

MAJOR EVENTS BILL 2023

Second Reading

Resumed from an earlier stage of the sitting.

MR R.H. COOK (Kwinana — Minister for Tourism) [2.41 pm] — in reply: I will make a few remarks in response to commentary from members. From the get-go, it is important to make the observation that it would be a fairly rare activity when enlivening this legislation once it is enacted. This is essentially for multi-day, multi-venue, commercially protected events. A number of members made a range of observations. It would not be, for instance, the sort of legislation used for Ed Sheeran, even though that was the biggest concert in the state's history. Those events take place inside venues with well understood arrangements and processes, and the current laws adequately cater for road transport and other related purposes. As the member for North West Central observed, this is to make Western Australia more attractive for large events that typically have an international, multi-venue flavour and multi-day aspect.

A very good example of course in the first instance is the FIFA Women's World Cup. A number of members will note that in relation to this event, I have been referring to Perth Rectangular Stadium when it comes to referencing what we normally call HBF Park. There is a reason for that—the organisations that bring these events to Western Australia have very stringent requirements with their obligations to their sponsors and with the protection of intellectual property rights of their sponsors and the organisations themselves. FIFA, for instance, has very strong views about the venues in which these events take place. It requires what is called a "clean" venue; that is, all those awnings that are typically around these sort of stadiums have to be stripped out in order to provide FIFA with a very specific arrangement so that it can defend the intellectual property rights of its sponsors, who, in many cases, part with many tens or hundreds of millions of dollars. A good example of the sort of events that would attract this sort of legislation would be something like the Formula 1 Australian Grand Prix, which utilises Melbourne roads and evolves over a number of days, involving the activation of a number of different venues around the city. It needs to make sure that there is an opportunity to manage those things in an appropriate way.

The member for North West Central rhetorically asked whether the total solar eclipse would attract this sort of legislation. Typically, if this legislation was in place today, we would probably use it to manage that sort of large event. It would involve the management of large traffic flows in circumstances in which there would be a significant amount of unregulated road usage. As the member said, it would involve the coordination of a number of local government authorities. In this case it would potentially attract this sort of legislation, but on that point, the work that departments have done to bring together all the necessary activities required to stage the total solar eclipse has been outstanding. I appreciate the member's constituents' concerns. We all have anxieties for these sorts of events, but the advice that the member provided to her constituent was absolutely right: we cannot put this festival off; it is one of the few things that we have no control over and the show, as they say, will go on.

I want to thank members for their observations about different aspects of the tourism industry and the important role that they play in our economic life, for the diversification of our economy and also for our cultural life. In response to the parliamentary secretary, member for Swan Hills, I cannot see the Perth Hills Billy Cart Festival attracting the attention of this legislation.

Ms J.J. Shaw: I am ambitious for Swan Hills, Deputy Premier!

Mr R.H. COOK: I simply cannot see any internationally renowned insurance company backing that! It is scary. It is true, member for Collie–Preston, that I have not seen the dunny cart festival just yet, but it sounds like an outstanding event and one that I very much look forward attending one day.

Ms M.M. Quirk: You will attend at your convenience!

Mr R.H. COOK: Madam Speaker, the interjection from the member for Landsdale surely should invoke some sort of censure or something! Do the standing orders take into account bad jokes?

The SPEAKER: I am just going to point out that you accepted the interjection.

Mr R.H. COOK: While on the subject of the member for Landsdale, I would like to thank her for her contribution and particularly the observation that John Glenn made about Perth as he orbited the globe. He said that he could see Perth, "the city of lights", down there. He also made another observation. He said that he could see a smaller light just to the south of that, and that it must be Rockingham. I want to correct John Glenn, because he was not actually right. He was looking at Kwinana. On that evening, the various refineries in Kwinana blew off their flares, being the stacks with small flames around them. They are essentially safety devices, which means that when some part of the refinery goes on the blink, they automatically divert the gas, or whatever flammable substance it is that they are refining, to the flares, and they burn it off. On this evening, they purposefully burnt off the flares to create a second body of light, which John Glenn mistook to be the city of Rockingham. Of course, it was the town of Kwinana and it is a globally renowned advanced manufacturing area, known as the Kwinana strip.

Ms J.J. Shaw: You couldn't get the environmental approvals for that these days!

Mr R.H. COOK: No, we certainly could not, member for Swan Hills! But it was a great celebration, and I loved the contribution of the member for Landsdale.

In conversation with the member for North West Central—although she did not make it a point of her contribution this afternoon—I understand there was some anxiety about a review clause for the bill. Consideration was given to a review clause but, as I said at the outset of my remarks, this is not the sort of legislation that will be utilised on a regular basis. It simply may be that after five years, for instance, we do not have the activity required to provide a meaningful review of the legislation because we simply would not have enough events to review to see whether it was working as we intended.

