

Chairman; Mr Mick Murray; Mr Terry Waldron; Mr Ian Blayney; Ms Andrea Mitchell; Ms Janine Freeman; Mr Peter Tinley; Mr John McGrath

Division 42: Racing, Gaming and Liquor, \$90 702 000 —

Ms L.L. Baker, Chairman.

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

Mr B.A. Sargeant, Director General.

Mr T. Ng, Chief Finance Officer.

Mr S. Spallarossa, Policy Officer.

[Witnesses introduced.]

The CHAIRMAN: The member for Collie–Preston.

Mr M.P. MURRAY: My question concerns the services and key efficiency indicator “Licensing — Evaluation and Determination of Applications” and the line item for employees. How many liquor licence applications were received and processed in 2008–09 and 2009–10? With a rising number of applications to process, will a reduction in staff from 60 to 56 result in longer waiting times for applicants to have their applications processed?

Mr T.K. WALDRON: I will get the director general to comment on that, but I will make a point about the time to process licences et cetera. Sometimes there is criticism of that and sometimes the department does get put under pressure, due mainly to the continued requirements in the control and management of alcohol across Western Australia. One thing that we intend to do to try to help that is in the area of approved managers. At the moment—this is off the top of my head without referring to notes—approved managers are limited to operate wherever they have their approved managership for. We want to bring those licences in for a five-year period and make it so that if someone is an approved manager at the Collie footy club, he can carry out that same role in Kojonup, for instance. That will take some of the pressure off the director and his staff. There are more pressures coming on them and that is something I have watched closely this year. I think there may be a time when I will have to talk within government to give some assistance to the director general.

I will let the director general talk about the statistical side of it, but I have before me the information the member has requested. I can go through them all, but would it give members opposite more opportunity to speak if I table them?

The CHAIRMAN: You cannot table them, minister, but you can provide supplementary information.

Mr T.K. WALDRON: I will get the director general to make some comment on them.

Mr M.P. MURRAY: Has the number of applications gone up?

Mr B.A. Sargeant: The number of applications has not gone up; overall, the numbers remain fairly static. What can happen is that the focus of the applications can change, particularly to one-off extended trading permits or one-off occasional licences, which do have a constraint in that we have to have them processed within a specific time frame because an event is going to be held on a certain date. Overall, the numbers have not gone up significantly. The only area that went up as a result of the 2007 changes to the liquor licensing act was approved managers, whereby it was a requirement that every licensed premises have an approved manager on duty during its opening times. As a result of that, more than one approved manager had to be appointed at licensed premises. Since the May 2007 amendments we had a peak in processing those particular applications. The minister referred to the fact that we have some proposals, which hopefully will be coming before Parliament, to streamline that process and make it much easier.

[12.20 pm]

However, even though we had a large number of applications, under the act, once an application is lodged for an approved manager, it is deemed to be approved unless we determine otherwise. During that time we refer the application to the police for probity checks, and we then process the application depending on that particular probity assessment. There was a backlog, but I do repeat the point that once the applications are lodged, they are approved. From the point of view of the overall number of applications for new licences, for transfer and for removal, there was not a significant increase; it was only in the number of applications for an approved manager. However, I would be happy to supply the statistics as supplementary information.

The CHAIRMAN: Can I just clarify: will some supplementary information be provided?

Mr T.K. WALDRON: Yes.

The CHAIRMAN: Can we just title it? Does the minister agree to provide the supplementary information; and, if so, will he state exactly what information will be provided?

Mr T.K. WALDRON: It is the total number of licence applications received and the application statistics.

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[Supplementary Information No A5.]

Mr M.P. MURRAY: I refer to the number of licences that have been coming through. The public interest test for these licences was introduced to facilitate the granting of small bar licences, according to my understanding. Has there been a proliferation of other licences that perhaps may not be as desirable, because section 38(4)(d) has not been invoked when granting those licences?

Mr T.K. WALDRON: The member may be referring to liquor store licences. Is that what he is referring to?

Mr M.P. MURRAY: And the public interest test.

