

# GENERAL PURPOSE STANDING COMMITTEE No. 3

Friday 17 October 2008

Examination of proposed expenditure for the portfolio area

## GAMING AND RACING, SPORT AND RECREATION

The Committee met at 2.00 p.m.

### MEMBERS

The Hon. A. R. Fazio (Chair)

The Hon. R. M. Parker  
The Hon. G. J. Donnelly  
The Hon. T. J. Khan

Ms L. Rhiannon  
The Hon. R. A. Smith  
The Hon. H. M. Westwood

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### PRESENT

**The Hon. K. P. Greene**, *Minister for Gaming and Racing, and Minister for Sport and Recreation*

**Department of the Arts, Sport and Recreation**

**Ms C. Mills**, *Director General*

**Mr M. Foggo**, *Commissioner, Office of Liquor, Gaming and Racing*

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## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**

**CHAIR:** I declare this hearing for the inquiry into budget estimates 2008-09 open to the public. I welcome Minister Greene and his accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Gaming and Racing, and Sport and Recreation. I advise that during this hearing the Hon. Robyn Parker will substitute for the Hon. John Ajaka as a member of the Committee.

Before we commence I wish to make comments about procedural matters. In accordance with the Legislative Council guidelines for the broadcasting of proceedings, only Committee members and witnesses may be filmed or recorded; people in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee you must take responsibility for what you publish and what interpretation you place on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available on the table by the door. Any messages from attendees in the public gallery should be delivered to the Chamber and support staff or the Committee Clerks.

Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers whilst at the table. I remind everyone to please turn off their mobile phones. The Committee has not agreed to any particular format for this hearing, so we will have questions on rotation between Opposition, crossbench and Government members until the time expires.

Minister, the House has resolved that answers to questions on notice must be provided within 21 days, and the Committee has not changed that determination of the House. Transcripts of the hearing will be available on the Web from tomorrow morning. All witnesses from departments, statutory bodies or corporations will need to be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

**MICHAEL FOGGO**, Commissioner, Office of Liquor, Gaming and Racing, and

**CAROL MILLS**, Director General, Department of the Arts, Sport and Recreation, affirmed and examined:

**CHAIR:** Minister, as you are probably aware, there is no provision for the making of opening statements at this year's budget estimates hearings. I declare the proposed expenditure for the portfolios of Gaming and Racing, and Sport and Recreation open for examination. We will commence with 20 minutes of Opposition questioning.

**The Hon. TREVOR KHAN:** Minister, has the Premier issued any directions to you with respect to betting exchange operations?

**Mr KEVIN GREENE:** No.

**The Hon. TREVOR KHAN:** Did you have a position with regard to betting exchange operations?

**Mr KEVIN GREENE:** Are you specifically referring to Betfair?

**The Hon. TREVOR KHAN:** No, I am referring to betting exchange operations. We will talk about Betfair in due course.

**Mr KEVIN GREENE:** You are referring to operations such as the Betfair exchange?

**The Hon. TREVOR KHAN:** That is right.

**Mr KEVIN GREENE:** As you would be aware, Betfair was given a licence in Tasmania which effectively allows it to operate anywhere within the Australian jurisdiction. Therefore, under that legal requirement given by the Constitution of 1901, it is allowed to operate in New South Wales. So we had to allow them to participate within our market.

**The Hon. TREVOR KHAN:** Is that your understanding of the position?

**Mr KEVIN GREENE:** I am happy to take advice, but my understanding is that there is a High Court case that allows them to operate within all jurisdictions.

**The Hon. TREVOR KHAN:** Without limitation, is that what you are saying?

**Mr KEVIN GREENE:** No, not without limitation. A case has just been held in Western Australia that basically determined that Betfair is allowed to operate. We have just made some announcements in terms of their opportunity to advertise within New South Wales, again because of the trade practices legislation.

**Mr FOGGO:** Section 92 of the Constitution guarantees free trade between States. The Western Australian Government had endeavoured to restrict the operations of Betfair, who are licensed in Tasmania, from operating in Western Australia. The High Court determined that that was in effect a restraint of trade, and it provided, I suppose, a monopolistic advantage to the Western Australian Totalizator Agency Board in that case. It disallowed the Western Australian legislation, and affirmed that in situations where there are national markets across any type of markets which operate freely across States, any move by a State to restrict that market would be seen to be unconstitutional. Therefore, what flows from that is that in New South Wales people are free to bet with Betfair, a licensed provider out of Tasmania.

**The Hon. TREVOR KHAN:** Has the High Court decision had any impact with regard to any current legislation in New South Wales?

**Mr KEVIN GREENE:** As I say, we have made announcements about legislation concerning advertising. Currently they are not allowed to, or they were not allowed to, advertise within New South Wales, and it is a similar situation in Victoria. We have indicated that we will be bringing forward legislation concerning advertising which will ensure that their advertising is within the regulatory confines that apply to anyone who operates betting activities within this State.

**The Hon. TREVOR KHAN:** Have you, or any members of your department, met with representatives of Betfair?

**Mr KEVIN GREENE:** No. Well, I certainly have not met with Betfair.

**The Hon. TREVOR KHAN:** Let me widen the question. As I said, representatives of your department?

**Mr KEVIN GREENE:** They would have to discuss it but I am not aware.

**Mr FOGGO:** Not that I am aware of. The only issue we have with Betfair at the moment is that Betfair has challenged the New South Wales legislation that restricts advertising in New South Wales and, I suppose in that regard, we are and have been part of a challenge in the Federal Court, which involves ourselves and Victoria in relation to those particular advertising restrictions.

**Mr KEVIN GREENE:** Which is what I was referring to earlier.

**The Hon. TREVOR KHAN:** The Totalizator Act has always prohibited bookmakers from offering dividends based on tote odds but the Government seems to have been sitting on its hands as the racing industry and the TAB see their income drifting to the Northern Territory. What is the Government doing about retaining the revenue of New South Wales in this State and dealing with this behaviour?

**Mr KEVIN GREENE:** There is no doubt that there have been considerable changes and you referred, in the first instance, to betting changes vis-à-vis Betfair. As I indicated, they have obtained a licence through Tasmania. Similarly, there have been operations of corporate bookmakers basically who have obtained licences through the Northern Territory and, as a result of that, are allowed to take bets from anywhere within Australia. What the Government has done is put together what is known as the Cameron review into wagering. That is one of our proactive measures to see what we can do in terms of wagering generally within this State. There is no doubt that the setting up of corporate bookmakers under Northern Territory legislation has certainly changed the face of wagering across the whole of Australia.

**The Hon. TREVOR KHAN:** Let us talk about Mr Cameron. Alan Cameron has prepared a report, I take it, from what you are saying?

**Mr KEVIN GREENE:** Is preparing a report.

**The Hon. TREVOR KHAN:** It has not been delivered to the Government yet?

**Mr KEVIN GREENE:** No. That report has not arrived as yet.

**The Hon. TREVOR KHAN:** When are you expecting to receive the report?

**Mr KEVIN GREENE:** I can actually give you the full answer. The Government commissioned Alan Cameron to conduct an independent review of wagering in New South Wales to provide a framework to the future growth and sustainability of the racing industry. Mr Cameron released an issues paper in March 2008 and a follow-up wagering background paper in June 2008. Submissions to the review closed on 31 July 2008 and Mr Cameron is expected to report in the near future.

**The Hon. TREVOR KHAN:** When are you expecting to receive the report?

**Mr KEVIN GREENE:** In the near future.

**The Hon. TREVOR KHAN:** Is that in a matter of days?

**Mr KEVIN GREENE:** No. That would be within a matter of weeks I would hope.

**The Hon. TREVOR KHAN:** Are you aware that a person assisting Mr Cameron in his review is a gentleman by the name of Mr Jeremy Thorpe?

**Mr KEVIN GREENE:** I understand that, yes.

**The Hon. TREVOR KHAN:** You know of that?

**Mr KEVIN GREENE:** I see papers that indicate that he is part of that. I have seen that name.

**The Hon. TREVOR KHAN:** Are you aware that he previously had a prior commercial relationship with Betfair?

**Mr KEVIN GREENE:** I am not, no. Did he?

**The Hon. TREVOR KHAN:** I am putting to you that that is the case.

**Mr KEVIN GREENE:** Well, that is the first I have heard of it.

**The Hon. ROBYN PARKER:** Has not someone checked that?

**The Hon. ROBYN PARKER:** I would have thought that someone might have checked that?

**Mr KEVIN GREENE:** And, as I have said, Alan Cameron is undertaking a review. I did see it in a paper that Jeremy Thorpe was assisting him.

**The Hon. TREVOR KHAN:** If it were the case that Mr Jeremy Thorpe has had a prior commercial relationship with Betfair, does that give you cause for any concern?

**Mr KEVIN GREENE:** I am not aware of that. That is something that you have just raised now so I cannot make any comment further than that.

**The Hon. TREVOR KHAN:** I am inviting you, in the light of what I am saying, to undertake inquiries?

**Mr KEVIN GREENE:** I am happy to follow that up, if necessary, but as I say I am unaware of what that relationship might have been. Where he had a bet on Betfair or not I am not sure.

