

Budget Estimates 2011-2012

Questions on Notice

Questions relating to the portfolio of Hospitality and Racing

Questions from the Hon Amanda Fazio MLC

Question:

40. In relation to the Thoroughbred Racing Amendment Bill 2011:

- a. If an applicant for board appointment falls within the 12 month period of membership to Racing NSW the selection panel will refer to a probity officer to determine the individual applicant's compliance. What probity measures and compliance measures will the probity officer use to determine the eligibility to for board membership?

Answer:

No issue of probity (or involvement of a probity officer) would arise in the above circumstances as the applicant would simply not be eligible for appointment under the new amendments to section 6 of the Act.

Those amendments provide that a person is not eligible to be an appointed member of Racing NSW if the person:

- (a) is currently, or during the previous 12 months has been, an employee of a race club, racing association or eligible industry body, or
- (b) is currently, or during the previous 12 months has been, a member of the governing body of a race club, racing association or eligible industry body.

Question:

41. In relation to Melbourne Cup on 1 November 2011:

- a. Did you receive any complimentary hospitality on Melbourne Cup Day?
- b. If so, from whom?
- c. Were any people present lobbyists for racing and gaming interests?
- d. If so who are they and who do they represent?
- e. What is the estimated value of the free hospitality that you received?

Answer:

- a. Yes.
- b. Muswellbrook Race Club- seated at a BHP sponsored table.
- c. No.
- d. Not applicable.
- e. \$60 for lunch. There were no entry fees or parking charges as the Minister is a member of the Muswellbrook Race Club.

Questions from Dr John Kaye MLC

Question:

42. How many poker machine entitlements are there currently in NSW?
- a. What is the breakdown of those machines by registered clubs, hotels and casinos?

Answer:

As at 4 November 2011, there were 97,224 poker machine entitlements in NSW.

There were 94,380 poker machines operating in NSW hotels and clubs, as at 4 November 2011. Clubs were operating 70,927 poker machines and hotels were operating 23,453 poker machines.

The Star casino is not subject to the poker machine entitlement trading scheme established by the *Gaming Machines Act 2001*. The casino is limited to operating 1,500 gaming machines under a Ministerial Directive issued under section 8 of the *Casino Control Act 1992*. The casino does not hold poker machine entitlements.

Question:

43. If it is, as you as Minister pointed out, during the Estimates hearing, “virtually impossible” to calculate the impact of the introduction of mandatory pre-commitment on licensed venues' revenue, on what basis does the NSW government continue to insist that clubs will be negatively affected by the legislation?

Answer:

As I stated during the Estimates hearing, while I am unable to precisely quantify the impact, I am satisfied that its magnitude will be great. To repeat what I stated during the hearing, “I accept that the losses will be of significant magnitude in revenue, employment and in the ability of clubs to provide the sorts of benefits and facilities to the community that they have in the past”.

Another important basis for the NSW Government's stance on this issue is that the Federal Government has not provided any evidence that its mandatory pre-commitment proposal would make a difference to problem gambling. Additionally, despite requests the Federal Government has not provided any advice regarding the issue of compensation to the states and territories should it seek to introduce legislation to implement mandatory pre-commitment.

The costs of implementing a system of mandatory pre-commitment within the timeframes sought by the Commonwealth would also have a detrimental effect on the financial viability of venues.

Question:

44. Will the Minister rule out allowing clubs to construct or hire ATMs such as those proposed in the Clubs Australia training documents?

Answer:

Current NSW laws prohibit cash dispensing facilities being located within the gaming areas of venues. A hotel or registered club must also not permit a cash dispensing facility to be installed or located in any part of the hotel or club premises if the facility is capable of providing cash from a credit card account.

While I am unaware of any specific venues in NSW seeking to circumvent the above provisions, they would be subject to swift compliance action if any breach of the law were to occur.

If however, any Commonwealth laws are introduced that override current NSW legislative provisions relating to ATMs in gaming venues, the responsibility for enforcing those provisions will lie with the Commonwealth Government.

Question:

45. Less than a week after becoming Minister you were quoted in the Daily Telegraph saying that you were very concerned with the rise of outdoor gambling advertising. What specific actions has the government taken to address the proliferation of gambling online and in other places and the proliferation of signage at venues other than licensed venues?

Answer:

The regulation of online gambling is a Commonwealth responsibility, under the *Interactive Gambling Act*. Following concerted effort from NSW and other jurisdictions through the Council of Australian Governments Select Council on Gambling Reform, the Commonwealth Government is now reviewing the adequacy of its current regulatory arrangements.

