Major Sports Facilities and Other Legislation Amendment Bill 2025

Explanatory Notes

Short title

The short title of the Bill is the Major Sports Facilities and Other Legislation Amendment Act 2025.

Policy objectives and the reasons for them

The objectives of the Major Sports Facilities and Other Legislation Amendment Bill 2025 (Bill) are to support an effective and efficient regulatory regime for major events and major sports facilities that provide social and economic benefits for Queensland, and deliver statutory body best practice for governance, accountability and commercial agility.

The Major Sports Facilities Act 2001 (MSF Act) establishes Stadiums Queensland (SQ) as the authority responsible for managing, operating, using, developing and promoting major sports facilities in Queensland that have the capacity for staging national and international sport, recreational or entertainment events, and special events. The Department of Sport, Racing and Olympic and Paralympic Games (DSROPG) regularly reviews the MSF Act and its subordinate legislation, the Major Sports Facilities Regulation 2014, to ensure the legislative framework remains contemporary and responsive to the needs of SQ and its stakeholders.

The *Major Events Act 2014* (ME Act) provides a generic legislative framework which can be used, as required, for various major events, including to ensure the safety of visitors and spectators at major events and to protect the rights of major event organisers and sponsors. The ME Act provides powers to facilitate the smooth and safe delivery of declared major events, including the ability to regulate access and movement within event areas, manage advertising and commercial activities (to prevent ambush marketing), install temporary infrastructure, and streamline approvals by temporarily modifying or suspending certain laws. These powers are used to reduce red tape, protect event sponsors, support public safety, and ensure that major events can be delivered efficiently and to a high standard—helping Queensland attract and host world-class events.

Achievement of policy objectives

To achieve its objectives, the Bill will:

• amend section 30A of the MSF Act to provide for the lawful use of a major sports facility for special events (defined as concerts, public assemblies, religious events under the MSF Act) prescribed by regulation (under the MSF Regulation) despite: the *Liquor Act 1992* or a licence under that Act as they apply to noise from a special event; and a local law or a licence, permit or other approval under the local law to the extent they apply to noise from the use of a major sports facility for a special event. This amendment also

clarifies that the *Environmental Protection Act 1994* general environmental duty is complied with in relation to noise levels for a special event at a major sports facility where conditions prescribed by regulation are met. The primary objective of the amendment is to remove liquor licensing constraints on concerts held at major sports facilities that effectively require a concert finish time of 10:00pm and provide a fit-for-purpose regulatory framework to maximise the use of, and ensure commercial equity across, Stadiums Queensland venues, including for Carrara / People First Stadium and Robina / Cbus Super Stadium on the Gold Coast to support attraction of concerts to the region;

- amend section 30C(1) of the MSF Act and section 31(1) of the ME Act to particularise and increase maximum penalties for unlawful ticket reselling (i.e. ticket scalping) for individuals and bodies corporate, to strengthen disincentives for ticket scalping and ensure competitive alignment with commensurate maximum penalties in other Australian jurisdictions;
- remove section 30C(2) of the MSF Act for the offence of buying tickets over 10 per cent of the original purchase price, to remove potential deterrents to reporting unlawful ticket reselling and harmonise with other Australian jurisdictions;
- amend the State Penalties Enforcement Regulation 2014 to: increase the maximum penalty infringement notice value for the offence of unlawful ticket reselling under the MSF Act to less than 10 per cent of the proposed maximum penalty for natural persons; and remove the Penalty Infringement Notice (PIN) for the offence of purchasing unlawfully resold tickets under section 30C (2) under the MSF Act;
- contemporise MSF Act provisions relating to appointment and termination (including disqualification), resignation and vacancy of office of SQ Board directors, including to allow for Governor in Council to appoint a deputy chairperson to the SQ Board;
- include drone under the definition of 'aircraft' for unauthorised advertising provisions in the MSF Act to contemporise terminology; and
- make technical and minor amendments to the ME Act to support clearer and more accurate and effective regulation-making under the ME Act, particularly for major events held over multiple days, where different provisions of the ME Act may need to be activated at different times and in different areas such as across the major event area, controlled area, or for the major event more broadly.

Alternative ways of achieving policy objectives

Noise management of concerts at major sports facilities

There are no viable alternative options of achieving the policy objectives to simplify the regulation of concerts and achieve competitive equity and consistency across SQ venues in the South East Queensland corner in relation to attracting and hosting concerts.