The criteria for recommending that an event be prescribed as a major event would involve consideration of the size of the event and the prestige or reputation of the event. Some members raised the Commonwealth Heads of Government Meeting and asked whether that would attract major event status if it were held here again. Criteria would include also the number of people likely to attend, the likely extent of media coverage of the event, the likely social and economic benefits that hosting the event would confer on the state, whether the event was sponsored or otherwise supported by the state, and the likely contribution the event would make to the state's national or international reputation as a host of major events. This would be used in only select circumstances. Similar events that we might expect would attract major event status would include, as I said, Formula One, the UCI Road World Championships in cycling, the ASEAN–Australia Special Summit, the T20 World Cup cricket, the AFC Asian Cup, the Commonwealth Games and the Invictus Games. We will certainly utilise this legislation if Parliament provides us with the authority to enact these laws for the FIFA Women's World Cup. As the member for North West Central said, these sorts of laws are important to ensure that we can attract these sorts of events, not only for the opportunity to celebrate them, but also to seize the economic opportunities that come from them. As the member for Mirrabooka observed, this legislation is in place in every other state and jurisdiction except, I think, the ACT and Tasmania. If we want to ensure that we continue to attract these sorts of events, it is important that this legislation is in place.

This bill will suspend certain laws so that there are consistent approval processes and the ability to make sure that we establish the events with the greatest level of ease. However, it does not suspend all laws, and there are laws that will continue to be in place. The member for North West Central raised the issue of the burrowing bee. Is that what it is called, member?

Ms M. Beard: Yes, the burrowing bee.

Mr R.H. COOK: Although aspects of the Environmental Protection Act 1986 can be suspended, this legislation would not suspend all aspects of that act. For instance, it can suspend EPA laws on noise and electromagnetic radiation, which I think relate to radio technology, but not the protection of the environment in general terms—that is, the core elements of the purpose for the EP act. From that perspective, it does not represent a risk to other aspects of the environment and things of that nature.

This is important legislation that will enable us to attract international events. We want to protect the intellectual property. We want to ensure that these events can be staged in a professional and seamless way so that Perth continues to build its reputation as an event destination. I want Perth, Western Australia to be known as one of the three top event capitals of South-East Asia, competing with Kuala Lumpur, Singapore, Hong Kong, as well as other major cities in South-East Asia so that we can continue to be seen as a place where people come to enjoy these incredible events. Because of that, we must do things such as ensuring that we protect the IP of international sponsors. This law will stop ambush advertising and make sure that people do not take advantage of these sorts of events to undermine intellectual property rights.

I understand that the opposition would like to consider some aspects of this bill in detail. That is a great opportunity to continue the discussion. I thank all members for their contributions today and for bringing a positive attitude to this legislation so that we can continue to make Western Australia a great tourism state.

Question put and passed.

Bill read a second time.

[Leave denied to proceed forthwith to third reading.]

Consideration in Detail

Clause 1: Short title —

Ms M. BEARD: What is the main difference between the current processes and this legislation? I assume it is the proponent as opposed to multiple authorities.

Mr R.H. COOK: This legislation will allow us to coordinate a range of different acts that may impact on the staging of an event as well as coordinate the different entities that will be impacted by the staging of the event. I think the member made the observation that it may involve the coordination of multiple local government authorities. It will also provide a legislative framework to support the staging of major events by providing better safety and crowd management, commercial controls, and traffic and transport management. It will allow for the coordination of all these things under an essential coordinating process, rather than requiring all the issues and processes to be resolved on a broader, less coordinated basis.

Ms M. BEARD: Given that many local governments, particularly the bigger ones, and state authorities already have major events and event teams, will the legislation in any way remove those teams from that decision-making at a local level? What will be the requirement for community consultation? I guess I will explain myself. If an organisation like VenuesWest that already has cornerstone tenants for whatever it might be that are locked in and they have their sponsorship arrangements and things in place and an event comes in, how will that work? Will there be compensation? I am just wondering what the linkages are there.

Mr R.H. COOK: Thank you, member. As I said before, this bill brings everyone under a single legal framework. From that perspective, the bill brings the requirements of a whole range of areas into one piece of legislation. I apologise for not addressing this in my second speech; in saying that, under this legislation the Minister for Tourism will be responsible for managing the act. Other states and territories principally use the Minister for Tourism. In some of those states and territories, the Minister for Tourism is also the Minister for Sport and Recreation, so that creates a bit of efficiency in that respect.

Under clause 13 of this bill, it states that the minister must consult a range of other ministers, local government authorities, event managers and controllers—such as VenuesWest—before the minister can make a recommendation under section 6 of the act, which is, of course, to declare it a major event.

Ms M. BEARD: Can the minister tell me who was consulted during the preparation of the bill?

