

Legislative Council

Thursday, 17 September 1987

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 11.00 am, and read prayers.

BILLS: STANDING ORDERS SUSPENSION

As to Rescission

HON KAY HALLAHAN (South East Metropolitan -- Minister for Community Services) [11.03 am]: I seek leave to defer consideration of motion No 1 appearing on the Notice Paper until the next day of sitting.

Point of Order

Hon G.E. MASTERS: Am I permitted to ask the Minister a question at this stage?

The PRESIDENT: You are not, but you may.

Hon G.E. MASTERS: I would like an indication as to why this deferral is asked for. It has happened twice before. I assume it is to enable this House to handle the legislation due to come before the House this morning, but if it is not I would like to be advised.

Hon KAY HALLAHAN: I understood that the Leader of the Opposition was aware that that is the reason for the deferral. If it was not made clear, that is the reason for the deferral.

Debate Resumed

Leave granted.

PARLIAMENTARY SUPERANNUATION FUND

Appointment of Trustee

On motion by Hon Kay Hallahan (Minister for Community Services), resolved --

That pursuant to the provisions of the Parliamentary Superannuation Act 1970, the Legislative Council hereby appoints Hon A.A. Lewis as a Trustee of the Parliamentary Superannuation Fund consequent upon the resignation of Hon V.J. Ferry.

ACTS AMENDMENT (CORRECTIVE SERVICES) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Kay Hallahan (Minister for Community Services), read a first time.

Second Reading

HON KAY HALLAHAN (South East Metropolitan -- Minister for Community Services) [11.05 am]: I move --

That the Bill be now read a second time.

This Bill amends the Offenders Probation and Parole Act and the Prisons Act, and makes incidental changes to other legislation to facilitate the effective administration of the Department of Corrective Services created administratively with effect from 3 April 1987, following the amalgamation of the Probation and Parole Service with the Prisons Department.

The amendments delete references to the specific titles for the departmental officers in the Prisons Department and Probation and Parole Service, and establish a line of authority through the permanent head of the amalgamated departments. Legislative authority is provided to the department head to effectively administer the new department -- in particular, the powers and duties under the provisions of the Offenders Probation and Parole Act.

Sections 21, 23, and 23A of the Offenders Probation and Parole Act have been amended to

retain the existing structure of the Parole Board. The amendments propose that the membership of the board should consist in their stead of the permanent head of the amalgamated departments or his nominee, and a nominated officer from the community-based Corrections Division -- previously the Probation and Parole Service -- of the Department of Corrective Services.

Other minor amendments are included to correct minor errors and omissions during the previous drafting.

It has also been necessary to effect incidental changes to other legislation where references are made to the director of the Prisons Department or the department itself, namely, the Prisoners (Interstate Transfer) Act 1983, the Criminal Code, and the Parliamentary Commissioner Act 1971.

I commend the Bill to the House.

Debate adjourned, on motion by Hon N.F. Moore.

VIDEO TAPES CLASSIFICATION AND CONTROL BILL

Third Reading

Bill read a third time, on motion by Hon Kay Hallahan (Minister for Community Services), and returned to the Assembly with amendments.

RESERVES AND LAND REVESTMENT BILL

Second Reading

Debate resumed from 10 September.

HON A.A. LEWIS (Lower Central) [11.10 am]: The Opposition agrees with all parts of this Bill, and we suggest to the Government that in future instead of trying to play silly games as it has with the revocation of forests it should handle that type of arrangement in the same way as it has handled this Bill.

HON J.N. CALDWELL (South) [11.11 am]: It has come to the National Party's notice that one of the reserves, No 24937, an "A"-class reserve in Manjimup of 14.3 hectares near the townsite, is dealt with in this Bill. It is rather interesting that this particular reserve was deteriorating through lack of management, and it is rather strange that it should be taken out of an "A"-class reserve so that the Shire can manage it and try to regenerate it. Timber reserves have to be managed to the best of people's ability, and it is a well known fact that human resources can manage timber reserves extremely well if they have the money to do it. It is rather nice to see this reserve coming out of an "A"-class reserve to be managed by the Manjimup Shire. The National Party has nothing against any of the other reserves being included in "A"-class reserves, or being removed from them, and we support the Bill.

Debate adjourned, on motion by Hon Fred McKenzie.

ACTS AMENDMENT (CASINO CONTROL) BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon Graham Edwards (Minister for Sport and Recreation), read a first time.

Second Reading

HON GRAHAM EDWARDS (North Metropolitan -- Minister for Sport and Recreation) [11.15 am]: I move --

That the Bill be now read a second time.

The purpose of this Bill is to amend the Casino Control Act, the Liquor Act, and the Casino (Burswood Island) Agreement Act, to facilitate the sale of the hotel within the casino complex to Japanese interests.

At the outset, it is emphasised that the amendments before the House do not bestow any further benefits, other than its release from its obligation to operate the hotel, on the Burswood Property Trust, which is the owner of the assets comprising the casino complex. Nor do the amendments bestow any other benefits on the casino operator.

In essence the Bill deletes the hotel from the casino complex, allows for the transfer of the hotel licence to the new owners, and establishes a casino liquor licence to enable the casino to continue to operate trading hours previously approved by the Casino Control Committee. The Bill also enables the consent of the Minister to be given to the sale and reintroduces a zoning classification over the freehold land sold by the trust and no longer subject to the Casino (Burswood Island) Agreement.

The WA Trustees Ltd and Burswood Management Ltd have entered into an agreement to sell the hotel to Brisney Pty Ltd for \$ 110 million, subject to all necessary approvals being in place by 22 September 1987. Brisney Pty Ltd has also been granted an option to purchase other areas of the freehold land. Brisney Pty Ltd is jointly owned by Yunan Development Co Ltd and Kanematsu Trading Co Ltd.