The standard industry practice for concerts is a 10:30pm finish, which accommodates supporting acts and maximises ticket sales and revenue. The existing liquor licence noise conditions after 10pm at Carrara Stadium / People First Stadium and Robina Stadium / Cbus Super Stadium (which are effectively impossible to meet with amplified music) pose an ongoing barrier for attracting and hosting concerts at these venues. Liquor licensing also positions licensees as responsible for any breaches in licence noise conditions, however, these breaches are effectively beyond their control, given they are not the event organisers nor stadium operators or owners.

While temporary arrangements have been made with the City of Gold Coast (the City) for concert noise to be regulated under the City's *Local Law No. 16 (Licensing) 2008* and Subordinate Local Law No. 16.3 (Entertainment Venues), there is ongoing uncertainty as to whether Carrara Stadium / People First Stadium will be able to continue holding concerts beyond 10:00pm in the absence of State regulation, given the complex interactions between liquor licensing and the application of local laws.

Currently, only Brisbane Stadium / Suncorp Stadium is prescribed by regulation under the MSF Act to allow for staging of special events under the MSF Regulation (section 5 and Schedule 2). The MSF Regulation provides the operating hours for concerts at Brisbane Stadium (10:00am - 10:30pm) and the noise standards, alongside other conditions, that the stadium operator must comply with in the staging of special events (i.e., only concerts and religious events are prescribed for Brisbane Stadium).

Inconsistent concert finishing times across SQ venues in South East Queensland create commercial disadvantages for Gold Coast stadium operators, limit opportunities for Gold Coast residents to attend concerts locally, and impact the region's ability to derive cultural, social and economic benefits from attracting these entertainment events.

The continued regulation of amplified music for major sports facilities in the South East Queensland corner, and across the SQ asset portfolio in general, under liquor licensing is deemed not fit-for-purpose to allow for the use of major sports facilities in line with the objects of the MSF Act, including to provide facilities that may stage national or international recreational or entertainment events, and special events.

Unlawful ticket reselling penalties

While it is acknowledged that awareness raising and behaviour change initiatives could be seen as alternative, non-regulatory approaches to disincentivising ticket scalping, these approaches are viewed as complementary to the proposed regulatory approach. Given they are effectively unenforceable methods of achieving the policy objective, these approaches are unlikely to discourage offending as cost-effectively as the establishment of proportionate maximum penalties.

Consequently, it is deemed there are no alternative means of effectively achieving the policy intent other than through legislative amendment.

Stadiums Queensland Board membership

The policy objectives can only be achieved through legislative amendment.

Drones and unauthorised advertising

The policy objectives can only be achieved through legislative amendment.

Minor technical amendments to the ME Act

The policy objectives can only be achieved through legislative amendment.

Estimated cost for government implementation

The Bill will not result in any direct financial impacts for government.

Consistency with fundamental legislative principles

The Bill has been drafted with regard to, and is generally consistent with, the fundamental legislative principles in the *Legislative Standards Act 1992* (LS Act). Potential breaches of fundamental legislative principles are addressed below.

Unlawful ticket reselling penalties

Clause 30 of the Bill amends section 30C(1) of the MSF Act to particularise and increase maximum penalties for unlawful ticket reselling for a major sports facility event for individuals and bodies corporate.

Clauses 10-11 amend section 31(1) and 31(A) (respectively) of the ME Act to align unlawful ticket reselling penalties with those under the MSF Act.

It could be argued that these amendments potentially breach fundamental legislative principles relating to the rights and liberties of individuals, however, the increase in penalties is proportionate to the harm caused by unlawful ticket reselling, which often results in financial loss, consumer exploitation, and reduced access to events for the public. The proposed penalties are consistent with those for similar offences in other jurisdictions, ensuring fairness and equity in the application of the law. By increasing penalties, the government prioritises the protection of consumers and ensures fair access to cultural, sporting, and entertainment events, aligning with the broader public interest. While it could be argued that increasing maximum penalties for individuals may disproportionately impact alleged perpetrators from relatively disadvantaged socio-economic backgrounds, it is noted that judicial discretion in the application of penalties, based on the nature of offending and the individual's specific circumstances, will ensure the application of penalties is still consistent with fundamental legislative principles relating to the rights and liberties of individuals.