Mr T.K. WALDRON: There has been a general increase, but not a proliferation, as I see it. The Director of Liquor Licensing—I will get him to comment in a minute—has to assess all applications, and he assesses them under the public interest test, which was brought in, as the member said, by the last government. He assesses and makes decisions on applications in the public interest. I know that a lot of lobbying has been going on about this—that is, the claimed proliferation of applications and too many in each area et cetera and that there is no room for refusal. That is not correct, because in the past six months, I think five applications have been refused, so they do get refused. I have some more information in front of me. It is a situation in which the director has to take into account the public interest, and that goes two ways. The public interest particularly concerns health issues—that is, if there are considered to be implications for health issues et cetera. However, the public interest test was brought in by the member's government to make sure that, in the best interests of the public, it had adequate services. That is what applies. The Liquor Stores Association WA wants a bit both ways. It does not want increases, because it sees that that will affect its businesses. However, our population is growing and our areas are expanding. At the same time, these stores want to be able to trade as often as they can. They cannot have it both ways. We have to be careful, because if we go into a density limit, if one likes —

Mr M.P. MURRAY: Just by way of interjection, I presented a grievance to the minister in this house about the number of square metres in a certain area. Further to that, in the Cockburn area, there was an application relating to a location that was next door or very close to a youth club, and my understanding is that that application was granted. Those are the sorts of interests that concern me.

Mr T.K. WALDRON: That is fair enough. I will let the director comment on that because, as the member knows, the director is independent, so he has to make those calls. I have said that, in government, I will continue to monitor the situation. We may reach a stage at which I feel the government has real concerns. I looked at this closely probably six months ago because of concerns that I think the member might have raised with me at some stage. However, at this stage I see no reason to change the legislation in the public interest. There is no evidence that would force me to change any of it at this stage. I will hand over to the director now, who can probably give the member a bit more in-depth detail on how those decisions are made and what he has to consider.

Mr B.A. Sargeant: In relation to the number of licences granted, again I am happy, if the minister agrees, to table another document. Last time the member asked a question about the number of applications received. This is about the number of licences granted, which is different. I have a document that I am happy to table, or I will provide supplementary information, if the minister is happy to do that.

Mr T.K. WALDRON: I am happy to provide that supplementary information.

Mr B.A. Sargeant: It is entitled “Total number of licences granted”.

[Supplementary Information No A6.]

Mr B.A. Sargeant: Specifically, in relation to the matter that the member raised about Cockburn, that licence has not been granted. The applicant has asked us to adjourn that matter pending something that the applicant wants to proceed with. No new liquor store licence has been approved in Cockburn at this stage. I think the member said that the location was next door to a youth centre. That application has not been granted.

The major thing that the amendments that came through in 2007 did, if I can be a bit technical, was to amend section 38 of the act. Section 38 was originally based on what was called a needs test. An applicant had to establish whether there was a requirement. The section was amended to make it such that there was a public interest test. It was a broader test, and it introduced questions about health, amenity et cetera. However, since 1989—or even prior to that—there had always been a broad public interest determination anyway. Therefore, even if under the old requirement a need had been established, it was still possible, under the public interest test, for the licensing authority to decline an application. That section, which was section 33, was not amended as a result of the 2007 changes. The public interest test involves sections 38, 33 and 5. Section 5 is the objects of the act. What happened was that in addition to one of the primary objects being to minimise harm or ill health, the government introduced an equal object, which was to cater for the requirements of consumers for liquor and related services. As a result of introducing the broader public interest test, it was also recognised that there had to

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be a weighing and balancing of the harm that potentially could come from granting a liquor licence versus the fact that there is a requirement for liquor services and that the licensing authority is charged with weighing and balancing the various competing interests in arriving at a decision to grant a licence application or to not grant a licence application.

The minister referred, I think, to five applications for liquor store licences being declined. Since I provided the information, seven liquor store licence applications have been declined, and we have also declined some tavern licences and some nightclub licences based on the public interest test. When the legislation was introduced, as the second reading speech identified, it was considered that the public interest test was a fairer test, rather than the strict needs test.

Mr T.K. WALDRON: I have made some notes for myself. The director has to weigh and balance the application against the objects to minimise harm and ill health to cater for the requirements of consumers, as well as facilitate the use and development of licensed facilities, reflecting the diversity in requirements of consumers. So it is a balancing act. I know that concerns have been raised, and I will continue to monitor them, but there is no need to make a change at this stage.

