

**Division 36: Local Government, Sport and Cultural Industries — Services 4 and 5, Racing and Gaming, \$35 712 000 —**

Mr D.A.E. Scaife, Chair.

Mr R.R. Whitby, Minister for Racing and Gaming.

Ms L. Chopping, Director General.

Ms E. Gauntlett, Deputy Director General, Management and Coordination.

Ms J. Shelton, Executive Director, Racing, Gaming and Liquor.

Ms L. Kalasopatan, Executive Director, Finance.

Mr L. Carren, Executive Director, Corporate Services.

Mr T. Monaghan, Senior Policy Adviser.

[Witnesses introduced.]

**The CHAIR:** The estimates committees will be reported by Hansard and the daily proof will be available online as soon as possible within two business days. The chair will allow as many questions as possible. Questions and answers should be short and to the point. Consideration is restricted to items for which a vote of money is proposed in the consolidated account. Questions must relate to a page number, item or amount related to the current division, and members should preface their questions with those details. Some divisions are the responsibility of more than one minister. Ministers shall be examined only in relation to their portfolio responsibilities.

A minister may agree to provide supplementary information to the committee. I will ask the minister to clearly indicate what information they agree to provide and will then allocate a reference number. Supplementary information should be provided to the principal clerk by noon on Friday, 2 June 2023. If a minister suggests that a matter be put on notice, members should use the online questions on notice system to submit their questions.

I give the call to the member for Roe.

**Mr P.J. RUNDLE:** I refer to page 529 of budget paper No 2, “New Initiatives” and the line item “Office of the Independent Monitor—Oversight of Burswood Casino Remediation”. I note there is \$7.9 million in 2023–24, dropping down to \$3.95 million in 2024–25 and then nothing further in the out years. Will the office remain functional after that date?

**Mr R.R. WHITBY:** The Office of the Independent Monitor is a recommendation rising from the Perth Casino Royal Commission. The Independent Monitor is required to ensure that there is appropriate remediation of the activities and functions of the royal commission. The intention has always been that that office operate for a two-year period.

**Mr P.J. RUNDLE:** Considering it will only be a two-year period, can the minister outline the functions and who will oversee the role from then onwards?

**Mr R.R. WHITBY:** The Independent Monitor is Mr Paul Steel. He is a former assistant commissioner of police and a man of high integrity who brings decades of experience in organised crime investigation, organisational transformation and senior leadership to his oversight role. The appointment of the Independent Monitor and a small staff to approve, monitor and report on the remediation plan for the casino licence over a two-year period was, as I said, recommended by the casino royal commission. It is an intense function intended to ensure that the recommendations of the royal commission for the operations of the casino and its integrity are delivered in an appropriate way. There is a time period in which that can happen and at the end of that we will consider the outcome. Hopefully, the casino will then be operating as the royal commission recommended and as we want to see it operate.

**Mr P.J. RUNDLE:** Does the minister foresee that Paul Steel will be out of a job at the end of that two-year period?

**Mr R.R. WHITBY:** He has been employed on a two-year contract. The outcome of him doing a good job will be him ensuring that his job is complete.

**Mr P.J. RUNDLE:** Can the minister foresee that if he still has concerns at that time, he would extend Mr Steel’s contract?

**Mr R.R. WHITBY:** The two-year period was seen as appropriate for the remediation process to occur but if there was a concern that further work and remediation was required to ensure there was full integrity at the casino, it would be appropriate to extend that term.

**Mr P.J. RUNDLE:** I have a new question along the same lines. I refer to page 538 of budget paper No 2 and service 4, “Regulation of the Gambling and Liquor Industries”. Has the monitor been charged with reviewing Crown Perth’s historical taxation payments?

**Mr R.R. WHITBY:** No.

**Mr P.J. RUNDLE:** We understand that there were questions about \$61 million of underpaid taxes owed by Crown Melbourne in Victoria. We are trying to get an indication of whether the same arrangement or investigation into Perth casino is required.

**Mr R.R. WHITBY:** There was a response in Western Australia to ensure that there was no underpayment of tax, as was reported in Victoria. A process was undertaken and there was verification of the tax paid by the casino to the Treasury, and it found that there was no underpayment. From memory, there was a small overpayment of \$11. There was detailed work done. Believe me, if there was money owed to the state, we would want to recoup it, but a thorough process was done and completed and there was no underpayment and, in fact, a very small overpayment, which was refunded.