The purchaser is also offering to purchase 30 million units at \$1 each and 30 million options at 50c each in the Burswood Property Trust, which will require the approval of a meeting of shareholders. The arrangement benefits all unitholders as they have the opportunity to sell at least 17.6 per cent of their units at \$1 each and at least 37.8 per cent of options at 50c each. Both of these prices are in excess of the current trading price of Burswood Property Trust shares and options.

The State Planning Commission has approved the subdivision of the freehold land owned by the Burswood Property Trust into six parts. This action will facilitate the sale of the hotel and allow for future development of the site and assist in the purchase or sale of other elements of the resort complex if so desired.

To expedite the original construction and development, the entire resort lands were exempted from the metropolitan region town planning scheme. The Bill now before the House will have the effect of rezoning the freehold land which is outside the operation of the State agreement.

The Casino Control Act is amended by this Bill to make it clear that the Minister has the power to approve the sale of part of the casino complex and release the trustee from its obligation to operate the hotel.

It is necessary to amend the Liquor Act because the casino liquor facility has been operating under a caterer's permit from the hotel licence. With the transfer of the hotel licence to the new owners, the Liquor Act does not allow for a caterer's permit to extend to the casino. Therefore, the trustee will be granted a casino liquor licence to replace the caterer's permit. It is re-emphasised that this action confers no additional benefits on the casino operator as the trading hours previously approved by the Casino Control Committee will prevail. The hotel liquor licence, when transferred to the new owners, does not carry any benefits in excess of a normal hotel licence.

Part II of the Bill amends the Casino (Burswood Island) Agreement Act and includes a supplementary agreement between the Minister, WA Trustees Ltd, and Burswood Management Ltd for ratification. The supplementary agreement has the effect of removing any freehold land sold by the trust from the operation of the original agreement, and the Bill provides for the rezoning of that land as "special purpose -- public use".

Part III amends the Casino Control Act and gives the Minister authority to approve the disposal of any part of the casino complex and release that part from the casino complex agreement. The Bill provides the Minister with the power to fix the area to which the casino gaming licence relates. An opportunity has been taken to clarify the rights of persons under the age of 18 years to enter the licensed casino area for the purposes of employment or for the purpose of a meal accompanied by a person in control of the juvenile.

Part IV amends the Liquor Act by establishing a casino liquor licence to operate during such periods as are notified to the Director of Liquor Licensing by the Casino Control Committee. The amendments also allow for a caterer's permit to operate from a casino liquor licence to

facilitate the operations within the convention centre and the exhibition centre.

The sale of the hotel does not alter the integrity of the tourist resort complex on Burswood Island. On the contrary, it is expected that the influx of Japanese and other international travellers which the hotel and complex should generate will benefit the State with the injection of additional tourism dollars.

I commend the Bill to the House.

Point of Order

Hon H.W. GAYFER: Mr President, are there any plans accompanying this proposition for the proposed excision and where it will apply in regard to Burswood Island? If there is, would it be possible to have it tabled in order that members can peruse it while the debate proceeds?

The PRESIDENT: That is a question. The Chair is not familiar with this, but I thought I saw someone walking around with plans. I do not know whether they relate to this matter, but I think they probably do.

Debate Resumed

HON G.E. MASTERS (West -- Leader of the Opposition) [11.21 am]: I also raised the question of plans with the Minister handling this Bill and he was kind enough to provide plans which are available to members and are in the corner of the Chamber.

The Liberal Party is not opposed to this legislation. Together with a number of members from the Liberal Party, I was briefed by the Minister on this legislation. Also, some members from my party were briefed by the principal of the casino complex. The legislation and the second reading speech were made available to me before the Bill was introduced into the Parliament.

The PRESIDENT: Order! Audible conversation is not permitted. It sounds like the casino!

Hon G.E. MASTERS: Should I spin the wheel, Sir?

I am led to believe that I saw the legislation and read the second reading speech before Government members and Ministers in this place. As far as I am concerned, that was appreciated, and I thank the Minister for making those details available.

The reason for the rapid progress of this legislation is that the deadline for the legislation being passed by both Houses is 22 September, next Tuesday. However, I condemn the Government for not preparing the legislation earlier and for not advising the Opposition of the plans the Government had in mind. I understand that the Government was aware of the need for this legislation some weeks ago, if not two or three months ago. It is unfair of the Government to suddenly thrust the legislation on this House and to expect members to understand and to pass fairly complex legislation of this nature. Nevertheless, having made that point and being of the opinion that the Government should have done better, I again emphasise that it is not the intention of the Opposition to oppose the legislation, but to help it to progress this Bill to finality today.

The proposal before the House today is to pass a Bill which, among other things, will enable the hotel in the casino complex which is nearing completion to be sold to overseas investors. The purchasers are Yunan Development Co Ltd and Kanematsu Trading Co Ltd. The price to be paid for the hotel is \$110 million, which is a large sum of money. However, the joint venturers, the purchasers, are intending to purchase shares and options to the value of \$60 million. We are talking about a massive investment of foreign capital into the tourism industry in Western Australia. I would hazard a guess and say that it is probably the biggest foreign investment in tourism this State has seen, and it may well be the biggest in Australia.

From discussions I have had with people involved in this proposal, the Japanese consortium intends, if possible, to bring to Perth each week two jumbos full of tourists who will use the facilities of the hotel, the casino complex and, of course, the golf course. I was interested to hear that the proposal is to bring in two jumbos a week because my understanding is that it will generate \$40 million a year into the tourism industry. Every jumbo full of tourists per week into this State generates \$20 million per year. It is an extraordinary figure.

Hon E.J. Charlton: Will they stay at the hotel?

Hon G.E. MASTERS: I guess that in the case of the joint venturers bringing in two jumbos a week, the tourists will be accommodated at that hotel. They may not be able to accommodate all of them, but they would not be bringing them in for fun --

Hon T.G. Butler: Why not?

Hon G.E. MASTERS: They will be brought to Western Australia for "fun", but the joint venturers will do everything possible from a commercial and financial point of view.

