

101 Hawdon Street
Wilston 4051

13 January 2009

OFFICE OF THE

15 JAN 2009

UNDER TREASURER

Hon. Andrew Fraser MP
Treasurer and Minister for Racing
GPO Box 611
Brisbane Q 4001

Dear Minister,

Re QRL and Synthetic Racing Surfaces

I expect that you are aware of the article written for The Australian by respected journalist Tony Arnold entitled "Synthetic Tracks again under Fire" and published yesterday (12th January 2009). A copy is attached.

The QRL website on 7 January 2009 published a statement entitled "Toowoomba . Dissidents Playing Politics" - a somewhat scurrilous presentation intensely critical of those, who include many of Queensland's most respected industry participants, who have sought to retain the Toowoomba course proper which the QRL Chairman, with the support of the Toowoomba Club Chairman, proposes to have converted from a turf to a synthetic racing surface.

Today (13 January 2009) the Courier Mail published the result of a meeting held yesterday in Toowoomba between the QRL Chairman and "60 people" and headed "Bentley dismisses concerns over Cushion Track."

You are also no doubt aware of the QRL proposal for the Deagon Training Centre including the installation of another synthetic racing surface there - a like proposal to that also proposed by QR for the Gold Coast, if and when the Bentley Plan to redevelop Gold Coast racing infrastructure in association with Mr Stanley Ho, ever materializes.

You will also know of the problems already encountered with the Caloundra synthetic racing surface and the concerns of many respected industry participants about it.

The very same concerns which are reflected in Mr Tony Arnold's article of 12 January are repeated in numerous press articles in the U.S. and accessible via the Internet.

This multiplicity of concerns, as expressed by respected industry participants and respected journalists both here and in the U.S. is to be contrasted with the seemingly

Intransigent mind of QRL and in particular its Chairman, who, in spite of the above concerns appears unequivocally committed to the installation of synthetic surfaces at key Queensland racing and training centres.

Minister this division of opinion, surely, is a matter which must concern you, particularly in light of the fact that the Government has itself committed substantial public monies in accordance with what, many argue, is the flawed advice of QRL. The total sum of the Government's financial commitment to the Caloundra, Toowoomba and Deagon facilities so far is not known. It is understood however that a Government commitment of \$12 million has previously been accepted.

Publicly expressed concerns about synthetic racing surfaces in Queensland include the following:

- The serious injury to valuable racing stock, even death, in training and racing at Caloundra (a concern replicated in Mr Arnold's article concerning similar experiences on such surfaces in the U.S.)
- The reluctance of owners and trainers to nominate at Caloundra for those meetings to be held on the synthetic surface.
- The consequential negative impact on betting turnover both on and off course.
- The serious conflict of opinion between experienced racing participants concerning the long term suitability of synthetic surfaces for galloping thoroughbreds.
- The failure to first undertake the required research and in particular to consider a temporary synthetic track for the purposes only of experimentation and research as to its long term suitability for local climatic conditions.

The totality of the Toowoomba proposal (the first involving a course proper) seems to have been justified solely by reference to water availability as a result of recent drought conditions in Toowoomba. Is this the first time Toowoomba has experienced drought? What has been the impact of recent rains on the course proper in Toowoomba? Was the installation of the synthetic track at Toowoomba determined by reasons of lack of water at Caloundra or at Deagon or at the Gold Coast? Mr Arnold's article suggests that synthetic tracks do take and require water.

These, Minister, are all serious questions particularly in light of the financial commitment already made by Government.

You are urged to intervene. To fail to do so necessarily implies your unequivocal acceptance of the QR position already apparent in respect of Toowoomba, Deagon and Caloundra. Have you unequivocally rejected not only the concerns of respected experienced participants in the Queensland racing industry but also the experience and

evidence already available in the U.S. (and Caloundra)? and if so, on what basis? You, as the responsible Minister, and accordingly the Government, has remained silent. Yet many responsible people are genuinely concerned.

I would urge you in the course of an appropriate intervention to establish an independent and suitably qualified inquiry resourced by the best available professional expertise not only in the relevant professional engineering and related disciplines but also available in the racing industry - persons who are experienced and respected persons with expertise in the training and racing of the thoroughbred. Perhaps someone of the calibre of Mr Bart Cummings may be suggested, as an example only. Most racing people would, I am sure, prefer the opinion of Bart Cummings on such matters to those of Bob Bentley.