**Mr P.J. RUNDLE:** Can the minister unequivocally state that there are definitely no outstanding tax issues in relation to Crown Perth?

[3.10 pm]

**The CHAIR:** I just have to say, member for Roe, I counselled you earlier today about this. Budget estimates is not an extended question time to ask questions about policy issues; it is to interrogate the budget. The minister has given you the answer that what you are asking about is not funded in the budget.

**Ms M.J. DAVIES** interjected.

**The CHAIR:** I am sorry, member for Central Wheatbelt?

**Ms M.J. DAVIES:** It is if it is related to funding.

**The CHAIR:** I do not need the interjection and I will start calling you to order if you do that again. It is a difficult question for me to allow. If the minister wants to indulge it, I will let him, but I am starting to lose my patience with this.

**Mr R.R. WHITBY:** Thank you, chair. Just to make it absolutely clear that there is no suggestion of any underpayment that we are aware of, I will respond by saying that the agency has intensified its processes to ensure that the correct amount of tax is paid by the casino, and there has been no evidence or information to suggest that there has been any underpayment. But that is a continual process, and we will continue to ensure that there is rigour around making sure that the exact amount of tax is paid.

**Mr P.J. RUNDLE:** I thank the minister.

I turn to page 529, new initiatives, and the Perth Casino Royal Commission implementation. It also crosses over, of course, into the last item that I was asking questions about—the gambling and liquor industries. How is the increased regulation as a result of the casino royal commission being funded?

**Mr R.R. WHITBY:** The funding for the regulation of regulated entities—in this case, the member is referring to the casino—comes via recoupment from the casino. When the Gaming and Wagering Commission requires finances to ensure the proper regulation of the casino, it recoups those fees from the regulated entity. But, in a broader sense, some of the infrastructure changes within the agency that have a more efficient and updated agency that monitors regulation of gaming more generally are funded by consolidated revenue.

**Mr P.J. RUNDLE:** Have any other payments for regulation come from any other source at all or is it all from consolidated revenue?

**Mr R.R. WHITBY:** Those are the two sources—consolidated revenue and fees paid by regulated entities.

**Mr P.J. RUNDLE:** I refer to regulation in the gambling and liquor industries. I assume that the casino will actually have to pay an amount itself for this increased regulation. Does the minister have a figure for that?

**Mr R.R. WHITBY:** The intent is to have a Gaming and Wagering Commission that is fit for purpose. The design and model of that is yet to be decided in terms of the exact structure and how it will look, but the intention is also for the regulated entity to pay a fee that equals full cost recovery of the cost of its regulation. In a situation in which regulation is required but there is not a regulated entity that can pay a fee—it might be a form of broader community gambling such as a community raffle that does not involve the casino or Racing and Wagering Western Australia—that funding would come from consolidated revenue. But, certainly, the major cost points would be ensuring that the entities that are licensed to operate pay a fee, and that would be based on full cost recovery for their regulation.

**Mr P.J. RUNDLE:** Along that same line, the minister mentioned the racing and wagering scenario. Does the minister foresee a similar amount being charged to the WA TAB?

**Mr R.R. WHITBY:** My response is similar to the last answer. Once we have worked out the model, we will make sure that the appropriate fees are paid. That is a decision we are yet to reach.

**Mr P.J. RUNDLE:** If I were sitting on the executive team of the TAB, I would be wondering how long it will take to decide that model and how much potential funding will come out of the system. Can the minister enlighten us on that?

**Mr R.R. WHITBY:** It will be by the end of the year. The model will be announced in July and the fee structure by the end of the year. I will maybe go more to the point of the member's concern. As a government, we have indicated that after the process for the sale of the TAB ended, the government's commitment is to make sure that the racing industry is properly resourced, and that will continue to be our intention.

**Mr P.J. RUNDLE:** I thank the minister. Of course, I am concerned that a large fee will potentially be put on the TAB for this self-funding mechanism, if you like, for regulation of that industry. That could potentially damage regional and other racing. At the end of July, the minister will announce the figure and what the model will be for the likes of the TAB.

**Mr R.R. WHITBY:** If I can clarify, the model will be announced by July and the fee structure will be announced by the end of the year. Although I think there is probably a community acceptance for the regulation of the casino to be fully self-funded, the racing industry is something I will carefully consider, being very aware of the important role that racing has, particularly in regional areas, and the social function of race clubs in communities. I am very aware of the issues the member is alluding to. I will be very mindful of any impost and will have regard to those concerns.