Similar pressure from NSW and the other States and Territories has resulted in the Commonwealth also agreeing to address the issue of in-run betting commentary during sporting broadcasts.

In relation to gambling signage, as I outlined during the Estimates hearing, this issue is under active consideration by the NSW Government, as well as other Australian Governments arising out of national discussions at the Select Council on Gambling Reform. I am looking to develop a joint proposal with my colleague, the Minister for Sport and Recreation on the matter.

Question:

46. What is the funding in the 2011/12 Budget provided to the Alcohol Licensing Enforcement Command (ALEC)?
- a. How does that compare to the previous budget?

Answer:

The Office of Liquor, Gaming and Racing Budget does not provide funding to the Alcohol Licensing Enforcement Command. This question should be referred to the Minister for Police, the Hon Michael Gallacher MLC.

Question:

47. How many compliance officers are currently employed by OLGR?
- a. Is the Minister satisfied that there are enough licensing officers employed to enforce compliance by licensed venues of the Liquor Act?
 - b. Are there any plans to increase the number of compliance officers employed by OLGR?

Answer:

There are 79 positions in the Compliance Branch within the Office of Liquor, Gaming and Racing.

- a. Yes, there are sufficient resources to monitor industry wide compliance with the Liquor Act. The Office of Liquor, Gaming and Racing adopts a strategic approach to enforcement focusing on high risk venues and precincts. Industry-wide enforcement is also facilitated by compliance and regulatory activities undertaken throughout the office, such as strategic engagement with industry and day to day liquor licensing processes. Likewise the policy and regulatory functions of the office undertake activities that achieve greater industry compliance. These activities complement the local and strategic enforcement activities undertaken throughout the State by co-regulators including the NSW Police Force.
- b. There are no immediate plans to increase the number of compliance officers employed by the OLGR.

Question:

48. Could the Minister please provide the current list of licensed venues that are on either Level 1 or 2 licensing conditions?
- a. When does this list expire and a new one created?

Answer:

The attached list (**Tab A**) details those premises included in Round 5 of the Schedule 4 declared premises scheme. This information is in the public domain and accessible through NSW Parliament website.

- a. A regulation to amend schedule 4 is generally made twice per year. Round 6 of the scheme is proposed to commence on 1 December 2011 for venues that are new to the scheme, and on 8 December 2011 for venues already captured under the scheme.

Question:

49. As a possible solution to alcohol-related violence, would the Minister consider modification of licence fees to require each venue to bear a larger proportion of its attributable costs of the policing of RSA and for the impact of the venue and its patrons on the neighbourhood?

Answer:

The Liquor Act establishes an escalating hierarchy of application fees for categories of licences and authorisations which have an association with a higher risk of alcohol-related harm, such as hotel licences and extended trading authorisations which permit trading after midnight.

The Act does not require the payment of ongoing licence fees.

The NSW Government is implementing a range of initiatives to address alcohol-related violence, including expanded police move on powers, a new intoxicated and disorderly offence, the trial of sobering-up centres, and a new “three strikes and you’re out” scheme targeting rogue licensed venues. The NSW Government will also continue to consider other policy options to tackle alcohol-related violence.

Question:

50. What role does the Minister believe the provision of more late night public transport services would have in reducing alcohol-related violence?

Answer:

The provision of late night transport services is one of a number of measures that can assist in reducing alcohol-related violence. Along with tough measures being put in place for licensed venues and measures to improve public awareness and personal responsibility, the provision of late night transport services can play an important role in reducing alcohol-related violence, particularly in popular entertainment precincts.

Providing safe, accessible and cost effective late night transport plays an important role in dispersing patrons from entertainment precincts. This reduces the likelihood that patrons will loiter or wander around late at night where there is a possibility for alcohol related crime such as damage to property or violence.

An independent evaluation of the Precinct Liquor Accords reveals high usage of the services put in place to address late night transport options. In addition many local liquor accords throughout NSW have supported free or low cost bus services at weekends and/or peak seasonal times in order to reduce the possibility of alcohol-related crime.

Question:

51. What upgrades in terms of betting facilities will be included in the redevelopment of the Randwick racecourse?

Answer:

The Honourable Member's attention is drawn to the answer given to a similar Question on Notice tabled by him in the Legislative Council on 5 August 2011, LC 0371 – RANDWICK RACECOURSE REDEVELOPMENT.

It is envisaged that the new grandstands will incorporate the same scale of wagering facilities, ie both TAB and licensed bookmakers, as existed prior to the redevelopment.