other questions?

**Ms MILLARD:** If I could take the questioning back to Nick? With regard to the current legislative framework, is there any evidence to suggest that Queensland has not been successful in achieving more outcomes with regard to major events?

**Mr Elliott:** The other jurisdictions have only recently, in relative terms, introduced their framework legislation: Victoria and New South Wales, 2009; South Australia last year, 2013. The ACT is in the process at the moment. Is this a specific reason a major event organiser would not come to Queensland? Maybe not. Is it an issue that they would consider in terms of understanding the legislative framework and the commitment of government to support the requirements that they may have for their major event? Probably it is an issue that they would consider. I do not know that we have any evidence where it has been a deciding factor in recent times. The view, I guess, taken by the government is that, given there was work that needed to happen in this space to facilitate the conduct of the Commonwealth Games, given the experience in other jurisdictions, this puts us on an equal footing and not to a degree of disadvantage that may be seen at the moment. It also creates a strong framework moving forward for the more significant major events that may come to Queensland in the future.

**Ms MILLARD:** So the proposed legislation is not necessarily going to give Queensland any more ability to attract major events?

**Mr Elliott:** It will be a factor that a major event organiser might consider. At the moment, all other things being equal, if a major event organiser was considering between Queensland and, say, Victoria or New South Wales, our legislative framework might be seen as not as efficient as the other jurisdictions.

**Ms MILLARD:** So really it is about tidying up loose ends and perhaps giving the legislation a few more teeth where needed?

**Mr Elliott:** Correct. Yes. At the moment, as I stated at the outset, many of these provisions already exist in the statute book, but to enable them it requires multiple ministers to take documents to Governor in Council for consideration. It is not as clear as it could be for a major event organiser. I think one of the big advantages of this legislation is that it just creates a simpler framework within the statute book than what exists currently.

**Ms MILLARD:** Thank you.

**Mr BYRNE:** I notice clause 19 talks about occupants' passes.

**Mr Elliott:** Yes.

**Mr BYRNE:** On my reading of it, the passes are issued by the event organiser, which may be applied for by persons who live or work within the confines of the area that is being established or identified. Given that most of these organisers are private companies, if I owned a unit in one of these areas, why would I want to be giving my personal details to a private company? What protections are directly stated that give me comfort on that issue?

**Mr Elliott:** The occupants' pass is a feature of the Motor Racing Events Act at the moment. There are about 9,000 individuals who get occupants' passes for each of the Gold Coast V8 events. They are now using a web based system to be able to do that, but it is really a process that facilitates a resident's access to and from their own—

**Mr BYRNE:** I understand that, but my concern is the privacy.

**Mr Watts:** Sure. I can answer that. As Nick said, it is based on the existing arrangements in the V8 Supercars, which is a private promoter who does that. They are bound by the national privacy principles set out in the Privacy Act. So it is my understanding that they follow them in relation to that exercise.

**Mr BYRNE:** Is there any scrutiny of what happens with the database?

**Mr Watts:** The existing arrangements under that federal piece of legislation would apply.

**CHAIR:** So your understanding is that they comply with federal privacy legislation.

**Mr Watts:** That is right.

**Mr Elliott:** As they are required to.

**Mr BYRNE:** There is a piece on ticket scalping, which has been mentioned by Nick earlier. I understand what has been stated about the 10 per cent going online. There has been a bit of concern expressed by some providers about this legislation, particularly the likes of eBay. How do you respond to some of the criticisms that have been levelled at this provision in this part of the bill from the likes of eBay?

**Mr Elliott:** We were very mindful of the recent Senate inquiry on ticket scalping and also the experience that we have here in Queensland through the Major Sports Facilities Act. We met with eBay earlier on to understand their perspective. We feel that the provisions here are a good balance in terms of consumer protection from exploitation through ticket scalping. We are also being mindful that an individual may in good faith purchase a ticket but not be able to attend an event for whatever reason. So, yes, we have met with eBay. We understand their concerns, but we also need to balance the affordability principles and the protection for the consumer.