**Mr P.J. RUNDLE:** I appreciate that response from the minister. The minister knows my passion for regional racing and harness racing, of course. Can the minister outline whether there is any potential of the TAB being looked at again as a sale proposition?

**Mr R.R. WHITBY:** Member, we both share a passion for this industry. I have a family background in racing and my parents have owned horses in the past, so you have a minister who cares about this industry.

The Treasury was the agency responsible for the sale process, so it would have to be a decision of Treasury. But I think the government has indicated very clearly that that process has finished, and we are getting on with looking at the future under the current arrangements and ensuring that the best interests of racing are looked after.

[3.20 pm]

**Mr P.J. RUNDLE:** I thank the minister. I will move back onto the TAB a little later on, in the next division, and ask a new question now. I refer to page 529 on budget paper No 2 and the line "Banned Drinkers Register/Takeaway Alcohol Management System—Kimberley, Pilbara and Goldfields", under the heading "Ongoing Initiatives". We see a figure of \$4 3 million for 2023–24, dropping to \$3 6 million in 2024–25. Firstly, can the minister explain why that figure then disappears to zero in the two following out years?

**Mr R.R. WHITBY:** Yes, member. As we have always indicated in the initiation of all the banned drinkers' registers, they are trials; we have actually called them "banned drinker register trials", starting in the Pilbara, Kimberley and goldfields, and we have now announced a new one for the Gascoyne. There is a set period for these trials. Obviously they have been funded on the basis of being trials, but I am very optimistic that they are having a positive impact, so at that point there will be an arrangement: The government will consider the ongoing funding into the future, but for now we are not going to pre-judge their success. We are going to wait and see what independent reviews find, and if they are worthy and worthwhile, there will obviously be a decision to continue them and seek funding for that.

**Mr P.J. RUNDLE:** I thank the minister. Who will be conducting any review of the trials, and what is the time frame for that to occur?

**Mr R.R. WHITBY:** They are independent reviews. The first evaluation was done by UWA of the Pilbara trial, and there was a published summary. It is my understanding that we will go to market to seek evaluation of subsequent trials. I am advised that the Pilbara trial has been completed, the Kimberley trial is underway and the goldfields and Gascoyne trials have just started, so they will be done subsequently. They will all be evaluated.

**Mr P.J. RUNDLE:** Will one decision be made for the whole area of the Kimberley, Pilbara and goldfields, or will the government take each region into account?

**Mr R.R. WHITBY:** I think the idea to have trials located in certain regions and treating them independently is probably a good idea. The member will be aware that, when required, we already have liquor restrictions across Western Australia that are bespoke to certain communities; not every community is the same. Some of the remote communities are very different from some of the regional towns, and some of the towns are tourist centres and therefore different again. I think it is a good idea to treat each region on its own merits and requirements, and evaluating each separate regional BDR is a good idea. I am not pre-judging anything, but when we come to the end of the process we might find that it is very effective in one region and not in another. I do not know whether that is going to be the case; they might all be equally effective or otherwise, but having separate evaluations gives us the ability at the other end to make more bespoke decisions rather than lumping all those regions into one. We will treat each region on its merits and look at the results.

**Mr P.J. RUNDLE:** That is a good comment. Thanks, minister. There is obviously the potential to say, “We need to keep the trial going in the Kimberley, but we’re satisfied that the trial is no longer needed in the Pilbara and goldfields; we can separate them into different areas.”

**Mr R.R. WHITBY:** Yes. I am very loath to give thought to those possibilities because we do not yet have the information to make those judgements. One is free to speculate on a range of outcomes, but another issue I would raise is that the BDR is never going to be a magic bullet for all alcohol-related harm. It is certainly an important trial, but other responses include restrictions on alcohol sales and volumes, which are also important. That is why, again, we have a range of responses that are bespoke to certain places.

**Mr P.J. RUNDLE:** When the review is completed, will the results be fully published?

**Mr R.R. WHITBY:** We will be publishing what we can, but when those reviews are completed they will most probably contain commercial-in-confidence information because we are looking at individual businesses. We would not want to betray any commercial confidences, so we will be respecting the right to privacy of licensees, but information will certainly be made available.