The Japanese are investing tremendous amounts of money in Australia, but most of it is being invested in the Eastern States. This is the first major development of its kind in which Japanese interests have become involved. I hope that they continue to look favourably on Western Australia and that more developments will be forthcoming. The development in the north started in a similar way. Sir Charles Court encouraged investors to develop the iron ore mines and towns in the north. I can hardly criticise this project, even though it is a different type of development.

I do not oppose foreign investment in Australia. After all, whoever buys hotels simply cannot lift them and take them away. Whether the development in Western Australia involves a hotel or a mine, it will stay here.

Foreign capital investment in Western Australia means a direct injection of finance into the State's economy, and that is a very good thing. I have heard some people criticise overseas investors, particularly Japanese investors, but I think that their criticism is unrealistic -- I am not one of those people. Real estate in Western Australia, whether commercial or residential, is cheap compared with other places in the world, and that is at last being recognised.

The hotel in the casino complex will be a five-star hotel, and it is being sold to overseas interests to further tourism in Western Australia. I understand that the original intention of the contractors and the financiers of the project was that the hotel would be completed and available for the America's Cup. That did not happen and the objective was to complete the hotel by the middle of this year. All members know that it has not been completed and that there has been an overrun of costs caused almost entirely by the activities of the Builders Labourers Federation, the renegade union which Hon Tom Butler knows has caused a great problem. I know that Hon Tom Butler was an adviser to the Minister and that he tried to resolve some of the disputes and, in fact, he did in some cases.

Hon T.G. Butler: Excellently.

Hon G.E. MASTERS: I would not go so far as to say he did it excellently, but he did solve some disputes and I give him credit for doing so.

Hon T.G. Butler: Thank you.

Hon G.E. MASTERS: Nevertheless, the overrun of costs on this project has been enormous, and the activities of the BLF and other unions have been scandalous. I do not know for how long we can continue to expect these kinds of activities. The company which is suffering the most as a result of the BLF's activities is Multiplex Constructions Pty Ltd. We know that that company sold the industry down the drain and allowed the BLF to grow strong, but it is now receiving a lashing and I do not have any sympathy for it. The overrun of costs has resulted in tens of millions of dollars of extra expenditure.

The Bill is directed to enabling the Minister, on the recommendation of the committee, to approve the sale of part of the casino complex. Again I emphasise that the casino complex is a well defined area on the map which is available in the corner of the Chamber. I for one wanted to have a good look at it because I did not know whether the casino complex included the golf course or other areas of that particular development. I find that that is not the case.

The Government, through the Minister, will be able to allow the hotel and the site to be sold freehold, and the new purchasers will therefore have complete control of the hotel and ownership of the site.

Contained in the legislation is reference to a supplementary agreement; but the strength of

the Bill is in clause 13, which refers to amendments to section 21F of the Act. That will give the Minister the necessary powers to carry out the intentions of the legislation and the intentions of the Government at the request of the people who are selling the hotel.

The Opposition is concerned with the future of the golf course, which is a very large part of the area which appears to have been taken up by the casino complex -- far more than I would have expected, but I guess that is because of the colossal size of the development. A large area has been developed at great cost.

The golf course was always intended to be open to the public. In other words it would be run as a public golf course. All sorts of rumours and comments have been made that as soon as the Government, one way or another, hands over the control of that golf course, perhaps to the casino or to the hotel operators, it would no longer be a public golf course.

I seek from the Minister a categorical assurance that that golf course will continue to be a public golf course -- that is, a course run on the same lines, for example, as the Wembley public course. If that is to be the case, then my fears are unfounded, but it is necessary that these justifiable fears and rumours be dispelled.

I recognise that residents of the hotel, just as you and I, will be able to book a time to play on that course. But that does not mean that other people cannot book times to play golf on that course. Many hundreds of people can play golf on a single golf course in a day. If groups of two or four go off every 15 minutes throughout the day, many hundreds of people can play golf. Indeed if every resident of the hotel played golf during the day, there would still be ample opportunity for the public to become involved.

It would be in the interests of the casino and the hotel management for as many members of the public as possible to use the area, because they would be potential customers. After all, on a hot day playing 18 holes of golf makes one thirsty, and one does not want to travel too far before topping up. People would go to the casino and to the hotel, and spend some time using facilities such as the restaurant and the like. If the Minister will give that assurance to the Opposition, it would relieve one of our main areas of worry.

I do not intend to proceed any further in this part of the debate. I have a number of questions to put at the Committee stage, and I shall seek a number of assurances from the Minister. Apart from that, the Opposition is sorry that the Government has chosen to proceed with the legislation at such short notice without giving the Opposition sufficient time to study such complex legislation. Nevertheless, the Opposition will support the progress of this Bill.

HON H.W. GAYFER (Central) [11.34 am]: The National Party has been briefed on this proposition and we have no intention of opposing it; but we do query some of its aspects.

I shall begin where the Leader of the Opposition left off, and that is on the subject of the golf course. Having been briefed by the Minister, and on examining the plans, it is fairly obvious that the golf course is beyond the proposition in front of us. At the same time, when I hear the Leader of the Opposition talking about two jumbo jets each week bringing in tourists who will spend an anticipated \$40 million a year on golf and other things, it seems to me that the first thing we should do is to get the golf course into a condition where it is worthwhile for people to come from those beautifully manicured golf courses in Malaysia and Japan to play on it.

This golf course is allegedly strewn with rocks. The report in the newspaper has not been refuted. People will play amongst rocks and boulders and on fairways which are far from standard. One person told me there are fewer rocks on the Meekatharra golf course than on this one.

Several members interjected.

Hon H.W. GAYFER: That is what I have been told. I read newspapers; I refuse to go on the site because I strenuously opposed the Burswood Casino, and I am still loath to bring up the fact that some of the things I was worried about are indeed happening right now.

