

J S C R W W A S u b 5

YORK RACING (INC)
ESTABLISHED 1843

Mr John McGrath M.L.A.
Chairman
Joint Standing Committee on The Review of
The Racing & Wagering Western Australia Acts.
Legislative Assembly Committee Office
Levell
11 Harvest Terrace
West Perth.
W.A.

(Dear Mr McGrath,

I have enclosed our submission to your committee.


We have attempted to paint with a broad brush some of the ups and downs experienced by the club and in some instances the provincial clubs in the first five (5) years of RWWA.

No doubt your committee will be gathering as much information it feels it requires to make a considered decision.

Should we be of any further help please feel free to contact us.

Thank you for the opportunity to make a submission.

Kind Regards,


Barry Mahood.
Chairman
(18/11/09

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YORK RACING (INC)***SUBMISSION TO :******JOINT STANDING COMMITTEE ON THE REVIEW OF THE
RACING AND WAGERING WESTERN AUSTRALIA ACTS*****Re - THOROUGHBRED RACING ONLY****For and on behalf of****YORK RACING (INC)****PO Box 162****YORK****WA 6302**

A Thoroughbred Racing Club was founded in York in 1843. It was called the York Jockey Club. It commenced racing on its' present site in 1846 on land vested in the club for that purpose. An area of some 50.5 Ha. The rent was one peppercorn per year to be paid on demand on the 25th of March each year to the Sovereign or a representative of the Sovereign. In 1888 the land was leased. The rent was one shilling per year, and a race meeting was to be held at least once every two years. In 1920 the club was granted the land freehold with a *Fee Simple Title*.

York is located 98 Kilometers west of Perth.

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DEFINITIONS:

W.A.T.C. (also Perth Racing)	Western Australian Turf Club. (Metropolitan Racing)
R.W.W.A.	Racing and Wagering Western Australia.
W.A.P.T.R.A.	Western Australia Provincial Thoroughbred Racing Association. (Albany,Bunbury,Coolgardie,Geraldton,Kalgoorlie, Mt.Barker,Narrogin,Northam,Pinjarra and York.)
T.R.C.G.	Thoroughbred Racing Consultative Group.
W.A.T.R.A.	Now W.A.P.T.R.A.
W.A.T.R.I.C.	Western Australia Thoroughbred Racing Industry Council (now T.R.G.C.)
R.D.T.	Racecourse Development Trust. (now abolished.)
C.R.A.	Country Racing Association

Terms of Reference

(a) *the effectiveness of the operations of R.W. WA.*

RWWA came into being mainly due to agitation by racing industry stakeholders who felt that the WATC had become dictatorial in their attitude towards racing in WA. Their policies pointed towards the metropolitan club, along with Pinjarra and Bunbury in a lesser role, as dominating racing in WA .

I was also felt generally that racing in Western Australia had out- grow the WATC and that a body dedicated to administering the racing industry in Western Australia should be formed and combined with the wagering arm of the industry the TAB.

(The effectiveness of the operations of RWWA have been compromised to a large extent by them adopting the policies of the organisation they were to replace, but who still appear to wield significant influence. Naturally RWWA in its early stages would have sought some guidance from the body previously charged with controlling racing in W.A. But this should have only been in matters of administration as RWWA had conducted in depth consultation with the industry. This should have provided grass roots information and enabled RWWA to establish policies in keeping with the expressed needs of the industry.

The WATC in applying its rationalisation policy caused the York and Beverley clubs to amalgamate. Northam and Toodyay were given the same ultimatum. Toodyay refused to join with Northam, and had their race dates taken from them As a consequence Toodyay became defunct. Northam was even under threat. The WATC continually refused RDT funding to York and adopted *a wither on the vine* policy as they did not want to be seen to be closing York down.

The government gave RWWA \$20M to distribute to provisional and country clubs. York did not receive a cent.

(Esperance, Camarvon and Port Hedland all received \$150k respectively. Some clubs received over \$1m.