**Mr P.J. RUNDLE:** Can the minister detail the number of people on the banned drinkers’ register who have been referred to health services by the department from 2022–23?

**The CHAIR:** Are we still on the same line items, member for Roe?

**Mr P.J. RUNDLE:** Yes.

[3.30 pm]

**Mr R.R. WHITBY:** The question the member asked is, I guess, probably a bit ill-targeted as a question relating to the BDR. It is not the function of the BDR to refer people to health services. It is a broader function of the agency. The agency has representatives in contact with health services and the police and it gets involved in liquor accords. The agency, when appropriate, certainly does refer people to house services given the alcohol harm they may be suffering. However, it is independent of the banned drinkers register. There may be people on the BDR who have been referred and there may be others who are not. Given that, we are introducing new legislation to beef up the BDR and get more people on the list. If that response does not satisfy the member, I can ask the director general to elaborate further.

**Mr P.J. RUNDLE:** How many people in the Pilbara, Kimberley and goldfields are on the banned drinkers register?

**Mr R.R. WHITBY:** I will give the member the latest numbers broken down by region. There are 93 in the Pilbara, 111 in the Kimberley, 66 in the goldfields and 11 in the Gascoyne. I think that adds up to just shy of 300.

**Ms L. METTAM:** The minister referred to 66 individuals from the goldfields being on the register. How many of those are from Leonora and Laverton?

**Mr R.R. WHITBY:** We do not have that information. There would also be privacy issues in revealing the addresses of people.

**Ms L. METTAM:** The banned drinkers register has been in the goldfields for some time now. I appreciate that the model has been enhanced, in some respects. However, we have seen a significant spike in antisocial behaviour and alcohol-fuelled violence as a result of the removal of the cashless debit card. Can the minister talk to the changes to the banned drinkers register and the impact it is having on the ground there? What assurances can the minister provide that it may be able to address some of these issues?

**Mr R.R. WHITBY:** Sorry, I just want to get to the crux of the member’s question. Is the member asking what impact would changes to the BDR legislation have?

**Ms L. METTAM:** What changes is it having in the goldfields where there has been a significant spike in alcohol-fuelled violence in Laverton and Leonora?

**The CHAIR:** Because we have been on this topic for a little while, I am just going to repeat my guidance from before. This is not a chance to get into policy debate. The questions need to relate to the budget items. Just because the banned drinkers register is a line item, it does not mean that any question about the banned drinkers register is in order. The minister has been indulging the questions. If he would like to continue to do so, he can, but there will come a point where I am going to rule a line under these.

**Mr R.R. WHITBY:** I am ever the indulgent one, so I am very happy to respond, but I take the point you are raising, chair. I also make the point that the changes to the BDR legislation will happen later this year. The rollout of the BDR in the goldfields has been of the existing and initial design. The BDR has been operating in the goldfields for 12 months. It was the third region to come online. In Laverton, there have been ongoing liquor restrictions under section 64 of the Liquor Control Act. There are some initiatives designed to reduce excessive consumption of alcohol and alcohol-related harm. In Laverton, packaged liquor may only be sold from midday to 9.00 pm on Monday

to Sunday, except for when the sale is to a lodger at a hotel. Packaged liquor may not be sold in the quantities of an individual container of more than one litre when the liquor has an alcohol content of six per cent or more. For example, wine in casks of more than one litre and glass bottles of 400 millilitres or more of beer are restricted or cannot be sold.

I cannot answer the member's question on whether there are people who reside in that town on the BDR. However, Laverton has also had section 64 liquor restrictions in place. The member would not be looking at the impact of one initiative, but at the impact of the liquor restrictions as well as the BDR. It would be difficult to define which was having the impact. As a general rule, the member would be aware that the BDR is about targeting individuals who have an alcohol-related issue and the alcohol-sale restrictions are about a broader community impact.

**Ms L. METTAM:** Given the dire situation in these towns, will the minister consider enhanced income management—as the Prime Minister has called it—or an alternative version of the cashless debit card if the BDR does not work?

**The CHAIR:** Member, you cannot say I did not give you warning. I am ruling that question out of order because it does not relate to a budget item.

**Mr P.J. RUNDLE:** I have got some questions on that same line, specifically on the Kimberley, Pilbara and goldfields' takeaway alcohol management system. How many takeaway alcohol management system machines does that total funding represent—both active and spare?