Stadiums Queensland Board membership

Clause 22 of the Bill proposing the removal of section 17 of the MSF Act relating to termination of appointment of SQ Board directors by Governor in Council 'for any reason or none' is intended to address identified inconsistencies with fundamental legislative principles relating to the rights and liberties of individuals.

Minor technical amendments to the ME Act

The minor and technical amendments to the ME Act are consistent with fundamental legislative principles because they do not introduce any new policies, increase penalties, or expand government powers. Instead, they make the ME Act clearer, easier to understand, and more consistent in how it is applied. The changes help ensure the law works as intended without affecting people's rights or limiting the role of Parliament. The amendments support the principle that laws should be clearly written, easy to follow, and applied in a fair and predictable way.

Consultation

The Bill has been developed in consultation with external stakeholders including Stadiums Queensland, the Australian Football League (operators of Carrara Stadium / People First Stadium) and the City of Gold Coast, as well as internal government stakeholders including the Department of Justice (Office of Liquor and Gaming Regulation), and the Department of the Environment, Tourism, Science and Innovation (Environment Policy and Legislation, Tourism Division).

Community consultation on a proposal to regulate special events at Carrara Stadium / People First Stadium and Robina Stadium / Cbus Super Stadium in a manner similar to Brisbane Stadium / Suncorp Stadium was undertaken in 2024.

Between 16 February and 8 March 2024, the former Department of Tourism and Sport (now DSROPG) sought community feedback through written submissions and a survey on the 'Have your Say' website on the proposal to regulate concerts at both People First Stadium (known as Heritage Bank Stadium at the time of consultation) and Cbus Super Stadium, in a manner comparable to Suncorp Stadium under the MSF Act, including to allow for concerts to operate until 10:30pm at both stadia instead of the 10:00pm finish time effectively required under venue liquor licensing. During the three-week (21 calendar day) consultation period, 170 responses were received. This included 163 online survey responses and seven written submissions.

A clear majority (77.3 per cent) of total respondents agreed or strongly agreed that that there should be consistent concert noise curfews for Gold Coast stadiums and Suncorp Stadium. Additionally, 66.8 per cent of respondents agreed or strongly agreed with the proposal to extend concert curfews until 10:30pm at these Gold Coast stadiums.

Despite broad support across the total sample, those who indicated that they lived within or in the vicinity of People First Stadium's controlled traffic area emphasised more strongly the negative impacts associated with permitting the stadium to have a 10:30pm curfew for concert performances – such as noise, traffic congestion, and anti-social patron behaviour. Despite this, 78.1 per cent of these local respondents still strongly agreed or agreed with the proposal to permit concerts at People First Stadium to be held until 10:30pm.

Additionally, 80.6 per cent of respondents who indicated that they live within or in the vicinity of the Cbus Super Stadium controlled traffic area either agreed or strongly agreed with the proposal to extend the stadium's concert curfew by 30 minutes.

Respondents indicated that allowing both stadia to have amplified music concerts until 10:30pm will encourage more international artists to stage concerts on the Gold Coast and will provide increased economic activity for several sectors across the Gold Coast and surrounding areas.

Consistency with legislation of other jurisdictions

Other jurisdictions, such as the states of New South Wales and Victoria, have legislation to regulate major events, major sports facilities and unlawful ticket reselling.

While the MSF Act and ME Act are generally specific to the State of Queensland, the proposed amendments to maximum penalties for unlawful ticket reselling in these Acts are intended to align Queensland with maximum penalties for unlawful ticket reselling in other Australian states.

Notes on provisions

Part 1 – Preliminary

Clause 1 states that, when enacted, the Bill will be cited as the Major Sports Facilities and Other Legislation Amendment Act 2025.

Part 2 - Amendment of Major Events Act 2014

Clause 2 states that Part 2 amends the ME Act.

Clause 3 amends section 12(2)(d) and 12(3)(c) to refer to Part 5 of the ME Act.

Clause 4 amends section 15(3) to read 'as soon as reasonably practicable after the end of the construction period, the authorised occupier must return the land to – '.

Clause 5 amends section 16(4) to read 'as soon as reasonably practicable after the end of the major event period, the major event organiser must return the land to – '.