Mr R.H. COOK: I hope to provide the member with some more details as this answer progresses. I can certainly tell the member that in broad terms, all government departments, ministers and stakeholders impacted under the legislation were consulted. In particular, one we had to consult with was the Chief Health Officer, who is responsible for the Public Health Act. In that sense, they play a very crucial role in terms of the protection of public interests, particularly crowd safety and protection. The Western Australian Local Government Association—the local government professionals—VenuesLive, the Events Industry Association, as well as the City of Perth and the Town of Victoria Park were all consulted on the bill.

A range of about a dozen and a half departments were consulted, including, as the member would expect, Main Roads Western Australia, the Public Transport Authority, the Road Safety Commission, VenuesWest and the Western Australia Police Force. A range of direct agencies were consulted as well. A significant amount of consultation took place, which resulted from the establishment of a working group in 2015 to progress the development of the proposed legislation. The working group consisted of Tourism Western Australia, VenuesWest, the Department of Local Government, Sport and Cultural Industries, the Department of the Premier and Cabinet and the State Solicitor's Office.

This has not been a cobbled together piece of legislation. It has been worked on for some time. We are actually now facing a time constraint because we obviously want to have these laws in place in time for the FIFA Women's World Cup, which will occur in July and August this year.

Ms M. BEARD: I notice the minister did not mention the Tourism Council Western Australia. Would I be correct in assuming that it was not part of the consultation process? I am just wondering, given it would scoop up some of the regional consultation of its membership base.

Mr R.H. COOK: My notes do not specifically go to that, but yes, I can assure the member that the tourism council would have been involved. This is the sort of stuff that it is very keen on. Under the leadership of Evan Hall, it really championed the role that events and attractions play in Western Australia in terms of making it an attractive place to come to. It would have very much consulted in terms of this process.

The DEPUTY SPEAKER: Member for North West Central, I will just remind you that we are on clause 1, which is the short title of the bill. I will give you a bit of leeway to keep asking the questions that you are asking. When you are ready to move on, that will be great.

Ms M. BEARD: One was about a review clause, which the minister already explained to me during his address. I will move on to clause 3.

Clause put and passed.

Clause 2 put and passed.

Clause 3: Objects —

Ms M. BEARD: The minister has touched on this already—the fact that it is the number of people that an event will attract that will make it a major event. I am just wondering whether there is any information on whether there is a minimum number or a minimum spend? Are there any minimums?

Mr R.H. COOK: It is a good question member, thank you very much. No, it will not be based upon a minimum number. It will be on a case-by-case basis. It is really based on the nature of the event. For instance, the other night we had Ed Sheeran at Optus Stadium—I was about to call it the Subiaco Oval. That had over 73 000 people. That is a significant number of people. However, the venue was made to cater for that many people. That number of people going, of itself, does not trigger that it is a major event. However, if there was a situation in which a number of people were spread across a range of venues, or if it was a particular requirement of the event proponent—in this case FIFA, in terms of the Women’s World Cup—it may. There is a smaller amount of people, but because of the complexity of the event, it would probably attract major event status.

Clause put and passed.

Clause 4: Terms used —

Ms M. BEARD: One of the terms defined under clause 4 is “responsible authority”, which could be an individual person. Is there any reason so much power would be delegated outside Parliament to an individual for a major event, or is my interpretation of it incorrect?

Mr R.H. COOK: I draw the member’s attention to clause 10, which we will ultimately come to in this afternoon’s discussions. It states that the responsible authority for a major event may be the major event organiser—ultimately, in that context, an individual—a state agency or a local government. I am also aware, for instance, that under the Public Health Act, the Chief Health Officer has the authority of the state. In that instance, yes, it would be an individual, but they would be acting in a legal capacity rather than their individual capacity.

Clause put and passed.

Clauses 5 to 13 put and passed.

Clause 14: Power to suspend or modify legislation in Schedule 1 —

Ms M. BEARD: Clause 14 states that the minister is required to consult other ministers before creating regulations that suspend legislation under those ministers’ remit. Can the minister outline the protections that will be put in place to capture those discussions about implementing regulations under this clause?

Mr R.H. COOK: Obviously, this is an important part of the legislation because it will impact on other legislation, and as a result of that, the minister will be required to consult other ministers. Under clause 15, which refers to the criteria for suspending or modifying legislation, the minister will have to consult and act only if the minister confirms in writing that the minister of the act concerned has agreed to the suspension or modification.

Ms M. BEARD: Is that done on an event-by-event basis? It is something that changes?

Mr R.H. COOK: Yes, that is correct.

Clause put and passed.

Clauses 15 to 25 put and passed.

Clause 26: Road closures for major event —

Ms M. BEARD: This clause is about traffic management and it notes reasonable travel through an event. What would be an example of this? If it were a very big event and the area were densely populated, what would be deemed to be reasonable travel? Would reasonable travel be normal day-to-day travel?

Mr R.H. Cook: Sorry. Can you tell me the line, member?