**Mr R.R. WHITBY:** Is the member talking about in all regions?

**Mr P.J. RUNDLE:** Yes, or the minister can give me a breakdown of how many machines are in each region, if he likes.

**Mr R.R. WHITBY:** I will get the executive director, Jennifer Shelton, to respond. It is not straightforward.

**Ms J. Shelton:** I thank the member for the question. The machines are leased by region and we pay a contract fee to a contract provider. That is not for a specified number of machines, because there are breakdowns of machines as well. It is a fee for service and they provide a service. Some licensees have one machine because they are just a walk-through bottle shop, but other licensees could have two because they may have one at the point of sale inside the licensed premises and one through the drive-through bottle shop. A specific number cannot be provided because we do not actually lease them per terminal.

**Mr P.J. RUNDLE:** Do we not actually have a handle on how many machines are sprinkled throughout the three regions?

**Mr R.R. WHITBY:** I think the member completely missed the point of what he was just told. He was told that we contract for a service. It is up to the service provider to provide that service. They may determine it is X number of machines. The machines are never owned by the government; it is a lease arrangement. As the member has heard, there may be one machine per licensee or a number to another and there might be the provision of spare machines in case some break down. The obligation is on the service provider to make sure the licensees have enough machines to operate and provide the service. The government does not go out and buy machines and it does not have an inventory of them. The department contracts for the service and it is then the obligation of the service provider to ensure there are enough machines to do the job.

[3.40 pm]

**Mr P.J. RUNDLE:** I heard the response from the minister, but I thought there would be a summary of the number of licensees or licensed outlets in those three regions and corresponding information about whether someone has a takeaway bottle shop or a pub next door. I thought the question would be: how many machines are leased? I hear what the minister says about the service provider, but surely there must be a grip on how many licensed outlets there are and machines to go with them.

**Mr R.R. WHITBY:** I can respond in a general sense. We know there are 210 licensees across the state in the banned drinker register regions who have volunteered to be part of this process. Whether each has one, or obviously some have two or more, that gives an idea of the number of licensees in each region. There are 78 licensees in the Pilbara region; 74 in the Kimberley; 66 in the goldfields; and 16 in Carnarvon. Obviously there is also spare equipment for breakdowns. We must remember that currently the BDR is a voluntary scheme. Most licensees in those regions are part of it, but the new legislation will make it mandatory.

**Mr P.J. RUNDLE:** The minister says that the new legislation will make it mandatory. What will be the structure of that? Will it be the same leasing, fee-for-service, arrangement, or will there be another arrangement?

**Mr R.R. WHITBY:** Yes, we thought it was important to make it mandatory because as much as there has been a lot of goodwill and cooperation from many licensees, the review has found that some have not been using them or have not been turning them on, and there is no way to deal with that because it is a voluntary scheme. To increase

the effectiveness, and in consultation with industry—we have broad support from industry for this—the government will make it mandatory so that everyone is playing according to the same rules. In terms of the provision of this equipment, we want to ensure we get the best deal for the taxpayers of Western Australia. We are currently out to market for when these machines in licensed premises are needed in the future. We want to make sure that the provider offers good value for the taxpayer.

**Mr P.J. RUNDLE:** The minister says that he does not know which licensees turn them on or turn them off and his department does not know how many machines there are individually for each licensee.

**Mr R.R. WHITBY:** We could seek that information. The independent review would certainly tell us the instances of when machines have not been turned on. I will refer that question to Ms Shelton.

**Ms J. Shelton:** The minister previously provided the number of machines within the licensed premises in each of those regions, but I will state them again. The Pilbara has 78 machines, the Kimberley has 74, the goldfields has 66, and Carnarvon has 16. The contractor that provides that service to us has spare machines and is obligated to change those out if there are breakdowns. Depending on the licensee's operation of business, they may have multiple machines and the department keeps a record of how many machines a licensee has. The department also keeps a record of compliance—when the machines are turned on and how many people have been scanned through the machines on a daily basis—and liaises with licensees on a regular basis. As the minister mentioned, this is a voluntary system and the legislation will mandate the BDR for those licensees. Some licensees have chosen not to use the system at present, based on their purchase data, because they sell very low levels of packaged liquor. Once the legislation is passed, it will become mandatory.

**Mr P.J. RUNDLE:** I thank Ms Shelton for that information. Is the minister prepared to supply as supplementary information the number of machines and where they are located throughout those three areas, so that we have that clarity?

