



Liquor Amendment (Special Events Hotel Trading) Bill 2007

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Extract from NSW Legislative Assembly Hansard and Papers Tuesday 25 September 2007.

Agreement in Principle

Mr GRAHAM WEST (Campbelltown—Minister for Gaming and Racing, and Minister for Sport and Recreation) [7.31 p.m.]: I move:

That this bill be now agreed to in principle.

The 2007 Rugby World Cup commenced on 8 September. The tournament is being held in France with selected games also being played in Wales and Scotland. As one would expect, there is a high level of community interest in games involving the Wallabies. Many people also are closely watching the fortunes of other teams, such as New Zealand, South Africa, England, Ireland, Wales, and Scotland. The time difference between France and Australia has resulted in match telecasts beginning late at night or in the early morning hours. The kick-off times for pool games that already have been played have varied from 9.45 in the evening, New South Wales time, through to 2.00 a.m., 4.00 a.m., and 5.00 a.m. The kick-off times for finals matches, which begin on Saturday 6 October 2007, will either be 11.00 p.m. or 5.00 a.m., New South Wales time.

Many people wish to watch match telecasts in licensed venues—principally hotels and registered clubs. These venues are a traditional Australian social environment for sporting fans. They have facilities, such as large-screens displays, which make them popular for watching sport. Under the Liquor Act, standard hotel trading is limited to midnight closing on Monday to Saturday and to 10.00 p.m. closing on Sundays.

Approximately 50 per cent of hotels already have extended trading past midnight on Saturdays approved under the Act. These hotels are located in entertainment and non-entertainment precincts in both metropolitan and regional rural areas. Closing times vary from 1.00 a.m. through to 24-hour operations. Standard hotel opening times under the Liquor Act are 5.00 a.m. from Monday to Saturday and 10.00 a.m. on Sunday. The Liquor Act allows hotels to apply to the Licensing Court to open from 5.00 a.m. and trade until midnight on Sundays to meet the needs of tourists and tourism, or other special needs. Approximately 30 per cent of New South Wales hotels have taken advantage of this extended trading, while a few hotels in the central Sydney area also have had trading approved beyond midnight on Sunday nights.

The hotel industry approached the Government with a request that standard hotel trading be extended during the Rugby World Cup. The industry made the request because of the aforementioned popularity of hotels as venues in which to watch sporting telecasts. The industry also pointed out that some matches, particularly those commencing at or after 10.00 p.m., New South Wales time, will be part way through when many hotels will be required to close for the evening. The closure of hotels part way through matches will create difficulties for licensees in asking patrons to leave and in dispersing them from the immediate surrounds.

The forced exit onto the street of large numbers of hotel patrons who have been watching an event can place a significant strain on local transport and security. This is made worse when patrons are disgruntled at having to leave hotel premises part way through a match. Unfortunately it has not been possible for amendments to the liquor laws to be considered in time for pool matches of the Rugby World Cup. Therefore the bill before the House is limited only to hotel trading hours for Rugby World Cup finals matches.

The bill amends the Liquor Act to provide for special hotel trading on Saturday 6 October 2007 and Sunday 7 October 2007 until 1.00 a.m. on the following day or until the relevant finals match on each of those days concludes, when a telecast of the match is provided by a hotel. The bill also provides for special hotel trading from 5.00 a.m. on Sunday 7 October 2007, Sunday 14 October 2007 and Sunday 21 October 2007 to cater for finals matches that commence early in the morning. This is a modest but reasonable extension to accommodate finals matches that have already begun during standard trading hours for most hotels, and to allow patrons to view early Sunday morning finals matches.

The extension will allow hotels to sell liquor for consumption on licensed premises only. It does not permit takeaway sales to be made. Further, the extension will not overrule any previously imposed trading restrictions or other conditions that apply to an individual hotel licence. Restrictions dealing with neighbourhood disturbance problems that are imposed by the Liquor Administration Board, including lockouts and restricted entry, will continue to apply. The bill also will not specifically overrule planning approvals administered by local councils. I remind both licensees and patrons to comply with laws relating to the responsible service of alcohol, or future hotel trading extensions during major sporting events will be put at risk.

While we want people to go out and have a good time, we do not want people to go overboard. The liquor laws are designed to protect the public and increase safety for everybody. It is an offence for patrons to be intoxicated on licensed premises. Patrons must obey the direction of licensees and staff to leave, or the police will be called and the patron may be issued with a \$550 on-the-spot-fine. Patrons arriving at or leaving licensed premises also are expected to be mindful of surrounding residents.

As I have already noted, some hotels have extended trading approved under the existing law. This proposal will not restrict the trading rights of those hotels. It is not necessary for the bill to propose extended hotel trading for Rugby World Cup finals matches on 8 October 2007, 15 October 2007 and 20 October 2007 as those matches will be telecast during standard hotel trading hours. The Liquor Act provides for individual hotels to make an application to the Licensing Court for extended liquor trading on a special occasion. It is possible that some hotels may have been able to utilise this provision to extend trading hours for 2007 Rugby World Cup matches, including round matches not covered by this bill. However, a requirement for all hotels without approved extended trading to undergo an application process would have resulted in the court, police and licensing agency being swamped with applications, and considerable resources would be required to process all of those applications.

I point out that in 2006 the Liquor Act was amended to allow hotel trading until 1.00 a.m. for stage one of the Fédération Internationale de Football Association [FIFA] World Cup matches that were held in Germany between 10 June 2006 and 19 June 2006. This bill applies to hotels only. While registered clubs are also a popular venue in which to view sporting telecasts, clubs generally have no restrictions on their trading hours under the Registered Clubs Act. The Government does not consider it necessary or desirable for an extension of trading hours to be made available to licensed restaurants or other licensed venues because those venues are generally not used by the public for viewing the telecast of significant sporting events.

It is likely that there will be significant events in the future when a similar extension of hotel trading is desirable. While the Government is finalising proposed liquor law reforms, it is possible that other significant events may occur in the meantime. Therefore the bill includes a regulation-making power to cover any significant events that may be held in the future. The power will allow extended hotel trading hours, allowing sales for consumption on the premises only to be prescribed on a day on which a special event is to be held, or on a day that immediately follows such a day. A special event must be an event of regional, State or national significance. The timing of this bill will not permit such a regulation to be made for the 2007 Rugby World Cup events and that is why the bill includes specific World Cup amendments. There is precedent for this bill: The Liquor Act was amended in 2002 and 2006 to extend hotel trading for certain games of the Fédération Internationale de Football Association World Cup. I commend this bill to the House.