

**Division 60: Racing, Gaming and Liquor, \$125 567 000 —**

Ms W.M. Duncan, Chairman.

Mr T.K. Waldron, Minister for Racing and Gaming.

Mr B.A. Sargeant, Director General.

Mr T. Ng, Chief Finance Officer.

Mr M. Cutler, Chief of Staff, Office of the Minister for Racing and Gaming.

[Witnesses introduced.]

**The CHAIRMAN:** The first question will be from the member for Collie–Preston.

**Mr M.P. MURRAY:** I refer to the second dot point under “Significant Issues Impacting the Agency” on page 710, which refers to amendments to the Western Australian gambling legislation to implement the government’s response to the Joint Standing Committee on the Review of the Racing and Wagering Western Australia Acts. Firstly, I note that of the 53 recommendations, 25 were accepted, 24 were noted and four were not accepted. Why did the minister not accept that a dedicated racing industry fund to be administered by Racing and Wagering Western Australia should be established, and does he have plans to establish it in the future?

**Mr T.K. WALDRON:** One of the recommendations was for a change in the tax rates to be able to deliver that. I support that, but at this stage the government is not in a position to do that. That is something I will continue to take back to government, and I am hopeful that when the timing is right we will be able to do that. In regard to the infrastructure funding—the member may have another question about this—together with the regional infrastructure grants program of \$13 million and the injection of another \$6.6 million from royalties for regions, we are delivering over that four-year to five-year period \$20 million in infrastructure improvements. While I would like to see an ongoing dedicated fund—I think the industry needs that—we have this fund at the moment, and I will continue to endeavour to ensure that we have a fund that is ongoing after this fund, which has two years to go. We have expended around \$10 million, so there is another \$9 million to be spent from this fund.

**Mr M.P. MURRAY:** I understand about the royalties for regions, but not the rest of it. When we consider the washout of a meeting that occurred last Wednesday and the cost to the industry, is it not time that dedicated funds were put into racing? Off the top of my head, Royal Randwick Race Course had an upgrade of \$50 million plus—it may have been \$150 million—with government money, and we have here in the city a racing industry that is a very big employer of 3 000 people, without any support whatsoever, having tax ripped off the top of it. The member says he supports it, but he is the minister in cabinet—when is he going to deliver?

**Mr T.K. WALDRON:** We are already delivering; and we have been delivering through the regional infrastructure grants program. That funding is also for metropolitan tracks and there has been quite a lot of work done at Ascot, Belmont, Cannington, Gloucester Park et cetera. Just on the race meeting at Belmont that the member mentioned, the rail was moved. There was one piece of turf about a metre square that when first inspected the senior jockeys were happy to ride on, but the junior jockeys were not, so the meeting on that day was called off. I understand—Richard Burt may be able to confirm this—that the track will still be good for another five years. We also want to do work at Bunbury and obviously at Belmont. Remember that we have spent a lot of money at Pinjarra, which is a fantastic winter track —

**Mr M.P. MURRAY:** The government spent a lot of money at Northam and the track there cannot be used.

**Mr T.K. WALDRON:** We are also upgrading one at York, so we are doing a lot. If I remember rightly, when those opposite were in government, it had a dedicated infrastructure fund —

**Mr P.B. WATSON:** That was a long time ago.

**Mr T.K. WALDRON:** But the former government’s fund was only for country; our fund is for the metropolitan area also, so we are actually doing it now. I take the member’s point that we are going to need more into the future. As minister, I can take a big one-off project to my government. A decision on the tax issue has not been made at this stage.

**Mr M.P. MURRAY:** I have heard what the minister has said, but which other sports pay that sort of tax into general revenue? For example, is the football stadium paying a tax on each seat? No, it is not. I am pointing out to the minister that it is so important to not just talk about but also change the taxable rate that is going in to a dedicated fund. Please give us a bit more than saying, “In a couple of years”, or “I am trying very hard”, because this industry now needs a leg-up. We have had a downturn in attendances and in betting to some degree—although it depends on which section we look at. Can the minister give us a bit more than just saying he is looking at it?

