

# Major Sports Facilities (Townsville Stadium) Amendment Regulation 2022

Explanatory notes for SL 2022 No. 156

made under the

*Major Sports Facilities Act 2001*

## General Outline

### Short title

Major Sports Facilities (Townsville Stadium) Amendment Regulation 2022

### Authorising law

Sections 4 and 33 of the *Major Sports Facilities Act 2001* and section 3 of the Major Sports Facilities Regulation 2014.

### Policy objectives and the reasons for them

The objective of the Major Sports Facilities (Townsville Stadium) Amendment Regulation 2022 is to revoke the declaration of Townsville Stadium as a major sports facility under the *Major Sports Facilities Act 2001* and to remove reference to Townsville Stadium from the Major Sports Facilities Regulation 2014, as the venue is no longer required as a major sports facility by Stadiums Queensland or the Queensland Government.

The *Major Sports Facilities Act 2001* establishes Stadiums Queensland as the statutory authority responsible for operating major sports facilities declared under section 4 of the *Major Sports Facilities Act 2001*. A major sports facility is a facility that has capacity to stage national or international sports, recreational or entertainment events, and/or special events. Stadiums Queensland is currently responsible for managing 10 declared major sports facilities across Queensland, which are listed in Schedule 1 of the Major Sports Facilities Regulation 2014.

Townsville Stadium (also known as Willows Sports Field and previously known as 1300SMILES Stadium) is declared as a major sports facility in accordance with section 4 of the *Major Sports Facilities Act 2001* and section 3 of the Major Sports Facilities Regulation 2014. Townsville Stadium is listed as a major sports facility in Schedule 1 and in column 2 of Schedule 3, under the Major Sports Facilities Regulation 2014.

In December 2019, the new North Queensland Stadium (NQS) (also known as Queensland Country Bank Stadium) was declared as a major sports facility under the

*Major Sports Facilities Act 2001* and listed in Schedule 1 under the Major Sports Facilities Regulation 2014.

Since opening in February 2020, NQS has been the preferred venue for hosting national and international sporting events, music concerts and special events in Townsville. As a result, Townsville Stadium is no longer required to operate as a declared major sports facility.

Section 33 of the *Major Sports Facilities Act 2001* Act empowers the Governor in Council to declare, or revoke, major sports facilities under the Major Sports Facilities Regulation 2014. The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 revokes the declaration of Townsville Stadium as a major sports facility.

The *Major Sports Facilities Act 2001* also contains provisions that relate to restricted advertising at prescribed events hosted at a major sports facility listed within Schedule 3 under the Major Sports Facilities Regulation 2014. Townsville Stadium is also no longer required to be prescribed as a major sports facility in column 2 of Schedule 3.

## **Achievement of policy objectives**

The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 will achieve its objectives by revoking the declaration of Townsville Stadium as a major sports facility under the *Major Sports Facilities Act 2001* and removing the facility from the list of declared major sports facilities in Schedule 1, and column 2 of Schedule 3, under the Major Sports Facilities Regulation 2014.

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

The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 is consistent with the main objectives of the *Major Sports Facilities Act 2001* which provide for Stadiums Queensland to manage, operate, use and promote major sports facilities as well as deal with property. Further, the Governor in Council has the authority to make regulations under the *Major Sports Facilities Act 2001*, including to revoke a declaration of a major sports facility.

The amendments are consistent with the policy objectives of the authorising law.

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

The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 to revoke the declaration of Townsville Stadium as a major sports facility will streamline the facility management responsibilities of Stadiums Queensland as well as ensure that Stadiums Queensland can operate in a commercially agile and responsive manner. The Queensland Government will not incur additional costs as a result of the Amendment Regulation.

## **Consistency with fundamental legislative principles**

Section 4 of the *Legislative Standards Act 1992* outlines principles that require legislation to have sufficient regard to the rights and liberties of individuals and the institution of Parliament.

The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 has sufficient regard to the rights and liberties of individuals as the revocation of Townsville Stadium, as a major sports facility, is administrative in nature and only impacts on the internal operations of the public sector and a statutory authority without any material impact on business or the community.

The Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 is consistent with fundamental legislative principles.

## **Consultation**

Consultation on the Major Sport Facilities (Townsville Stadium) Amendment Regulation 2022 was not undertaken as revoking the declaration of Townsville Stadium as a major sports facility only impacts the internal management of the public sector and Stadiums Queensland as a statutory body.

In accordance with the *Queensland Government Guide to Better Regulation*, the Department of Tourism, Innovation and Sport identified an agency-assessed exclusion from undertaking further regulatory impact analysis (Category C – Regulatory proposals for the internal management of the public sector or statutory authority).