**The Hon. TREVOR KHAN:** Are you prepared to undertake inquiries as to the background of Mr Jeremy Thorpe?

**Mr KEVIN GREENE:** Yes, we can do that.

**The Hon. TREVOR KHAN:** If it is found that he has had a prior commercial relationship with Betfair—

**Mr KEVIN GREENE:** Let us not be hypothetical.

**The Hon. TREVOR KHAN:** Minister, I am entirely being hypothetical. If it is found that he has had a prior commercial relationship with Betfair—

**The Hon. GREG DONNELLY:** Point of order. The honourable member is inviting the Minister to be hypothetical. As I understand the standing orders that apply to these hearings there is no provision for the asking of hypothetical questions and therefore I would ask that question be ruled out of order.

**CHAIR:** In fact we dealt with this at a hearing earlier in the week when someone was asking another Minister hypothetical questions and they were ruled out of order. Would you please refresh your question so that it is not hypothetical and then the Minister will answer it?

**The Hon. TREVOR KHAN:** Minister, what will you do to insure that any person involved in the preparation of the Cameron report is appropriately detached from prior commercial relations with any relevant body or corporation?

**Mr KEVIN GREENE:** I am looking forward to receiving the review that Alan Cameron is preparing but when I receive that report I am also prepared to take advice from the department on the issues you raise.

**The Hon. TREVOR KHAN:** Will you give an undertaking that you will consult fully with the racing industry before any action is taken on the wagering environment in New South Wales, including any of the Cameron report recommendations?

**Mr KEVIN GREENE:** We have already had extensive consultation, as I detailed in a previous answer, and I do not think there is any need to go through those dates again. There have been opportunities for people to lodge submissions and I am looking forward to receiving the Cameron report in the near future.

**The Hon. TREVOR KHAN:** I am dealing with once you have the Cameron report and its recommendations, are you intending to go through a round of consultations following that?

**Mr KEVIN GREENE:** As I have said, there have been considerable consultations. Let us wait and see what the report provides and then we will take the appropriate steps once I have the report in my hand and have been through it in detail.

**The Hon. TREVOR KHAN:** Are you prepared to give an undertaking that you will release the report immediately upon receipt?

**Mr KEVIN GREENE:** No.

**The Hon. TREVOR KHAN:** Are you prepared to release the report after having read it?

**Mr KEVIN GREENE:** As I have said, I have not received it yet. When I have received it we will work on it.

**The Hon. ROBYN PARKER:** Minister, I am unaware of this report. I was wondering what the cost of the report is? The consultancy costs et cetera?

**Mr FOGGO:** I have not got a direct figure at this stage.

**The Hon. ROBYN PARKER:** Can you take that on notice? I am just interested to know. Also, the dispersal of those costs?

**Mr KEVIN GREENE:** As has been highlighted by your colleague from The Nationals, this is a significant report into wagering for the reasons semi-articulated by him and it is something that we look forward to receiving.

**The Hon. TREVOR KHAN:** Given that the TAB takes \$4.50 to \$5.00 out of every \$100 bet and the race fields legislation caps bookmakers at \$1.50, how has the rate been decided upon?

**Mr KEVIN GREENE:** As I understand it, the race fields legislation determines that up to \$1.50 can be taken by race clubs to support their activities. Within the TAB take, which I presume you understand as you seem to have some little knowledge of the racing industry—

**The Hon. TREVOR KHAN:** I know how to lose money on it.

**Mr KEVIN GREENE:** Everyone is aware that there is a disbursement from the TAB back to the racing industry as a whole: 70 per cent goes to thoroughbreds, 17 per cent to harness racing and 13 per cent to the greyhound industry. The race fields legislation, which has also got another name, allows money to go directly to those industries but they can determine up to 1.5 per cent. They make those determinations.

**The Hon. TREVOR KHAN:** Let me put it to you this way. How do you expect the racing industry to survive given, under what we have just talked about, the racing industry is exposed to potentially losing 66 per cent of its income?

**Mr KEVIN GREENE:** I am not sure that that follows.

**The Hon. TREVOR KHAN:** Well, the take previously was \$4.50 to \$5.00 from the TAB.

**Mr KEVIN GREENE:** The percentage take is the same as it has always been, that is right, in terms of the TAB.

**The Hon. TREVOR KHAN:** We are now talking about \$1.50, are we not?

**Mr KEVIN GREENE:** That is for other operators.

**The Hon. TREVOR KHAN:** That is right. There is a potential loss of income, is there not, of about 66 per cent?

**Mr KEVIN GREENE:** This is what we have got the Cameron review looking at in detail. We need to look at the whole broad picture of wagering, not just little parts of it, because there are significant issues, not just in terms of Betfair in Tasmania, corporate bookmakers in the Northern Territory, or people setting up in Vanuatu or the Bahamas. There is significant interest in this. That is one of the reasons not only this Government but, I understand, Victoria and other jurisdictions have introduced legislation similar to ours in terms of race fields legislation to try to ensure the ongoing viability of what is a major industry, not just in this State but throughout Australia. You would be aware that we have a very different model to other jurisdictions throughout the world, and specifically here I refer to England and the United States. We need to ensure—and again that is why I say we have the Cameron review—that we look at all parts of wagering because it is such a significant industry.

**The Hon. TREVOR KHAN:** Would you agree with me that the impact of this changing environment is potentially devastating to the industry?

**Mr KEVIN GREENE:** What I would say is we need to make sure that in the ever-changing environment we do whatever we can that is fair in reasonable to protect the New South Wales racing industry as a whole. That is why Alan Cameron, as I understand, was engaged to put this report together.

**The Hon. ROBYN PARKER:** The relaxation of the advertising laws that we have been talking about is going to damage New South Wales bookmakers, the New South Wales tote and the racing industry generally because now interstate bookmakers can advertise freely in New South Wales and, without the restrictions that are placed on New South Wales operators, can offer more options and lower prices. The New South Wales bookmakers and the New South Wales TAB might fairly feel that they are being targeted. What are you going to do about it?

**Mr KEVIN GREENE:** I answered that question earlier, but I am happy to go back to it. As I said, and as Mr Foggo clearly indicated, there has been a High Court decision and most recently discussions in the Federal Court that require that we provide a fair and open environment for all those who are licensed to participate in racing within the Australian jurisdiction. Therefore, as a result, we are making certain that everyone who participates within the industry in New South Wales does so on exactly the same standard of advertising. As I have indicated in previous announcements, most recently last Friday with the Deputy Premier Victoria, where they are also introducing similar legislation, we are going to ensure that in advertising within this jurisdiction that everyone is on exactly the same level playing field.

**The Hon. ROBYN PARKER:** I know that you have been in the job only a short amount of time. We have asked questions about which you have not been sure of the answers. How many of your advisers are responsible for racing? Do you have specific advisers here who deal with the racing industry, which has been the subject of the bulk of our questions so far?

**Mr KEVIN GREENE:** That is what Michael Foggo's job is.

**Mr FOGGO:** I am the Commissioner of the Office of Liquor, Gaming and Racing.

**The Hon. ROBYN PARKER:** You do not have other advisers in racing who might be able to offer more comprehensive answers?

**Mr FOGGO:** I do not know what more comprehensive answers you require? If you want a comprehensive answer, I have just answered the question.



**The Hon. ROBYN PARKER:** They seem fairly vague so far. Do you feel confident that you have all the answers, even though you have had to take some of the questions on notice?

**Mr FOGGO:** This is a rather complex issue. It is not something that this State has a lot of control over. We have the Federal legislation, that is, the Constitution—

**The Hon. ROBYN PARKER:** It is a substantial industry, is it not?

**Mr FOGGO:** It is a substantial industry but we are constrained by the Commonwealth Constitution, which is rather difficult to change.

**The Hon. ROBYN PARKER:** Now that there is a Rudd Government, I am sure everything will be much easier.

**The Hon. GREG DONNELLY:** Point of order—

**The Hon. ROBYN PARKER:** You are trying to waste my time.

**The Hon. GREG DONNELLY:** The point of order goes to gratuitous statements and comments. The budget estimates program is for Committee members to present questions to the Minister and advisers and receive answers, not to make gratuitous statements.

**Mr KEVIN GREENE:** Might I also say, Madam Chair, questions have been asked about the racing industry and I have given answers and I have gone into some detail. A couple of times I have been required to go over those responses because it seems that there was some misunderstanding. I am sure that the quality of advice that I have received has been more than adequate.

**CHAIR:** Ruling on the point of order, we would proceed more efficiently and with fewer interruptions if members keep their remarks to the Minister brief and concentrate on asking questions. The time for the first session of Opposition questions has expired. We will now go to Ms Lee Rhiannon.

**Ms LEE RHIANNON:** Minister, I understand that the Office of Liquor, Gaming and Racing has investigated the finances of both an incorporated foundation set up by Jeff Gambin, the Just Enough Faith Foundation and a company of the same name set up by people associated with Mr Packer's media interests, Consolidated Media Holdings. I am trying to be clear about the timing. Is it the case that the investigation started in April this year and has the report been publicly released?

**Mr KEVIN GREENE:** We certainly did launch an investigation into the Just Enough Faith Foundation following a complaint about the management of the organisation. An investigation by senior charity inspectors involved the seizure of a large amount of documentation to examine the organisation's financial and fundraising activities. The Just Enough Faith Foundation, which I will now refer to as JEFF, was granted an authority to fundraise in New South Wales from August 2001 to February 2002. It has not held a current fundraising authority since. The investigation detected a series of breaches of the Charitable Fundraising Act 1991. This includes at least 10 unlawful fundraising appeals, resulting in 911 cash donations totalling more than \$2.5 million. A further six breaches relate to banking and record keeping offences, as well as failing to comply with a statutory notice. Each offence carries a maximum penalty of \$5,500 and three of the offences also carry a maximum penalty of six months in jail.