Let us look at the proposition. We are looking at the excision of a certain area. I ask for your permission, Sir, to condense this map and incorporate it in *Hansard*.

The material in appendix A was incorporated by leave of the House.

(See p 3848.)

Debate Resumed

Hon H.W. GAYFER: Mr President, I am well aware that you have a copy of the map in front of you. Members will notice that the area on the map is divided into six sections. The present proposition is to excise the hotel and a vacant lot marked "travel centre". That is a vacant lot. In my opinion this excision virtually negates the whole intention of the original Bill. The original Bill proposed a wonderful complex. It was to be a casino area. At the time we doubted very much that such a project could progress at the rate proposed at that time. Indeed, the site has been fraught with industrial problems.

Hon T.G. Butler: Why do you look at me?

Hon H.W. GAYFER: I am looking at the whole Chamber. Does the member have a guilty conscience about that? Perhaps he had the painting contract.

The construction phase was fraught with difficulties, and great efforts were made to get over them. Blind Freddy could see that the contract has overrun and is now in a position where something must be done. If I remember rightly, originally it was to cost \$205 million, in round figures. Within about three weeks of passing the original Bill we were presented with another Bill seeking an overrun -- they wanted to go out to \$268 million or \$286 million, in round figures. We are now told that the figure is up to \$325 million, so something must happen to rectify the situation unless the owners have unlimited money to put into it or a call is made on shareholders -- if that is possible -- or more shares are issued.

So they have decided to sell it off. It is going to Japanese interests, and we heard about this three or four months ago. Yet today we are presented with a Bill to deal with the proposition, and after the Minister read his second reading speech I had to go to the end of the Chamber and ask for a plan of the proposal. This is not the first we have heard of it -- we were briefed yesterday -- but the Bill was introduced into the House only today and I understand it will proceed straight through all stages as a matter of urgency to avoid the sale being held up.

I do not like that sort of legislation. We are here to look at things properly, to see what is actually meant and what the end result could be. For example, if we look at the plan that is before us, we see the hatched yellow portion comprising the hotel building and the travel centre area which is to be excised, and we notice that the colonnade and fountains area, which is virtually a complete area in itself, overlaps and runs into the hatched section. Does that mean the area marked "3" and comprising 7.3 hectares falls within the area we are allowing to be excised? I would like Hon Phillip Pandal to look at this and see the point I am making before he speaks.

Hon P.G. Pandal: It is in my electorate, of course.

Hon H.W. GAYFER: I know. I am sorry I am speaking now, before the honourable member. Perhaps he should have spoken first. However, we do follow the niceties in this House, and I appreciate the Opposition's recognising that.

Several members interjected.

The PRESIDENT: Order! The niceties of this place are enhanced if honourable members stop their interjections and their general conversations. I remind honourable members that in this place whoever gets the President's eye first gets the call.

Hon H.W. GAYFER: Thank you, Mr President. That is why I sit in front of you -- so I can always watch your eye. I think you watch mine, too.

The excision of this area could well lead to further excisions at a later date -- there is nothing surer. What we thought was a complex being built to develop a certain area that was agreed to after much heated debate in this place in particular, which could have killed it, is now being broken up into some of the best real estate in Western Australia. The developer has gone as far as he can go. He is a shrewd man, most likely, and will make a buck out of this;

and members can bet their lives that whoever is coming in with the sort of money required to buy it will make a further buck out of it. This will be traded on and on as an entity separate from the casino, as will follow the other areas of vacant land, and the condominium or whatever may be built on that vacant land when the Japanese have possession. After all is said and done, in Australian currency the average house in Japan costs \$1 million at the moment, so what is \$1 million in yen to the Japanese? It is just a fleabite.

This proposal will peg all that land for the future, to be built on and developed. We must remember also that the rights of the casino have 13 more years to run, so we might even find that another casino will be built in close proximity. We do not know what that land will next be annexed for, by a Bill rushed through the House as this one is. I can assure members it will not be long before the golf course matter comes before us. They will want one like that at the Shangri-La Hotel in Singapore, tied to the hotel. There will be a proposition to take it away, and then it will not be a public golf course. In fact I am not sure it is public now. However, who would want to play on it, with all the boulders, unless they are using a yellow golf ball? That is up to the player, of course.

We view this as a very hurried proposition. The first we heard about it legitimately was on Tuesday morning. We were told it was going to be introduced on Tuesday afternoon, then on Wednesday, and today is Thursday. We have been given two days to think about it. We are a little concerned because it deals with a land agreement, and if any of the members present has had anything to do with real estate they would know that buying land, settling deeds, and so on requires a bit longer than about 24 hours to have it settled as they would want it settled. If it is settled by the Government, why did we not have it before? Why was it not brought in? What furphy is contained in it which might be of concern and which we might spot at a later date?

It is very interesting to note the rumours going around to the effect that the Builders Labourers Federation has a permanent apartment at the top of the casino building. I heard that was part of the arrangement with the gentlemen in control of the BLF over east, so that when they come to Perth they have an apartment laid on. It is one of the rumours going around, and is most likely completely justified.

Hon T.G. Butler: What other rumours are going around? Can you tell us?

Hon H.W. GAYFER: It could well be that the painters and decorators have an apartment there too; I do not know. But at the time building was going on that rumour was pretty rife -- that that was one of the conditions for the completion of the building. It was pretty common knowledge around this place. If it is not true, that is all right; I am saying it is a rumour. Perhaps there has been some trouble coming to an arrangement to square up the future of that portion of the hotel -- if it is, in fact, a fact.

So many things are going on in this casino area -- many things have started to develop beyond what was originally meant to be. That is what concerns the National Party. It concerns us to know that what was a piece of park reclaimed for the benefit of Western Australians, and Australians as a whole, should suddenly have become a choice piece of real estate, and in fact a matter of trading profits.