**Extract from Hansard**

[ASSEMBLY — Tuesday, 20 August 2013]

p26b-33a

Mr Mick Murray; Mr Terry Waldron; Mr John McGrath; Mr Chris Hatton; Chairman

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**Mr T.K. WALDRON:** I was going to cover in the next section some of what we are doing for racing—we might cover this again later—but I have to let the member know that we are obviously supporting racing facilities. I may as well go through that now. We have first tried to address the occupational health and safety needs, because if they are not addressed, there can be no racing. We had a one-off incident with the track. It has been a very wet period, and from time to time, with weather conditions, we will get that. We have addressed the railing issues with new plastic rail installed at seven of our major race clubs. The double benefit of that is the rails from those clubs have been distributed to our smaller clubs and picnic race clubs across Western Australia, which has greatly improved safety. For instance, I know that the organisers of the Kulin picnic races, a big event held only once a year that attracted over 4 000 people last year, are so pleased that they now have the safety issues covered because there were some concerns about horses getting off the track et cetera.

[11.50 am]

**Mr M.P. MURRAY:** With due respect to the minister, this matter is about the heart and soul of holding up the industry. I am talking about giving it a hand; that is where I am coming from. Yes, I understand all those smaller jobs have been very good, but again this matter is at the heart and soul of the industry. It is about moneys that have been put in by the sport, but are not being returned. I do not see that in any other sport.

**Mr T.K. WALDRON:** People have to remember that we distribute moneys to the racing industry through Racing and Wagering Western Australia. Last year the distribution was \$119.6 million; it is not to be sniffed at. That was an increase of \$55.4 million since RWWA was established. This year, the increase was \$6.4 million. We are supporting the industry very strongly. As I said, yes, I acknowledge that at some stage there are some bigger projects in which government needs to get involved. Remember that with a lot of the sporting facilities, there is local government involvement and the sporting body itself contributes. In racing, the government is contributing around 90 per cent. Therefore, in this area the government is punching above its weight.

**Mr M.P. MURRAY:** Again, I take note of the minister's comments that he will not privatise the TAB—on radio the minister was quoted as saying that. I ask the minister: how and where will he get that extra money to again lift the industry?

**Mr T.K. WALDRON:** The government will play a role, and I hope at some stage that we can make a change to the tax rate and establish an infrastructure fund in that way. The timing probably is not right for the government at this stage with budget pressures, but I am hopeful that in the future that will happen. The government will always look at one-off needs on the merit of the project. There is another nearly \$9.8 million of funds still there that will be used to continue to work with the state's racing clubs, including the trotting clubs and the greyhound clubs—remember that it goes across the three codes—to make sure their facilities are the best they can be.

**Mr J.E. McGRATH:** Following on from the member for Collie–Preston's question, has the minister taken to cabinet that recommendation of the joint standing committee to set up a racing infrastructure fund? I know the minister does support it, but has he taken it to cabinet?

**Mr T.K. WALDRON:** I will not say what happens in cabinet.

**Mr J.E. McGRATH:** Yes, I understand.

**Mr T.K. WALDRON:** The government has considered that and will consider it in the future.

**Mr J.E. McGRATH:** Yes, but until now, the government has not agreed to implement it.

**Mr T.K. WALDRON:** No, not at this stage.

**Mr J.E. McGRATH:** Is the minister disappointed by that?

**Mr T.K. WALDRON:** Of course I would like to see it implemented, but I am a minister in the government. We have pressures right across government and there are lots of things that people would like to see: more rail lines, more hospitals, more police, more sporting facilities; it is a balance thing. We have been able to get the fund of \$20 million, which I think is outstanding. If the member were to go to the racing venues around Western Australia, he would see some fantastic facilities—for example, at Pinjarra trotting club and Albany Racing Club. The government has spent quite a bit of money at Ascot Racecourse with new railings. It is all of great benefit to the industry. Yes, there are big things on the horizon in years to come and the government will play a role; however, remember that race clubs have assets as well.

**Mr M.P. MURRAY:** There are many volunteers who help them.

**Mr I.M. BRITZA:** The fifth dot point at page 710, under the heading “Significant Issues Impacting the Agency”, refers to a social question—that is, the concept of liquor-restricted premises, which was introduced as a means of supporting regional and remote communities and improving the health and wellbeing of residents when dealing with liquor abuse. Can the minister update the estimates committee on the success or the progress of this, in my opinion, very important initiative?