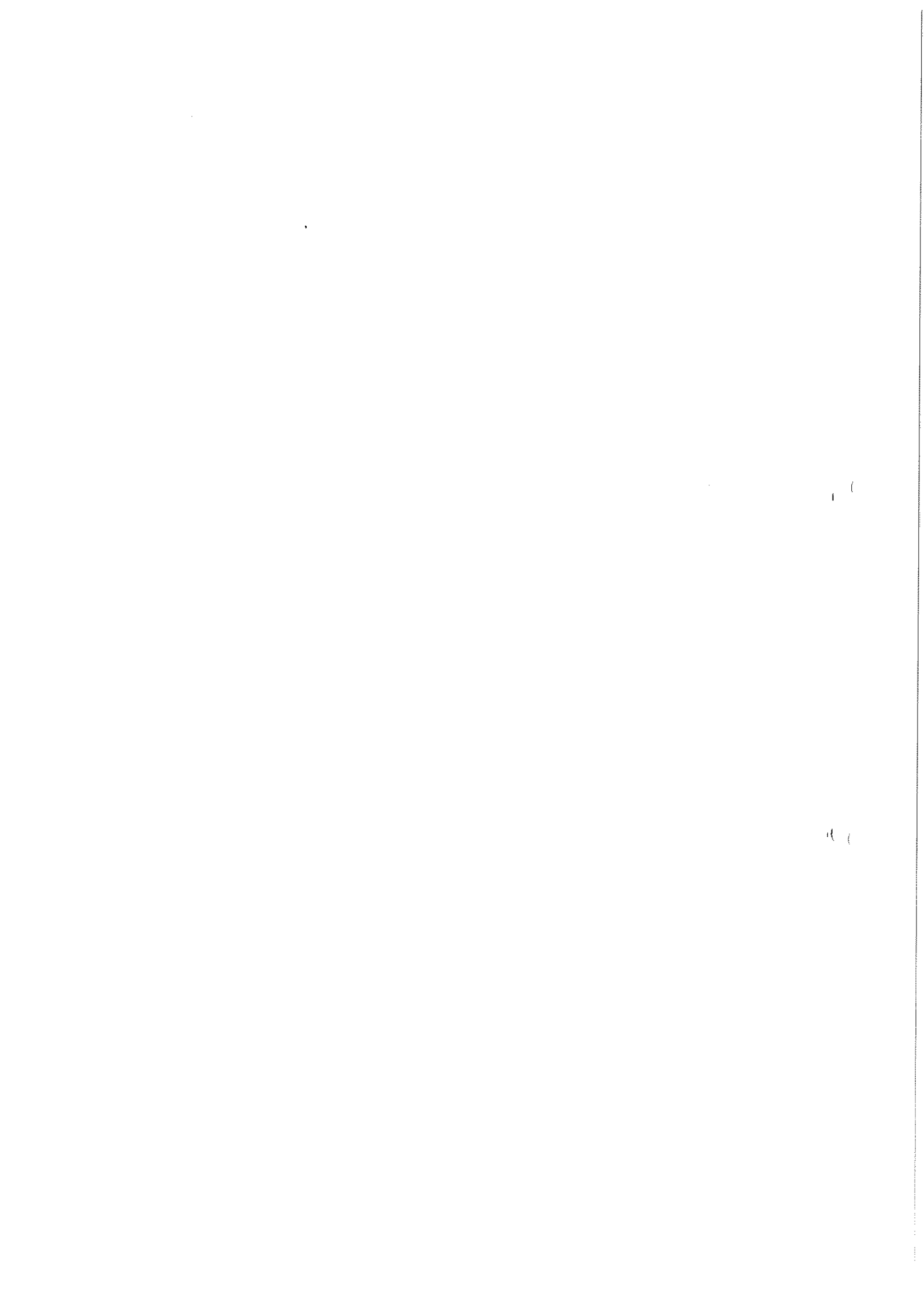
So long as QRL and its Chairman continue to promote the introduction in Queensland of synthetic racing surfaces in the face of national and international concerns and objections, it is legitimate to ask: why? What special knowledge does QRL and its Chairman have to which the wider industry is not privy?

An urgent response would be appreciated.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Billie Carter". The signature is written in a cursive, somewhat stylized script.

Hon. W.J. Carter QC
cc The Honourable The Premier





Hon Peter Lawlor MP
Member for Southport



Queensland
Government

Ref: QTO-04648
MN=101288

Minister for Tourism and Fair Trading

01 MAY 2009

The Honourable W Carter QC
101 Hawdon Street
WILSTON QLD 4051

Dear Mr Carter

I refer to your letter of 13 January 2009 to the Honourable Andrew Fraser MP, Treasurer and now Minister for Employment and Economic Development regarding the installation of a synthetic track at Clifford Park, Toowoomba. As the matter now falls within my portfolio responsibilities, a copy of your correspondence has been forwarded to me for reply.

As you are aware the Toowoomba Turf Club (TTC) holds the freehold title to Clifford Park and is able to deal with the land according to law.

Under the *Racing Act 2002*, the Government is not responsible for making decisions regarding the commercial operations of the Queensland racing industry. In fact, the Queensland racing industry had long advocated for government to remove itself from industry matters and sought to be given the responsibility for such decision making. The Act, which was unanimously supported by the Queensland Parliament, gives effect to this industry request. Accordingly, industry issues such as the installation of a synthetic track at Clifford Park are matters for Queensland Racing Limited, as the control body for thoroughbred racing, and the TTC, as the owner of the racing venue, to address.

As you would now be aware, a majority of TTC members voted in favour of the installation of the synthetic track at a special meeting held on 16 February 2009.

The issues raised in the article by Mr Tony Arrol (*The Australian*, 12 January 2009) concerning the Santa Anita racecourse are public knowledge, but there are also numerous examples of synthetic tracks operating successfully throughout the United Kingdom, the United States, and Asia.

Level 26
111 George Street Brisbane
GPO Box 1141 Brisbane
Queensland 4001 Australia
Telephone +61 7 3229 2004
Facsimile +61 7 3229 0434
Email tourism@ministerial.qld.gov.au
ABN 65 959 415 158

In relation to your comments concerning the establishment of another inquiry, I refer you to the comments of the then Commissioners, Messrs Martin Daubney SC and Anthony Rafter SC, that "(e)veryone has their own opinion on every issue in the industry. For each person who laments the passing of the "old ways" there is another who applauds innovation".

Should you wish to discuss this matter further, you may wish to contact my office on 3224 2004 to schedule a meeting at a mutually convenient time.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Lawlor". The signature is fluid and cursive, with a prominent loop at the end.

Peter Lawlor MP
Minister for Tourism and Fair Trading