




Speech By
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MEMBER FOR KALLANGUR

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MAJOR SPORTS FACILITIES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr KING** (Kallangur—ALP) (5.15 pm): I rise today to also make a contribution to the debate on the Major Sports Facilities and Other Legislation Amendment Bill 2016. The objectives of this bill seek to amend the Gaming Machine Act 1991 to adjust the tax methodology to the benefit of clubs that operate more than one premises in order to balance the existing controlled approach to club expansion; the Keno Act 1996 to introduce a new Keno pooling agreement to allow larger interstate pooled jackpots to enable Queensland's solo Keno licensee Keno Queensland to combine, under a pooling agreement, our jackpot growth component with a jackpot growth component offered in other jurisdiction so as to allow a bigger jackpot pool; the Land Act 1994 to provide for the leasing of a functioning non-tidal boundary watercourse to the state under the Land Act; the Major Sports Facilities Act 2001 to provide an additional alternative process for the declaration of events and event periods at major sports facilities to ensure that all events, despite late scheduling, can be protected from unauthorised advertising by rival businesses that have not contributed to the event; and the Transport Infrastructure Act 1994 to facilitate a change in the tolling arrangements for the Logan Motorway and Gateway Motorway to fund the Logan Motorway Enhancement Project.

The amendment would allow the minister to make a tolling declaration solely to facilitate the Logan Motorway Enhancement Project. The government had announced that this project, if approved, would be funded through tolling increases for heavy vehicles and a toll point for all vehicles on new south-facing ramps at Compton Road.

I will go into a bit of detail on a few of the proposed amendments. I turn to the amendments to the Gaming Machine Act. As at the end of July 2016 there were 456 clubs in Queensland and 771 hotels licensed for gaming machine activities. Under the Gaming Machine Act Queensland clubs, unlike hotels, are limited to holding a single gaming machine licence. Currently only a very small number of clubs operate from more than one premises.

The Department of Justice and Attorney-General advised that the Gaming Machine Act only allows clubs a limited ability to expand within or beyond their locality. Section 312 of the act currently requires that, where clubs operate additional premises, monthly gaming machine revenue from all the club's premises is aggregated before a progressive gaming machine tax is applied.

The bill proposes that section 312 of the Gaming Machine Act be amended to adjust the tax methodology to the benefit of clubs that operate more than one premises in order to address the decline in the number of licensed club venues in Queensland. The amendments would remove the aggregation of the gaming machine revenue, thus requiring clubs to be taxed on a per premises rather than a per licence basis. This is intended to remove the current tax disincentives to the controlled expansion of clubs. Our committee received one submission—a submission from Clubs Queensland—on the proposed amendments to the Gaming Machine Act. This submission made on behalf of 1,100 community clubs was in support of the amendments.

I turn now to the proposed amendments to the Keno Act. As I said before, these amendments will simply allow us to pool our jackpots with other jurisdictions to allow for a bigger jackpot pool. The explanatory notes advised that the odds for jackpot Keno games across all participating jurisdictions will be the same, that equal percentage from all sales in all participating jurisdictions will be contributed to the pool and that the cost of game entry will be the same for all jurisdictions. The committee received three submissions on these proposed amendments, those being from Clubs Queensland, the Queensland Hotels Association and Tabcorp. All three submissions supported the proposed amendments.

I turn now to the proposed amendments to the Land Act. This was the only area where we had some not contention but a great deal of interest during our public briefing. As I stated before, the bill proposes that chapter 1 of the Land Act be amended to enable the state to grant tenure over non-tidal watercourses and lakes. The explanatory notes advised that, under the amendments, the state would apply for a lease over a functioning non-tidal boundary watercourse or lake where occupation and use of the watercourse or lake cannot be authorised under the Water Act; that a lease will be sought where it is proposed to build infrastructure over or under the beds and banks of the watercourse or lake; that the occupation and use of the lease will 'benefit the local community'; and that the state may sublease the lease to another party to give effect to the purpose of the lease.

During our public briefing we spent a considerable amount of time trying to find out why this amendment would be necessary and asked for any examples. The department took our questions on notice and provided us with the following response. The Department of Natural Resources and Mines advised—

It is a fairly limited set of circumstances where a party would require tenure over a part of a watercourse or lake that forms their property boundary. We do not envisage these provisions will be applied all that frequently ... the Land Act has been in place since 1994, so some 22 years, and this circumstance has not arisen with any great degree of frequency. It does address an anomaly where the state is not currently able to give a party tenure over part of that watercourse and that may well be required if they were to seek to build some structure over part of a watercourse.

We still at that stage had no idea what they were referring to. Then they gave us some examples that made it all make sense. Examples of where infrastructure has been built in the airspace over roads and railway lines include the viaduct over Burnett Lane in Brisbane City, the Brisbane Cricket Ground and, as mentioned before, the establishment of a new training field by the Brisbane Broncos on government owned land at Fulcher Road, Red Hill. Due to the size and configuration of the site, a small portion of the playing field will project above the boundary of Ithaca Creek. A lease over the portion of the training field to be constructed within the bed and banks of Ithaca Creek will ensure the Broncos have legal tenure over the infrastructure it delivers and to provide consistent lease management arrangements for the state across the entire site—no-one could deny them that. The committee received no submissions relating to the amendments proposed to the Land Act.

I will leave the other two amendments. However, I will touch on clause 18 of the bill which proposes to insert new sections 17A, 17B and 17C into part 3, division 3 of the Major Sports Facilities Act which relate to the Stadiums Queensland board members and candidates being considered for appointment to the board. Proposed section 17C(1) applies to a person who is already a director and who is convicted of an indictable offence during the term of the member's appointment. By way of proposed section 17C(2), the person must immediately give notice of the conviction to the chief executive unless the person has a reasonable excuse. There was an anomaly there where they were not able to have the protection and safeguards, so the committee recommended that the Major Sports Facilities and Other Legislation Amendment Bill 2016 be amended to provide safeguards to protect information provided under proposed section 17C regarding a board member's conviction for an indictable offence.

The other recommendation of the committee was that the bill be passed. I would like to thank the members for Logan, Murrumba, Southport, Redlands and Whitsunday for their work on this report and, as always, I would also like to thank our hardworking secretariat staff—Kate, Rachelle, Julie and Lisa—for skilfully assisting us through this process. I commend the bill to the House.