



# Legislative Assembly

## Liquor Amendment (Special Events Hotel Trading) Bill Hansard

### Extract

07/06/2002

#### Second Reading

**Mr FACE** (Charlestown—Minister for Gaming and Racing, and Minister Assisting the Premier on Hunter Development) [10.02 a.m.]: I move:

That this bill be now read a second time.

Last year the Government amended the liquor laws so that rugby league fans throughout New South Wales could watch the telecast of the Grand Final match on Sunday evening in their local hotels. That amendment was made, with the assistance of the Opposition, because the Government recognises that hotels are popular venues for viewing telecasts of sport and other significant events. The Government also recognises that hotels are a traditional Australian social environment for sporting fans. The amendment was necessary because standard hotel trading hours under the Liquor Act cause problems for many hotels wishing to televise significant events on a Sunday evening. Standard trading for most hotels finishes at 10.00 p.m. on a Sunday—sometimes forcing patrons to vacate the premises during, or immediately after, the event.

It can be difficult for hotel licensees and police to enforce such a closing time, and the forced exit of thousands of hotel patrons who have been watching an event onto the street at 10.00 p.m. can place a significant strain on local transport and security. This is made worse where patrons are disgruntled at having to leave hotel premises at an hour they consider to be unreasonable. The Government believes it is reasonable that patrons viewing a significant State, national or international event at their local hotel on a Sunday evening should be able to watch the entire event, and spend some time there. It also assists local authorities and transport operators if patrons are able to leave hotels at staggered times, rather than all at once. It is also reasonable that hotels should be able to offer services for patrons to watch the telecast of significant events. Hotels should be able to take advantage of the increased market associated with an event of State, national or international significance.

That is why the Government amended the liquor laws for the 2001 National Rugby League [NRL] Grand Final match on Sunday 30 September 2001. The hotel industry has now approached the Government to do the same during the World Cup. Given last year's NRL Grand Final amendments and the latest request, the Government believes the provision needs to be put in place permanently. Therefore, this bill amends the Liquor Act to allow hotels to trade until midnight on Sundays during significant events. The dates for these events will be prescribed by the liquor regulations when an event is considered by the responsible Minister to be one of State, national or international significance.

Obviously only a handful of events will fall into this category. Allowing events to be prescribed, rather than amending the liquor laws—as was done last year for the NRL Grand Final—will allow extended Sunday trading to be provided to hotels for future events without the need to again amend the Liquor Act. The extension in this bill will now allow hotels to sell liquor for an additional two hours—for consumption on the licensed premises only. There will be no takeaway sales, and it will not overrule any previously imposed trading restrictions that apply to an individual hotel licence, or, for that matter, a club, such as restrictions resulting from a complaint about disturbance to the neighbourhood.

Around 25 per cent of hotels have approved extended hours until midnight anyway. The amendments will not affect the trading rights of those hotels. The amendments apply to hotels only. Registered clubs, which are also popular venues to view sporting telecasts, have no restrictions on their trading hours. Therefore they will be able to trade, although some may have an endorsement on their licences because of past errant practices. The Government does not consider it necessary or desirable for licensed restaurants, because they would automatically be extended if they had that sort of licence. They are not the sorts of places that people would normally congregate to watch such events. I also point out that special provisions are not required for events that are held Monday to Saturday, as most hotels are already able to trade until midnight under the existing laws.

To ensure that special arrangements are in place for the World Cup Final match, the bill contains separate amendments to the Liquor Act to specifically allow hotels to trade until midnight on this occasion. This separate amendment is included in the bill because of the short amount of time in which the World Cup final is held. Rather than having that event prescribed—something that time may prohibit—these amendments will ensure that hotel trading is extended for that 2002 World Cup match. Finally, although this bill relates to the trading hours applying to the sale of liquor by hotels, I take this opportunity to place on record the Government's commitment to amend the gaming machine laws at a future time to facilitate early morning trading by clubs and hotels on Anzac Day. This amendment has resulted from approaches from a number of my parliamentary colleagues, including the honourable member for Upper Hunter and Leader of the National Party, as well as many industry representatives.