**Ms LEE RHIANNON:** Is the information you are giving from the report of the investigation or a general briefing?

**Mr FOGGO:** It is a general briefing.

**Ms LEE RHIANNON:** I am after information on the report of the investigation.

**Mr KEVIN GREENE:** I will have to refer to the Commissioner.

**Mr FOGGO:** We are still investigating this matter. There was an initial report done, which made certain recommendations that have been followed through. One of those was to refer the matter to the Commissioner of Police to determine if any offences had been committed under the Crimes Act. That has been

achieved. To avoid duplication, the Police have also been asked to consider breaches of the Charitable Fundraising Act as part of any investigation and prosecution.

**Ms LEE RHIANNON:** That was the initial report. Were there any other recommendations other than the two you have just informed the Committee about?

**Mr FOGGO:** We know that, for example, the Office of Fair Trading and the Australian Taxation Office are also carrying out inquiries as well.

**Ms LEE RHIANNON:** Have you heard where their investigations are up to?

**Mr FOGGO:** I am not sure I would like to divulge exactly where we are with an operational matter at the moment.

**Ms LEE RHIANNON:** You said that this is an initial report. I do not think it has been released publicly, has it?

**Mr FOGGO:** No.

**Ms LEE RHIANNON:** Will it be released publicly?

**Mr FOGGO:** We would have to give some consideration to that in due course but not until the investigation has been fully completed.

**Ms LEE RHIANNON:** You have an initial report, so you say the investigation is ongoing?

**Mr FOGGO:** That is right. We are exploring other actions that we might be able to take against the organisations. We have just recently received some legal advice in relation to that. So we are exploring other issues.

**Ms LEE RHIANNON:** You have been briefed on this, Minister?

**Mr KEVIN GREENE:** As I say, I just gave that information.

**Ms LEE RHIANNON:** You gave us that information. You have been briefed on the initial report and where the further investigation is up to?

**Mr KEVIN GREENE:** Only to the detail that I just gave you then.

**Ms LEE RHIANNON:** But that was detail that is very much in the public domain. Have you been briefed with regard to the charges?

**Mr KEVIN GREENE:** The matter has now been referred to the police and it is up to them.

**Ms LEE RHIANNON:** Up to them to determine what charges should be laid?

**Mr KEVIN GREENE:** They will pursue it, yes.

**Ms LEE RHIANNON:** So you did not actually recommend the charges that should be laid, is that how it works?

**Mr FOGGO:** We suggested to the police that in our view there were certain offences that had been undertaken.

**Ms LEE RHIANNON:** You identify what laws have been broken and you hand that as part of your brief to the police, is that how it works?

**Mr FOGGO:** That is part of the report that we give to the police, yes.

**Ms LEE RHIANNON:** What other information do you provide to the police?

**Mr FOGGO:** Again, we will provide to the police any information that assists them in their further inquiries.

**Ms LEE RHIANNON:** We are now into the second stage of the investigation. When do you anticipate that will be concluded?

**Mr FOGGO:** We need to have a look at the impact of the legal advice that has been given to us in relation to this matter. It is not an easy matter. In terms of the criminal issues, they have been referred to the police. In relation to other options that we might take under the Charitable Fundraising Act, we are considering our legal position at the moment in relation to those and what we can do.

**Ms LEE RHIANNON:** Minister, considering the public interest in the alleged misuse of funds by Mr Gambin—I think the case shocked us all, where somebody gambles or spends hundreds of thousands of dollars of an apparent charity's money—do you agree that it would be in the public interest that this report be publicly released?

**Mr KEVIN GREENE:** At this stage I think it is important that we let the police undertake their inquiries and conclude their inquiries before anything else occurs.

**Ms LEE RHIANNON:** Are you saying that the determination whether the report goes public is up to the police or you will discuss it with the police after they have possibly laid charges?

**Mr KEVIN GREENE:** What I was saying was I think we need to let the police undertake their full investigations before we make any other determinations.

**The Hon. TREVOR KHAN:** Unless you want a prosecution to fail by the release of a report.

**Ms LEE RHIANNON:** I am trying to understand the process, because, as you can see, it is not easy.

**The Hon. TREVOR KHAN:** There is justification for people to—

**Ms LEE RHIANNON:** I can see that, but there is also a need for the public to understand, and we just found out something. Minister, just moving on to some gambling issues: As you would be aware, Federally there is quite a bit of movement about reining in the dominance of gambling in our society with both the Prime Minister and senators expressing interest in tackling this area, and one suggestion was removing ATMs from gambling areas. Are you having discussions with your own Federal colleagues on these possible reforms and are you looking at it in the context of reducing New South Wales' reliance on gambling revenue?

**Mr KEVIN GREENE:** The Gaming Machines Regulations 2002 requires that cash dispensing facilities such as ATMs and Eftpos must not be located in any area of a club or hotel where gambling machines are located. ATMs have also been banned from inside the Star City casino since the day it opened. This requirement allows the gaming machine player to have a break in their gambling machine play and eat at the gaming area before obtaining money from an ATM, which allows them time to consider whether they want to continue playing. It also allows patrons to access cash from the facilities without having to enter a gaming area.

The report of a five-year review of the Gaming Machines Act 2001 recommended that the legislation be amended to prohibit ATMs in gaming venues from offering cash from credit card transactions. It is intended that this recommendation will be implemented in a package of amendments to be put to Parliament in the spring session 2008. The Government, through the Responsible Gambling Fund, is funding a research project into the impact of ATM locations and ATM withdrawal limits in gaming venues. This research will consider appropriate distances of ATMs from gaming areas, including the impact of the removal of ATMs from gaming venues. This research will be undertaken in 2008-09 and it is anticipated that it will inform future policy on this area of gaming regulation.

**Ms LEE RHIANNON:** Could you also just take up that aspect of the question that dealt with any interactions you are having with your Federal colleagues on these matters? I do not need a lengthy answer, I am just interested to know if there is a process going on there; it helps our understanding of how all this works.

**Mr KEVIN GREENE:** I have not personally had meetings but the ministerial council on gambling met in July 2008 for the first time in nearly two years and the council's work priorities for reducing harm from gambling included assisting individuals in setting their limits, including access to cash and credit technologies; developing responsible gambling environments through staff training and problem gambler identification—which, I might add, New South Wales has led in; establishing gaming machine standards; and developing mechanisms for better consumer protection. Ministers also agreed to the continuation of a national gambling research program for a further five years. As I say, I have not personally participated in that because—

**Ms LEE RHIANNON:** You were not the Minister.

**Mr KEVIN GREENE:** Yes. I am advised there will be another meeting next February.

**Ms LEE RHIANNON:** So it is still twice a year?

**Mr KEVIN GREENE:** We are having one next February and we have not had one for two years before that.

**Ms LEE RHIANNON:** The Greens' donations research shows donations by the hotel industry to the major parties in New South Wales have increased by 22 per cent since the 2003 New South Wales election and donations from clubs have increased by 34 per cent. Hotels donated \$2.7 million to the major parties between 2003 and 2007 and clubs over \$845,000. That is really a dramatic increase—it surprised everybody when we pulled those figures together. Do you believe there can be any serious policy debate about how best to combat hotel alcohol and gambling in New South Wales while the corrupting influence of donations still litters the political landscape?

**Mr KEVIN GREENE:** The way the question was phrased it is a bit like answering the question, "Are you still beating your mother?" The answer to the question is yes there is ongoing and continued rational debate within the political sphere and, obviously, within the community sphere, and I believe that debate is appropriate, as do people generally.

**Ms LEE RHIANNON:** I am not disputing your statement that there is rational debate, but I would be surprised if you would disagree that there is a wide perception that these donations are having a corrupting influence on public life for the democratic process. Do you agree with former Premier Iemma, who said on 22 March there should be a ban on political donations?

**The Hon. GREG DONNELLY:** Point of order: My difficulty with the question goes to the nature of whether it fits within the domain of this current budget estimates hearing. Clearly, what the member is doing is inviting the Minister to make some general comments, some general speculation, but I think we should come back to what are the specific terms of reference for this General Purpose Standing Committee. I think the nature of the question is way outside those terms and it should be ruled out of order.

**Ms LEE RHIANNON:** To the point of order: I think that it would be most unfortunate if the Minister were to be gagged from answering this question. It appears from the way the member has phrased his point of order that it is an attempt to shut down discussion on this issue, which cannot be divorced from the issue of donations and gambling policy in this State because there is an increasing perception that one influences the other.

**CHAIR:** The issue of the ban on political donations in general is a question that should be referred to the Premier. However, if the Minister wishes to comment on the Premier's statements in that regard that would be permissible.

**Mr KEVIN GREENE:** As I say, that is a question for the Premier in terms of donations. But, as I said, that is the position that he would need to take. I might also note that any donations that are made to any political party are freely available as part of the electoral funding and recording of donations.

**Ms LEE RHIANNON:** With all due respect, Minister, only up to a point and only after the election. I refer to problem gamblers. I understand that the five-year plan for treatment of problem gamblers is due to expire in 2008. Is a new plan being developed?