**Mr T.K. WALDRON:** Yes. Declaring premises as a liquor-restricted premise has been a great success. I travelled to Alice Springs about four years ago, which is where I first saw it. It was just coming into operation there. The idea of a liquor-restricted premise is to provide a premise, usually a residence, where alcohol cannot be taken into, cannot be consumed or cannot be supplied to other people. Alcohol is barred from the residence.

One of the problems the government saw was that in some areas houses were frequented regularly by large groups of people. It may not necessarily be the case all the time, but there may have been a mum or a grandma who had children there. The government is trying to provide some protection so that that mum or grandma can get those kids to have a good night's sleep, allowing them to attend school. We have seen some terrible situations where children have not gone home because they were safer out in the streets than they were at home; it is a terrible situation. Having these liquor-restricted premises enables not only children to have respite, but also the streets to be safer. The kids also know that there is a safe house where they can go. I have a list of where these alcohol-restricted premises are located. We have received great feedback from the police, local government, charity groups, hospitals et cetera in all the areas where this initiative is operating. It has proved very, very successful. I think it is one of the most successful things that the government has done. I will just give some figures. At this stage, 196 private residences have been declared liquor-restricted premises. They are all over Western Australia. The major ones are in the Kimberley and the Pilbara, but restricted premises are also in the metropolitan area and in towns such as Kalgoorlie, Wongan Hills, Northam, Leonora, Geraldton and Esperance—right across the state.

We need to continue with this strategy. It is proving very successful. We cannot just go and plonk a “restricted premise” notice on a person; the owner or the lessee of the house has to apply to the director general and that has to be approved so that the premises are declared restricted. I might just see whether the director general, Mr Barry Sargeant, wants to make a couple of comments on that, because that is done through the department.

**Mr B.A. Sargeant:** One of the good things about this particular piece of legislation is that once the premise is declared a restricted premise, although it is an offence to take liquor or to possess liquor and the end result is a fine of up to \$2 000, the greatest deterrent is that the police force is authorised to dispose of the alcohol there and then. I think that is probably the biggest deterrent; that is, people know that if they do take alcohol into the premises, the police have the right to enter without any search warrant and dispose of it immediately. We do find that quite often when both the Department for Child Protection and Family Support and Homeswest work with people occupying premises who have problems with their tenancy, one of the ways the owner or lessee can address them is to apply to declare the premises as liquor-restricted premises. As the minister said, some 196 premises have been declared so far.

**Mr I.M. BRITZA:** Have there been any prosecutions over the situation?

**Mr B.A. Sargeant:** No, there have not been—only because of the fact that the alcohol is disposed of basically on the spot, and that is the biggest deterrent that the police have found.

**The CHAIRMAN:** Before we go to further questioning, would the minister like a break or is he happy to continue?

**Mr T.K. WALDRON:** I am okay at the moment, but if I do need a wee comfort break, as I did last year, I may yell out, Madam Chair, and I will be very quick! Although, I am happy to have a five-minute break if you would like; a little break now will save me having a break later. I know that at some stage, nature may call me!

*Meeting suspended from 11.58 to 12.05 pm*

**Mr M.P. MURRAY:** I refer to “Supplies and services” on page 714 and the recent glassing incident at the Norfolk Hotel. The minister made statements about a rolling back of glass, as such, and the introduction of tempered glass. As the Norfolk Hotel is owned by Prendiville Enterprise, which also owns venues such as Pier 21 Apartment Hotel, Karratha International Hotel, Cottesloe Beach Hotel, Tradewinds Hotel and Sandalford Winery, what assistance has the department given Prendiville Enterprise or what checks has it made to see that it has made an effort to introduce tempered glass?