I support the Minister. We on this side will not vote against the proposition, although we have every right in this place to air our misgivings over a proposition which seems to have gone wrong financially. If that is not the case, then somebody is selling out to make a buck.

HON P.G. PENDAL (South Central Metropolitan) [11.51 am]: I rise to support the Bill and to make a few comments not dissimilar to those made by the member who has just resumed his seat.

Members will recall that three years ago when the original Bill came to the Parliament I led public debate to ensure that the casino was not built on Burswood Island. Burswood Island at that time, as it is now, was part of my electorate. I took the view then, as I do now, that it was wrong in principle to hand over land that had been vested in the people of Western Australia, and for whom that land should have been exclusively developed as open space.

However, that is in the past. The fact is that the Government of the day obtained parliamentary sanction to approve the excision of that land and for its sale to the casino developers, as a result of which that million-dollar project is now all but complete.

The second point I make is similar to that expressed by Hon H.W. Gayfer and the Leader of the Opposition. The real target of Opposition criticism ought to be the Government itself in this case. In effect, we are being conned by being told that unless we not only expedite but also pass the Bill through this House by Tuesday of next week, an investment of something in the order of \$170 million will be lost to this State.

Even in this day and age when inflation rates are high, \$170 million is a lot of money. The amount is significant when we consider it is not just money coming from the local economy or from some other part of Australia. I understand the \$170 million will come from outside the nation and will be of benefit to this community. It is not just a case of rejuvenging internal investment in Australia.

I am surprised, therefore, that a Government would have the gall to treat investors in such a cavalier fashion. The Government is saying that the Parliament would be negligent were it to fail to pass the Bill. I have already indicated, together with other members of the Opposition, support for the proposition.

Frankly, the arguments about ownership were put and lost, to some extent, three or four years ago; and I do not believe in rehashing matters that have long ago been the subject of a decision in this House. The Government is wrong in principle when it not only treats Parliament with a certain amount of contempt but also treats foreign investors in a similar cavalier fashion that puts their investment at risk, if the Parliament were to fail to act in accordance with Government wishes within the next three or four days. These actions cannot give the Japanese or any other group of overseas investors a lot of encouragement about the way their investment is welcomed into Australia when that very unbusinesslike approach is taken.

It is clear to everyone in this Parliament that these matters have been before the Government for many months. One would assume that Dallas Dempster and other people involved would have liked to see the matter cleared up long before this. The Government has put unfair pressure on both the investors and the members of this House in their endeavours to rush the legislation through without sufficient time for the Parliament to scrutinise the legislation. The Government has created a very unpleasant environment in which to work.

I have responsibility in the Opposition for matters relating to tourism. I say without any equivocation that the investment of this money is welcomed; indeed, I hope it might be the start of much more investment. However, there is still a residual fear in this community about foreign investment. Some people in this community would try to whip up sentiments that might be described as anti-Japanese.

Sir Charles Court perhaps did more than anyone else in Australia to interest Japanese investment in this country. He almost single-handedly educated the community to believe that when overseas investors invest money in this land they do so under the conditions laid down by Australia and within the laws of the land made by Australian Parliaments. Therefore, I believe no-one has any cause to fear foreign investment. I welcome the fact that the Japanese have decided to inject \$170 million into our economy.

A Government member: If you had your way initially, that would not have been possible.

Hon P.G. PENDAL: It would. The member not only showed his ignorance on matters last week but also shows his ignorance on matters before this House today. My opposition in 1983 was not against the casino at all -- it was against the siting of the casino on Burswood Island. If it takes repetition to get through to some people, I am happy to repeat it.

The fact is the casino would have proceeded even if the site were not available. Many people, and I believe Dallas Dempster was one, would have said in 1983 if that particular site was not available then the next best site would do. However, at the time I made no secret of the fact I disagreed with the siting of the casino. Dallas Dempster was man enough to agree I had every right to disagree in relation to the site. I supported the broader question of whether a casino should be built for the same reason I support the question now. I believe it represents a massive investment in our community.

I do have some doubts in relation to the golf course, although not sufficient for me to vote against the Bill. Normally, golf courses are not the concern of Parliaments, but this is a

special golf course in that it is being created on public land. The course will remain public land within the hands of the Burswood Park Trust or Board.

If this Government or any future Government attempts to interfere with that golf course by introducing legislation involving a freehold situation, then I would take the same view as in 1983-84. Out of recent events, the people of this State are entitled to salvage the ownership of that golf course. We should ensure that the course remains open to members of the Western Australian public and does not become the exclusive province of holidaymakers at the hotel. The Premier gave his assurance in 1983-84 in that respect. I am not sure that that has been satisfied, but the point has been covered by others. I agree with Hon H W Gayfer that that will take some scrutiny in the future. However, I repeat if the land were to be the subject of excision and reallocated as a freehold title, I would oppose the move, as I have done in the past.

I do not begin to pretend to understand some of the intricacies of the Bill. Ordinarily this would be a poor admission for a member of Parliament, but I believe the Government holds the gun at our heads in order to pass the Bill quickly for fear that the deal will fall through. Any matter that arises in the future out of the fine detail of the Bill and is seen to be not in the best interests of the State, the Government will have to wear. I see the Minister agrees, by the nod of his head. Oppositions can hardly be expected to take in the fine detail of a Bill within the limited time -- at the same time as they are asked to give parliamentary sanction within a matter of hours.

In summary, as time is limited -- which is another insult, frankly -- the arguments that can be canvassed now are the arguments which should have been put by members three or four years ago. I know that some people, including Mr Gayfer, argued against it. He and I led most of the arguments in this House. He is entitled to say what he said.

The only bottom line in this Bill, as far as I am concerned, is whether we want \$100 million-worth of investment in this State. There is no room for any answer other than "Yes". I support the Bill.

