

# **Major Events (Pacific Airshow Gold Coast) Regulation 2023**

Explanatory notes for SL 2023 No. 88

made under the

*Major Events Act 2014*

## **General Outline**

### **Short title**

*Major Events (Pacific Airshow Gold Coast) Regulation 2023*

### **Authorising law**

Sections 12, 13 and 84(1) of the *Major Events Act 2014*

### **Policy objectives and the reasons for them**

Major events are a significant contributor to the state's economy, bringing business investment and visitors to Queensland. Major events also bring life and vibrancy, encourage community engagement and participation, and provide opportunities for Queensland to showcase our state's assets to the rest of Australia and the world. Leveraging major events can increase tourism, create jobs and contribute millions to the Queensland economy.

The *Major Events Act 2014* (the Act) provides the legislation necessary to prescribe a 'major event' and provides the regulatory framework to support visitor safety and commercial protections for event organisers and sponsors for the tournament.

The inaugural Pacific Airshow Gold Coast (PAGC) will be held at Surfers Paradise Beach (including the surrounding airspace and waterways) from 18-20 August 2023, with practice and reconnaissance flights occurring from 16-17 August 2023. With no other event of its kind in Australia, the event is expected to see up to 150,000 spectators in Queensland, with the high profile nature and international status of the event likely to generate strong interest and attendance both domestically and internationally. It is anticipated that the PAGC will secure significant national and international media coverage, contributing to the international

reputations of Queensland as a major events and tourism destination, particularly into the United States of America market.

Due to the high-profile nature of the PAGC, the major event organiser identified significant risks associated with the hosting of the event. To allow the event to be delivered in the optimal manner, ensuring adequate provisions are made for public safety, protection of brand assets, regulation of noise considerations, as well as facilitating effective operation and control of the airspace and waterways is required to run the event successfully.

The policy objective of the *Major Events (Pacific Airshow Gold Coast) Regulation 2023* (the Regulation) is to facilitate the PAGC. This includes providing the necessary protections for operations-related locations such as parking facilities and the Southport Airport, and the ticketed spectator event area of the Surfers Paradise Beach (and surrounds). Prescribing the PAGC as a ‘major event’ under the Act will allow for the safe and successful hosting of the event, supporting crowd safety and providing commercial protections for event organisers and sponsors.

While Southport Airport will not host spectators, it forms an integral part of the operations required to facilitate the PAGC event and is likely to face similar risks given the high-profile nature of the event. Enabling safety and security protections for Southport Airport under the Regulation is therefore considered appropriate to support the safe and successful hosting of the event in Queensland.

Without regulation under the Act, the major event organiser will be exposed to increased risks during construction and dismantling of event infrastructure, managing noise concerns, crowd safety and protecting their intellectual property and commercial sponsorship rights, for example due to ambush marketing, ticket scalping, sale of knock-off merchandise and other unauthorised use of the event’s official logos or titles.

## **Achievement of policy objectives**

The policy objective will be achieved by prescribing the 2023 PAGC as a major event under the Act.

The Regulation will achieve the policy objective by prescribing:

- the 2023 PAGC as a major event
- Pacific Airshow Pty Ltd as the major event organiser
- Surfers Paradise Beach, adjacent operational locations, and the Southport Airport as major event areas and the surrounding Surfers Paradise locale as the controlled area
- the relevant major event periods and control periods for each venue
- the official logos and titles for the major event
- venue and event security provisions from the Act including controlling entry and conduct, prohibiting certain items within a major event area, and providing powers to inspect bags and direct persons to leave a major event area
- commercial protections from the Act to prevent ticket scalping, unauthorised street trading, ambush marketing, unauthorised broadcasting within the major event and controlled areas, and providing powers to direct removal or seize items

- arrangements for the major event organiser to appoint licenced crowd controllers and security officers under the *Security Providers Act 1993* as authorised persons; and
- the limits to powers for particular authorised persons.

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

The intent of the Act is to facilitate the State to hold major events, ensure the safety of visitors and spectators, and provide commercial protections for event organisers and sponsors at major events.

The Regulation prescribes the 2023 PAGC as a major event and the particular provisions of the Act that apply to the major event. It implements the provisions available under the Act and is consistent with the underpinning policy intent.

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

There is no inconsistency between the Regulation and the policy objectives of other legislation.

## **Benefits and costs of implementation**

The Regulation is necessary to enable the major event organiser (Pacific Airshow Pty Ltd) to ensure the safe and successful staging of the 2023 PAGC. The Regulation will provide appropriate provisions and powers to manage noise concerns, support crowd management and safety and prevent unauthorised commercial activities that would impact on intellectual property and sponsorship arrangements for the tournament.

The 2023 PAGC will deliver significant economic and tourism benefits for Gold Coast and Queensland. With no other event of its kind in Australia, PAGC 2023 is expected to see up to 150 000 spectators in Queensland, with the high-profile nature and international status of the event likely to generate strong interest and attendance both domestically and internationally. It is anticipated that the PAGC will secure significant national and international media coverage, contributing to the international reputations of Queensland as a major events and tourism destination, particularly into the US market.

The Regulation is machinery in nature with only minor administrative costs associated with implementation. Costs incurred for development of the Regulation will be met through existing internal department resources. The economic benefits of the major event to the Gold Coast and state economy strongly outweigh the implementation costs.

## **Consistency with fundamental legislative principles**

This Regulation is machinery in nature and does not depart from the fundamental legislative principal safeguards established under the Act.

The provisions prescribed under the Regulation will not be ongoing, will only be in force for limited periods and in clearly defined areas immediately surrounding the major event venues. These limitations will minimise undue impacts on individuals' rights and liberties, ensuring

there are no unnecessary limitations on public enjoyment of the event or restrictions on nearby businesses and residents going about their ordinary activities.

The Regulation is consistent with the objectives of the Act and is necessary in order to ensure public safety for the duration of the event.

## **Consultation**

The Minister for Police and Corrective Services and Minister for Fire and Emergency Services; and the Mayor of City of Gold Coast have been consulted, as required under section 13 of the Act.

Ongoing consultation has occurred with Pacific Airshow Pty Ltd as the major event organiser, along with relevant Queensland Government agencies, City of Gold Coast (including Major Events Gold Coast) and Tourism and Events Queensland.

All parties consulted support the Regulation.

The Regulation is excluded from further regulatory impact analysis on the basis that it is a regulatory proposal that is machinery in nature and not likely to create significant adverse impacts.