Mr I.C. BLAYNEY: I refer the minister to page 528 and to the third dot point under the heading “Significant Issues Impacting the Agency”. There seems to be a growing trend for remote communities in WA to seek voluntary alcohol bans under section 175 of the Liquor Control Act. What is the process that needs to be followed and are the bans granted automatically?

Mr T.K. WALDRON: I thank the member very much for that question. As I think other members will be aware, under section 175, remote communities come to us voluntarily seeking to have liquor banned in their communities. Quite a few communities, particularly in the north, had local by-laws that banned alcohol, but the problem was that they did not really work, and they were not really enforceable except within the community, and that did not happen as well as it should have happened. To its credit once again, the previous government kicked this off with the community of Wangkatjungka. When I became the minister, one of the first things I was confronted with was the coroner’s report from Oombulgurri. Oombulgurri is the only community in which I or the previous government have imposed the ban. After I read the coroner’s report about what was happening in that community, particularly to women and little children, I had no hesitation in imposing that ban in Oombulgurri. I have since visited Oombulgurri, and I know it has made a real difference.

[12.30 pm]

Ms J.M. FREEMAN: Are there any issues with section 175 and is the minister empowered by the act to impose those sorts of liquor bans? Has the minister looked at the legalities of whether the act gives him that empowerment and whether those regulations are enforceable?

Mr T.K. WALDRON: As far as I know and to the best of my ability, the answer is yes. I give the previous government credit for kicking off liquor bans at Wangkatjungka. I have renewed the ban twice. It is now renewed for a five-year period. I have the details with me. Banning liquor is not the be-all and end-all and it cannot be done forever. We are looking at communities that are having problems, particularly with women being bashed, kids being interfered with and kids being unable to sleep at night in their own home. In other words we are looking at communities in which there is violence—dysfunctional communities. If I can do something to help that situation, I certainly will, particularly when a community comes to me.

The member for Geraldton asked whether these bans are automatic. No, they are not automatic. A couple of communities have come to me in the past six months and I have not agreed to impose section 175 on those communities. Under the legislation, we are required to consult local government, the police and the community. We do that in writing, but I like to visit the community as well. I want to make sure in my mind that the communities are committed to make the ban happen. We can write something on a bit of paper saying that we agree to an alcohol ban, but then there might be no police support, the local government does not give a toss and the community does not do anything. Imposing the ban in such a case is a waste of time. We are having success with these bans. The communities in which we have imposed liquor bans under section 175 are returning to much safer communities. For example, the children go to school. Last year there was a big program with the Wangkatjungka community growing its own vegetables and that type of thing.

Another point with section 175 is that it attracts people such as schoolteachers to these communities. I have a daughter who is a schoolteacher, and people with schoolteacher daughters would not want them going to communities in which violence and consumption of alcohol is rampant. Wangkatjungka has been a success story.

I congratulate not only the women in these communities but also community leaders and young people who have bitten the bullet. Members would be interested to know that when I consult a community, I bring the community together and talk to them about what section 175 means. I ask for their opinions. I notice the women—young

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mums with babies and older ladies—nodding their head in favour of it; they really want it. Those people in my age group and probably from 27 years of age upwards show only some encouragement for the ban, and that section of the community will just kick the ground because they are not sure about it. The most encouraging thing to me, and the reason that I think it is one of the better things that I am doing in this portfolio, is that young guys and young girls are supportive of it. They can see where their lives might go. These bans are very important and I will continue to consider them when communities come to me.

On a couple of occasions I have not granted a request for a ban. In fairness, I should let members know why I have not agreed to them. Some of the communities that have come to me are lacking in leadership. When I visit a community, I can tell whether the people there are convinced. In some cases, people want to do it because it sounds good, but they do not have the right leadership or they are not committed. I do not shut the door; I leave the door open, but the community must satisfy me and perhaps the local police and local government that it can adhere to the provisions of a ban. There is no good putting a ban in place if there is no chance of it working; it defeats the purpose. At the end of the day, we can talk about the detail of it, but this is about looking after women and children as well as giving these communities a chance. It will not be the be-all and end-all, but I think we are giving some of these communities and the next generation a chance to actually change their drinking culture and to recognise that there is a better life out there.

On the legal side of it, I will get the director general to quote from the Liquor Control Act so that the member will understand it.