**CHAIR:** Okay. Michael?

**Mr HART:** You mentioned before that a lot of this legislation is covered by other bills. Is it being removed from the other bills?

**Mr Elliott:** Yes.

**Mr HART:** Okay. This legislation will not be enacted before the Gold Coast 600, obviously. I am not sure when the next major events is after that. Is there a need for any transitional arrangements? It sounds like you still have a lot of regulation to organise and a lot of decisions on authorised persons et cetera. Are there any transitional arrangements in place?

**Mr Elliott:** I will start and then Jordan can go into the transitional arrangements. The bill provides that, if enacted, it will come into effect on 1 January 2015. It will then be able to be used to support the Asian football cup if required in January 2015. In terms of the transitional provisions, there are some—

**Mr Watts:** The only transitional provisions that are required basically apply to the Motor Racing Events Act and the Health Practitioners (Special Events Exemption) Act, both of which are being repealed. In particular, for the health practitioners exemption act, how it will operate is that the processes that are being undertaken now in relation to both the Asian Cup and the Cricket World Cup, where those teams are able to start getting things in place under the existing health act so that their doctors and physios can come over for the event, will just rollover and will still apply under the Major Events Bill, providing it commences 1 January as it is proposed to do.

**Mr Elliott:** Just to add to that, the arrangements for the V8 Supercars race on the Gold Coast are being progressed currently under the Motor Racing Events Act, as they have been over the past few years.

**Mr HART:** I am looking forward to a great event.

**Mr Elliott:** Likewise.

**Mr YOUNG:** I want to echo what the chair said earlier and it needs to be said: in understanding the number of people who are going to attend especially the 2018 games, the roles need to be clearly defined. There is a huge difference between someone who has a security guard licence to guard a piece of machinery and people who actually deals with other people. That is something that needs to be said.

**CHAIR:** I wish to pick up on the regulation issue. We see this from time to time in the parliament where regulations are introduced for a specific reason. It may be that the timing is such that the parliament is not sitting whilst that regulation is introduced. When the time for a disallowance motion comes to pass, it is a fait accompli; it has all happened. Could we have a situation where an event is described as a major event under regulation, but the parliament does not have the time to examine the regulation and identify that maybe the authorised persons component is not specified in enough detail for the satisfaction of the parliament?

**Mr Elliott:** The safeguards that have been built in for the regulations are essentially the requirement for the minister to consult with affected local governments, affected portfolios—the police minister, for instance—and affected colleagues and, of course, it goes to Governor in Council. In terms of the process, there is a degree of safeguards to prevent such a—

**CHAIR:** There is a degree of safeguards, but if we recognise the primacy of parliament, is there a situation where a major event could be declared under regulation and, before the parliament has a chance to examine that regulation, the event has occurred?

**Ms Morgan:** Most of the time, I would say, the regulation would need to be done a fair way in advance of the actual event.

**CHAIR:** But that is not specified within the bill?

**Ms Morgan:** No, it is not.

**Mr Elliott:** Just working it through, in terms of the discussion we have had around authorised officers and the requirement to train, the sourcing of those individuals is a significant task and we have seen that that has been troubling for event organisers in the past. We would have to have that regulation in place to have clarity on what exactly we require as a government and then organise for the commercial sector to be able to respond. In that instance as an example, it would mean that the regulation would have to be established with sufficient lead time to be able to support the event.

**CHAIR:** But no minimum lead time is specified within the bill itself?

**Ms Morgan:** No.

**CHAIR:** If there was a minimum lead time specified, do you think that would hinder the operation of the bill, should it be passed as it is?

**Ms Morgan:** It probably could, depending. There could be a case where you needed to do something urgently.

**CHAIR:** Can you give an example of what kind of case we may face?

**Mr Elliott:** The implementation of temporary infrastructure. For instance, under the V8 Supercars regulation for the support of the event that declares the event precinct, temporary infrastructure will start to go in. There needs to be sufficient time for the contractor to get in and put that infrastructure in place. That happens well before the event, of course, because of the time it takes to establish the temporary infrastructure.