HON E.J. CHARLTON (Central) [12.06 pm]: In making my brief comments on this Bill, I will carry on from where the last speaker, Hon Phillip Pandal, left off. I refer to the type of land the casino was built on and the decision that was made by the Parliament when it was first before the House. Those points are still talked about almost everywhere one goes, even though the casino has been operating for some time. The public is still asking questions about how it was allowed to go ahead in the first place. Everyone is aware that Parliament had to approve of the use of that land for a casino. It is all very well now for us to say that, because overseas interests want to invest in it, we cannot knock that investment back. If the land were freehold in the first place, the purchasers of it would have the authority to sell or do with it whatever they want.

Many people became very emotional about this matter when it was first raised. I guarantee that if the proposition for the land to be split up and sold to overseas interests had been put forward at that time, it would not have got past first base. Now, because there has been an overrun in costs and some small investors may get hurt -- I guarantee that the big ones will not -- it has become reasonable to allow overseas investment in it after a five-minute debate in this Parliament. We have been told that everybody will be better off and live happily ever after.

This proposition reminds me of the deal that was done with the West Coast Eagles football team. We were told everybody would be better off and that the competition would be better. We now find that things are not what they seemed. The principle seemed to be okay at the time.

While I supported the establishment of the casino against the better judgment of other people, I am now not sure that I was right. I believe that it will not be very long before we will see the Bill before us again requesting us to approve further changes to it because circumstances have changed. I believe that what has happened should never have been allowed to happen because people were not being honest with the public of Western Australia in the first place. I think it is a shame that Western Australians have been misled.

HON D.J. WORDSWORTH (South) [12.08 pm]: Members will be aware that I did not support the Burswood Island Casino or putting it on Burswood Island. Like other members, I believe the last four years have fortified my view. For nothing more than my own amusement, I often ask taxi drivers on the way to the airport what they think of the casino. I am often told to look at the number of taxis parked there. I have been given names of taxi drivers who have not only lost their taxis but have lost their homes. Very few taxi drivers support the casino despite the fact that they obtain an additional living from it. It has been a disaster for Western Australia and, while it looks pretty, it has been of no benefit whatsoever.

I believe the land could have been another Kings Park. Kings Park was the wood yard for Perth in the last century. It was completely denuded of timber. But look at King's Park today -- Burswood Island could just as easily be turned into a park. It might have been used as a tip at one stage for earth fill; but just as it has been turned into a delightful place on which to build a casino and golf course, it could have been made into an ideal recreation area and been planted with native trees and shrubs.

I shall not oppose this legislation. It was laid down in the original Act that this sort of subdivision could take place. I would like to tell Hon Mick Gayfer that the original casino Bill allowed for another hotel to be built and if it is not, a penalty of \$5 000 will be imposed. Therefore, he can expect to see another hotel built and possibly sold to overseas interests. We shall be losing one of the finest sites in Perth. We tend to grasp these things at times for the development of the present, but we will find in 10 or 15 years' time that the casino will become like the Parmelia Hotel. I have nothing against the Parmelia, and it was great in its day but now it is just another hotel. The casino will be the same except we shall lose one of the best sites within the city of Perth for recreational and public use.

I note that the hotel will have a normal hotel licence, and that is obviously the right way to go. I remind the House that the licence will be free and yet the Government is insisting that my electors in Lake King pay \$30 000 for their licence. It is a disgrace and shame on this Government, and I hope the Minister will comment on it. Why should a hotel worth \$110 million get a licence for nothing while the people of Lake King cannot get a tavern licence at a reasonable price?

It is all very well to say that the hotel owners have had to supply facilities and build a public golf course. This is a joke, it is no more a public golf course than Karrinyup golf course is. In theory, a person can go to the pro shop and sign up for a day's golf; but how will it be organised? Obviously the people staying in the hotel must have some priority, and someone else must be allowed to make bookings on their behalf. If it were decided that bookings must be made two weeks in advance because it is such a popular spot, how could persons travelling to Perth on jumbo jets make bookings a fortnight before they want to play? It is obvious that forward bookings will be allowed; perhaps the manager of the hotel will go to the pro shop the moment bookings are allowed -- possibly at 6.00 am -- to make bookings on behalf of guests. I support the concept that hotel guests will have some priority; it would be stupid to build a hotel and a golf course with the intention of attracting people to the resort, if they found that they could not get a game. I know that some groups are already signed on to stay at the hotel and play on the golf course, and obviously they must have some priority. It was just a smokescreen. I do not blame Dallas Dempster or his people for that; I blame the Government. It was a sop to the public which never had a hope of succeeding. Let us not blame the promoters or entrepreneurs; let us blame the Government which brought this about. We have to go back to the original Act passed by this Parliament. I support the sale of this hotel.

I question some of the issues included in the Bill for convenience. The opportunity is taken to clarify the rights of persons under the age of 18 years to enter the licensed casino area for the purpose of employment. I am not sure where in the Liquor Act it states anything about the age at which a person can work in licensed premises. Perhaps the Minister can advise me. I found reference to the fact that it is an offence to sell or supply liquor to a juvenile. When we passed the original casino Bill we made it quite clear in the Parliament that we did not expect 18-year-olds to be allowed in the casino. That was well and truly written into the legislation. Section 27(1) states --

A casino licensee shall ensure that no person under the age of 18 years is permitted to play any game in the licensed casino.

Penalty: \$500

Section 27(3) states --

A person under the age of 18 years shall not play any game in a licensed casino.

People would like to take their under 18-year-olds into the hotel for a meal so we are now repealing that section and putting in place a clause which states that an 18-year-old is allowed into the casino to obtain a meal if he or she is accompanied by another person older than 18 years who is the spouse or parent of, the person in loco parentis to, or the guardian of, the person under the age of 18 years. It is rather interesting to note that we shall allow 18-year-olds to have a meal -- although they still cannot gamble -- provided they are looked after by someone else.