Ms J.M. FREEMAN: That is not necessary. If the minister has assured himself, that is fine.

Mr T.K. WALDRON: It is really good stuff we are doing here and we need to keep doing it.

Ms J.M. FREEMAN: It is okay, if the minister has assured himself.

Ms A.R. MITCHELL: Minister, is there any difficulty in your role under section 175 and the director general's role in licensing in regional towns?

Mr T.K. WALDRON: The member raises a good point, and I will clarify it. Some members will know—but it is amazing that many people do not understand this—that the director general is responsible for all the liquor licensing issues for which licences are involved; for example, Halls Creek and Fitzroy Crossing. Where there are no liquor licences, such as in these remote communities, they come to me. As the member knows, the director general has put certain restrictions on areas in the Kimberley—Fitzroy Crossing and Halls Creek—the Goldfields and other areas. Detail is available on that if members want it at some stage.

Ms J.M. FREEMAN: Page 528 of the *Budget Statements* refers to significant issues impacting the agency. The minister has looked at advertising standards for gambling. I am interested to know whether the minister has looked at similar advertising standards for liquor advertising and pricing. What discussions has the minister had with the federal government about this issue, particularly given our priority to minimise harm? What discussions has the minister had with the federal government about taxing on volume of alcohol, given that it is a major issue? In the community that I represent, people buy cask wine, which is enormously cheap when compared with bottled wine. Given the minister's soliloquy on the importance of these bans in remote communities and how he is addressing that in communities in which liquor bans cannot be imposed, clearly alcohol is consumed to excess in those communities. We have an explosion of liquor outlets that compete by advertising and pricing. How is the minister looking at minimising harm, in particular, in discussions with the commonwealth?

Mr T.K. WALDRON: I will comment on something I spoke about recently in a speech I gave at a business breakfast. The member raises a good point. In relation to advertising for betting—I will not go into detail—there was the famous Betfair case. Following that case, advertising was opened up to allow other jurisdictions to advertise in Western Australia. We put some limitations on that, such as offering incentives to bet and that type of thing. They can still advertise their own businesses. The TAB can advertise, and that still happens.

Regarding alcohol advertising, there is a push at the moment to ban not only a lot of alcohol advertising but also alcohol sponsorship in sport.

Ms J.M. FREEMAN: My question was about pricing advertising.

Mr T.K. WALDRON: I will come back to sports advertising. In everything there is a balance. We have to be very careful that in trying to achieve one aim, we do not defeat the other. I will come back to pricing advertising. On the sporting side, I am concerned about it. I have an opinion that possibly the pricing advertising needs something done about it. I will throw to the director general for more detail on that.

[12.40 pm]

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Mr B.A. Sargeant: Firstly, in relation to national matters, there is no national minister of liquor licensing because it is state-based legislation, so there is no forum in which to raise that matter. If those matters are raised at a national level, it is during the Ministerial Council on Drugs Strategy, which comes under the Minister for Health. I attended a conference of liquor licensing authorities back in 2008. A senator was there to represent the federal government and I posed the question about the taxation of wine et cetera. The answer given was that it would be left up to the Henry committee report. I am afraid that the Henry committee has not addressed it. The pricing or taxation of alcohol content is not a matter on which the state has the power to intervene. This state has always supported the idea of a volumetric tax rather than a tax on pricing, which would address cheaper alcohol such as cask wine but would also mean that more expensive premium wine would become cheaper. There has not been an opportunity for that to be addressed. On the issue of advertising, there is the power under the regulations for a regulation to be made on advertising and notices. I have the power, as Director of Liquor Licensing, to impose conditions on the promotion of alcohol. It refers to drinks, but this was implied more for the on-site consumption of alcohol in hotels and other venues. There is also the power to impose conditions on the responsible promotion of the consumption of alcohol. It could be argued that advertising might encourage that. The problem with it, which goes back in some respects to the Bettfair decision, is that we can impose conditions on licences within WA but how do we stop things such as national advertising, over which we have no control? We might be in a position, although it would not be easy to do, to impose conditions on licensees to not sell certain types of products, but it is then a matter of controlling the advertising that comes into the state. My view is, and my advice to the minister has been, that it would be much better for this to be addressed nationally. For instance, advertising comes in on the Sky channel. We cannot control that coming into the state—it comes under federal legislation. Much of our print media on betting, for instance, comes in from the eastern states. We can prosecute the newsagents, but they are not really the problem—they possess material that is printed in other venues. Whilst the power is there, it is not an easy thing to do. This issue is better suited to being tackled at a national level.