**Mr T.K. WALDRON:** It is interesting that the member raises the issue of glassing. He raised it with me in Parliament a year or so ago. The incidence of glassing has dropped off quite considerably and I think a lot of that may well be due to the introduction of tempered glass or that those who are convicted of a glassing incident have a prohibition order put on them through the department. They have been hit really hard; if someone glasses a person, they are in big trouble. I heard about the incident at the Norfolk Hotel. We have worked with the industry through the Australian Hotels Association and the Business Improvement Group of Northbridge in particular to introduce tempered glass. That is done on a voluntary basis. We have not enforced its use, but for the safety of their patrons a lot of hotels have chosen to use tempered glass. The take-up, the groups advise me, has been very high, particularly in areas in which hotels probably get a bit more of that sort of trouble than other areas. A liquor review is taking place at the moment and I do not know whether the review will comment or make

recommendations on incidents such as that. We will have to wait and see when that review is finalised; hopefully in a month or two.

**Mr M.P. MURRAY:** Previously in the house the minister said that about 70 per cent of hotels were taking up tempered glass. Has that figure improved, and what role has the AHA played in conjunction with the minister's office to increase that?

**Mr T.K. WALDRON:** We meet with the AHA, BIG N and night club groups on a regular basis. There was a big take-up at the start, which has had a marked effect. The comments I have heard from publicans is that they like to use the tempered glass because it is pretty good quality. I do not have the figures, but those groups will continue to report to me when I meet with them on an ongoing basis. They will let me know how it is going. I give the industry credit because this is a voluntary measure. We urged the industry to look at it but it has taken it upon itself. The BIG N in Northbridge has been very proactive.

**Mr M.P. MURRAY:** Being voluntary, does the minister not think it is about time we gave it another shake to ensure that we get the rest of the hotels?

**Mr T.K. WALDRON:** I do not think so.

**Mr M.P. MURRAY:** They criticise me for bringing it up, so there is resistance in the industry.

**Mr T.K. WALDRON:** I will tell the member why. The industry is doing it well. Some of the reports of glassing include when someone throws a stubby at someone outside a hotel. Tempered glass will not help that, but tempered glass has been a big success. It has had support and makes it better for publicans in those areas where it is used. At the end of the day, a lot of our hotels still want to use wine glasses. Many hotels now provide some nice facilities and restaurants et cetera. I do not want to impose anything on them.

**Mr J.E. McGRATH:** My question is on that same subject. I refer to page 710 and the review currently taking place, which is all about —

- balancing the requirements of consumers of liquor and related services with the minimisation of harm or ill-health caused to people or any group of people, due to the use of liquor;
- the interests and needs of people selling or supplying liquor; and
- the interests and needs of the tourism industry and other hospitality industries ...

In Western Australia we are seeing a huge move by health groups to reduce the availability of alcohol. This is a very difficult issue for the government to work its way through and it is good that this review is taking place. Could the minister give us some idea of the proliferation of liquor outlets as our city is growing? How many new licences have been granted throughout Western Australia and the metropolitan area? What is the growth in the number of bottle shops, big liquor barns and things such as that? Has there been quite a noticeable increase or has the department been able to keep it within a reasonable level? What is the minister's view on this issue?

**Mr T.K. WALDRON:** When I first became minister responsible for liquor licensing, I remember thinking that this would be a challenge, but I have really enjoyed the role because it is such an interesting area in which to work. We have a culture in Australia in which people like to have a drink. I think 97 per cent of people have a drink, and every now and then someone might have a few too many, but they do not hurt anyone. Over the past five years, my aim has been to try to maintain a balance so that people can go out and enjoy a drink with their friends, girlfriend, husband, wife or whoever, and not feel threatened or be harmed. It is a big challenge.

Several moves have been made—I give credit to the previous government—on the small bar legislation, which we implemented. The growth of small bars has introduced a different drinking culture in those areas. We now have about 80 small bars operating in Western Australia. The point was made the other night that people at first thought that the small bars would be for middle-aged and old people. A lot of young people now attend small bars.

[12.10 pm]

**Mr P.B. WATSON:** Yes; I do.

**Mr T.K. WALDRON:** Of course the other thing we hear about is big barn-like hotels, but there are not many of them left.

**Mr J.E. McGRATH:** The bigger concern is barns that supply takeaway alcohol. When I was in Derby recently, I drove along the main street and there was a guy walking across in front of me with a carton on his shoulder. I went 40 yards down the road and there was another guy walking with a carton on his shoulder.