**Mr R.R. WHITBY:** I think the member has just received absolute clarity from Ms Shelton.

**Mr P.J. RUNDLE:** So the minister is not prepared to supply that information?

**The CHAIR:** I think the minister's point is that it has been supplied.

**Mr R.R. WHITBY:** We have just supplied it.

**Mr P.J. RUNDLE:** I want a closer breakdown, as in which machines in which towns. The department has provided the figures by region and has also told me that some people turn them on and some do not.

**Mr R.R. WHITBY:** If the member wants to put a question on notice in Parliament about that, we can seek that information.

**Mr P.J. RUNDLE:** I move on to a different question, but in the same vein. I refer to page 529 of budget paper No 2 and the banned drinkers register, takeaway alcohol management system, in Carnarvon. The budget item for that goes out over the three out years. My understanding was that those machines were a result of a liquor restriction through the section 64 process and there is a 12-month review that the director of Liquor Licensing is overseeing. Why are these machines being budgeted out past the 12-month arrangement—in fact, out over three years?

**Mr R.R. WHITBY:** The member is conflating two distinct issues. The director of Liquor Licensing recently determined certain restrictions for Carnarvon. That is one issue. The other issue is the implementation of the banned drinkers register trial in the Gascoyne which, I might add, the community called for, and we responded as a government to trial it in Carnarvon and the Gascoyne. They are two distinct issues. The BDR is separate from the restrictions announced by the director of Liquor Licensing.

**Mr P.J. RUNDLE:** Ms Shelton just supplied the information that there will be 16 takeaway alcohol management system machines in Carnarvon. Why does the figure increase from \$565 000 to \$836 000 and then to \$859 000 over the out years?

**Mr R.R. WHITBY:** To which line item is the member referring on page 529?

**Mr P.J. RUNDLE:** It is the line item “Banned Drinkers Register/Takeaway Alcohol Management System—Carnarvon”.

**Mr R.R. WHITBY:** I will get the director general to answer that.

**Ms L. Chopping:** The 2022–23 figure is the part-year figure, because obviously the BDR has not been running for the whole year in Carnarvon. The 2023–24 figure includes the education function around the BDR, because we expect to be doing a whole lot more education with licensees and local community organisations and individuals. It is anticipated that it will be evaluated in the out years. Although the trials finish next year for the BDR for the other sites, the project will be ongoing for Carnarvon for the trial period, so it will be evaluated in 2025–26 and

a decision will be made about its continuation. It is specifically for the BDR, not necessarily the liquor restrictions which, as the minister said, will be reviewed on an ongoing basis, but reviewed after 12 months.

[3.50 pm]

**Mr P.J. RUNDLE:** Can the minister clearly outline the time line for the review of the banned drinkers register; that is, when will it be reviewed? When will a decision be made on whether it is extended?

**Mr R.R. WHITBY:** I will refer that question to Ms Shelton.

**Ms J. Shelton:** I thank the member for the question. The trial period for Carnarvon is a two-year trial of the BDR. The trials in the other areas have commenced—in the Pilbara, the Kimberley and the goldfields.

**Mr P.J. RUNDLE:** When will the public or the licensees know that the trial will potentially end? Will there be an extension? Will there be some sort of review at the 18-month mark or will it just be a straight out two years and that is it?

**Mr R.R. WHITBY:** I think I have already explained the process around the BDR. After a two-year period, there will be an appraisal of its success or otherwise and then a decision made on its continuation. I will again ask Ms Shelton to elaborate on that response so it is clear.

**Ms J. Shelton:** I thank the member for the question. The legislation for the BDR has been tabled in Parliament. The trial period for the Carnarvon region is two years. It is anticipated that once the legislation is in place, the trial period for the BDR and the legislation going hand in hand with that will provide a good platform for evaluation at the end of that period, given that it will now be mandated for licensees. That will be an evaluation of all the regions that are currently trialling the BDR—the Kimberley, the Pilbara and the goldfields.

**Mr P.J. RUNDLE:** Once the legislation comes through the ranks, is the minister thinking later this year or something along that line? The trial will not begin from when the legislation comes in; the trial has already started, so a fresh two-year trial will not start when the legislation comes in.

**Mr R.R. WHITBY:** That is correct.

**Mr P.J. RUNDLE:** My concern is that when the new legislation comes in, it will be a trigger for all regions to have a two-year continuation, if you like. Is that not part of the legislation?