Ms J.M. FREEMAN: I have a further question. To clarify, the director is saying that there could be the power to address the sort of advertising involving large outlets that advertise very cheap, bulk-buy alcohol products versus another thing. We are talking not about the advertising of milk but about a serious social issue in our community. The cost pricing of advertising can give a competitive advantage, which is one of the issues with responsible consumption. Is that something the government would consider, because it can control what goes into our local and community newspapers?

Mr T.K. WALDRON: I tend to agree with some things the member is saying. We would like to do what is possible, within reason, but I think I am fairly limited because of the buying groups et cetera that buy on bulk. I will be brief, because I know time is an issue. We need to do it at a more local level. I actually think we need to deliver more at the local level. I am going back to sport and recreation a little here. The talk I gave the other morning was that there is a push to ban sports sponsorship and advertising of sporting groups. I think that is the wrong way to go, because I see a huge opportunity. Advertisements in papers are one thing, but on the ground where the alcohol is sold and where young people are involved in sporting clubs et cetera, I see a great opportunity to utilise the network of sporting clubs to target those young people, where I think the bulk of the problem is. Us older blokes and women can drink a fair bit, too, I guess, but it is in those early years that we need to form a pattern of responsible drinking and to try to change the attitude to drinking. We are doing that through football clubs in Western Australia with the Belt Up campaign, which has really been quite successful. If we say that no sports clubs will have alcohol sponsorship and throw it out the window, they will just do deals locally behind people's backs. The clubs then will not have any reason to manage the situation as they are doing now, other than under Barry's direction. Through alcohol involvement, we can make sure that these things are carried out and provide signage—all those types of things. It is not the be-all and end-all, but I think there is a real opportunity to use the network of sport and recreation to deliver those good messages. I thoroughly believe that, because I have seen it work with Belt Up.

Mr P.C. TINLEY: I refer to the item headed "Delivery of Services" on page 527 of the *Budget Statements*. Can the minister confirm whether the following entities, which I believe fall under the minister's portfolio, are about to be or will be abolished—the Gaming Community Trust, the Gaming and Wagering Commission of Western Australia, Burswood Park Board, Racing and Wagering Western Australia and the Western Australian Greyhound Racing Authority?

Mr T.K. WALDRON: I do not know where the member has got that information from. The answer is no. All of those bodies are operating and all currently have a very important role to play. The member for South Perth, who is sitting in the chamber, is heading up an inquiry into RWWA which was required under legislation set by the previous government. No, there is no intention to get rid of those bodies at all. As minister, I get to work with those bodies, and I must say that there are some good people on those bodies who are doing great things. Members would have heard me speak in the house recently about the Gaming Community Trust, through which

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we have been able to keep the *Leeuwin II* sailing ship afloat and have been able to invest heavily in the Brightwater centre in the member for Victoria Park's electorate, which looks after people with different disabilities et cetera and makes sure they can go on holiday. Burswood Park Board plays a critical role both with Burswood Park and the Swan River. I could go through all the bodies and let the member know what they are doing. They are certainly not going to be abolished. I do not know whether the director general wants to make a comment. No, he does not. I do not know where the member got that idea from, but it is not correct.

Mr J.E. McGRATH: I refer to the "Significant Issues Impacting the Agency" on page 528 of the *Budget Statements*. One very important issue is that of glassing assaults in bars, which has received a lot of media attention in recent times. Has the minister had any discussions with industry groups about glassing assaults on licensed premises, and has the minister discussed alternative glassware options? Can the minister see something being done so that people who have perpetrated such attacks will not be able to get their hands on glass but might have to use some other product?

Mr T.K. WALDRON: That is a good question. The community generally is concerned about the glassing incidents that happen across Western Australia. I am aware that there have been a number of assaults in recent years. There have been many calls for plastic drinking containers et cetera. We do see them at some venues. The Director of Liquor Licensing has the right to impose certain conditions under the licensing conditions, so we do have an opportunity to do that at the moment.

Mr M.P. MURRAY: How many have been ordered to have plastic glasses?