**Mr KEVIN GREENE:** I just referred to the July meeting. It is part of that national program. New South Wales has a number of programs, some of which are funded through the Responsible Gambling Fund set up by the Government to support problem gamblers. It is also worth noting and that the incidence of problem gambling is about 0.8 per cent of gamblers.

**Ms LEE RHIANNON:** Will this plan include a focus on primary intervention to stop people before they become problem gamblers, such as health promotion measures, early intervention strategies and primary intervention strategies for problem gamblers and their families? Or will it continue to focus on a tertiary treatment model to deal with people who are already problem gamblers?

**Mr KEVIN GREENE:** It will have both a preventative and an intervention focus.

**Ms LEE RHIANNON:** If you are doing both, I am interested in the split, because primary intervention is so important.

**Mr FOGGO:** The framework document, which is a national document, expires at the end of 2008. It has four major pillars. It looks at counselling services for problem gamblers, education of problem gamblers, research and the policy settings—that is, the legislative and regulatory framework. A lot of work has been done since the framework document was first published in 2003. New South Wales has been at the forefront of doing an enormous amount of work in that area.

With regard to tertiary services, counsellors do a lot of education at a local level. We are trying to undertake research to see what sort of interventions would be helpful. At the moment those interventions are in the policy setting or framework, and in the educative framework to some extent. We are looking at both settings to provide benefits to people who unfortunately have difficulty with betting.

**Ms LEE RHIANNON:** The Responsible Gambling Fund is funded by a 2 per cent levy collected at the Star City Casino. It has been stated for years that that 2 per cent does not stretch far enough. You are probably aware that one of the many problems we had with former Treasurer Michael Costa was that he refused to increase the levy despite representations from people such as Reverend Harry Herbert, who deal with problem gamblers and the hardship their addiction causes. Do you support an increase in the amount flowing into this important fund? Do you have any view on the New Zealand model, which funds problem gambling services from a levy on all forms of gambling in any setting, not only in casinos, as occurs in New South Wales?

**Mr KEVIN GREENE:** Over the past five years the average annual income of the Responsible Gambling Fund, including industries, has been about \$12.5 million. Total allocations to the gambling counselling program in 2008-09 are expected to exceed \$10.3 million. This amount will increase incrementally over the next three years to cover increasing service costs. The Responsible Gambling Fund also funds several gambling-related research projects and, in particular, the New South Wales contribution to the National Gambling Research Program.

Expenditure for the first five years of this program was \$1.5 million. The third key component of the Responsible Gambling Fund is expenditure on education and awareness activities. This comprised a range of programs, including the gambling hangover campaign targeting younger males, and a \$1.8 million has been earmarked from this campaign. It is worth noting that significant work has been done, particularly in New South Wales. In fact, some of the work referred to as part of that July ministerial council relies on work that has been undertaken in New South Wales. This is well worth placing that on the record.

**Ms LEE RHIANNON:** Do we conclude from that response that you do not support extending the 2 per cent levy to venues other than casinos?

**Mr KEVIN GREENE:** At this stage the 2 per cent covers the costs. Obviously that depends on the amount—

**Ms LEE RHIANNON:** Even though we are ending up with more problem gamblers?

**Mr KEVIN GREENE:** That is an incorrect statement.

**Ms LEE RHIANNON:** With all due respect, that is because the former Minister changed the definition, and as a result the numbers dropped.

**Mr KEVIN GREENE:** A national approach has been taken to the screening and the program. There is no doubt about that. There is also no doubt, particularly in my mind, that as a result of the work that has been done through counselling and other services, as articulated a minute ago, problem gambling has reduced in New South Wales.

**The Hon. GREG DONNELLY:** Minister, can you provide an update on how State Plan targets are being met with regard to volunteers in sport in New South Wales?

**Mr KEVIN GREENE:** Volunteers are essential to sport at all levels in New South Wales. The sector is dependent upon the unpaid labour of approximately 465,000 volunteers. That usually involves mums and dads taking on the roles of coaches, officials and committee members. They provide about 130 million hours of service to the community, which is worth more than \$2 billion annually using a rate of \$15 an hour.

Sporting volunteers comprise 29 per cent of all volunteers and therefore play a significant role in building healthy, engaged and harmonious communities. The outcomes of recent sporting sector consultation and a search of relevant literature indicates that the trend of involvement in sport volunteering is decreasing for a range of reasons. That could be placing an increasing strain on the community sports system in particular. As such, the development of the volunteer sector is a critical issue for the provision of sport and recreation in New South Wales.

Game Plan 2012, the New South Wales sport and recreation industry five-year plan, released in 2008 to guide sporting organisations as they develop their own strategic plans includes a new vision for volunteers with strategies aimed at increasing the number of qualified and competent volunteers, such as referees, technical officials, coaches and administrators, who feel valued and supported and who want to remain in the industry. The strategies in Game Plan 2012 are designed to develop an improved volunteer model where sport organisations create a culture of inclusion and support making volunteers feel valued, raising the awareness and understanding in the community of the value and benefits of volunteering in the sports industry, providing better incentives for volunteers in recognition of the contribution to the community, providing innovative and flexible approaches to training volunteers, and addressing the issues that prevent people from volunteering. The department provides programs, products and services for sport volunteers to assist in meeting the challenges of their role and to increase the number and diversity of volunteers engaged in the sport and recreation system.

Having been involved in sports coaching since 1975, when I was still at school, I have no doubt about the quality of the support that has been provided over the years. Those of us who are old enough would remember the work of Alan Davidson and the Rothmans National Sport Foundation. I note the member for Upper Hunter nodding his head in the gallery. They promoted coaching courses across all sorts of sports in the days of Level O and working through the system and they encouraged the participation of boys and girls in a variety of sports. Those programs have been very efficient.

One of the areas we have moved to now is supporting the administration of clubs. An enormous amount of work goes into that. We have all been to the volunteer sports organisations where they often struggle to get the secretary or the treasurer, not so much the president—it is one thing to chair a meeting, it is another thing to be involved. I am sure all of you around this table are involved. I still manage my son's soccer team every Saturday during winter. It is not just getting the people to be coaches and managers—obviously you need to get the referees through the local associations as well—but it is the canteen volunteers, the people marking out the grounds, people making sure the witches hats are in place, depending on the sport. In any sport you need to have people who are generous with their time. Without them it does not happen.

When we finish here this afternoon I will be heading off to cricket training with the boys. It is a great opportunity to be involved with young people. I take this opportunity to again highlight the great good that can be gained by those who volunteer. I have been involved for well over 30 years now and I have seen nothing but positives from being involved with the development of the sports I have been involved in with young people. It is fantastic and we need to continue to encourage volunteers because they also can gain an enormous amount from participating in sport, particularly with young people. That goes right through the levels. Even at the elite levels, we see those who work so diligently, and even up to the level of the Australian Olympic Committee and the work that takes place there.

**The Hon. HELEN WESTWOOD:** Minister, my question also relates to the sporting component of your portfolio. As you know, Sydney hosted the best Olympics ever. Will you tell the Committee what has been the legacy for Sydney in Olympic venues?

**Mr KEVIN GREENE:** Yes, certainly. New South Wales Sport and Recreation operates three former Sydney 2000 Olympic venues: The Sydney International Equestrian Centre, the Sydney International Shooting Centre and Sydney International Regatta Centre. The post-Olympic legacy benefits provided by the three venues are the provision of a base for major events in disciplines related to each sport; the provision of training facilities; the provision of a base for other related sports; and a resource for general community activities. For example, the equestrian centre caters for all the major Olympic equestrian disciplines of eventing, showjumping and dressage. It also caters for many other equestrian disciplines such as western horse, reining, breed events and pony shows.

The shooting centre has a range of resident clubs operating in different shooting disciplines, the largest being Cecil Park Clay Target Club, which has over 500 members. The regatta centre is the largest principal venue for rowing and canoeing events and training. The centre hosts State and national championships, Olympic selection trials, club and school events and elite athlete and talented athlete development programs. Each of the centres continues to be an important resource in assisting to develop and train volunteers in the respective sporting disciplines.

Again, when we talk about sport at the elite level, it is fantastic for those involved, but, as I have said for years, it is a pyramid with a very small point. We need to provide inspiration for our young athletes who are involved in that very large base by showing them where the point of that pyramid is and giving them the opportunities, certainly in Olympic years. With Sydney having the great benefit of the Olympics in 2000 we were able to show those at the bottom level, where participation is so important, that there are opportunities for those who want to come through. Only last week I was opening a new clay target shooting range at Menai. You could see the large participation base. Russell Mark, who many of you would know was an Olympic double trap shooting champion, was there to join in the opening of the facility. It is a very good facility but the reality is the great majority of those who use that facility will never go anywhere near national selection, let alone Olympic selection.

The legacy of the Games in facilities is also about encouraging participation for those who wish to be involved. We need to continue to promote all our sports to get those high participation levels. There was a gentleman out there who was 84 and still participating in a sport he loves. Another chap there had sadly had a stroke but he was still able to participate even with his disability. Mr Smith's colleague who was there could strongly support that. It does not matter which sport it is, as long as people are involved. Whether they get their inspiration from the elite or, as we were talking about a minute ago, through good volunteer coaches or whatever, it is their continued ongoing participation that is so vital.

**The Hon. GREG DONNELLY:** Minister, will you provide us with an update on activities at Centennial Park and Moore Park to improve the facility and to increase patronage at those venues?