Clause 6 replaces section 17 with the following:

17 When part applies

- (1) A provision of this part, that is prescribed by regulation under section 12(2)(d) or (e) for a major event or a major event area, applies to the major event or major event area for
 - (a) the major event period; or
 - (b) a shorter period prescribed by regulation
- (2) A provision of this part, that is prescribed by regulation under section 12(3)(c) for a controlled area for a major event, applies to the controlled area for
 - (a) the control period; or
 - (b) a different period prescribed by regulation

Clause 7 amends section 22(1)(a) to read that a person must not 'enter onto a playing field, or a competition or performance area in a major event area'.

Clause 8 amends the heading for section 30 to 'Selling on road, public land in controlled area or major event area'.

Clause 9 inserts a new section 30A before section 31:

30A Definition for subdivision

In this subdivision—

original sale price, of a ticket, means—

(a) the sale price of the ticket when it was bought from—

- (i) the major event organiser; or
- (ii) an agent authorised by the major event organiser; and
- (b) a fee or commission charged for the ticket.

Clause 10 amends section 31 as follows:

- (1) changes the heading of section 31 to 'Resale of tickets in controlled area or major event area',
- (2) replaces section 31(1) with the following:
 - (1) A person must not sell, or offer for sale, a ticket to a major event, in a controlled area or major event area.

Maximum penalty—

- (a) for an individual—135 penalty units; or
- (b) for a corporation—680 penalty units.
- (3) removes section 31(3).

Clause 11 inserts a new section 31A as follows:

31A Resale of tickets at price above original sale price

- (1) A person must not sell, or offer for sale, a ticket to a major event at a price greater than 10% above the original sale price of the ticket.
 - Maximum penalty—
 - (a) for an individual—135 penalty units; or
 - (b) for a corporation—680 penalty units.
- (2) However, subsection (1) does not apply if the person has the written approval of the major event organiser.

Clause 12 amends the heading for Part 7 Division 1 from 'When part applies' to 'Preliminary'.

Clause 13 inserts a new section 55A as follows:

55A Who is an authorised person

Each of the following persons is an *authorised person*—

- (a) a police officer;
- (b) a person who holds an appointment under section 56.

Clause 14 amends Schedule 1 Dictionary as follows:

(1) replaces the definition for authorised person to 'authorised person see section 55A'.

Part 3 – Amendment of Major Sports Facilities Act 2001

Clause 15 states that Part 3 amends the MSF Act.

Clause 16 inserts new Part 3, Division 2, Subdivision 1 heading 'Establishment and role' into the MSF Act.

Clause 17 amends and relocates section 12 (Composition of board) of the MSF Act as follows:

- (1) removes 'of board' from heading.
- (2) inserts new requirements in the section:
 - 2 that board directors are to be appointed by the Governor in Council on the recommendation of the Minister;

- the Minister may recommend a person for appointment as a director only if satisfied the person:
 - (a) holds a qualification, or has at least three years' experience in one or more of the following:
 - (i) asset management
 - (ii) building and construction
 - (iii) commercial enterprise operations
 - (iv) event promotion
 - (v) financial administration
 - (vi) law
 - (vii) property development
 - (viii) sports administration; or
 - (b) has other knowledge or experience the Minister considers relevant or necessary to support the board's functions.
- (3) relocates section 12 to part 3, division 3.

Clause 18(1) renumbers Part 3, Division 3 of the existing MSF Act as Part 3, Division 2, Subdivision 2.

Clause 18(2) changes the heading of the renumbered Part 3, division 2, subdivision 2 to Subdivision 2 Composition.

Clause 19 removes sections 13 and 14 of the MSF Act.

Clause 20 amends the heading of section 15 to 'Term of Appointment'.

Clause 21 amends the heading of section 16 to 'Conditions of Appointment'.

Clause 22 replaces section 17 with the following:

17 Chairperson and deputy chairperson

- (1) The Governor in Council must appoint a director to be the chairperson of the board.
- (2) The Governor in Council may appoint another director to be the deputy chairperson of the board.
- (3) A person may be appointed as the chairperson or deputy chairperson at the same time as the person is appointed as a director.
- (4) The chairperson or deputy chairperson holds office for the term stated in the person's instrument of appointment as chairperson or deputy chairperson.
- (5) The stated term must end not later than the person's term of appointment as a director.
- (6) However, the person's appointment as chairperson or deputy chairperson ends if the person—
 - (a) resigns office as chairperson or deputy chairperson under section 17AB; or
 - (b) stops being a director.
- (7) If a person resigns office as chairperson or deputy chairperson, the person may continue to be a director for the remaining term of appointment under section 15.