**Mr T.K. WALDRON:** They might have been going to the same party!

**Mr J.E. McGRATH:** We are told that this is where the problem lies. I am not saying that it is right or that it is wrong, but what is the government's position on this proliferation of takeaway alcohol venues?

**Mr T.K. WALDRON:** In 2009–10 there were 523 liquor stores and now there are 547; that is, an increase of 24 in that period.

**Mr J.E. McGRATH:** That is not a huge figure.

**Mr T.K. WALDRON:** The advent of bigger ones and the location where they appear to be concentrated has created attention. The director general has to ascertain the public interest on those matters and has to balance the needs of the community against the health issues, and I think he does that very well.

**Mr J.E. McGRATH:** Yes.

**Mr T.K. WALDRON:** Obviously the liquor review will look at how we do that. One of the reasons I have instigated the review is that the issue of liquor consumption always creates a very big public argument. I will give the member a breakdown of licences. As of now there are 275 hotel licences; 52 hotel restricted licences; 389 tavern licences; 16 tavern restricted licences; 78 small bar licences; 547 liquor store licences; 419 club licences; 560 club restricted licences; 824 restaurant licences; 44 nightclub licences; 588 special facility licences; one casino liquor licence; 557 producer licences; and 202 wholesale licences. That is the break-up of where we are now. There is always an argument about density and how they are managed et cetera. A lot of it comes down to the management of a facility. I think generally our industry does a really good job. In any industry there is the odd one who flouts the law but they tend to get picked up. The good thing is that the Australian Hotels Association, the big end of town, the nightclubs, the Small Bar Association of WA and Clubs WA realise that if they are to continue doing what they do, they need to virtually self-discipline and self-manage; otherwise, there will be a public outcry and restrictions will be imposed on them. We constantly encourage finding local solutions when it comes to decisions on alcohol because they are the ones that work best.

**Mr J.E. McGRATH:** Could the director general—perhaps on notice—tell us where we sit on licences or availability of alcohol or supply compared with other states on a per capita basis?

**Mr T.K. WALDRON:** I will pass that question to the director general. Before I do, I make the comment that we quite often hear in Western Australia that there is a good culture overseas and nothing ever happens there. When I go overseas I find that it is not quite like that. There are a lot of restrictions over east and overseas. We all share similar issues. I know from talk about these very issues at ministers' meeting I attend that the issues we face here in WA are faced by Melbourne, Sydney, Hobart et cetera. The director general, Mr Barry Sargeant, might like to make a comment on that.

**Mr B.A. Sargeant:** We can produce statistics that are comparable between the various states, but bear in mind that when we are comparing something like liquor stores, Queensland does not have liquor stores; they are all attached to hotel licences. We therefore have to be circumspect on how we present the information, but we can give a raw cut of the number of licences per capita in the various jurisdictions. If we then break down the number in too much detail, we will not necessarily be comparing apples with apples; however, we can take that question and provide what we can as supplementary information.

**Mr T.K. WALDRON:** We will therefore provide a comparison of licence types in Western Australia with those in other states to the best of our ability.

**Mr J.E. McGRATH:** On a per capita basis.

**Mr T.K. WALDRON:** On a per capita basis. Is that okay?

**Mr M.P. MURRAY:** Can I ask a question on that subject, please, Madam Chair?

**The CHAIRMAN:** Yes. I am just dealing with the supplementary information. Is the minister clear about the supplementary information, and is that what the member for South Perth is looking for?

**Mr J.E. McGRATH:** Yes, that is fine; thank you.

[*Supplementary Information No A6.*]

**Mr B.A. Sargeant:** We will get what we can.

**The CHAIRMAN:** Thank you.

**Mr M.P. MURRAY:** On the licensing process—rather than the number of licences—is there now room to allow people to support the grant of a licence, rather than just display negativity towards it? Some communities have been asking me how they can support an application for a tavern in a small town or even a liquor outlet. Is there now a process available for that?

**Mr T.K. WALDRON:** I will get the director general, who deals with these matters day in, day out, to answer so that the member can get an accurate answer.