Ms M. BEARD: I will just find where it is—sorry. It is on page 11 for me. The prohibition will not apply if the person has a reasonable excuse. I wonder what the definition of “reasonable” is from a community perspective?

The DEPUTY SPEAKER: That is page 25, line 4.

Ms M. BEARD: Sorry. I have a different page.

Mr R.H. Cook: I see—so line 4?

Ms M. BEARD: Yes.

Mr R.H. Cook: It is subclause (7)(b). My apologies.

Ms M. BEARD: Yes. What would “a reasonable excuse” from a community perspective be?

Mr R.H. COOK: As the member will see, the bill states —

(7) A person does not contravene subsection (6) if the person —

(a) is acting with the written authorisation of the major event organiser ...

This is someone who has to access a particular area on behalf of the event organiser. Clearly, in reference to other circumstances, the member for Collie–Preston made an observation about the major event that she witnessed in London after which she had to get back to her hotel and other people involved who have reason to be in that space. This will be part of the holistic traffic management plan that will be put in place as part of the major event, and will of course be overseen by the officers or officials in relation to that. Pier Street has residential houses on it and is opposite HBF Park. That street might be closed off in the event of a FIFA Women’s World Cup happening at Perth Rectangular Stadium, but residents will still be allowed to access that area because they have a reasonable excuse.

Clause put and passed.

Clauses 27 to 43 put and passed.

Clause 44: Possession of prohibited items —

Ms M. BEARD: Clause 44(2)(a) refers to “the thing”. What does “thing” relate to?

Mr R.H. COOK: The “thing” in that context covers the items listed in clause 44(1)(a) to (g). There will have to be a good reason for someone to have any of those items in their lawful possession.

Ms M. BEARD: In terms of clause 44(1)(f), “an animal”, if a person lives somewhere near where a major event is being held and they have a pet, is that classified as a reasonable excuse? If they live in a high-density area with a dog and they want to take it for a walk and it is in the middle of a three-day event, are there parameters around that? I am not sure how highly likely or unlikely that is.

Mr R.H. COOK: It is a fair point, and it is one that is anticipated in the following subclause (4) wherein it states that subclause (1)(f), which refers to the banning of an animal, will not apply if the person with a disability has an animal, as defined under the Disability Discrimination Act, and the animal is an assistance animal or if the person resides in the major event area and the animal is the person’s pet. That subclause expressly anticipates that argument. It is a point well made.

Clause put and passed.

Clause 45 put and passed.

Clause 46: Obstructing performers or participants —

Ms M. BEARD: Clause 46(2) refers to the reasonable excuse provision. Will this provision be subject to the courts? Other legislation such as the Local Government Act references climate change. Is that a reasonable excuse? I want to flag what a reasonable excuse might be in the instance that someone is deemed to be obstructing an event. What does that look like?

Mr R.H. COOK: This clause will prohibit a person from obstructing another person in a major event area while they are performing or participating in the major event. A person does not contravene this section if they are acting with the written permission of the major event organiser. I cannot think of a specific circumstance. There may be some reason. Maybe a sportsperson has misbehaved previously and has therefore been barred from the tournament. The event organiser would issue a barring notice to that person coming into the event. But there might also be another circumstance in which someone would be excused from doing that. It might be for an emergency, for instance. It might be simply if someone made a mistake, someone might prevent a performer or sportsperson coming into the venue but has done so under genuine circumstances of mistaken identity. We must have opportunities in these sorts of laws to have clauses for reasonable excuse to provide a jurisdiction with the opportunity to allow for those sorts of circumstances that are otherwise not anticipated under these clauses.

Ms M. BEARD: I was more contemplating that some of these events will happen in spaces that people might be aggrieved about—if it is a World Heritage site let us say. If groups were protesting, some would deem that to be reasonable. I wonder how far it would extend to meet that kind of arrangement.

Mr R.H. COOK: For instance, this refers specifically to “another person in a major event area while the other person is performing or participating in the major event”. From that perspective, it does not stop someone from letting them know what they really think of whatever. Maybe they have a particular objection to women in soccer or something like that. I do not know. But it simply says that we cannot obstruct someone from basically going about being a performer or a sporting participant.

Clause put and passed.

Clause 47: Possession and consumption of liquor —

Ms M. BEARD: This is my last question. I do not have any after this. I am thinking about dense living, so it certainly does not apply to my patch. This is just a hypothetical example. Say the event is in a large space—maybe it is for the Australian Grand Prix or whatever it might be—where a lot of people live. Would mum and dad having a family barbecue with a bottle of wine in a park in that area be exempt under section 47(4)? Is there scope or will this apply to the actual performance area?

Mr R.H. COOK: It anticipates that a member of a local community might have alcohol on their person if they take it to their accommodation or something like that. A person will not contravene clause 47(2)(c) if the person resides in or is staying in accommodation in the major event area. But they would still be subject to the Liquor Control Act. Although the member for North West Central and I might enjoy a glass of wine in the local park, and from time to time that might be overlooked by certain authorities when they see us partaking in the family picnic, technically I think we are street drinking. In that circumstance, no, we would not be protected under this clause.