**Mr R.R. WHITBY:** No. If it was working, I do not know what the member's concern would be. They are two-year trials and obviously there has been a staggered approach because some trials started earlier than others. The introduction of the legislation has no bearing on those trial times; the legislation is about improving the effectiveness of the system.

**Mr P.J. RUNDLE:** Can the minister guarantee that the Carnarvon situation will not extend 12 months longer than the other trial periods in the goldfields, the Kimberley and the Pilbara? Are they all having a genuine two-year trial? That is what I am getting at.

**Mr R.R. WHITBY:** The Gascoyne trial that covers Carnarvon is the very latest to start, so it will be the one that finishes its two-year trial last.

**Mr P.J. RUNDLE:** I seem to recall a sunset clause in the legislation relating to the two-year trial. Is the minister sure that will not have some effect?

**The CHAIR:** It seems like a question for consideration in detail of the legislation or something like that rather than the budget.

**Mr P.J. RUNDLE:** It is the minister's legislation.

**Mr R.R. WHITBY:** Chair, I think Ms Shelton is happy to respond to that.

**Ms J. Shelton:** I thank the member for the question. The former Minister for Racing and Gaming released a consultation paper towards the end of last year. The feedback from the consultation paper has informed the drafting of the legislation. There is a sunset clause in the BDR legislation, which is two years after proclamation. That ties in with the trial period but that does not prohibit the government from coming back to amend the legislation if a decision is made during that time that the BDR has been effective, which will be evaluated through the evaluation just mentioned, and the government could then make a decision on whether the BDR will continue beyond that.

**Mr P.J. RUNDLE:** In fact, this legislation could take months, into early next year, to grind through and then the sunset clause could potentially trigger another two-year trial period for the Gascoyne or the like.

**Ms J. Shelton:** The sunset clause will not commence until the bill is enacted, so until the legislation is live. It will be two years from the enactment of the legislation.

**Mr P.J. RUNDLE:** I want to ask about the wraparound services. The minister mentioned in the second reading speech that medical practitioners and social workers can refer people to the banned drinkers register. Does the minister

have any more clarity on that scenario? Obviously, I understand that medical practitioners can refer people. I wonder how it will work with social workers. That was the wording in the second reading speech.

**Mr R.R. WHITBY:** At the moment, as I think the media statement mentioned, police and health service workers can refer people to the BDR. We are currently reviewing and working out what other prescribed officers could be included, and that will be dealt with in regulations.

**Mr P.J. RUNDLE:** I also want to go back to the takeaway alcohol management system machines. I understand that an app has been developed. Can the minister enlighten me on how that compares with the TAMS machine? I understand that the app could potentially be used rather than the actual machine.

**Mr R.R. WHITBY:** As I mentioned earlier, we are very keen to get not only the best technology, but also the best value for Western Australian taxpayers. As the member probably heard, there are alternatives to the fixed machine, such as an app on a phone or tablet. We are open-minded in procuring the best technology at the best value. Perhaps I will ask Ms Shelton to provide the rest of the response.

**Ms J. Shelton:** I thank the member for the question. We do have an app, and licensees have trialled the app. We have taken their feedback, which has been fed back to the contractor. The app has proved problematic for the licensees in that it is not on a stable surface. Their preference is to use those hard fixed machines. That seems to be the trend in other jurisdictions as well—the rate of scanning is more successful on a fixed scanning machine.

[4.00 pm]

**Mr P.J. RUNDLE:** Obviously, the app is being tested at the moment. Is it more expensive or is it better value for money?

**Mr R.R. WHITBY:** I am not defining which is better value. We are looking at what is available and trying to ascertain that, but also it has to be effective and work. Perhaps Ms Shelton can elaborate.

**Ms J. Shelton:** The app is included in the cost of the contractor under our current contractor engagement, so the technology is already available to us.

**Mr P.J. RUNDLE:** How many licensees have trialled the app?

**Mr R.R. WHITBY:** Ms Shelton.

**Ms J. Shelton:** We do not have an exact figure of the number of licensees who have trialled the app, but it was trialled in the Pilbara and the Kimberley.

**Mr P.J. RUNDLE:** How long was the trial?

**Ms J. Shelton:** I think we are still engaging with the licensees at the moment to make sure that the technology is functioning correctly and that information is being fed back to the contract provider.