Yet in the same amendment we shall allow people under 18 years of age to be employed in the hotel. We are saying that we will allow a 16-year-old in the casino to perform as a stripper for the mob but we do not want anyone under 18 years in the casino unless accompanied by a parent and so on. Where are the morals? There do not seem to be any. We either shall allow 18-year-olds into the hotel or we shall not. We are saying with this Bill that it is acceptable for them to work in the hotel but in any other circumstances they must be accompanied by another person over 18 years of age. We need an explanation of the Government's attitude to this. I am not encouraging young girls to be strippers and, quite rightly, we have prevented strippers from performing in hotels. However, they are allowed to perform in casino-type entertainment and at cabarets. Indeed, if the casino decides to put on such entertainment, it can do so. One has only to read the newspapers to know that Western Australia's favourite stripper is well and truly under the age of 18 years. I presume that the provision for which we are voting will allow the employment of people under the age of 18 years at the casino, although they are not permitted to enter as a guest without being accompanied. I do not believe that we need that amendment. The amendment has nothing to do with the general provisions of the amending Bill, which are to sell off the hotel. This is a separate issue altogether. The Government has made a great song and dance about its morals and about stripping in hotels. I would like to know where the Government stands on this issue.

HON NEIL OLIVER (West) [12.21 pm]: I will not delay the House on this legislation; I support it. However, in support of what has been said by Hon H.W. Gayfer, I would have thought, in view of the fact that this project was announced three months previously, the Government would have had the courtesy to present to the Opposition and other interested members the proposals in this legislation prior to its introduction. When projects of this nature were undertaken by previous Governments, members were always given the opportunity of inspecting the site and having an explanation of what was actually occurring. In this instance, that did not occur; neither did it occur when the casino project was brought forward previously.

I would like to refer to what I said when the casino Bill came before the House. As members would be aware, there was an inquiry in Victoria by Mr Francis Xavier Connor, who recommended to the Premier -- Mr John Cain at the time -- that there should not be a casino in Victoria. The Premier took that advice, and it does not appear to have held Victoria back in any way, because in the *Sunday Times* advertisement in respect of the State Budget that was presented by the Treasurer in the Legislative Assembly last Tuesday, there was a series of graphs, and I noted that Victoria has outstripped Western Australia in all the areas of its development. The graph showed Western Australia as being second in performance. Victoria, which decided not to have a casino, has outstripped every State in the Commonwealth in economic performance.

When we were debating the original casino Bill I said that it was necessary in passing this legislation that it should have the support of both sides of the political spectrum because the casino must operate under all the political parties in Government, as its operations would be over a very long period of time or indefinitely.

In this regard, Sir Stanley Raymond gave evidence in Victoria to the Francis Xavier Connor inquiry. Sir Stanley Raymond is the Chairman of the Gambling Board in Great Britain. He has served under five Home Secretaries, two from one party and three from another. When giving his evidence, he spoke of the value of the bipartisan political approach to casino gambling which he had experienced from the Ministers of State with whom he had been associated. He went on to say how important it was to have a completely bipartisan approach to the establishment of a casino.

I am disappointed that this matter could not have been handled by the Minister making available to us, while Parliament was in recess, the plans as to what was being proposed, in order that members would be in a better position to be able to debate this legislation and not treat it in the way in which it is being treated. It would also have been of advantage to members to have an inspection of the site. I express my concern at the haste with which the legislation is being passed, which may have serious consequences on the operations of the casino.

Before going further, I might add that I have the greatest respect for Genting Berhard. They are without doubt the best operators of casinos in the world. I am not a great visitor to casinos, but during the proposal to establish a casino in Western Australia, I took the liberty of visiting casinos around the world and there is no doubt that Genting Berhard, who have used their expertise here, are possibly the most experienced and successful resort casino operators in the world. I do not think any member here would disagree with me about that.

Recently, five or six weeks ago, I had a meeting with the Chairman of Genting Berhard, who expressed to me the concern he had of the run-on costs that had occurred in the development of the Burswood Island resort. I know it has been a very expensive exercise for the investors in the Burswood Trust. I have no doubt that this particular manoeuvre is to make it a more viable project, and that is obviously why BT have given their blessing to it, as have WA Trustees. There is no doubt that when the unit holders come together next week to give their approval, they will be looking to see a better return on their investment, which they have not had to date.

In respect of this undue, unpredicted, reduced return on the investment, I would add that the construction of the casino was entered into on a cost-plus basis. Whether this Government had any influence in that arrangement in order to enable the Builders Labourers Federation to spread its wings and provide a new era of industrial unrest in Western Australia will probably have to stand the history of time, but I also know that contemporaneously with that, we had nothing but an enormous upheaval in Victoria with the Builders' Labourers Federation in that State.

The builder or developer of the casino operated on a cost-plus contract, so from his point of view I am not aware of any penalties that he may have suffered due to the unprecedented industrial unrest which occurred on that site, and which flowed on to building sites throughout Western Australia, and more particularly to those in the metropolitan area. I understand that the current developer has tightened up his conditions and is also a party to the agreement with the Master Builders Association as to a building code, which was eminently introduced into this House by the former Minister for Labour and Industrial Relations, Hon Peter Dowding, who is now in another place.

The final point which I would like to make relates to the plan. Does the plan comprise one diagram or is it in separate titles? I notice that at the bottom of the plan it says it is a plan showing proposed subdivision of Swan location 10662, Burswood Management Pty Ltd; then on the plan itself is a series of delineations, and it would appear to me that several other titles are being created or have been created. The plan that I am examining indicates that the hotel site which is to be excised comprises 7.30 hectares; I would like an assurance from the Minister that that is the only land to be excised from the original title.

Furthermore I would like to know whether, as with all subdivisions in Perth, there is a requirement to provide 10 per cent of the total area for public open space? I am not aware whether that requirement has been met. No doubt the Minister will assure me that it has been met in accordance with the metropolitan region planning scheme.