**Mr B.A. Sargeant:** There is always a process to support an application, but of course it needs an applicant to come forward. It is not the case that the government or I as the director of Liquor Licensing can just grant a liquor licence; there has to be an applicant and the applicant can have community support. The more support an applicant has, the easier it is to make a decision. There has never been a negative side. Publicity in the past has been given to intervention from the police, intervention from the health department and intervention from objectors, but many applicants put in a very good case and are supported by people from their communities. I believe it is a myth to say that it is not possible to put in support for an application.

**Mr M.P. MURRAY:** That is what I am getting at. There is some anecdotal evidence that some have tried to support an application and it has not happened. The director general is saying that there is a process.

**Mr B.A. Sargeant:** The process comes through the applicant, because it is the applicant who makes the application and it is up to the applicant to garner support for it. Quite often we also get unsolicited support from people in the community that does not come via the applicant. But the applicant's role is to basically present that information in the best way so that they can demonstrate that they are okay with the requirements of consumers for liquor; and under the act we have to give consideration to meeting the demands of people in any community, be it large or small.

[12.20 pm]

**Mr J.E. McGRATH:** Could the director general tell us how many applications are refused?

**Mr B.A. Sargeant:** Last year, for instance, if I remember correctly, in response to a parliamentary question from a member, we said there were 200 applications, six of which were refused.

**Mr T.K. WALDRON:** I will make a comment because we often hear that we never knock back applications from liquor stores. I probably have the figures here somewhere, but I know liquor stores have been refused just in the simple process. Quite often members of Parliament get us to support liquor licences and I think their success depends on the applicant. We had a case with a member down south who had an issue and when we looked at it, they had not sought anyone to support their application. The department can be contacted for all that advice and it is on the website as well. I always tell people that if they are looking to do it, they should go to the department first to know exactly what to do. It is a bit like when people come to the Department of Sport and Recreation with proposals; if they go to the department first and work through the proposal with it, things tend to happen a lot easier. Four liquor store applications were refused last year, and that was done on the balance by the director general.

**Mr P.B. WATSON:** I refer to the third dot point from the bottom of page 710 of the *Budget Statements*. My question more or less follows on from the last one. The dot point states —

- The need for the licensing authority to weigh and balance the evidence submitted by applicants, interveners and objectors in determining applications ...

We had a recent case in Albany with a major store, Woolworths, going against a small shop right next door. In looking at this, it was obvious that Woolworths had lawyers and much bigger funds to put its case, whereas the small business next door did not have that capacity. I want to know where the commonsense and fairness rule in the act comes into play. The community was against Woolworths getting the licence. I do not know whether the minister can talk about this matter, because I think an appeal has been made. The situation is that big business comes in with all the funding and everything like that, and although the small business has the local community behind it, it cannot put a case because it does not have the funds to do so.

**Mr T.K. WALDRON:** I will make a couple of comments and hand over to the director general. Remember, the director general makes decisions on what is presented to him. It is the responsibility of both parties to present to him and he makes those decisions. We have asked the liquor review to look at all those processes and to make recommendations. Members of that review have been working their behinds off and I really look forward to the recommendations that come forward. The liquor review of Hon Mark McGowan that happened before introduced some good measures and I am hopeful the same thing will happen again. One thing we have done is to fund the department's technology to make it easier for applications. Sometimes people get frustrated with the time that the applications take, and I think that will help the process a hell of a lot. To comment, remember, the director of Liquor Licensing is separate from me in relation to those calls.

**Mr P.B. WATSON:** I was asking him the question.

**Mr T.K. WALDRON:** I know; I first wanted to make a couple of comments and now I will hand over to the director.

**Mr B.A. Sargeant:** The issue we find in many local communities is that opposition to an application and the community saying it does not like it is not sufficient grounds for us to say no. To give an example, recently the commission awarded two licences in Mundaring for two large chains, and a person wrote to the minister

complaining about the fact that they had signed a petition and that in the normal bureaucratic manner it was ignored. The trouble is that things like just signing petitions do not come with any evidence. They only indicate that the community or people do not support an application. When an application comes before us we have to look at it from the point of view of evidence of harm to the community, evidence against catering for the requirements of consumers, how the application develops the use of facilities and what consumers want. Ultimately, the application must turn on us looking at the objectives of the act. A community or someone who opposes an application without any evidence to show that the application will cause harm et cetera is not enough to stop it, and we do not often get that evidence. An objection comprising many people simply saying they do not like an application would fail unless there was evidence to show that the granting of the application would cause some sort of harm. Ultimately, just denying applications on the basis of community opposition would require an amendment to the act.