**Mr P.J. RUNDLE:** Thank you. You are doing a good job there, Michelle; I appreciate the information.

**Mr R.R. WHITBY:** It is actually Jennifer Shelton.

**Mr P.J. RUNDLE:** I am just about wrapped up here, minister. I have a further question on Carnarvon. Will the services at the drug and alcohol centre in Carnarvon be scaled up given the potential impacts of drinkers who abuse substances and the like? As we always say, we need wraparound services to go with it. Will the government scale up the drug and alcohol centre?

**Mr R.R. WHITBY:** The member raised the crisis that is going on in Carnarvon and the issues still faced there. They have been very, very serious. I think I have outlined in Parliament before the extensive response across all government agencies that have turned out to Carnarvon to support the community there. Whether it is extra police resourcing through the communities, family support services, the Target 120 wraparound services to help juveniles or the expenditure that Department of Local Government, Sport and Cultural Industries has made into afterschool and holiday care for juveniles, government support for Carnarvon has been extensive. It goes beyond this portfolio, so I will not speak to the detail of what may exist under other ministers.

Another thing I will say is that alcohol abuse, as the member would well know, is a very complex and difficult issue that has been with us for a long, long time and it is particularly an issue in remote communities and small towns across Western Australia. It is a very complex issue to deal with and requires a multi-agency response, but it also requires a response from all levels of the community. It requires community goodwill and community support to reduce the impact of alcohol abuse. This government will continue to do everything it possibly can to assist and this agency will do everything it can to assist to prevent alcohol abuse and harm, and other agencies in government play their role, but I think it is important to highlight the community response needed in Carnarvon and the unfortunate attitude that exists within, I hope, a minority of licensees within Carnarvon.

I have just been given a copy of a letter that sent to the director general, Lanie Chopping, who is sitting here beside me. She received this letter today from the former head of the Carnarvon liquor accord, who is also the President of



**Extract from Hansard**

[ASSEMBLY ESTIMATES COMMITTEE B — Wednesday, 24 May 2023]

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Chair; Mr Peter Rundle; Mr Reece Whitby; Ms Mia Davies; Ms Libby Mettam

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the Shire of Carnarvon, Mr Eddie Smith. I think it is important to put this on the record so that the member hears directly the issues that are occurring in Carnarvon from someone who has worked for so long to address them and to ensure an appropriate community response in Carnarvon to the very serious alcohol-related abuse and harm that has been going on in that community. I read it directly —

Dear Lanie,

I'm writing to update you on the impact of the Liquor restrictions imposed in Carnarvon 5<sup>th</sup> May 2022. There has been a concerted effort to vilify myself by a number of people that are very quick to take my statements out of context to benefit their agenda, by informing the community that the Shire President is responsible for implementing the restrictions.

Whilst this is disappointing as it impacts the entire Shire Council as a whole, I want to reiterate my support for the restrictions as I believe the majority of the community are accepting the parameters of the restrictions and like any change it will take time to become the normal. I have noted positive comments since the implementation of the restrictions including praise for the reduction in smashed glass on a number of our streets. I have also not received any complaints about alcohol related anti-social behaviour for the past 10 days, previously complaints were almost daily.

I resigned from the Liquor Accord this morning as I believe there is an element within the Accord that is not interested in working collaboratively and has an agenda that is not for the community good. I will continue to work with WAPOL and DLGSC as I believe what has been implemented will benefit the community.

Kind Regards

Eddie

That letter is from Eddie Smith, who is a very frustrated man. I use this opportunity to congratulate Eddie on his efforts. He should not have had to put up with the nonsense, the ridicule and the stuff that is going on in Carnarvon. He has done his best for that community. But it points to a lack of resolve among certain individuals in the town, and I think the director of Liquor Licensing, who made a decision on restrictions earlier this month, made the right decision. We are seeing the impact in Carnarvon delivering results, according to Eddie, and I think it is a measure of Eddie and these restrictions; they are having an impact.

The thing I would say to the member about Carnarvon is that this issue needs a community response, and I urge everyone there, including licensees, to be part of the solution and not indulge in selfish self-interest that gets in the way of positive community outcomes.

**Mr P.J. RUNDLE:** I think we will move on to Racing and Wagering Western Australia, thanks, chair.

**The CHAIR:** I will put the question.

**The appropriation was recommended.**

[4.10 pm]