

## Legislative Council

### Gaming Legislation Amendment (Gaming Machine Restrictions) Bill

Schedule of the amendments agreed to in Committee  
on Wednesday 3 May 2000.

**R Jones** No. 1 Page 8, Schedule 1 (Proposed section 88AK). Insert after line 10:

(3) The Licensing Court or Board is required to give its reasons for any decision to dispense with the need for a social impact assessment.

**R Jones** No. 2 Page 8, Schedule 1 (Proposed section 88AL). Insert after line 33:

(e) the availability of problem gambling services in the local community,

**R Jones** No. 3 Page 9, Schedule 1 (Proposed section 88AL), line 4. Insert “(including the action proposed to be taken to protect children)” after “community”.

**R Jones** No. 4 Page 9, Schedule 1 (Proposed section 88AL). Insert after line 4:

(f) any likely change in the demands on public transport, any likely employment consequences for other businesses in the local community and any likely change in the demands on welfare, health and housing services in the local community,

**R Jones** No. 5 Page 9, Schedule 1. Insert after line 17:

#### **88AM Consultation on application and social impact assessment**

(1) After the applicant has furnished the Licensing Court or the Board with a social impact assessment in connection with an application to which this Part applies, the applicant must:

(a) place a copy of the application and the social impact assessment on public exhibition at the premises to which the application relates, and

(b) publish an advertisement about the application in a local newspaper circulating in the area in which those premises are situated, and

(c) provide a copy of the application and social impact assessment to the Director of Liquor and Gaming and the local council at or before the time the advertisement is published.

(2) The advertisement must:

(a) be in the form approved by the Board, and

(b) state that a copy of the application and social impact assessment will be available for public inspection at the premises

specified in the advertisement, and

(c) invite any written submissions on the matter to be made to the Board within 30 days after the publication of the advertisement.

(3) The application cannot be determined by the Licensing Court or Board until after the expiration of that 30-day period.

**Gms**

No. 6 Page 9, Schedule 1 (Proposed section 88AM), line 18.

Insert “and submissions” after “assessment”.

**Gms**

No. 7 Page 9, Schedule 1 (Proposed section 88AM), line 21.

Insert “and any written submissions made on the matter within the 30-day period referred to in section 88AM” after “applies”.

**Govt**

No. 8 Page 9, Schedule 1. Insert after line 28:

**[2] Section 79B**

Insert after section 79A:

**79B Approved gaming devices not permitted in retail shopping centres**

(1) In this section:

*retail shopping centre* means a retail shopping centre within the meaning of the *Retail Leases Act 1994*, and includes:

(a) any adjoining building, or

(b) anything declared to be a retail shopping centre by the regulations, but does not include anything excluded from this

definition by the regulations.

(2) An approved gaming device cannot be authorised under this Act to be kept (or used and operated) in any part of the premises of a registered club:

(a) that are part of a retail shopping centre or proposed retail shopping centre, or

(b) that were part of a retail shopping centre within the previous 12 months.

(3) If an application is granted under this Act that results in any part of the premises of a registered club being moved or extending to a retail shopping centre or proposed retail shopping centre:

(a) any entitlement under this Act to keep approved gaming devices in that part of the premises of the club ceases, and

(b) the entitlement revives if:

(i) that part of the premises of the club is moved to premises that are not within a retail shopping centre or proposed retail shopping centre, or ceases to be part of the premises of the club, or

(ii) that part of the premises of the club ceases to be part of a

retail shopping centre for at least 12 months.

(4) Subsection (2) does not apply to any authority given as a result of an application that was finally determined before the commencement of this section (whether or not the premises of the registered club are or become part of a retail shopping centre).

(5) Subsection (2) does not apply to any authority that does not result in any increase in the total number of approved gaming devices authorised to be kept in the registered club.

(6) An authority given after the commencement of this section (whether in respect of an application pending at or made after that commencement) has no effect if it contravenes this section.

(7) This section extends to a device kept in a registered club on a trial basis as provided by section 79A or by section 167 of the *Liquor Act 1982* (as applied by Part 10A).

(8) Damages or compensation are not payable by or on behalf of the Crown because of:

- (a) the enactment or operation of this section, or for the consequences of that enactment or operation, or
- (b) a representation or conduct of any kind about any limitation on the keeping of approved gaming devices in retail shopping centres.

In this subsection, *the Crown* means the Crown within the meaning of the *Crown Proceedings Act 1988*, and includes the Board or any officer, employee or agent of the Crown or the Board.

(9) This section has effect despite anything to the contrary in this Act.

**R Jones** No. 9 Page 13, Schedule 2 (Proposed section 171C). Insert after line 11:

(3) The Licensing Court or Board is required to give its reasons for any decision to dispense with the need for a social impact assessment.

**R Jones** No. 10 Page 13, Schedule 2 (Proposed section 171D). Insert after line 34:

(e) the availability of problem gambling services in the local community,

**R Jones** No. 11 Page 14, Schedule 2 (Proposed section 171D), line 4. Insert “(including the action proposed to be taken to protect children)” after “community”.

**R Jones** No. 12 Page 14, Schedule 2 (Proposed section 171D). Insert after line 4:

(f) any likely change in the demands on public transport, any likely employment consequences for other businesses in the local community and any likely change in the demands on welfare, health and housing services in the local community,

**R Jones** No. 13 Page 14, Schedule 2. Insert after line 14:

**171E Consultation on application and social impact assessment**

- (1) After the applicant has furnished the Licensing Court or the Board with a social impact assessment in connection with an application to which this Part applies, the applicant must:
- (a) place a copy of the application and the social impact assessment on public exhibition at the premises to which the application relates, and
  - (b) publish an advertisement about the application in a local newspaper circulating in the area in which those premises are situated, and
  - (c) provide a copy of the application and social impact assessment to the Director of Liquor and Gaming and the local council at or before the time the advertisement is published.
- (2) The advertisement must:
- (a) be in the form approved by the Board, and
  - (b) state that a copy of the application and social impact assessment will be available for public inspection at the premises specified in the advertisement, and
  - (c) invite any written submissions on the matter to be made to the Board within 30 days after the publication of the advertisement.
- (3) The application cannot be determined by the Licensing Court or Board until after the expiration of that 30-day period.

**Gms** No. 14 Page 14, Schedule 2 (Proposed section 171E), line 15.  
Insert “and submissions” after “assessment”.

**Gms** No. 15 Page 14, Schedule 2 (Proposed section 171E), line 18.  
Insert “and any written submissions made on the matter within the 30-day period referred to in section 171E” after “applies”.