**Mr KEVIN GREENE:** Certainly. Centennial Park receives around six million visits a year to its green space areas and facilities. It provides a much-needed place for the community to relax, play formal and informal games and participate in organised events. It is estimated that over 90 per cent of visitors enjoy free access and use. Almost 92 per cent of the trust's \$19 million operating budget comes from commercial activities, including Fox Studios and the entertainment quarter, the Hordern Pavilion and the Royal Hall of Industries. The trust successfully completed the next stage of the park improvement plan. Key projects included the stage two upgrade of Queens Park playground, the completion of the Centennial Park restaurant and stage one of the precinct works, rehabilitation of the pond system and replanting of trees. Over 230,000 people attended 38 events with money raised contributing 7 per cent of the trust's annual operating budget. Attendance at Centennial Park-managed events increased by approximately 29 per cent, to 231,000 in 2007-08. Major events such as the Good Vibrations Festival, the Jack Johnson concert—the only Jack Johnson I knew was a very good boxer in the early twentieth century.

**The Hon. ROBYN PARKER:** This one is a better singer.

**Mr KEVIN GREENE:** I had better speak to my children about that. Those events and the Moonlight Cinema were complemented by community-focused events including the Prince of Wales Hospital Foundation Ride for Life, the Starlight Foundation Tour de Kids and the New South Wales Guide Dogs Seven Magnificent

Marathons. I was at that Ride for Life earlier this year. The prime organiser of that is a chap by the name of Phil Bates. It is a significant event that has grown in recent years. It is fantastic to have a facility such as Centennial Park where that very good fundraiser for a fantastic organisation can be held. Phil Bates, who many of you may know not only through cycling but through fundraising, did a fantastic job. It was a great day to be there. Unfortunately it was when some Olympic events were on, but that is the way it is. The trust estimates it contributed \$34,000 in kind to the events that raised several million dollars for charity.

Over the past two years the trust has successfully eradicated rabbits from Centennial Park lands. This has proved of considerable benefit to vegetation, particularly the endangered Eastern Suburbs Banksia Scrub. The complete elimination of an introduced species from parkland is almost unknown in Australia. In June 2008 park officers presented a paper at the Vertebrate Pest Conference in Darwin on the trust's approach.

**The Hon. HELEN WESTWOOD:** Minister, will you tell the Committee what progress is being made on the implementation of the Independent Pricing and Regulatory Tribunal's recommendations for the New South Wales club industry?

**Mr KEVIN GREENE:** Certainly. The New South Wales Government and the clubs are working towards a shared vision of long-term prosperity for the clubs industry. In March 2007, the Government commissioned the Independent Pricing and Regulatory Tribunal to undertake a major independent public review of the club industry. This was to be the most significant and comprehensive review of that industry for more than half a century. The Government commissioned this review as part of its commitment to ensure the New South Wales club movement remained sustainable and the valuable community support it provides is maintained.

The review was undertaken over 15 months and involved extensive public and industry consultation. IPART examined a wide range of issues and challenges facing clubs including the social and economic contribution clubs make to the community, commercial, social and regulatory pressures on the industry and emerging industry trends.

It also looked at issues relevant to club governance—reducing red tape, improving financial management, and identifying training and development needs. The review also recognised the different needs of clubs in metropolitan, regional and remote areas. The final IPART report, published in June 2008, confirmed the significant contribution clubs make to the New South Wales economy and the need for continued Government support. The final report estimated that the value of clubs' contributions to social infrastructure in New South Wales in 2007 was \$811 million. The IPART made 69 recommendations in its final report. Many of the recommendations relate to financial reporting and benchmarking, education and training to improve club management, diversifying club operations and measures to ensure industry viability.

A key recommendation was the formation of the seven-member club viability panel to identify and help clubs experiencing financial difficulties. Senior Government and club officials will use the report to develop an industry management plan to support and guide a sustainable club movement over the next 10 to 15 years. That plan will be a shared government-club vision for the future and will involve extensive consultation with stakeholders. It will include also the development of a club charter to support registered clubs, members and the wider community. The key priority now is to give effect to the roadmap that IPART has laid down.

On 16 September 2008, Clubs NSW and the Office of Liquor, Gaming and Racing, held a workshop with senior representatives from club industry associations to discuss the implementation of the IPART recommendations. The disciplines agreed that sub-committees be formed to consider specific areas relating to the IPART's recommendations, the club viability panel, corporate governance, constitutional reform, industry management plan and other reforms. That work will be overseen by a steering committee comprising regulatory and club industry representatives including Clubs NSW Chief Executive Officer, David Costello, and the Commissioner of the Office of Liquor, Gaming and Racing, Mr Michael Foggo.

There is no doubt that social demographic and commercial changes over the past 10 years have increased the challenge for clubs to remain competitive and sustainable. The Government is helping to secure the future of clubs through practical law reform to reduce red tape and improve club management, changes to the Community Development and Support Expenditure [CDSE] Scheme, and allowing clubs experiencing financial difficulties to defer payments of gaming machine tax. The Government and club industry enjoy a strong working relationship and we will continue to work together to ensure that clubs grow and prosper.



**The Hon. GREG DONNELLY:** I refer to sports rage, which we have seen and heard about in recent time. Can you provide an update of progress of initiatives to tackle this issue?

**Mr KEVIN GREENE:** Yes. When it comes to stamping out sport rage, many people have a role to play including players, parents, spectators, coaches, officials and administrators. However, much of the responsibility still rests with the volunteer club or association committee. At last year's estimates hearing my predecessor gave a comprehensive description of the department's approach to this issue, which remains relevant. I am pleased to report that a number of the initiatives developed by my department to assist sporting clubs tackle the issue are proving a real winner at the grassroots level. A recent evaluation of the highly popular Sport Rage Prevention Kit for Club Committees has found that 87 percent of sporting organisations that had received the kit found it useful and more than half reported improved behaviour by players, spectators and officials.

In addition, 80 per cent of organisations that had received the kit reported that they were more confident to deal with sport rage incidents as a result of using the kit and nearly two-thirds had actually introduced or improved a clear process for dealing with incidents. The kit was designed to give volunteer administrators in community support the necessary tools and knowledge to address bad behaviour and, most importantly, to improve their confidence to put the right procedures in place to support their front-line volunteers. With more than 7,000 kits ordered by sporting clubs over the past 18 months and a further 372,000 free promotional materials—such as brochures, stickers, ground announcements and posters—ordered by clubs as part of the program, that kit has proven to be a very practical and popular resource for the sport industry.

The kit has been recognised also in several major industry awards, most recently winning the Gold Award at the 2007 New South Wales Sports Safety Awards. My department has also achieved a 50 per cent increase in the number of clubs registered in the highly successful Coloured Vest Program over the past year, with 356 clubs representing 25 different sports now participating. This practical program provides support to young beginner referees and umpires by identifying them as in training with a brightly coloured yellow vest. Promotional materials including posters are provided free of charge to sporting clubs to be displayed at the venue and handed to spectators with the slogan, "I'm wearing yellow, so please don't see red". The message to spectators and parents is clear—support the learners, not criticise them. Clubs participating in the program must nominate a mentor to assist the junior officials as they gain experience in their role.

Over the past year, some 3,335 volunteer sport administrators in New South Wales completed the Play by the Rules on-line training, which covers issues such as discrimination, harassment, abuse and a range of inappropriate behaviours in sport. This represents a 100 percent increase on the previous year registrations and is a result of significant promotion by my department to the sport industry. In addition, my department provided training to more than 1,500 volunteer administrators over the past year in conflict resolution, member protection, conflict handling and child protection.

It is important that we continue to encourage young participants, from the age of 11 or 12, to also become involved in their sport as an official. That would give them a deeper understanding and appreciation of their sport. It certainly will give them a deeper understanding of those who are officiating in their games when they are participants. As I mentioned earlier, in the soccer team that I managed this year a couple of boys played in the under-13s. They referee, and often they come straight from refereeing a junior game, with the six, seven or eight-year-olds, to play in their own game. That refereeing has obviously assisted them in playing their games and also in their appreciation and understanding the rules. That is very much a part of game development.

I remember years ago when I first started coaching cricket, basically because I was the only one available—again there was a lack of volunteers for umpiring and coaching—I was standing at square leg on a Saturday morning when I was coaching the 12Cs. I had to score as well as umpire. That taught me the great value of teaching young players how to score, although we did have some parents available. Again, the young players need to learn how to score, particularly when they get to the senior levels where they may have to umpire. That gives them an understanding of what is involved in the basis of the rules that govern sport.

**CHAIR:** We will now go to another section of Opposition questions.

**The Hon. ROBYN PARKER:** Minister, in relation to the Liquor Act, what is your view of the success of the changes to the Liquor Act that became effective on 1 July?

**Mr KEVIN GREENE:** The most significant reform to alcohol regulation and licensing in New South Wales in 25 years was achieved with the passing of the new liquor laws last December, which came into effect on 1 July. The new laws deliver greater protection to local communities from alcohol-related harm, create more choice for patrons and reduce complexity and costs of liquor licensing, provide flexibility and opportunities to business. The Alcohol Response Taskforce, known as ART, continued to target alcohol-related assaults on licensed premises in hot-spot areas identified in the Government's Crime Prevention Partnership Program.