**CHAIR:** To me, that does not sound like an example where we would need to rush things. That sounds like the exact opposite: it is an example of where we would have a long lead time.

**Mr Elliott:** Yes, but only from the perspective that the parliament may meet and disallow the regulation but work has already started on the temporary infrastructure. That is the example that I was trying to give. It might happen before the event, but work has commenced on installing the temporary infrastructure to support the event.

**CHAIR:** Take the case where the parliament may choose to disallow a regulation, because the parliament has the right to do that. What impact could that have on the event itself? If we are very close in the time frame that you are talking about, and again looking at the primacy of the parliament, and if we have a situation where there is enough lead time and a regulation was disallowed, we will not be in a situation where infrastructure was already in place?

**Mr Elliott:** That is right. It could have quite a significant effect. That goes to my point earlier that it would be prudent to have the regulation in place with sufficient lead time so that contractors and others understand what is required.

**CHAIR:** Many things would be prudent, but whether or not they are contained in the bill is another thing.

**Ms MILLARD:** Nick, with regards to the new framework, how would an event organiser apply to the minister to have something recorded as a major event or promoted as a major event?

**Mr Elliott:** Typically in these sorts of circumstances of the major events that we are talking about, the event organiser will have a view of what sort of support they would ordinarily receive from a government. It might be an international event organiser such as the Commonwealth Games Federation based in London. Right from the outset, we understood the level of legislative support that they would expect from a jurisdiction hosting their event. That is no different for Queensland as it is for Canada which is bidding for 2022 or South Africa which is also bidding for 2022. Ordinarily when we go to bid—and for a major event Queensland bids; you do not get many major event organisers knocking on the door. We are out there trying; it is a highly competitive market, trying to attract these events. We understand, as part of the bidding process, what support might be required. Does that answer your question? We should understand very early on the sort of legislative support that the major event organiser would ordinarily expect from a host jurisdiction.

**Ms MILLARD:** Will the criteria for a major event change greatly?

**Mr Elliott:** We have established criteria in the bill that the minister is required to work through and make her assessment on that basis.

**Ms MILLARD:** But the minister still has some overarching remit with regards to what could be considered?

**Mr Elliott:** If the minister is satisfied that it is a significant international event, it is in the public interest to do so, and there is a bunch of other tests, she may take it to Governor in Council to have it declared a major event.

**CHAIR:** Can I pick up on the commercial protections. Again, is this an example of this bill bringing everything into one place to make it easier or are we granting additional commercial protections as a result of this bill?

**Mr Elliott:** Yes, in part. The Motor Racing Events Act has commercial protections in place presently around the event name and sponsor protection. This bill gives some additional protections around ambush marketing, particularly in the controlled precinct; so outside the major event area, but in a controlled precinct nearby. It prevents an ambush marketing attempt on public land, roadways or footpaths to protect the interests of sponsors of major events. That provision is very much about protecting commercial investment into a major event.

**CHAIR:** And those provisions are greater than what currently exists or occurs within the motor racing act?

**Mr Elliott:** In terms of the controlled area, yes.

**Mr HART:** My background is aircraft engineering, so I have an interest in flying. I am wondering is there the opportunity to restrict the flights over a certain area?

**Mr Elliott:** Yes.

**Mr HART:** For things such as the Commonwealth Games, how will that affect some of the tourist-type infrastructure on the Gold Coast? I am thinking specifically about Sea World and its flights around the Gold Coast? Will it affect the Gold Coast Airport, because it is pretty close? The flight paths go straight over the top of a lot of these venues.

**Mr Elliott:** In terms of drafting these provisions, we consulted extensively with CASA, mindful of those issues. What we are really seeking to do is protect the area around a major event precinct. There are specific sections within the bill.