As honourable members will be aware, the new Gaming Machines Act includes a requirement for all clubs to close down their gaming machine operations for a three-hour period, which is generally between 6.00 a.m. and 9.00 a.m., each day. From 1 May 2003 this shutdown period is due to be extended to six hours—from 4.00 a.m. to 10.00 a.m. The new shutdown arrangements created some inconvenience on the morning of this year's Anzac Day, for returned services clubs in particular. An argument has been made that these clubs should not be forced to close down their gaming machines on the morning of Anzac Day, when people who have been participating in dawn services may wish to return to their clubs and access their full facilities. In some communities that do not have an RSL club, another club or hotel may become the main meeting point and that is why I have not restricted it to RSL clubs only. I am pleased to advise the House that I will be bringing forward legislation in the next session of Parliament to amend the Gaming Machines Act to allow gaming machine venues to continue to operate their gaming machines on the morning of Anzac Day in future. In the meantime, I commend this bill dealing with hotel trading during significant events on Sunday evenings to the House.

**Mr SOURIS** (Upper Hunter—Leader of the National Party) [10.07 a.m.]: I lead for the Opposition on the Liquor Amendment (Special Events Hotel Trading) Bill. The Opposition does not oppose the bill. As the Minister said in his second reading speech, the Opposition assisted the Government to amend the Liquor Act to allow extended Sunday trading for hotels on the night of the 2001 National Rugby League Grand Final. This bill seeks to extend this principle to specifically allow hotels to trade until midnight on the Sunday night of the World Cup Final, 30 June 2002, and to further amend the Liquor Act to allow hotels to trade until midnight on Sundays during events of State, national or international significance. The Coalition acknowledges that hotels are very popular venues for people to watch major events, particularly sporting events. The popularity of hotels as venues for viewing major sporting events is further enhanced by the fact that many events are only broadcast on pay television. Most hotels are hooked up to pay television and, as such, they provide a viewing venue for people who do not have personal access to pay television.

In recent times we have seen significant events, such as the National Rugby League Grand Final, held on a Sunday night. Such changes in scheduling, together with improved television coverage of international events, including the World Cup, have created the need for this bill. Members of the community should have the opportunity to watch events such as the World Cup Final at their local hotels through to their completion. I do not believe it would be appropriate to ask these people to leave the hotels at 10.00 p.m., as the Liquor Act currently requires. The World Cup final kicks off at approximately 9.00 p.m. and will therefore conclude at approximately 11.00 p.m. The match will be only half finished at 10.00 p.m. and a mass exodus of people from hotels at this time would no doubt create stress for local transport and security arrangements, not to mention the disappointment it would cause patrons who are forced to cease watching the game before it is finished.

It is sensible to amend the Liquor Act to allow Sunday trading for hotels until midnight during events of State, national or international significance so that a legislative change is not required each time a significant event is held on a Sunday night. I understand that the dates of these events will be prescribed in the Liquor Regulation if events are considered by the Minister responsible to be of significance. The Coalition will monitor the dates chosen by the Minister to ensure they are appropriate. The bill will only enable hotels to trade until midnight, and no extra takeaway sales will be allowed.

I thank the Minister for his undertaking to bring legislation before the House in the next session to amend the Gaming Machines Act to allow early morning trading by clubs and hotels on Anzac Day. I thought it a little strange on the morning of Anzac Day this year that those who attended the dawn service and repaired to a hotel or club, usually for breakfast and a drink, were unable to play a poker machine if they so chose. It is anomalous that we were quite happy to send people overseas to engage in war, be shot at and so on, but we were worried about their playing a poker machine at 5.30 on Anzac morning. I thank the Minister for undertaking to address that anomaly. Clubs, hotels and members of the community have contacted me expressing concern about this issue, and I am very pleased that the Minister has responded to representations and undertaken to amend the Gaming Machines Act to make an exception for this very special day on Australia's calendar. As I have said, the Opposition does not oppose the Liquor Amendment (Special Events Hotel Trading) Bill.