Strategic enforcement staff are working closely with high-risk venue staff to adopt practical changes that create safer, more-responsible drinking environments. ART has been successful in reducing assaults on licensed premises in hot-spot areas across the State by an average of 10 per cent. The number of mandatory liquor-related signs was reduced to improved clarity and ensure that messages are not diluted. There was significant progress in enforcing the prevention of record sales to minors. Compliance staff tested practices in places of high-risk, off-licence venues.

**The Hon. ROBYN PARKER:** Minister, I do not mean to be rude, but if that is a lengthy answer and as we have limited time—and I would hate to be interrupted again—could you table the remainder of your answer because we have a lot more questions to ask.

**Mr KEVIN GREENE:** Are you comfortable with the answer I have provided?

**The Hon. ROBYN PARKER:** Yes, and it would be great if you tabled the balance, because then we could read it at our leisure.

**Mr KEVIN GREENE:** I have only one more paragraph.

**The Hon. ROBYN PARKER:** I have the gist of what you are saying. In your view there has been a reduction in assaults, et cetera. Therefore, what do you think about what Commission Scipione has been saying over the past week or so? What do you think about here is claims for increased measures?

**Mr KEVIN GREENE:** The Government is interested in finding better ways to address alcohol-related violence. We know alcohol-related violence is on the increase. The Government and the community are concerned about this. A group of New South Wales' government agencies is currently looking at mechanisms to better address alcohol related violence—

**The Hon. ROBYN PARKER:** So do you agree with him?

**Mr KEVIN GREENE:** —but no proposals have come to Cabinet as yet. I certainly agree with the commissioner's comments when he states that when police officers go to work they should not feel that they are going to be assaulted. Everyone should be entitled to go to work, even police officers—everyone knows they take on a fair amount of responsibility in the community—and not think that they are going to be involved in assaults.

**The Hon. ROBYN PARKER:** So you think he is right then?

**Mr KEVIN GREENE:** In terms of his concern for his officers and me sharing the concern that anyone who goes to work should be able to do so, hopefully, safely.

**The Hon. ROBYN PARKER:** Will you be introducing 2.00 a.m. curfews for clubs and pubs across Sydney and New South Wales?

**Mr KEVIN GREENE:** There is community concern about 24-hour trading and that may be reviewed in some precincts. For instance, in Newcastle the community has come together to tailor an approach to trading hours and hopefully that will work for that community. The Government is interested in exploring the application of the principles for what works for each local community and making sure it works wherever it can be implemented.

**The Hon. ROBYN PARKER:** So do you have plans to bring in 2.00 a.m. curfews or not?

**Mr KEVIN GREENE:** As I said, the Government is always prepared to look at any options that will assist each local community.

**The Hon. ROBYN PARKER:** So you cannot give us a straight answer on it?

**Mr KEVIN GREENE:** I just gave you a straight answer.

**The Hon. ROBYN PARKER:** No, you did not. You did not give us an answer at all. We have heard your views on volunteering and things like that. I thought you might be able to tell us whether you agree with Commissioner Scipione and whether you have plans to introduce 2.00 a.m. licences further than the Hunter?

**Mr KEVIN GREENE:** I have answered that question.

**The Hon. ROBYN PARKER:** In terms of the responsible service of alcohol, with the ready to drinks [RTD], which is a big issue in the Hunter, can you tell us whether you are prepared to legislate so that the alcohol content or the size of the vessel with ready to drinks is the equivalent of one standard drink?

**Mr FOGGO:** In terms of the alcohol content of RTDs, it really is a Federal issue. There are some issues in relation to the national food standards that affect both Australia and New Zealand and a lot of those food standards are at a national level rather than a State level, so it becomes rather difficult, I think, for any State to start imposing conditions in relation to it.

**The Hon. ROBYN PARKER:** Minister, will you be taking that up with your Federal counterparts at the Council of Australian Governments or asking the Premier to do that?

**Mr KEVIN GREENE:** It has already been done.

**The Hon. ROBYN PARKER:** Were you the Minister at the time?

**Mr KEVIN GREENE:** No.

**Mr FOGGO:** There was a national alcohol forum in Canberra, I think it was in July this year, and some of those issues were raised at that forum. That involved all States and the Commonwealth.

**The Hon. ROBYN PARKER:** Minister, how many small bar licences have been issued so far?

**Mr FOGGO:** I could answer that. We have had two applications in relation to small bars so far. On both of them we are waiting on development approvals from local councils to proceed.

**The Hon. ROBYN PARKER:** These licensed premises have a capacity to have 120 people in them, as I understand. Do you think that if we increase those numbers there is a possibility that there will be any increase in drinking problems?

**Mr FOGGO:** Maybe I could answer that. The legislation does not impose any number in relation to general bar hotel licences, which are commonly called small bar licences. Sydney City Council has indicated that for those premises of 120 or less, or it is a square metreage, that its development approval process will be somewhat assisted and will not be as onerous as the large liquor venues, but no number is stipulated in the legislation in relation to those types of licences. That is essentially why the process requires a community impact statement in relation to those and that process involves the community being notified on exactly what the operator intends in relation to those premises in terms of hours of trading, the number of people, et cetera. There is a full and frank discussion with the community about the possible impact of the operation of those premises.

**The Hon. ROBYN PARKER:** Minister, do you think the New South Wales Government will sell New South Wales Lotteries?

**Mr KEVIN GREENE:** Sorry? I was waiting for a liquor question.

**The Hon. ROBYN PARKER:** You are clearly more confident on some of the other aspects.

**Mr KEVIN GREENE:** I am clearly confident on a lot of things.

**The Hon. ROBYN PARKER:** Do you think the New South Wales Government should sell Lotteries?

**Mr KEVIN GREENE:** That is a decision for the Treasurer.

**The Hon. ROBYN PARKER:** What is your view, though?

**Mr KEVIN GREENE:** That is a decision for the Treasurer.

**The Hon. ROBYN PARKER:** But you are in Cabinet?

**Mr KEVIN GREENE:** My view is that it is a decision for the Treasurer. I am very confident on that as well.

**The Hon. ROBYN PARKER:** So you have got no view at all, as the Minister responsible?

**CHAIR:** Order! The Minister has given an answer. You will get more questions and topics dealt with if you stop paraphrasing the answers and incorrectly asserting them back to the Minister as his point of view.

**Mr KEVIN GREENE:** It is my responsibility to look after the regulation of lottery products.

**The Hon. HELEN WESTWOOD:** Your cricketing skills are coming to hand, Minister. You can bat them back.

**Mr KEVIN GREENE:** I have not let any go through to the keeper yet.

**The Hon. ROBYN PARKER:** Have you met with Stanley Ho, his son, Lawrence Ho, or anyone who works for them?

**Mr KEVIN GREENE:** I have never met Stanley Ho, Lawrence Ho, and I have got no idea who works for them, so I cannot be any more specific than that, without going into specific names. Apparently, I am just advised, that Stanley Ho must own casinos in Macau and I have never been to Macau either. In fact, I have never been outside Australia.

**The Hon. ROBYN PARKER:** Are you aware that Mr Stanley Ho is a casino magnate from Macau who curiously donated \$250,000 to the New South Wales Labor Party from April 2007 to June 2008?

**Mr KEVIN GREENE:** As I said, I have never met Mr Ho and I have just found out that he is a casino operator from Macau.

**The Hon. ROBYN PARKER:** And a generous benefactor to the New South Wales Labor Party, by the sounds of it?

**Mr KEVIN GREENE:** And I also do not spend my time, like you, reading election funding documentation.

**The Hon. ROBYN PARKER:** Do you agree with gender parity in sport?

**Mr KEVIN GREENE:** As in equality? What I can say is that I have six children and all my children have been heavily involved in sport. I have had the pleasure of coaching rugby league and soccer. I coached my daughter in soccer; I coached my sons in rugby league; I coached my daughters in netball and cricket and I am a great believer that boys and girls particularly but also men and women should take whatever opportunities are available to them to participate in sporting activities.

**The Hon. ROBYN PARKER:** The question was about parity. Is the explanation that it is fine for girls to play the same sports as boys?

**Mr KEVIN GREENE:** For instance, in touch football you would be aware that there are mixed touch football teams in fact, my daughter represented New South Wales in the State of Origin a couple of weeks ago I was at the Tempe velodrome watching her participate in the State of Origin mixed touch football. So there is an example as I say, in junior sport I was the one who encouraged girls to participate when I was president of the Georges River Penshurst Cricket Association, As It Was Then, Now the Georges River St George Cricket

Association. I encouraged girls to participate in that. In fact, as a sideline, a girl named Serena Leu is the first girl ever to be selected in one of our representative sides in the under 10s this year with the boys.

**The Hon. ROBYN PARKER:** Can you give us an explanation for why the Government allows kickboxing and martial arts for girls but does not allow boxing for girls?

**Mr KEVIN GREENE:** Boxing is regulated under the Boxing and Wrestling Control Act 1986. The Government is currently considering options to amend the Act, taking into account recommendations from the Standing Committee on Recreation and Sport and the national working party on combat support, and the regulatory arrangements in other States. The final position will take into account consultations with the Boxing Authority of New South Wales, NSW Health, the New South Wales Police Force, the Ministry for Police, and representations from organisations and individuals involved in the combat sports industry.