Clause put and passed.

Clauses 48 to 112 and passed.

Schedule 1 put and passed.

Title put and passed.

[Leave granted to proceed forthwith to third reading.]

Third Reading

MR R.H. COOK (Kwinana — Minister for Tourism) [3.24 pm]: I move —

That the bill be now read a third time.

MS M. BEARD (North West Central) [3.24 pm]: I thank the minister and the advisers for the briefing. I think this robust legislation is an important move forward for the state and it will, hopefully, facilitate growth in our events space. Time will tell whether the legislation works as intended, and I guess the reduction of red tape coupled with the increased powers, hopefully, will be effective and efficient.

I believe that the Legislative Council will examine this more deeply and see how the bill impacts and, hopefully, it will see the merits of this bill. It is a key enabler for growth and development. It is significant for our social and economic growth and for the entire state of Western Australia. Opposition members are supportive of the bill, but recognising the strength of the powers that come with the changes, we would have been keen to see the inclusion of a review clause. However, we also saw the potential of this bill, so we are supportive of it.

MR D.A.E. SCAIFE (Cockburn) [3.26 pm]: I think this is my first contribution to a third reading debate and I am very pleased to participate in part of the debate that is usually not as lengthy as the second reading debate, but in this case I think it needs to run for about 33 minutes, so I decided to offer my services to the Deputy Premier to assist him in getting to 4.00 pm!

Mr R.H. Cook: Any contribution from you is always welcome!

Mr D.A.E. SCAIFE: I thank the Deputy Premier. I am not sure others feel the same way but I am glad that he does!

Ms J.J. Shaw: Aw!

Mr D.A.E. SCAIFE: Thank you, member for Swan Hills.

I want to speak on the Major Events Bill because it is a significant bill, as other speakers have alluded to. One could even say it is a major bill! That is not quite deserving of the plaudits that the member for Landsdale gets for her contributions in this chamber.

This is a significant bill because, I have to say, I had not appreciated before I came to this place how important major events are to the broader economy. They are not only a significant driver of economic activity for that particular event, but also provide a platform to promote the state and the city or a particular locality to a national or global audience. That can have many flow-on effects for our economy. It can lead to people coming here for tourism purposes or to study. It can lead to people saying that Western Australia is somewhere they want to visit when they see it on an international broadcast. They then visit and may very well then decide that Western Australia is somewhere that they want to live, work and play. It has an enormous knock-on effect for our economy.

I am pleased to see us catching up to the pack because, as other members noted, other jurisdictions in Australia already have major events legislation, so it is important that we have it as well. It puts us at a competitive disadvantage not to have dedicated major events legislation. The lack of major events legislation means that large insurance companies, sponsors or event organisers may have less confidence in holding events here. In the past, when we have held major events like the Commonwealth Heads of Government Meeting, we have had to introduce specific piecemeal legislation for that event, which is not the most productive use of the government's or the Parliament's time.

I have a proposal for the Deputy Premier for another major event that could be included, and that is the Coogee Live festival that was held last weekend. It was a really significant event in my electorate and it was attended by thousands of people. I understand that the Deputy Premier has dismissed some events as not falling into the category of a major event but, being the good representative of the Kwinana and Cockburn area that he is, I am sure he would agree that Coogee Live is deserving of major event status. It was such a major event, in fact, that one of the opening events was a mermaid migration down at Coogee Beach. I am saying that you do not see that at most events!

Mr R.H. Cook: Sounds like a perfect event!

Mr D.A.E. SCAIFE: Yes. I want to congratulate the City of Cockburn for running Coogee Live. I want to acknowledge the many groups that participated in the event. I also want to acknowledge the community groups I helped out. I helped out the Coogee Community Garden with its preparations for Coogee Live. I try to get my hands dirty at least a couple of times a year, and the other weekend I helped that community group sort out the pot plants it sold at Coogee Live.

Deputy Speaker, I have sought an indulgence from you over the last few minutes because, as members will probably know, a third reading debate is restricted to the clauses of the bill. It is not supposed to be a debate on policy generally.

The DEPUTY SPEAKER: Nor is it for the introduction of new material!