Mr T.K. WALDRON: I will come to that in a moment. I want to make a point here: we do not want blanket bans. There have also been serious assaults in hotels using high-heel shoes, bar stools, pool cues, dinner plates et cetera, so it is impractical to ban every weapon.

Mr M.P. MURRAY: I think the minister will try to ban drinking altogether, the way things are going on his side!

Mr T.K. WALDRON: To be sensible about this, we need to address it on a case-by-case basis. Members would have seen that the prohibition orders that have been awarded in a lot of glassing cases—I will get the director to comment in a minute—have actually meant that people who have perpetrated glassing attacks have been kept out of hotels et cetera, which I think is a really good thing. Plastic is not necessarily the answer. The member for Collie—Preston, during a grievance to me about eight or nine months ago, brought in different types of glass and asked whether I had met with groups. I recently met with different industry groups. One group in particular, the Australian Leisure and Hospitality Group—probably the largest single operator of hotels in Western Australia—is actually voluntarily in the process of introducing tempered glass drinking containers. I do not know whether members have seen tempered glass containers, but they are very hard to break, and I could not really tell the difference.

[12.50 pm]

Mr M.P. MURRAY: The Pope has a bit around him as well.

Mr T.K. WALDRON: So it is bulletproof!

I was really impressed with what I was shown. I also asked the Australian Hotels Association to show me all the glassware alternatives, which it did. It gave me a detailed briefing on the options. I think the tempered glass looks like a good option; pricing wise, it seems to be an opportunity. I do not think it would be good for us to impose a blanket ban because everyone likes to have wine out of a nice glass. However, in targeted venues, the Director of Liquor Licensing will implement that with licensing conditions. I want to congratulate the industry because I think it is recognising the problem. I also thank the member for Collie—Preston, because he brought this to my attention last year in a sensible way, which I thought was really good. I am now really impressed with this tempered glass. I am going to watch what happens with the introduction of this by ALH, and we will take it from there. I do not think that a blanket ban is the answer.

Mr J.E. McGRATH: Further to that question, some pubs will soon be getting late licences for the FIFA World Cup. That might be an example where, under the conditions of that licence, they might have to not use glass. That is only a suggestion.

Mr T.K. WALDRON: Correct. The member for Collie—Preston raised the issue of the FIFA World Cup in Parliament last week. I will ask the director general to comment again, but I have some particulars for the member for Collie—Preston in response to the matters he raised last week. On 3 February, the Director of Liquor Licensing issued a policy to give guidance to licensees on the application process and standard conditions that could be imposed for FIFA World Cup licences. As members know, they will be late at night and there will be different licensing arrangements. The total number of applications that had been lodged as at 28 May—last

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Friday—was 31. Of those, 12 had already been approved and none has been refused. Some are yet to be determined; four were lodged in April, but there have been objections and interventions. Processing of those applications started within two to three working days of lodgement. Ten applications were lodged in early May and comments were sought from police and local government within two to three working days of lodgement. I will get the director general to clarify this. We are going to cater for the FIFA World Cup, but it has to be done in a responsible way and the director general has to deal with issues that are raised by police and the Department of Health et cetera. Would the director general like to comment further on that? I think both the member for South Perth and the member for Collie–Preston would be interested.

Mr J.E. McGRATH: There are more questions and I think we are running out of time, so I am comfortable with the answer.

The CHAIRMAN: Thank you, member.

Mr M.P. MURRAY: These questions will be short, sharp ones for some; maybe less so for others!

Some time ago there was an article in *The West Australian* reporting on changes to two-up games at country racetracks. How far away is that? I am continually being asked questions, and nothing has happened. The other issue is cruise ships leaving Western Australia.

The CHAIRMAN: Member, we just need a reference point for those two questions.

Mr M.P. MURRAY: I refer to page 528, “Significant Issues Impacting the Agency”.

Mr T.K. WALDRON: I actually raised the issue of two-up when I was in opposition, and the member also brought it up. I agree with him about two-up and the cruise ships. The government has actually progressed that matter.

Mr M.P. MURRAY: The minister told me that a long time ago.

Mr T.K. WALDRON: No, we have come to an agreement with the casino, but I will let the director general talk about the details that can be revealed. It will happen. As the member knows, a casino agreement precluded this. It has outlived its time—I agree with the representations made to me from both sides of Parliament—and the government has done something about it. I will now hand over to the director general.

