




Speech By
Hon. Curtis Pitt

MEMBER FOR MULGRAVE

Record of Proceedings, 2 November 2016

MAJOR SPORTS FACILITIES AND OTHER LEGISLATION AMENDMENT BILL

 **Hon. CW PITT** (Mulgrave—ALP) (Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport) (4.47 pm), in reply: I thank all honourable members for their participation in the debate on the Major Sports Facilities and Other Legislation Amendment Bill 2016. This bill amends the Gaming Machine Act 1991, the Keno Act 1996, the Land Act 1994, the Major Sports Facilities Act 2001 and the Transport Infrastructure Act 1994. It also makes minor consequential amendments to other legislation. In response to some of the queries about why there are so many disparate elements in this bill, clearly, it is an omnibus bill. I have been chosen to be the omni-bus driver in this instance.

The first issue addressed by the bill is related to the way gaming machine tax is calculated for clubs with additional premises under the Gaming Machine Act 1991. We have heard from a number of members that clubs are a vital part of Queensland life. They are important in terms of building and strengthening our communities. They provide opportunities for people to socialise, to connect and to recreate.

Clubs Queensland has long held the view that the current tax arrangements for gaming machine revenue discourages clubs from expanding their operations, to the detriment of local communities. This is something I took particular notice of and listened to when we consulted. Unfortunately, since 2011 some 69 clubs have closed, with few new clubs emerging to take their place.

Currently, when a club operates more than one premises, the monthly metered win from all of the club's premises are combined before the progressive tax is applied. The result is clubs with additional premises paying more tax than they would if the monthly metered win from each premises was taxed separately. To address this issue, the bill will amend the Gaming Machine Act so that the gaming machine tax is calculated on a per-venue basis for clubs with additional premises. These changes will remove disincentives for clubs to have multiple premises. This will help larger clubs amalgamate with smaller, struggling clubs and encourage these larger clubs to establish new premises in regional or greenfield areas.

The bill also proposes the introduction of multijurisdictional Keno jackpot pooling in Queensland through an amendment to the Keno Act 1996. The amendment will enable Queensland Keno licensees to enter into an arrangement with interstate Keno licensees to pool Keno jackpot contributions for certain Keno games. Interstate pooling arrangements already exist for lotteries in Queensland. The introduction of multijurisdictional Keno jackpot pooling in Queensland is intended to reinvigorate Keno and deliver a more attractive entertaining game for players through the offer of large jackpot prizes. In my electorate I see people who are very interested and keen Keno players already and hopefully this will give them something more to contend with. It will also enable the Queensland Keno licensee to provide Queenslanders with the same Keno offering already available to Keno players in New South Wales and Victoria.

Through amendments to the Land Act 1994 this bill will enable the land adjoining a non-tidal watercourse or lake to be leased where infrastructure extends into the airspace above or at a depth below the functioning watercourse or lake forming a property boundary. As a safeguard the state will be the holder of any lease and may sublease to a third party to undertake particular works or occupy a site. The lease is also nontransferable. As we know, the purpose of these amendments is to give legal tenure to the lessee or sublessee for projects requiring tenure over the part of the project site that extends over or below a watercourse or lake. This enables the land to be dealt with as ordinary land and gives the tenure holder more security. Such projects might include public or commercial viewing platforms or jetties or other types of compatible infrastructure at a functioning non-tidal watercourse or lake that forms part of a physical property boundary.

The bill amends the Major Sports Facilities Act 2001 to improve the administration of the act in relation to protections against unauthorised advertising during major sporting events, which is commonly referred to as ambush marketing. I will not stress the points on this area too strongly except to say that I am pleased that the committee has recommended that this bill be passed and has agreed with this being a very important element of protecting our sponsorship dollars, which we really need, to ensure that we can have world-class facilities. There has been a concern that the amendments may lead to the development of super clubs, but a club that operates multiple venues will still be limited to a cap on the number of gaming machines that may be operated across all of its venues. I note that there have also been concerns raised by some in terms of what happens in the gambling space. Of course, community impact statements are also required with applications for additional club premises unless waived by the Commissioner for Liquor and Gaming. The purpose of this community impact statement is to help the commissioner assess the social and economic implications of the grant of the application. The amendment will help to ensure that the club culture in Queensland can continue to grow and serve their local communities.

There are a range of other issues that have been run through including the additional gambling related harm related to the Gaming Machine Act. We take very seriously this issue of problem gambling in our community. The voluntary Queensland responsible gambling code of practice will also continue to provide guidance to clubs that conduct gaming to ensure that they implement and adhere to the responsible gambling practices that relate to the provision of information to patrons, gambling and related exclusions, the general physical environment, physical transactions, and advertising and promotions.