Mr D.A.E. SCAIFE: Nor is it for the introduction of new material, but I appreciate the indulgence of the Deputy Speaker and the opposition's indulgence, whether intentional or not. For the rest of my contribution I want to talk about the clauses of the bill. I want to speak about the clauses in part 6 of the bill, "Restrictions on commercial activities". The Deputy Premier, in his closing reply to the second reading debate, referred to the prohibitions on ambush marketing in this bill. I want to focus on that because it is an important consideration that can be neglected. We think about this bill being around things like traffic and crowd management, but it has significant provisions to protect the commercial interests of organisations that might hold major events. This is really significant because, in many cases, the organisation that is running a major event will have sold various sponsorship rights. They may have sold advertising or broadcasting rights and all of that is part of the major event and the business model of the major event. When we have major events and a lot of people congregate in one place, it can be appealing to other businesses to market in the same location. Members can imagine that if tens of thousands of people descend on a particular part of Perth, and a business has a lot of people wandering around with wearable boards advertising the business, that is a great opportunity because they will get massive exposure to a population that is densely located in that area. The problem with that is that it takes away from the sponsorship rights that have been sold by the event organiser. This is what we refer to as ambush marketing.

There are some interesting examples of ambush marketing. It has been around as a concept for a long time. For example, there is quite a funny case, which is not quite a major event but is an example of ambush marketing. When Google Maps was driving around a particular city—I cannot remember the location—taking images for its virtual maps program, Fiat drove a car around and parked it out the front of every Volkswagen dealership. On Google Maps, every time someone looks up the VW dealer or auto lot, there is a Fiat parked out the front. That is an example of what ambush marketing can look like. It is essentially taking something where the rights are owned by someone else and sticking yourself in front of it, saying "Look at my product instead!" I think it is notable that clause 62 of this bill makes it an offence for a person, while in a major event area or a controlled area, to promote a person, service or thing, or to do anything to suggest that a person, service or thing is an affiliate of the major event. Importantly, a person will not commit an offence under that clause if they act with the written authorisation of the major event organiser. That is the bit that carves out permission to be given to an official sponsor or an official partner to advertise, but it makes it an offence for other people to run in to the major event area and promote their own product. Members can imagine that that could cause all sorts of problems for things like traffic management and crowd management if businesses are driving vehicles they are not permitted to have in that location, for example, towing signs behind them through an area.

Mr R.H. Cook: Remember drones as well, if you have an outdoor event.

Mr D.A.E. SCAIFE: Drones are a great example. Clause 66 refers to aerial advertising. It makes it an offence for a person to display aerial advertising within sight of a major event. Historically, this would be associated with people flying light aircraft, trailing signs behind them. That seems a little bit quaint as a concept now because, as the Deputy Premier pointed out, we are much more likely to see drone technology being used, which is obviously cheap and affordable and can be used to essentially ambush market in these events.

This legislation takes up the cause of issues like ambush marketing that have been around for a long time but the form of which has been evolving with technology. It is important that we have these protections in place so that sponsors or broadcasters can have certainty that when they are partnering with a major event in Western Australia, they will benefit from these protections.

I want to briefly reflect on the clauses in part 7 of the bill. These will essentially protect intellectual property like a logo that is associated with a major event. Members can imagine that if a major event is branded, there may be a particular logo or tagline. People might want to appropriate that image, logo or slogan and use it for their own commercial purposes or they might want to somehow tie themselves in with the event as though they are an officially endorsed part of it. That can be misleading to people who might turn up to a bar or restaurant or something thinking that it is part of the experience of the event or maybe part of the ticket price, and it turns out that it is not but they have already been trapped by the business into using the facility. That can leave a bad taste in people's mouths and can certainly lead to reputational damage to the event sponsor and the jurisdiction in not giving that certainty to the event organisers.

On these clauses, in particular the ambush marketing clauses, I was thinking about a major event—*The Giants*—as part of the Perth International Arts Festival, as it was back then, not Perth Festival. The Deputy Premier can correct me if I am wrong, but I think it would probably be a candidate to be a major event. I remember attending *The Giants* in about 2015. It was a great show—an excellent experience. It was outdoors, through the streets of Perth; it was not located just in one particular place. I remember getting to the CBD and it was just madness. There were people everywhere. I had never seen the CBD packed with that many people before. Businesses should rightly take the benefit of that activation of the precinct, but we would not want to encourage people to do it in a way that is not authorised or not in the spirit of the event. If organisations have specific sponsorship arrangements or specific partnerships, those businesses are paying for those opportunities and we want them to be able to reap the benefits of those investments in accordance with their investments.

However, as I alluded to before, in the case of a performance like *The Giants*, we would not want a business hiring a bunch of trucks or trailers with signage on them and following the puppets around the Perth CBD without authorisation. That would be dangerous, given the size of the crowd. It would also cause problems for our police, who would have to manage the route, and for our emergency services and paramedics who would have to respond to any emergencies. It would have been very attractive for someone to do something like that.

We see that happen in election campaigns. I am sure every member in this chamber is familiar with being at an event that has been organised by their campaign manager only to have the opposition candidate pass by with a big truck with their own advertising on it. In that case, I am not sure that they are trying to garner support for their cause; it is purely provocation. The point is that when a business knows that a major event is on and will attract a particular cohort of people, it is tempted to take advantage of that advertising opportunity. *The Giants* was a great event for Perth and one that we would want to continue to attract. However, if that opportunity had been abused by businesses that were not officially associated with Perth Festival, it could have caused significant harm to people and property, and that would have led to reputational damage to both Perth Festival and Western Australia as a location where people can be confident to hold major events.