**Mr Watts:** We consulted with CASA during the development of this provision. The bill provides conditions on which aircraft can be operated over a major event. That would include aircraft that is permitted by CASA, covering those examples that you have covered, so there are existing arrangements, and then military or police aircraft or for emergency purposes.

**Mr HART:** Is the restricted area likely to be limited to an event precinct or the whole of the Gold Coast? Is it just over the top of the swimming pool?

**Mr Watts:** It would be the major event areas and the controlled areas that are declared in the regulation, so not the entire Gold Coast.

**Mr YOUNG:** Does that still apply for emerging technologies, such as remote controlled helicopters?

**Mr Elliott:** Yes, it covers drones.

**Mr Watts:** It does. We consulted with CASA to ensure that the definition in the bill builds on the federal definition that CASA advises covers drones and those other types of aircraft.

**CHAIR:** And who applies: the major event organiser, the Queensland state government? Does the minister's department make an application to CASA? Who is required to make the application?

**Mr Watts:** It is the existing arrangements that CASA has. Basically with flight paths and that sort of stuff, you need to apply to CASA.

**CHAIR:** But who applies? I understand it is the existing arrangements, but who is obliged under the bill to make the application; is it the major event organiser or the department?

**Mr Watts:** I am not sure I understand. It would be the ordinary flight person, which is the normal—

**CHAIR:** Sorry: who is applying to CASA to say, 'We're using this swimming pool as a restricted area'?

**Mr Watts:** Sorry, I understand. That would be the Queensland government.

**Mr YOUNG:** David, getting back to the health practitioner's act, I thought we might try to get a small briefing. Why are we altering the act? What under the new provisions do not fall under the existing provisions? Jeanette may want to answer that one.

**Mr Elliott:** Yes, thank you. I will kick off with a summary. It is about consolidating legislation, rather than having something new. It is consolidating provisions that already exist in the health practitioners events act.

**Dr Young:** My understanding is that there are no changes. Essentially the act that we have in place will be repealed and replaced by this act. It is just providing ease of access, so that all of the information is in the one act.

**Mr YOUNG:** So there has not been a significant event, such as a health crisis from a previous major event that we have had, that has flagged that we need to put in this new provision?

**Dr Young:** No, it is already there. We have enacted the current act, the Health Practitioners (Special Events Exemption) Act 1998. My understanding is we have actually enacted that eight times during the last 10 years. We have used it. We have just taken the provisions that are in that current act and now they are in this new act. There has been no change to what people need to do or how it is enacted. There are some very subtle changes. I notice that instead of the chief executive having to keep track of scripts that are written by health professionals from overseas, it is now the chief health officer who needs to do that. I used to do it, delegated from him; I did it before and now I do it in my own right. They are very minor changes, but there is no change to the intent of when it is used, how it is used.

**Mr YOUNG:** That is it. I am happy with that.

**Ms MILLARD:** Going back to transport, but not necessarily the flight paths, we all have concerns with congestion on the roads, blockages, et cetera. There are not a lot of changes, are there? You talk a lot about major event lanes and who has authorisation to use those. Maybe you could elaborate on that?

**Mr Elliott:** You have highlighted the major change and that is the establishment of the ability to create major event lanes. I should kick off by saying that transport is a tricky issue that we need to manage during the Commonwealth Games, mainly because of the significant movement of individuals to multiple sites. It will be tricky. GOLDOC released in the last week or two a draft transport strategic plan to begin that conversation with the community about how they propose to manage the transport task during games time.

One of the techniques that has been used in other games successfully is the creation of games lanes. The reason games lanes are created is to ensure that essentially competitors can get to their events on time. It would be a horrible failing for an athlete to not make their event on time. So the creation of games lanes—

**CHAIR:** Horrible failing is a really nice way to describe it. I can just see ESPN bagging us globally if that happened.

**Mr Elliott:** It is a critical tool to have—that is, the creation of games lanes. We saw in Glasgow the use of games lanes. There were not many of them but they were used in strategic locations to ensure travel times could be met. The bill provides the ability to create games lanes and for those lanes to be appropriately signed and for only authorised vehicles to be able to use games lanes.