The introduction of an amending Bill will provide an opportunity for the policy merits of the various elements of the legislation to be debated at that time. However—

**The Hon. ROBYN PARKER:** Thank you, Minister. You are going to fix it—

**Mr KEVIN GREENE:** Apparently, I am not going to get a chance to do anything, because you are not going to let me finish answering the question.

**The Hon. ROBYN PARKER:** We are running out of time. What have your consultations being with Clubs NSW and the Australian Hotels Association concerning the court case about newly constructed smoking areas, in relation to, for example, what happened at Dubbo RSL Club?

**Mr KEVIN GREENE:** You would be aware that that is covered under the Public Health Act, which is in the jurisdiction of the Minister for Health.

**The Hon. ROBYN PARKER:** You have not had any consultation?

**Mr KEVIN GREENE:** I have had some discussions with Clubs NSW and the Australian Hotels Association, but, as I have just indicated, it is in the purview of the Minister for Health.

**The Hon. ROBYN PARKER:** We have heard about the Olympic venues. You are also responsible for Eastern Creek Raceway. Can you explain how Eastern Creek has become so dilapidated that the V8 cars refused to use the venue and how that has happened over the 14 years labour has held office in New South Wales?

**Mr KEVIN GREENE:** The Eastern Creek venue was established, I think, in the late 1980s by the Greiner Government. I have not had the opportunity to inspect the facility at this stage, so I cannot comment on your assertions.

**The Hon. ROBYN PARKER:** Can you explain Minister McDonald's remarks at the State Development estimates hearing earlier today that to build a suitable track at Eastern Creek for V8 supercars would cost many, many times more than it would cost to build such a track at Homebush Bay?

**Mr KEVIN GREENE:** As you would be aware, and as I just said, Eastern Creek was developed in the late 1980s. The technology that drives V8 supercars, as they are now called, is somewhat different from the technology that was available for those cars at that time. I cannot comment on remarks made by Minister McDonald, first because I did not hear them, and second because I do not know what they relate to.

**The Hon. TREVOR KHAN:** Minister, are you satisfied that the selection process for the appointment of the new Board of Racing NSW has been conducted with the utmost probity and integrity, and that all conflicts of interest and associations between candidates and panel members have been fully disclosed and taken into account in the selection process?

**Mr KEVIN GREENE:** At this stage the probity adviser has not given me a report on that, so I cannot comment until I receive that report.

**The Hon. TREVOR KHAN:** Are you confident with the work of the probity auditor?

**Mr KEVIN GREENE:** As I said, I have not received his report at this stage, because the original process to which you refer has not been concluded.

**The Hon. TREVOR KHAN:** Do you have a timeframe in which you anticipate receiving that report?

**Mr KEVIN GREENE:** He will provide it to me when the process has been completed. Obviously, he cannot provide a report until the appointments panel has concluded its process.

**The Hon. TREVOR KHAN:** I accept that. Do you have a timeframe—?

**Mr KEVIN GREENE:** That is basically in their hands, and ultimately then in the probity auditor's hands.

**The Hon. TREVOR KHAN:** If he sits on his hands, what do you do?

**Mr KEVIN GREENE:** He will not be sitting on his hands. As I say, I cannot prejudge until they are finished their part of the process. You are aware of the process. You would therefore understand that nothing will be determined in terms of the probity until he provides a report to me, and that step cannot take place until the previous step takes place.

**The Hon. TREVOR KHAN:** Do you agree that the social benefit of supervised amateur disciplines in boxing for boys calls for its reintroduction?

**Mr KEVIN GREENE:** Do you want me to answer the list of questions you have there with this one answer?

**The Hon. TREVOR KHAN:** Go to it.

**Mr KEVIN GREENE:** Boxing as a sporting activity has a place for those who wish to participate in it, and it needs to take place under a strong regulatory environment. I do not just refer there to the Marquess of Queensbury rules but also to the regulatory environment in New South Wales, and I suppose ultimately Australia and at a world level. Although, I can never understand how we can have so many boxing councils at the world level, but that is another issue.

What we can say is that in terms of physical activity, boxing, for those who wish to participate, is fair and reasonable. But in New South Wales, those who are under the age of 14 cannot participate in organised competitive boxing fixtures. In terms of practising their boxing skills in a non-competitive environment, those who wish to participate can do so. But we will not be changing the rules in terms of allowing those under 14 to participate in a competitive environment.

**Ms LEE RHIANNON:** Minister, I understand from the Director General of the Department of Ageing, Disability and Home Care that the New South Wales Government has provided a grant of \$1 million to the Department of Sport and Recreation solely for people with disabilities to be able to participate in various sports. Can you outline what programs this funding is being applied to and what percentage of the overall department budget the funding represents?

**Mr KEVIN GREENE:** I understand that the question was asked at an estimates committee hearing earlier this week and there was a reference to the fact that funding had been provided. I defer to the Director General.

**Ms MILLS:** That is correct. We would have to take the exact numbers on notice. I can say that the purpose of it is not to exclusively provide discreet programs for children and young people with a disability but to allow them to participate in our general programs as well. To provide a detailed answer would require us to go back through registrations in all our programs. What I can provide advice to you on on notice is the number of programs that have specifically been targeted for young people with a disability.

**Ms LEE RHIANNON:** Does the \$1 million cover programs for people with disabilities to play sport, as well as programs to allow people with disabilities to participate in mainstream sports?

**Ms MILLS:** It is for the full range. I was actually part of the Department of Ageing, Disability and Home care when we made the decision to fund the department to do this. It is \$250,000 per year over four years to maximise opportunities for children and young people in particular with a disability. It was not intended to be a separate program.

**Ms LEE RHIANNON:** So the \$1 million is over four years?

**Ms MILLS:** That is correct.

**Ms LEE RHIANNON:** If you could give details of that it would be appreciated. Minister, what funding has the department assigned for educational campaigns on sports rage to educate parents about the negative impacts of violent and abusive spectator behaviour?

**Mr KEVIN GREENE:** I am happy to go through that answer again but I think you were out of the room when I actually answered it.

**Ms LEE RHIANNON:** My apologies. Can I move on to another question and see if you have answered it. I was particularly interested in one of your previous campaigns entitled, "Remember, dummy spits are for babies. Sports rage? Act your age." Has it been evaluated to gauge its effectiveness? If it was evaluated, what were the findings?

**Ms MILLS:** I cannot comment on that specifically. We will take that on notice. We have evaluated and sought consumer feedback on a range of sport rage initiatives, which the Minister referenced earlier, which showed not only a very high take-up rate but also a very high satisfaction rate of most users.

**Mr KEVIN GREENE:** I actually went through that in some detail.

**Ms LEE RHIANNON:** Are the indigenous youth sport leadership camps still running? If they are, I was interested in the budget allocation? I have not been able to track that.

**Mr KEVIN GREENE:** The Aboriginal youth leadership program—is that the one you are talking about?

**Ms LEE RHIANNON:** Yes.

**Mr KEVIN GREENE:** Yes, that is still included. It is a part of a number of initiatives that we have got in the Aboriginal community, which I will touch on very briefly—are you comfortable with that?

**Ms LEE RHIANNON:** Yes, and budget allocation.

**Mr KEVIN GREENE:** We provided just under \$500,000 in the last financial last year and the current financial year for initiatives to give young Aboriginal people more opportunities to participate in sport and recreation. All sport and recreation services offer opportunities for participation by Aboriginal people. Some of the initiatives funded include the Aboriginal youth leadership program, multi-sport development traditional indigenous games program, tertiary scholarships and school-based sports training and cadetships. In fact on Wednesday last I was at the University of Western Sydney where I presented a scholarship on behalf of the Department to a young Blacktown resident by the name of Todd McKay for a three-year program to assist in his education as part of health-sciences. Todd is a very impressive young fellow and he looks forward to being involved in sport and recreation once he completes that degree.

**Ms LEE RHIANNON:** What funds in the current department's budget have been assigned to further the development the Hilltop rifle range?

**Mr KEVIN GREENE:** The total development cost for the regional sporting complex is estimated at \$5.3 million.

**Ms LEE RHIANNON:** How much of that has already been spent?

**Mr KEVIN GREENE:** At this stage it is still waiting on development application approval from the Minister for Planning. So it would be costs associated with the preparation of the development application and going through those processes. I can get the exact figure for you.

**Ms LEE RHIANNON:** So you will take that on notice?

**Mr KEVIN GREENE:** Yes.

**Ms LEE RHIANNON:** Would you also inform the Committee about how much is allocated for sporting activities in your annual budget?

**Mr KEVIN GREENE:** The budget expenditure from the whole Department of the Arts, Sport and Recreation is \$612 million.

**Ms LEE RHIANNON:** That is the annual budget. Would you then inform us how much of that money is for shooting sporting complexes? I am interested to know what shooting complexes you have on the books to be developed in 2009?

**Mr KEVIN GREENE:** There is a Safe Shooting program where we are allocating approximately \$500,000, and other funding would be in terms of capital assistance or regional sports funding programs that people would have to apply for. For example, I am not sure whether you were here when I made comment about looking at the refurbishment of the clay target shooting range last Saturday? That would have been funded from a capped program. I think they receive \$10,000 as part of capped funding. In terms of specific programs we would have to go through all the capped and regional funding programs.

**Ms LEE RHIANNON:** I appreciate you may not have all the details but all we have got so far is \$500,000 and \$10,000 which is obviously a small percentage of the \$612 million. So can you take on notice a breakdown of how that \$612 million is spent?