17AA Disqualification

- A person is disqualified from becoming, or continuing as, a director if the person—
- (a) has a conviction, other than a spent conviction, for an indictable offence; or
- (b) is an insolvent under administration; or
- (c) is disqualified from managing corporations because of the Corporations Act, part 2D.6.

17AB Resignation

- (1) A director may resign office as chairperson, deputy chairperson or director by signed notice given to the Minister.
- (2) The resignation takes effect—
- (a) on the day the notice is given; or
- (b) if a later day is stated in the notice—on the later day.

17AC Vacancy in office

A director's office becomes vacant if the director—

- (a) completes a term of office and is not reappointed; or
- (b) is disqualified from continuing as a director under section 17AA; or
- (c) resigns office as director under section 17AB; or
- (d) is removed from office.

Clause 23 inserts before section 17A a new part 3, div 2, subdivision 3, heading 'Criminal history'.

Clause 24 provides for the renumbering of part 3, division 4 (Business and meetings of the board) as Part 3, division 2, subdivision 4.

Clause 25 replaces section 21 (Presiding at meetings) with the following:

21 Presiding at board meetings

- (1) The chairperson is to preside at all board meetings at which the chairperson is present.
- (2) If the chairperson is not present at a board meeting, the deputy chairperson is to preside if present.
- (3) If the chairperson and deputy chairperson are not present at a board meeting, the director chosen by the directors present is to preside.

Clause 26 renumbers part 3, division 5 (Other provisions about Authority) as part 3, division 3.

Clause 27 amends section 28 (Judicial notice of certain signatures) by inserting 'or deputy chairperson' after 'chairperson'.

Clause 28 amends section 29 (Authentication of documents) by inserting ', the deputy chairperson' after 'chairperson'.

Clause 29 amends section 30A (Lawful use for major sports facilities for prescribed special events) as follows:

(1) Amends section 30A heading from 'Lawful use for major sports facilities for prescribed special events' to 'Lawful use of major sports facilities for prescribed special events'.

- (2) Amends section 30A(1) from 'This section applies to the use of a major sports facility for a special event prescribed under a regulation' to 'prescribed by a regulation'.
- (3) Amends section 30A(2) and (3) from 'facility for the event' to 'major sports facility for the special event'.
- (4) Amends section 30A(2) by inserting as 30A(2)(d) 'the *Liquor Act 1992*, or a licence under that Act, to the extent the Act or the licence applies in relation to noise from the use of the facility for the special event' and (e) 'a local law, or a licence, permit or other approval (however described) under the local law, to the extent the local law or the licence, permit or other approval applies in relation to noise from the use of the facility for the special event.'
- (5) Amends section 30A by adding (2A) 'Also, subsection (4) applies if the conditions prescribed under subsection (5), about noise levels for the use of the major sports facility for the special event, are complied with' and (2B) 'The use of the major sports facility for the special event is taken to be in compliance with the general environmental duty under the Environmental Protection Act 1994, section 319, to the extent the general environmental duty applies in relation to noise from the use of the facility for the special event.'
- (6) Renumbers section 30A(2A) to (3) as section 30A(3) to (5).

Section 30A currently provides that the use of a major sports facility for a special event is a lawful use of the facility despite the *Planning Act 2016* (Planning Act), local planning instruments and development approvals under the Planning Act. The insertion of subsections 2 (d) and (e) expand the lawful use of a major sports facility for special events by removing noise limitations imposed under the Liquor Act and any local laws.

The addition of (2A) and (2B) aligns with policy intent already reflected under Schedule 1, section 3(j) of the *Environmental Protection Act 1994* (EP Act), which provides an exemption for EP Act sections 440 and 440Q nuisance noise offences for a special event at a major sports facility where the event complies with prescribed regulatory conditions under the Major Sports Facilities Regulation 2014. This proposed amendment will, therefore, further clarify the relationship between the MSF Act and EP Act.