With regard to the conducting of Keno draws during prohibited periods, this bill seeks to amend the Keno Act to provide Queensland licensees with the ability to conduct Keno draws during currently prohibited periods on Christmas Day, Anzac Day and Good Friday in order to synchronise with Keno draws being conducted in jurisdictions without such prohibitions. Although the amendment will allow Keno draws to be conducted in Queensland during prohibited periods, it does not allow Keno to be played—that is, to have tickets sold in Queensland venues—during the prohibited periods. There have been a few other matters related to Keno jackpotting such as whether that will result in an increase in gambling related harm. I have addressed this issue and we think that we have the support of all of the members in this House to ensure that we do not have an increase in problem gambling and any harm that may come from that space.

There have been points made in terms of the changes to the Land Act and the functioning of a watercourse or lake. I want to thank the member for Kallangur, the member for Murrumba, the member for Mount Coot-tha and the member for Beaudesert for expressing their support for amendments to the Land Act 1994 in part 4 of the bill that will facilitate the leasing of land within a functioning non-tidal watercourse or lake. As the member for Kallangur pointed out, the amendments in the bill will enable the state to enter into a sublease with the Brisbane Broncos for the section of their new training field at Red Hill that will project above the boundary of Ithaca Creek. This project provides for the public to access the training field when not in use by the Broncos. The member for Mount Coot-tha—a very proud member in the greater Brisbane area—has already highlighted some of the many other contributions the club makes to the community.

There are already mechanisms in the existing legislation that give the right of access over functioning non-boundary watercourses and lakes with various forms of public infrastructure. The amendments in this bill will not apply where there are existing access rights. They only apply to circumstances where it is necessary for a proponent to hold tenure over part of the boundary watercourse or lake.

Picking up on both the member for Hinchinbrook and the member for Callide's query about leases in non-tidal watercourses being affected by the ambulatory nature of some watercourses, the contribution by the member for Stafford, who is also the Minister for Natural Resources and Mines, has adequately responded to that. Picking up particularly on the point of the member for Callide where he

was seeking to know why there was an element of urgency here, as we have said, currently the Land Act 1994 prevents the state from entering into a sublease with the Brisbane Broncos for the section of the training field that is within the boundary of Ithaca Creek. The amendments are needed at this time to ensure that the Brisbane Broncos can occupy the site and make use of the improvements that they will construct in 2017.

I am very happy that I can join some other members of this House in being a North Queensland Cowboys fan. I did appreciate the great grand final they played against the Brisbane Broncos. Whilst I want to continue to see the Cowboys power ahead, I admire the great Brisbane Broncos for the work that they do in the Brisbane area and across all of Queensland for Rugby League fans and supporters, particularly the way they are looking to grow the game. That is reason enough to ensure that we get this amendment through in a timely fashion to ensure that those further developments they are looking to bring in in 2017 will occur.

In terms of the rights of adjoining landholders, the provisions in this bill do not override the ordinary rights of riparian land holders to access their land under the Land Act. The consent of an adjoining landowner is required up-front before a lease can be granted to the state. This consent can be given conditionally. If unforeseen issues were to emerge after the granting of the lease, these issues would need to be resolved by negotiation in the first instance. In the unlikely circumstance where they are still unresolved, the state, as the primary leaseholder, has the ability to amend the condition associated with the sublease where appropriate.

It may go further to the point that the member for Callide had also raised about the ambulatory nature. If this is a new tenure and it is going to be a moving feast, if you would like to use that analogy, the state will bear the risk with the holding of that tenure. It is very important that it is able to do so and hopefully give landholders the understanding and relief that they deserve. If there are any other issues that have been raised in this debate by either the member for Hinchinbrook or the member for Callide, the intent of this bill is not to address all matters related to adjoining landowners but we would be very happy to have a conversation as to whether the long-running issue as pointed out by the member for Callide needs to be further addressed.

In terms of advising businesses of advertising restrictions within the vicinity of major sports facilities, businesses surrounding the major sports facilities are already familiar with the advertising constraints during the regular competition schedules of the major sports codes and it will be events conducted under the auspices of national sporting bodies that are regulated under the new process. Events where advertising will be restricted by the regulation are those that are generally promoted through a number of mechanisms such as television advertising, social media, club or sporting organisation distribution lists and newspapers. Furthermore, it is in the interests of Stadiums Queensland and event hire as to widely publicise events at the state's major sports facilities. Clearly, we want the patronage and we want these to be major and successful events. We think these amendments will reduce the regulatory burden on businesses in the vicinity of stadia as advertising will be restricted for shorter periods.