**Mr P.B. WATSON:** I wrote a letter in support of this group supporting the small business because the new application would affect the smaller business, we have enough retail outlets in Albany and alcohol abuse is a big issue in the area. That is how I put it, as did other leaders in the community. However, the applicant still got their licence, and I find it very hard to explain the fairness of the decision and the act to my constituents.

**Mr B.A. Sargeant:** The act was amended many years ago to take out the adverse impact of granting licences against the commercial interests of competitors. The requirement on the authority is to look at whether a new licence should be granted. Whether another licensee would be adversely affected financially is not something we can take into account. We can take into account how it would reduce the level of service available to the overall community. We cannot just take the straight financials of a licensee into account; it is all about the service being provided to that particular community. The act was taken out many, many years ago because many of the objections to applications coming in were formed purely on a commercial basis rather than by looking at the impact on the community. I understand that people expect things just because a number of licences are already there. When it comes to packaged liquor, the macro-economics and the macro-research indicate that as we increase the supply, there is an increase in demand—that is, in a macro sense. However, when it comes down to how a particular licensed premises at a particular place has directly impacted on the community and the evidence to show that, it is very hard to extrapolate that macro evidence down to a micro decision to show that if a particular licence is granted, it will immediately trigger a certain amount of harm. That is the difficulty a licensing authority has and it is not easy to address. For instance, some decisions have been made regarding the Armadale area, where there was quite distinct harm, and some applications were refused because the evidence about the level of harm in the community was quite strong. The decision was able to relate the fact that the level of harm was such that we should not have another licence granted in that area. It is not easy, but decisions are made in accordance with the act. A number of them have gone right through to the Supreme Court, mainly when we have said no, and the Supreme Court has upheld those decisions based on the fact that the commission or the director, being the licensing authority, has decided one way or the other, weighing and balancing all the objectives of the act, that a licence should not be granted. We have not had a situation in which a granted licence has been appealed in the Supreme Court. Only when we have said no have there been appeals in the Supreme Court.

**Mr T.K. WALDRON:** The very points that the member raised are part of the terms of reference of the review—that is, to look at those processes, and then we can change them.

**Mr P.B. WATSON:** That was going to be my next question. I was going to ask a question.

**The CHAIRMAN:** Very quickly, because the member for Balcatta is on the list and we need to finish this division at 12.30 pm.

**Mr T.K. WALDRON:** I also need to say something on this before we finish.

**Mr P.B. WATSON:** I want to know whether the director thinks provisions should be brought in by which an application can be refused if a big business moving next door to a small business affects the small business.

**Mr T.K. WALDRON:** I do not know whether that is a fair question. I think all those points would be considered by the review.

**Mr C.D. HATTON:** I refer to the table headed “Details of Administered Transactions” and the line item “Grants Paid out of Problem Gambling Fund” under the heading “Expenses” on page 717 of the *Budget Statements*. The Department of Racing, Gaming and Liquor has a budget allocation of \$500 000 a year to provide grants to projects to deal with problem gambling. In the short time we have, can the minister please outline just the major projects supported in the year just gone?

[12.30 pm]

**Mr T.K. WALDRON:** Yes. I will do this fairly quickly.

**Extract from *Hansard***

[ASSEMBLY — Tuesday, 20 August 2013]

p26b-33a

Mr Mick Murray; Mr Terry Waldron; Mr John McGrath; Mr Chris Hatton; Chairman

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**The CHAIRMAN:** Does the minister want to do his announcement first, because he is running out of time?

**Mr T.K. WALDRON:** Thank you, Madam Chair.

I just wanted to clarify something from a previous division, for the benefit of members opposite. There was a question about compensation for the golf club with the new stadium. The reason I want to raise that here is that DPC negotiated that contract, but it appropriated that to the Department of Racing, Gaming and Liquor. The actual agreement between the two parties contained a confidentiality clause, and that is why we cannot say what the compensation was. I wanted to put that on the record, because it comes under this division.

**The appropriation was recommended.**