York applied for a grant of \$12,100 to pay for a much needed grass mower to provide flexibility in its track maintenance schedule. The Grant was refused as it was back dated 3 months.

In 2008 RWWA announced it was giving the WATC \$2.4m to replace funds it had expended in 2003 and 2004 on track maintenance at Belmont race course and because they had received none of the \$20m.

The WATC was continually challenged re the disparity between mid week Perth stake money and provincial stake money.

Under RWWA this disparity is continued.

Although the WATC only generated 68% of the total turn over and WAPTRA 32% WAPTRA had to surrender 4% to the WATC for "*first charges*" and a further 6% to the Country Racing association. Thus received 22% out of 32%
 Today under RWWA the WAPTRA surrendered \$5.16m. in the 2007/08 season.
 Of this the WATC received \$ 3.68m (although they no longer pay the first charges)
 Other TAB clubs \$729,551
 CRA. \$742,800

Although on page 69 of the Act subsection 2 does say "*that the balance of the funds are to be paid or credited by RWWA in such amounts as it determines*" This is qualified by subsection 3 on page 70 where it states that "*RWWA is to use its best endeavours to ensure that the amount paid or credited to any racing club under subsection (2) in any racing year is not less than the revenue, after taxes and expenses are deducted, generated from wagering conducted by RWWA on races conducted by that race club during that year.*"

There is no mention of the C.R.A. after the 31st of July 2006. This is the date that the new distribution regime comes into affect as mentioned above.

Please see Appendixes A-B-C

(b) *the need for the continuation of the operations of RWWA*

Overall the concept of the formation of RWWA and the intent of the Act as spoken of by many members of Parliament during the Committee Stages and formal debates will ultimately prove to be of benefit to the racing industry in Western Australia. It is difficult to legislate against human nature and frailties. After five years (5) some fine tuning will of course be required.

We submit the following for your consideration. ;

1. There is an urgent need for some right of appeal to some independent body or entity. There is no right of appeal except to RWWA. The act is watertight in granting RWWA complete autonomy.
2. RWWA should not be able to consult with individual clubs. This is divisive by its very nature.
3. All matters dealing with the provincial clubs should be through the parent body WAPTRA.

4. WAPTRA should have the power to veto, on request by a member club any changes as proposed by RWWA which might affect that club. These requests can be singular or by any number of clubs in nature.
5. WAPTRA may consider the complaint as being frivolous in nature and decide not to pursue it.
6. WAPTRA can demand a meeting with RWWA within two weeks to address the Request. Should there be no agreement reached then both parties, within two weeks shall put their case to a neutral arbiter who shall make a judgement. There is no appeal.

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Of course RWWA will see the appeal and veto as an erosion of their powers and will say that this will affect their capacity to act independently and without restriction. But the up side is that RWWA would need to act in a more circumspect manner if it knew it was open to a legitimate challenge. It would need to liaise more closely with WAPTRA and this would be a plus for both parties.

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TAB

2007/08 TAB TURNOVER AND RWWA STAKES DISTRIBUTION								
		RWWA	RWWA					
	TAB \$ Turn over	Stakes \$ Distribution	TAB T/O %	Distribution %	Plus %	Minus %	PLUS \$	MINUS \$
PERTH RACING	130,036,000	30,036,000	59.806	68.178	8.372		3,688,288	
WAPTRA	82,315,426	11,646,000	37.736	26.022		11.714		5,160,608
Other TAB Clubs	5,359,908	1,812,250	2.457	4.113	1.656		729,551	
Non TAB Clubs	Nil	742,800		1.686	1.686		742,800	
	218,132,101	44,055,050	99.999	99.999	11.714	11.714	5,160,639	5,160,608