**CHAIR:** Can those games lanes be applied to both state and local government controlled roads or only state controlled roads?

**Mr Elliott:** My understanding is both.

**Ms MILLARD:** You might want to check that. It would be pretty unfortunate otherwise.

**Ms Morgan:** It is both.

**CHAIR:** Not that I think the Gold Coast City Council would have any concerns.

**Mr HART:** I have Volunteering Gold Coast in my electorate. Obviously a lot of major events on the Gold Coast use volunteers. Are we likely to see volunteers as authorised people? Are they covered by that definition?

**Mr Elliott:** I cannot answer the first question in that there is detailed planning yet to happen. There will be 15,000 volunteers. Many of the volunteers are highly skilled and highly specialised. Something that surprised me in Glasgow, for instance, was that all their medical staff were volunteers—the doctors and physios were all volunteers. That goes to the initial thought that sometimes volunteers are the people who carry the tracksuits at the races. Often the volunteers can be highly specialised and highly skilled.

The security planning is yet to happen at a detailed level. We will tease that out. In terms of the bill itself, it provides that appropriately trained, experienced, skilled people can be appointed as volunteers. The same test applies. The individual would have to have the appropriate level of skills, training and experience to be able to perform the role that they are asked to do.

**CHAIR:** But there is no requirement that they are paid; it is just experience?

**Mr Elliott:** That is right. No doubt there will be people, as we saw in Glasgow, who have exceptional skills and who want to volunteer because of civic pride or whatever motivation they may have. That is great and certainly a benefit.

**Ms MILLARD:** Therefore the likes of SES volunteers could possibly be—

**Mr Elliott:** Again, it goes back to the test.

**Ms MILLARD:** Trained appropriately, certified and off they go.

**Mr Elliott:** It does not matter whether they are paid or not; it is their ability to perform the task that they are asked to do and authorised to do. That is the key test.

**CHAIR:** I know that some of our questions have been around the Commonwealth Games—and that is obviously the major event that is being looked at. If we look more broadly at the provisions in the bill, should the bill pass as it is now, for a major event how do we ensure that the skill set is reflective of what the event requires? Is that a decision for the major event organiser or is it a decision for government in looking at the event and saying, 'This event requires that particular skill set as opposed to the skill set required for the Commonwealth Games.'?

**Mr Elliott:** It goes to our earlier conversation around the regulation and what is specified in the regulation as opposed to what the event organiser might determine.

**CHAIR:** So it is a decision that the department would need to put its mind to at some point in the process after the minister has made the decision, 'Yes this is a major event.'? Then the department would need to formulate the regulation and, in doing so, look at all of those—

**Mr Elliott:** Correct. The regulation itself could be quite prescriptive in terms of what is required. That is an assessment that would be made at the time having considered what roles an authorised officer might be required to do.

**Mr HART:** As far as the regulation goes, how long will it run for? Is it for the period of the event and then it expires? Is it a thing that needs to be redone every year for the same event?

**Mr Elliott:** The regulation would specify a major event period. Again, drawing on the V8 Supercars as an example, there is a regulation passed annually for both Townsville and the Gold Coast. There are two separate regulations passed annually. It considers the event precinct, the name of the event and the sponsor. It is then considered by the Governor in Council.

**CHAIR:** Are there any final points you would like to make in wrapping up?

**Mr Elliott:** I would like to thank the committee for the opportunity to brief you today. I look forward to the continuing dialogue as we move forward.

**CHAIR:** Excellent. There being no further questions, I close the briefing. The committee would appreciate that any answers to questions taken on notice be provided by the close of business Monday, 15 September. That would assist the committee in its deliberations. I thank everyone for their attendance at today's briefing—the departmental officers, our QPS representatives and the Chief Health Officer. As always, the committee has gained valuable information that will assist in its inquiry into the Major Events Bill 2014. I declare the briefing closed.

**Committee adjourned at 12.36 pm**