**Mr KEVIN GREENE:** I can give you a breakdown of how the \$612 million in the department's budget was spent but that will not cover specifically all money spent on shooting facilities.

**Ms LEE RHIANNON:** I am sorry, I must have misunderstood—I thought you said it was \$612 million for sporting shooting? I thought it was a lot of money.

**The Hon. ROY SMITH:** I got all excited for a minute.

**Mr KEVIN GREENE:** \$612 million for the whole department.

**Ms LEE RHIANNON:** I will start again—I apologise. I was after how much money from that \$612 million is for sporting shooting activities?

**Mr KEVIN GREENE:** That was what I was just referring to in my comments. There is the Safe Shooting program that is roughly \$500,000 and, as I say, other monies would be part of it. I gave that specific example of a capped funding amount because there would be applications in various electorates. As you understand, each of the 93 electorates of the State receive various monies, some put their money towards bowling club shade cloths and others put it towards lights on soccer fields and all those types of things. There is a great variety. I was talking about one when I was talking about that \$10,000 for the clay target shooting.

**Ms LEE RHIANNON:** When you have distributed that money do you have the figures as to how much of that money goes on to sporting shooting activities?

**Mr KEVIN GREENE:** We would have to go through—I forget how many applications there would have been last year—all the grants made. There would be hundreds of grants made for a variety of activities. I am not sure whether that was the only shooting facility that received money or whether there were others. We would have to dissect the whole capital assistance program funding to get that sort of detail.

**Ms LEE RHIANNON:** I just thought that you would have had it, considering how the shooters are a powerful lobby in New South Wales and the legislation that is passed by the Coalition and Labor together.



**Mr KEVIN GREENE:** Just as I would not have that sort of information, I also would not have the amount of money that was spent on cricket fields or tennis courts or bowling clubs either. Can you see that?

**Ms LEE RHIANNON:** I see your point. There is only so much you can do—

**The Hon. TREVOR KHAN:** All of which are also legitimate sports, Lee.

**Ms LEE RHIANNON:** To put it on the record, Mr Khan, I am not arguing it is not a legitimate sport—

**The Hon. TREVOR KHAN:** Oh, aren't you?

**Ms LEE RHIANNON:** I actually am not. I am arguing about the misuse of Government money to the sporting movement from everything from the Game Council to an incredible number of sports complexes. If you were responsible in your job you would do the same thing. Minister, I appreciate you may not have those detailed figures but if you do they would be useful. You gave the example of sporting programs with \$500,000. Then we did get the figure earlier of \$5.3 million for one sporting shooting complex, which is a lot of money. May be I will come to question in a different direction. What other shooting complexes are on the books? Has money been allocated for them? If so, how?

**Mr KEVIN GREENE:** I cannot legitimately give a specific answer to that. We will have to take that on notice. We will have to go through a considerable amount of detail. The Director General might wish to add to that.

**Ms MILLS:** The only program that we have specifically around shooting is the one that the Minister has referred to, the Safe Shooting Program. Should the Hilltop project proceed, and we are still awaiting a decision by the Department of Planning, funding is expected to come from the 2009-10 budget principally for that.

**Ms LEE RHIANNON:** The whole \$5.3 million?

**Ms MILLS:** Very little would be spent. As the Minister said, it is very much in the preliminary development phase. Were it to proceed, it would be in next year's budget, not this year's. Any other funding that we have allocated for the purpose of shooting this year would come through either individual scholarships, as we offer support to individuals through a whole range of programs for travelling and international sporting events, and any other capital or other programs that shooting organisations have applied for on a competitive basis against other programs and sporting initiatives in their localities.

**Ms LEE RHIANNON:** Do I take it from your response that you have no other applications on your books for shooting complexes elsewhere in New South Wales?

**Ms MILLS:** There are applications for the Safe Shooting Program, which tend to exceed the annual available budget. In that sense we would be aware of applications that have not yet been funded but would be held should further funds from that program become available.

**Ms LEE RHIANNON:** When you say "program", is that a program that is run at an existing complex or does it mean you have to get a complex to run the program?

**Ms MILLS:** No, it is a source of funds available to shooting organisations across the State who apply on the basis of requiring assistance to maintain the health and safety standards of that premise.

**Ms LEE RHIANNON:** I am interested in the surfers' code. What ongoing work is the department doing on the surfers' code? Does the department have evidence that the code is assisting in reducing injuries and surf craft-related incidents?

**Mr KEVIN GREENE:** I will have to take that on notice.

**Ms LEE RHIANNON:** I understand that your department is responsible for licensing motor vehicle racing grounds in New South Wales. Can you outline what consultation and work the department has undertaken on the V8 supercar race? There is a split in the V8 supercar racing fraternity, with some wanting to

hold the race at Olympic Park. As we know, in the latest round they have been successful in gaining the ear of the Government. Previously they were successful in gaining the ear of the Coalition, so there has been a swapping of positions. Many people have been working hard at Eastern Creek for the V8 supercar race to be held there. Minister, considering Eastern Creek comes under your responsibility, have you had any talks with those people about this matter? Have you done any work in relation to holding the race at Eastern Creek?

**Mr KEVIN GREENE:** As I think I pointed out earlier, I am responsible for the administration of the racing regulations, not the other matters to which you have referred. To clarify, no, I have not had the conversations that you have asked about.

**Ms LEE RHIANNON:** You were not lobbied by anybody about this matter?

**Mr KEVIN GREENE:** No.

**Ms LEE RHIANNON:** Since the commencement of the Sporting Venues Authority Act, how many regional sporting authorities have been created?

**Mr KEVIN GREENE:** The Newcastle one, that I am aware of.

**Ms LEE RHIANNON:** Only Newcastle?

**Mr KEVIN GREENE:** That is the new one that has just been created.

**Ms LEE RHIANNON:** The Act came in force early in 2008. I thought there was such great demand for them that you would have had more than one by now.

**Ms MILLS:** Advice will be coming to the Minister shortly on the next steps in terms of that Act.

**Ms LEE RHIANNON:** The authority for Newcastle has been created and you are about to consider—

**Ms MILLS:** We are providing advice to the Minister shortly on how that Act should operate and the beneficial effects it could have for other organisations.

**Ms LEE RHIANNON:** Do you anticipate that will happen this year?

**Ms MILLS:** The advice will go to the Minister on a range of options, but to date it is the Newcastle one, the changes from the showground and the sporting organisations.

**Ms LEE RHIANNON:** Why was Newcastle fast-tracked?

**Ms MILLS:** It was not fast-tracked. It was the one that was prepared and significant progress had been advanced prior to the legislation being enacted. It was ready to go, in that sense.

**Ms LEE RHIANNON:** No others were ready to go?

**Ms MILLS:** No others were ready to go in the time frame that Newcastle was.

**Ms LEE RHIANNON:** Is the funding for the Auburn Football Cultural Diversity Program in this year's budget? Could you tell us about that program?

**Mr KEVIN GREENE:** I cannot, but I am happy to defer to the Director General.

**Ms MILLS:** The department will take that on notice.

**Ms LEE RHIANNON:** Considering that sport provides such enormous opportunities for disadvantaged people and people with a mental illness, what recreational and sporting projects do you fund for people with mental illness, children at risk and newly arrived refugees. Can you tell us about the programs and how much has been allocated for them?

**Mr KEVIN GREENE:** It is \$110,000 for the Refugee Council of Australia for research and small grants program that will help refugees access community sport. That is linked to State Plan R4 about building harmonious communities. I will not go into further detail on that. I agree with you: Sport does provide great opportunities particularly for building harmonious communities and to give everyone an opportunity to extend themselves. There has been significant investment in community grant-style programs, whether they are facilities grants or for building volunteer bases and community-based clubs to get young people of all areas involved in sporting activities.

**Ms MILLS:** If I could add, again whilst we have a couple of specific initiatives that we provide actual funding for—for example, as the Minister just to provided to you—perhaps more importantly but less easy to calculate the true value of is that a large proportion of our efforts at our sports and recreation centres across the State are targeted at children and young people at risk. We have a number of very successful initiatives in that regard. They are booked on a regular basis in partnership with schools, sporting organisations, social justice organisations and community organisations. Rather than run a specific program, we provide priority opportunities for those people to use our centres.

**Ms LEE RHIANNON:** Therefore, lot more than \$110,000 is allocated?

**Ms MILLS:** Absolutely.

**CHAIR:** We will now go to Government members for questions.

**The Hon. GREG DONNELLY:** Minister, you were asked a form of questions about whether or not Mr Jeremy Thorpe had worked for Betfair. Can you clarify the position?

**The Hon. TREVOR KHAN:** That is not actually what was put.

**Mr KEVIN GREENE:** I have now been advised that Mr Thorpe previously worked in the Sydney office of Allen Consulting. He left that organisation in July last year and now works for PricewaterhouseCoopers. The Melbourne office of Allen Consulting has in the past worked and is continuing to work for Betfair. During his time with Allen Consulting, Mr Thorpe was not involved in any of the work for Betfair, as he was working for the Victorian Government on its wagering licence review.

**The Hon. HELEN WESTWOOD:** The Government members will forgo the balance of our question time.

**CHAIR:** I declare this hearing into Gaming and Racing, Sport and Recreation closed. I thank the Minister and the representatives of the Office of Gaming and Racing and the Department of the Arts, Sport and Recreation for their attendance this afternoon.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**

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