APPENDIX A

2007/2008	TAB	RWWA	%	%	%	\$	\$
WATC	Turn Over	Dist	TIO	Dist	Oiff		
Prime	98,819,728						
MidWeek	31,637,039					PLUS	MINUS
WATC	130,456,767	30,036,000	59.8	68.18	8.38	3,691,813	
Albany	5,268,671	786,500	2.41	1.785	0.625		275,344
Onslow	Nil	28,500	0	0.0650		28,500	
Broome	1,639,275	414,500	0.751	0.941	0.19	83,704	
Bunbury	19,441,286	2,557,000	8.912	5.804	3.108		1,369,231
Camarvon	1,123,498	484,000	0.515	1.099	0.584	25,725	
Collie	177845	28,500	0.0815	0.065	0.0165		7,269
Coolgardie	653,018	128,000	0.299	0.291	0.008		3,524
Dongara	Nil	28,500	0	0.065		28,500	
East Pilbara	254,565	57,000	0.117	0.129	0.012	5,286	
Landor	Nil	34,800	0	0.079		34,800	
Esperance	1,298,539	436,750	0.595	0.991	0.396	174,458	
Geraldton	8,098,679	1,163,750	3.713	2.642	1.071		471,829
Junction	Nil	28,500	0	0.065		28500	
Kalgoorlie	15,320,454	2,106,000	7.023	4.78	2.243		988,155
Kojonup	Nil	14,500	0	0.0329		14,500	
Kununurra	Nil	57,000	0	0.1294		57,000	
Laverton	Nil	23,750	0	0.0539		23,750	
Leinster	Nil	80,750	0	0.183		80,750	
Leonora	Nil	85,500	0	0.194		85,500	
Marble Bar	Nil	28,500	0	0.065		28,500	
Meekatharra	Nil	57,000	0	0.1294		57,000	
Mingenew	Nil	0	0	0		0	
Moora	Nil	23,750	0	0.054		23,750	
Mt Barker	3,862,180	533,000	1.77	1.21	0.56		246,708
Mt Magnet	Nil	52,250	0	0.119		52,250	
Narrogin	2,440,050	401,750	1.12	0.912	0.208		91,634
Norseman	Nil	28,500	0	0.065		28,500	
Northam	18,204,168	2,538,000	8.345	5.761	2.584		1,138,382
Roebourne	270,844	123,500	0.124	0.28	0.156	68,725	
Pingrup	Nil	28,500	0	0.065		28,500	
Pinjarra	5,325,359	751,000	2.441	1.7	0.741		326,448
Port Hedland	595,342	268,000	0.273	0.608	0.335	147,584	
Walkaway	nil	0	0	0	0		
Derby	Nil	57,000	0	0.1294		57,000	
Wyndham	Nil	57,000	0	0.1294		57,000	
Yalgoo	Nil	28,500	0	0.065		28,500	
York	3,701,561	499,000	1.7	1.133	0.567		249,792
Lark Hill							
	218,132,101	44,055,050	99.9895	99.9994			5,168,316
					Includes	\$7269 Collie	

APPENDIX C.

TAB TURN OVER AND RWWA STAKES DISTRIBUTION 2007/08						
CLUB	TAB Turn/over	RWWA Stakes Distribution	TAB Turnover %	RWWA Stakes Dist %	% Diff	MINUS
	\$	\$				\$
Albany	5,268,671	786,500	2.415	1.785	0.63	277,546
Bunbury	19,441,286	2,557,000	8.913	5.804	3.109	1,369,671
Cooigardie	653,018	128,000	0.299	0.291	0.008	3,524
Geraldton	8,098,679	1,163,750	3.713	2.642	1.071	471,829
Kalgoorlie	15,320,454	2,106,000	7.023	4.78	2.243	988,157
Mt Barker	3,862,180	533,000	1.77	1.21	0.56	246,708
Narrogin	2,440,050	401,750	1.119	0.912	0.207	91,193
Northam	18,204,168	2,538,000	8.345	5.761	2.584	1,138,382
Pinjarra	5,325,359	751,000	2.441	1.705	0.736	324,245
York	3,701,561	499,000	1.7	1.133	0.567	249,792
WAPTRA	82,315,426	11,646,000	37.738	26.023	11.715	5,161,047
	218,132,103 TAB T/O	44,055,050 RWWA Stakes Distribution				

APPENDIX 6