Any potential impact of tolling increases are included as part of the bill. Subject to the government approval of the Logan Motorway Enhancement Project, which, as members would be aware, is our biggest market-led proposal that we have been dealing with since I announced the new process in the 2015-16 budget, this amendment to the Transport Infrastructure Act would facilitate the funding of the project through changes to the tolling arrangements. These changes are expected to limit toll increases for heavy vehicles travelling through toll points on the Logan and Gateway motorways and a new toll point for all traffic entering the toll road via new south-facing ramps at Compton Road. The proposed amendments to the Transport Infrastructure Act are specifically for the Logan Motorway Enhancement Project and relate only to the tolling declaration covering the QML network.

I want to come back to the point I made earlier about changes to the Gaming Machine Act which remove that tax disincentive for clubs to operate multiple premises. I have been pleased to hear a number of members speak very passionately about what their local clubs do in their areas and how much of a contribution they make. This is an important economic driver to see not only clubs being saved but also new clubs being built in Queensland. In the last six months we have seen the sod turned on the first new club in the North Lakes area. It is an important amendment. It is one that will give clubs the confidence to go forward and continue to do what they have been doing and that is service our local communities.

Before I conclude I turn to the amendments proposed to be put forward in consideration in detail by the member for Beaudesert. I welcome the support of this bill by those opposite. I welcome the contribution and the legislative debut, as it was phrased, of the shadow minister for sport, the member for Beaudesert. The effect of the regulation is to apply the provisions of the act and other state legislation to the facility. Initially, major sports facilities were declared using the name that was the designated

venue name under a naming rights agreement for a particular venue. However, the expiry of naming rights agreements at Skilled Park and Dairy Farmers Stadium resulted in Stadiums Queensland entering into new naming rights agreements with consequent changes of venue names to Cbus Super Stadium and 1300SMILE Stadium respectively.

When a new regulation was made in 2014 the opportunity was taken to use generic names rather than naming rights sponsors' names in referring to the facilities declared as major sports facilities. The benefit of generic names is that if there is a change of a naming rights sponsor at a venue there is no need to make a subsequent amendment to the regulation. The generic names selected are names that could be also used for an event where a clean stadium free of naming rights was required. Circumstances arise, of course, from time to time where a clean stadium free of naming rights is required for a major international event at a Stadiums Queensland venue. The name Brisbane Stadium has been used for FIFA World Cup qualifying matches at Suncorp Stadium. It was also used for the 2015 AFC Asian Cup matches at the venue. The use of the name Brisbane Stadium for such globally televised international events helps to promote Brisbane as an investment location and tourism destination.

Mr Watts: Wimbledon is not played at London Stadium.

Mr PITT: Just wait. While the historical name of Lang Park has special meaning for Queenslanders, global television audiences will not be familiar with it and therefore it alone will not increase international awareness. Changing the name of the venue in state legislation to Lang Park will not change the name of the venue for its day-to-day use for major events because, of course, the naming rights agreement at the venue will continue to apply and as a consequence the venue will continue to be called Suncorp Stadium except where a clean stadium free of naming rights is required. Naming rights sponsors accept their sponsorship will not apply for a small number of major international events such as FIFA World Cup qualifying matches and they factored this in when valuing such sponsorships.

For these reasons the government's position is that it is best to use the name Brisbane Stadium when referring to the venue in legislation and we will be opposing the amendment put forward by the member for Beaudesert. However, the adoption of the name Brisbane Stadium (Lang Park) provides an alternative to the proposed amendment which is consistent with a generic approach taken at other Stadiums Queensland venues. This proposed alternative is acceptable to the relevant stakeholders. That is important because we have heard the member for Southport stressing the importance of sponsorship and what that means.

Mr Cripps: This doesn't affect the sponsorship.

Mr PITT: It certainly can, member for Hinchinbrook. We have conducted consultation with stakeholders to ensure that there would be no detrimental impact on any agreements. We have put forward this amendment in good faith because I understand the sentiment and the reasons why this amendment has been put forward. I think it would be very difficult to argue you would find a bigger fan of Rugby League in the House than me. Changing the name to Brisbane Stadium (Lang Park) in state legislation does not change it for the day-to-day use because the naming rights agreement will continue to apply and as a consequence the venue will continue to be called Suncorp Stadium except where a clean stadium free of naming rights is required.

If we go to the member for Gregory's contribution, I know that he was speaking in support of the member for Beaudesert's amendment, but he did talk about making sure that we continue to retain our history. This amendment allows us to have the geographic name included as well as retaining our history. I look forward to the support of the member for Gregory if that is his motivation for supporting the amendment put forward by the member for Beaudesert.

We have a situation on our hands where this bill has been given the support of the committee. I thank the committee for its hard work looking at it and I do appreciate and pick up on the point that sometimes omnibus bills can be a very big challenge to come through in such a short time dealing with such a variety of subject matter. In conclusion, I thank the committee again for its consideration of the bill, those members who have contributed to the debate and also all ministers, their staff and departmental staff for their continued hard work and dedication in preparing this bill. I commend the bill to the House.