I want to briefly tie that into the logo issue. In the case of *The Giants*, we can imagine a person putting up a sign that displayed the official logo of the event and said, "*The Giants* are coming this way. Grab a drink." I think part of that performance was that people were not sure what route they had to follow to see *The Giants*. If someone had used the official logo to give their sign a sense of authority, they might have been able to get people to peel off from the crowd and go down a particular laneway thinking that was associated with the event, only to discover that a business was just trying to take advantage of the crowds in the area. Unauthorised use of the official logo or title of an event will be outlawed under clause 70 of the bill. It will also be an offence to use a logo that is substantially identical or deceptively similar to the official logo or title. People often try to find creative ways of getting around the intellectual property protections. This will capture people who want to alter a logo so that it is deceptively similar to a protected logo. The bill will also provide power to an authorised officer to seize property that displays a logo that is deceptively similar to the official logo. The reason is that if we just made it an offence, it would not cure the harm at the time that it is occurring. An authorised officer will be able to remove the sign and prevent people from being misled.

This is a very good bill. It is great that the Minister for Tourism has brought it to this house. I certainly commend it to the house.

MS C.M. ROWE (Belmont) [3.44 pm]: I rise to make a contribution to the third reading of the Major Events Bill 2023. I wish to congratulate the Deputy Premier; Minister for Tourism for bringing this very important bill to the house. Many members spoke in their second reading contribution about the need for this type of legislation to be introduced in this state, as has been done in other jurisdictions. The reason that this state needs this legislation is the many big events that have come our way in recent years. Before I mention a particular event that stands out in my mind, I will preface my comments by saying that I am not traditionally someone who watches a great deal of sport, but in my household I cannot seem to escape it. I have two children who are obsessed with sport, as is my husband. We were pretty excited when in 2021 we secured tickets to the most celebrated day in the AFL season, the grand final, which was held in Perth. That was only the second time in history that the AFL grand final has been

played outside of the MCG. That was a pretty big and monumental event for Western Australia. The success of that event showcased our ability to hold major events.

In 2020, Western Australia hosted the ICC Women's T20 World Cup tournament at the WACA. It was fantastic to see that. In 2021—sorry; I have lost my momentum. I got caught up in talking about sport, and that is always a dangerous topic for me!

The reason I wanted to make a contribution to this debate, with your indulgence, Mr Deputy Speaker, is that although I have no great history of sporting capacity or anything like that, I see as the mum of two daughters, and in my community of Belmont, how impactful sport can be. If you cannot see it, you cannot dream or aspire to be it. To see these important sporting events come to Western Australia and be showcased on television right across our country and overseas is really impactful for younger viewers, particularly female viewers. Sadly, we are seeing an enormous decline in the participation of girls in organised sport the moment they hit their teen years. We need to take a serious look at that. A lot of research has been done into this. We are also seeing a big increase in the incidence of mental health issues in many of our teenage girls. That is occurring alongside, whether coincidentally or otherwise, the major decline in the participation of girls in sport, especially in comparison with the participation of boys.

I read something recently that was quite strange. It referred to something as simple as the uniform that is provided to girls for their sport. If girls do not feel that their uniform is comfortable to move in, or if in their eyes it is inappropriate and they do not want to parade around in it, they will not participate in that sport. A lot of reports have also highlighted the issue of self-confidence. If young girls do not feel good enough at a sport, they will not continue to participate because they do not want to embarrass themselves in front of their cohort. Another issue is when parents take their children's sport too seriously and their children get embarrassed when they come along to support them. I know that my eldest daughter, Bobby, is horrified when I cheer from the sidelines at her basketball games. Nonetheless, some parents do take it a little too far. I have a quote that says that one in every two Australian girls quit sport by the age of 15. That is pretty stark. I do not need to labour the point. I wanted to highlight the importance of enabling young children to see that women's sport is taken seriously. Tennis has always been a great example. For a long time, women did not receive the same prize money as men. I think that has changed nowadays. In a lot of sports, Australia is lagging behind in what our female athletes and sportspeople are paid. I would like to see a big change in that.

Big events are important because they showcase our wonderful state of Western Australia, provide great entertainment and employment opportunities and, most importantly, can be a great source of inspiration for young girls and teens. I wanted to make those comments. Thank you very much for your indulgence, Deputy Speaker.

MR R.H. COOK (Kwinana — Minister for Tourism) [3.49 pm] — in reply: I would like to take this opportunity to close off the third reading debate on the Major Events Bill 2023 and to thank members for their contributions.