Mr B.A. Sargeant: The agreement with Burswood Casino prohibits the state from authorising in any manner whatsoever the playing of two-up or gaming machines within a 200-kilometre radius of the casino. The government has reached an agreement in principle with Burswood, but at this stage the actual amendment to the agreement is being negotiated between the State Solicitor’s Office and Burswood’s legal people.

Mr M.P. MURRAY: I have met with Burswood Casino and was told that it had very little problem with this, if any at all.

Mr B.A. Sargeant: In principle that is correct, but it is always in the details as to how this is defined. For instance, Burswood is very concerned about cruises to nowhere, so that people cannot get on a boat in Broome, go out and come back to Broome. It is a matter of defining what those terms mean, but in principle, the government and Burswood have come to an agreement, and it is now a matter for the lawyers settling the matter. I briefed the State Solicitor’s Office about a fortnight ago to actually progress those amendments. I met with Burswood, and there is an agreement in principle, but the lawyers on both sides have not yet signed off.

Mr T.K. WALDRON: It is going to happen, and Burswood has been very good with this. I think it is commonsense.

Mr M.P. MURRAY: I refer to the last dot point on page 528, which states —

The Department continues to participate in the working group considering amendments to the *Prostitution Act 2000*.

How many meetings have been held this year?

Mr T.K. WALDRON: I will have to take the question on notice, because, as I understand it, that comes under the Attorney General’s department. There has been a working group representing police, health, planning, local government and the Department of Racing, Gaming and Liquor. We would be involved in licensing and compliance only on that issue, so I will not make any further comment, because it does not come under my portfolio.

The CHAIRMAN: Minister, are we talking about a question on notice or supplementary information?

Mr T.K. WALDRON: Did the member want to know the number of meetings that have taken place?

Mr M.P. MURRAY: Yes, I wish to have that supplementary information, please.

Chairman; Mr Mick Murray; Mr Terry Waldron; Mr Ian Blayney; Ms Andrea Mitchell; Ms Janine Freeman; Mr Peter Tinley; Mr John McGrath

Mr T.K. WALDRON: We will provide supplementary information on the number of meetings that have taken place.

[*Supplementary Information No A7.*]

Ms J.M. FREEMAN: I refer to page 527 of budget paper No 2 of the *Budget Statements*, division 42, and the heading “Appropriations, Expenses and Cash Assets”. Item 74 in that table is “Amount Provided for Administered Grants, Subsidies and Other Transfer Payments”. I refer also to budget paper No 3, *Economic and Fiscal Outlook*, page 204. Item 80 under the Department of Racing, Gaming and Liquor refers to “Administered Grants, Subsidies and Other Transfer Payments”, and there is a \$7.1 million Treasurer’s advance excess. How does that \$7.1 million relate to item 74? Does it mean that the money has been spent but is included in the 2010–11 column, or is it part of the estimated actual for 2009–10?

Mr T.K. WALDRON: I will ask the director general to answer that question.

Mr B.A. Sargeant: That amount is to rebate back to Burswood Casino, the Lotteries Commission and Racing and Wagering Western Australia bookmakers the GST they pay to the commonwealth government, because part of the GST arrangement with the commonwealth was that the state would give up certain taxing rights so that that is rebated back. It also includes the amount we pay to wine producers under what is called “wet tax”, and it amounts to \$2 million. They are entitled to get back some of that. The Treasurer’s advance amount would be included in the estimated actual of \$81.9 million, and therefore we are expecting \$82.4 million in 2010–11, bearing in mind that some of those figures can still vary, particularly in the case of the casino, because the casino is very much in what is called the junket market, and that is a very volatile market. When we struck these figures in April, we had April, May and could have June, and that figure could go up or come down, depending on how active and how successful the casino has been. We try to estimate what it has earned and the GST it would be entitled to have as a rebate. That is what is included in the \$81.9 million.

Ms J.M. FREEMAN: Is that a regular Treasurer’s advance payment, or is it a one-off for this year? If it is a one-off, why?

The CHAIRMAN: That concludes time for this division.

The appropriation was recommended.

Meeting suspended from 1.00 to 2.00 pm