Clause 30(1) amends the heading of section 30C (Restriction on resale or purchase of tickets) by omitting 'or purchase'.

Clause 30(2) replaces section 30C(1), maximum penalty with the following:

Maximum penalty—

- (a) for an individual—135 penalty units; or
- (b) for a corporation—680 penalty units.

Clause 30(3) removes Section 30C(2) which provides for an offence for purchasing unlawfully resold tickets.

Clause 30(4) Section 30C(3), removes from 'Subsection (1)' to 'by or from' and inserts 'Subsection (1) does not apply to the resale of a ticket to a major sports facility event by'.

Clause 30(5) omits from Section 30C(5), references to the offence of purchasing an unlawfully resold ticket under subsection (2).

Clause 30(6) renumbers sections 30C(3) to (5) as sections 30C(2) to (4).

Clause 31(1) amends section 30D (Definitions for part 4B) by including the following: drone means a device that—

- (a) is capable of flight; and
- (b) is remotely piloted or able to be programmed to autonomously fly a particular route; and
- (c) is not capable of transporting a person.

Clause 31(2) amends section 30D by inserting 'drone' in the definition of aircraft, after 'blimp'.

Clause 32 inserts a new part 6, division 9 'Transitional provisions for Major Sports Facilities and Other Legislation Amendment Act 2025' as follows:

88 Definitions for division

In this division—

former, in relation to a provision of this Act, means the provision as in force immediately before the commencement.

new, in relation to a provision of this Act, means the provision as in force from the commencement.

89 Chairperson

- (1) This section applies if, immediately before the commencement, a person held office as chairperson under former section 13(2).
- (2) From the commencement, the person is taken to hold office as chairperson under new section 17.

The inclusion of this transitional provision avoids any doubt about the continuation of the current chairperson's appointment that could arise from the reference to section 17 in the new definition.

90 Application of ss 17AA and 17AC [provisions regarding disqualification and vacancy in office]

Sections 17AA and 17AC, as in force from the commencement, apply in relation to a director holding office after the commencement, whether the director was appointed before or after the commencement.

Clause 33 amends schedule 2 (Dictionary) by inserting the following:

board meeting means a meeting of the board.

chairperson means the chairperson of the board holding office under section 17. *deputy chairperson* means the deputy chairperson of the board holding office under section 17.

drone, for part 4B, see section 30D.

Part 4 – Amendment of State Penalties Enforcement Regulation 2014

Clause 34 states that this part amends the State Penalties Enforcement Regulation 2014.

Clause 35 amends schedule 1 (Infringement notice offences and fines for nominated laws) as follows:

- (1) Omits the existing penalty of 2 penalty units under the *Major Sports Facilities Act 2001* section 30C(1) from column 2 and inserts 13 penalty units for the offence.
- (2) Omits the penalty infringement notice fine for an offence under section 30C(2) of the *Major Sports Facilities Act 2001*.
- (3) Removes reference to an offence under section 30C(2) of the *Major Sports Facilities Act 2001* under the heading 'Authorised person for the service of infringement notices'.

The State Penalties Enforcement Regulation 2014 (SPER) establishes offences for which penalty infringement notices (PINs) may be issued in Queensland and sets out the PU values which apply. SPER currently lists PINs for the MSF Act for the offence of unlawfully reselling tickets (2 PUs) and unlawfully buying tickets at a price higher than 10 per cent of the original sale price (1/2 PU). The State Penalties Enforcement Regulation Guidelines recommend setting the value of the PIN offence at a maximum of 10 percent of the value of the maximum penalty for the offence.

Part 5 - Other amendments

Clause 36 states that Schedule 1 amends the legislation it mentions.

Schedule 1 makes further minor and technical amendments to the *Major Sports Facilities Act* 2001 as follows:

- Inserts a note as follows:
 - See section 26 in relation to the application of the *Financial Accountability Act* 2009 and the *Statutory Bodies Financial Arrangements Act* 1982.
- Replaces reference to the 'commissioner of the police service' with 'police commissioner';
- Replaces reference to 'meetings' with 'board meetings';
- Replaces the heading of Part 4 'Authorisation of special events' with 'Authorisation of particular special events'.

Schedule 1 makes a minor consequential amendment to a section number in the *Major Sports Facilities Regulation 2014*.