I think the member for Belmont nailed it in one. What we are trying to achieve through something like the FIFA Women's World Cup is a great sporting festival that will benefit everyone in Western Australia, from an economic point of view. As the member observed, "If you can't see it, you can't be it." The other day I had the opportunity to be at Scarborough Beach with the Minister for Sport and Recreation where there were some of the very best women's football players with a bunch of young girls from one of the local soccer teams. I cannot imagine what a great inspiration the FIFA Women's World Cup will be for that young generation of players coming through; it is really exciting. Over the last 12 months, the percentage of girls and young women taking up soccer has increased by 26 per cent. It is said that in four years' time there will be more female footballers and soccer players than male footballers and soccer players. The FIFA Women's World Cup is an example of the sorts of best sporting festivals that we want to bring to Western Australia. Obviously, it is a great sporting event for Western Australians, but it is also a great opportunity for Western Australia to be on the global stage and attract the economic benefits that come with staging such a major event.

I want to thank members for their contributions today in support of the Major Events Bill 2023, and especially those members who provided some analysis and cross-examination of it. I congratulate the member for North West Central, who unfortunately is not in the chamber. This was her first bill to shadow through the Parliament, and that is always a fairly daunting task. I remember the first bill I shadowed; it was the Royal Perth Hospital Protection Bill 2008. The Labor opposition of the day was much aggrieved that that legislation was coming before the chamber and was furiously opposed to it. I remember going to one of my mentors—I was, at that point, the shadow Minister for Health—and saying to him, "It says here in the standing orders that I can speak for up to 60 minutes, but how long should I speak for?" He said, "Sunshine, you're speaking for an hour!" That was my first major debate. I can remember standing there at the 57-minute mark and all the other fresh members of Parliament were in the chamber to watch me trying to conquer the full 60 minutes! They were going, "Yes! You made it, you made it!" It is difficult and it is a tough task, and I think the member for North West Central did a great job in providing analysis and cross-examination of the bill, so I want to congratulate her and say that it will never be harder than your first bill. I also thank her for her remarks, and the opposition for its support for the bill.

Before I get carried away and run out of time, I want to also take this opportunity before the end of the debate to thank all those who have been involved in the crafting of this legislation. As I said during consideration in detail, this bill has been part of the work of government since 2015, when a cross-agency working party was put together to look at the merits of the ways in which we could put this legislation together and to consult widely to make sure that we would get an opportunity to put it in place. Although we are in a bit of a rush to pass this bill because we want to have it in place by the time of the FIFA Women's World Cup in July–August, it has actually been under consideration and consultation for a good period of time. We want to make sure that it enjoys the wide support of all agencies and stakeholders, which is why we consulted widely when we were putting it together.

We also enjoyed great support from the Department of Jobs, Tourism, Science and Innovation and I want to thank my advisers, Amanda Blackwell and Eliza Lyon, who assisted in the passage of the bill today. I want to thank all those who have been involved in stewarding this bill since 2015. I also want to thank the Department of Jobs, Tourism, Science and Innovation and my ministerial office for bringing the legislation to this point.

Increasingly, these sorts of major events are highly technical, highly diverse and very complex in their staging. That is why we need this sort of legislation—to make sure that we can stage such events in a seamless way and be competitive when we go out to bid for major events. We have obviously been very successful in recent times in attracting some major events to Western Australia and we want to make sure that we maintain that competitiveness.

One of the reasons we put this legislation in place is that we know that similar legislation is already in place in pretty much every other major jurisdiction in Australia. If we are going to be competitive, we have to make sure that we have this sort of legislation to provide seamless management of these events, to secure protections from the event proponents and to provide the necessary coordination between agencies, whether they are local government authorities, Main Roads or any other authorities that may be touched upon by the staging of such events.

I want to acknowledge the contribution made by the member for Cockburn, who made an important observation about *The Giants* event. That was a particularly difficult event to stage; it involved road closures and a whole range of very complex coordination pieces. If members cast their minds back, they will also recall that some media organisations sought to spoil the party by revealing the characters or elements of the event before it was actually staged. I would like to think that the protections provided under this legislation will not allow people to spoil the party in that sense. It is also important that we manage these events to protect the members of the public attending them and the proponents who have invested heavily in bringing them to Western Australia, and that we continue to manage the complex networks of agencies that are involved.

I said in my reply to the second reading debate that this bill does not, in itself, mean that every event that comes to Western Australia will be a major event. They will still be fairly rare occurrences, but they are obviously important and we want to make sure that this legislation will be in place so that we can avail ourselves of the powers that exist under it. I will also stress that those powers do not automatically suspend the laws relating to the relevant agencies; in fact, it will be on a case-by-case basis. Only those laws that need to be suspended and coordinated in order to manage an event under this legislation will be impacted.

I thank all members for their support and their contributions. The member for North West Central is back in the chamber, so I will take this opportunity to congratulate her on shadowing her first bill.

I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.