Otherwise I support the legislation. I believe it is unfortunate that Genting Berhad has had to suffer from the activities of the BLF in the way in which it has. It is also unfortunate that all other developers in Perth have had conditions similar to those set on the site flow on to their own projects. I hope that this particular item of the legislation is not the forerunner of further legislation. I give notice that if legislation is introduced into Parliament in similar circumstances and expected to be rushed through without even the courtesy of a draft copy of the legislation being made available to the Leader of the Opposition, I will not support it.

HON GRAHAM EDWARDS (North Metropolitan -- Minister for Sport and Recreation) [12.31 pm]: I thank members opposite for their contributions. I am pleased that they are not opposed to the thrust of the legislation, and I welcome their support.

I am aware that the Minister has briefed the Opposition parties, and I understand that personnel from the casino extended a briefing as well. We are confined in time because of the sale deadline, which is 22 September. The Government did not set that time but, as I said earlier, we were bound by it. I think it is a fair criticism that the Opposition has levelled at the Government; I accept that criticism but I hope that the Opposition will understand that the Government had to act very smartly and in those areas where we have had the opportunity to do that, following the finalisation of the commercial agreement, I believe we have acted as quickly as we possibly could have done. In fact some of the officers from the Minister's department worked on the weekend to get this ready by today. It was noted that we are talking about a massive investment; indeed, it is a lot of overseas money. That money will create an ongoing injection of tourist dollars, which will have a flow-on effect to other sections of the tourism industry.

Obviously the use of the hotel will extend beyond the Japanese market. I firmly believe that other hotels, areas of accommodation, and areas of service delivery will benefit from this commercial agreement. I also hope that this agreement will help to sidetrack many tourists who go to other less attractive parts of this nation to Western Australia. The community will expect many other benefits; for instance, I, as a modest shareholder, having some 2 000 shares, will be in a position where I can capitalise on that modest holding.

The golf course is not affected by this Bill and indeed any change would have to be the subject of a separate piece of legislation. Under the terms of this legislation I can give a categorical assurance that the golf course will not be affected. I think that is now quite clear in the minds of Opposition members. I am not in a position to give an assurance beyond that simply because I am not the Minister responsible for this area. However, it is worthwhile noting that the Minister gave a categorical assurance last night that she would have to bring back to Parliament any changes that may be forecast in the future.

I argue that these people are not getting a free licence. The massive investment, I would have thought, is a fair payment for a licence, and in addressing that particular matter, I think Hon D.J. Wordsworth might be confused with the Liquor Act and the Gaming and Betting (Contracts and Securities) Act. It does not refer to the Liquor Act; it refers to the Gaming and Betting (Contracts and Securities) Act. We should attempt to extend to the young people of this State the gaming area at the casino as an area where they can find good employment. I refer to such people as apprentice chefs -- surely this will be one of the best hotels in Australia and an area of tourism development, and it is arguable that these people should have the opportunity to learn their trade in this environment. I fully support the amendment because I believe it will be good for the future employment prospects of young people in Western Australia.

Some members mentioned the question of excision. It is not correct to describe it as an "excision". Only one lot is being sold, and that is the hotel. The convention centre and two vacant lots are options to buy. These amendments will only come into force in relation to those if the option is taken up before 26 December. In relation to the area as a whole, I understand that that was subdivided with the State Planning Commission's approval, and we are not looking at the hotel area. I am not aware of any requirement to provide that ten per cent public open space, but I would assume that it is not necessary in this instance.

I believe that this investment will be of tremendous benefit to the State, and I would argue

that strongly. We can deal with other matters of the legislation in the Committee stage of the Bill.

I commend the Bill to the House.

In Committee

The Chairman of Committees (Hon D.J. Wordsworth) in the Chair; Hon Graham Edwards (Minister for Sport and Recreation) in charge of the Bill.

Clause 1: Short title --

Hon NEIL OLIVER: I want to clarify the diagram and how many titles have been created by this current plan of subdivision. Is it purely the hotel which is being excised or are there more than two titles? Will there now be the casino title, the hotel title, or a series of titles? If there are, could the Minister explain from the plan how many titles will be created?

Hon GRAHAM EDWARDS: There are six titles, the hotel, the convention centre, the casino, and three areas of vacant land. I also advise that they are exempt from any need to provide that normally mandatory 10 per cent of public open space.

Clause put and passed.

Clauses 2 to 12 put and passed.

Clause 13: Section 21F amended --

Hon G.E. MASTERS: This clause is really the guts of the legislation, and it will enable the Minister in the future to give special permission to sell a part of the casino complex. In this case the arrangement is that the hotel and the land on which it stands will be able to be sold to Japanese interests. But it will also enable the Minister on some future occasion to give permission for another part of the casino complex to be sold if a similar arrangement is made. I do not oppose this provision, but I would like clarification that my understanding is correct.

Hon GRAHAM EDWARDS: Yes.

Clause put and passed.

Clauses 14 to 20 put and passed.

Clause 21: Section 84 amended --

Hon G.E. MASTERS: Proposed subsection (b) includes the words "with the consent in writing of the holder of that licence, on payment of the specified fee and on production to the licensing authority of the return referred to in section 163(6) transfer that licence to the other person". Does the reference to the payment of a specified fee mean that the liquor licence will be transferred to the new hotel owners, who will be required to pay a specified fee? I am thinking of Hon D.J. Wordsworth's comments during the second reading debate when he indicated that a club in Lake King had been required to pay \$30 000 for such a transfer, which he thought was unfair.

Hon GRAHAM EDWARDS: I understand that that is an administrative fee with no premium being attached.

Hon G.E. MASTERS: So these people will have privileged treatment and will not face a similar requirement of paying \$30 000 for the transfer of the licence as is the case with the club in Lake King? Hon D.J. Wordsworth thought that was unfair and that in this case also a fee should be paid.

Hon GRAHAM EDWARDS: The difference is that it is a new licence and this does not apply to the transfer of an existing licence.

Clause put and passed.

Clause 22 put and passed.

Title put and passed.

Report

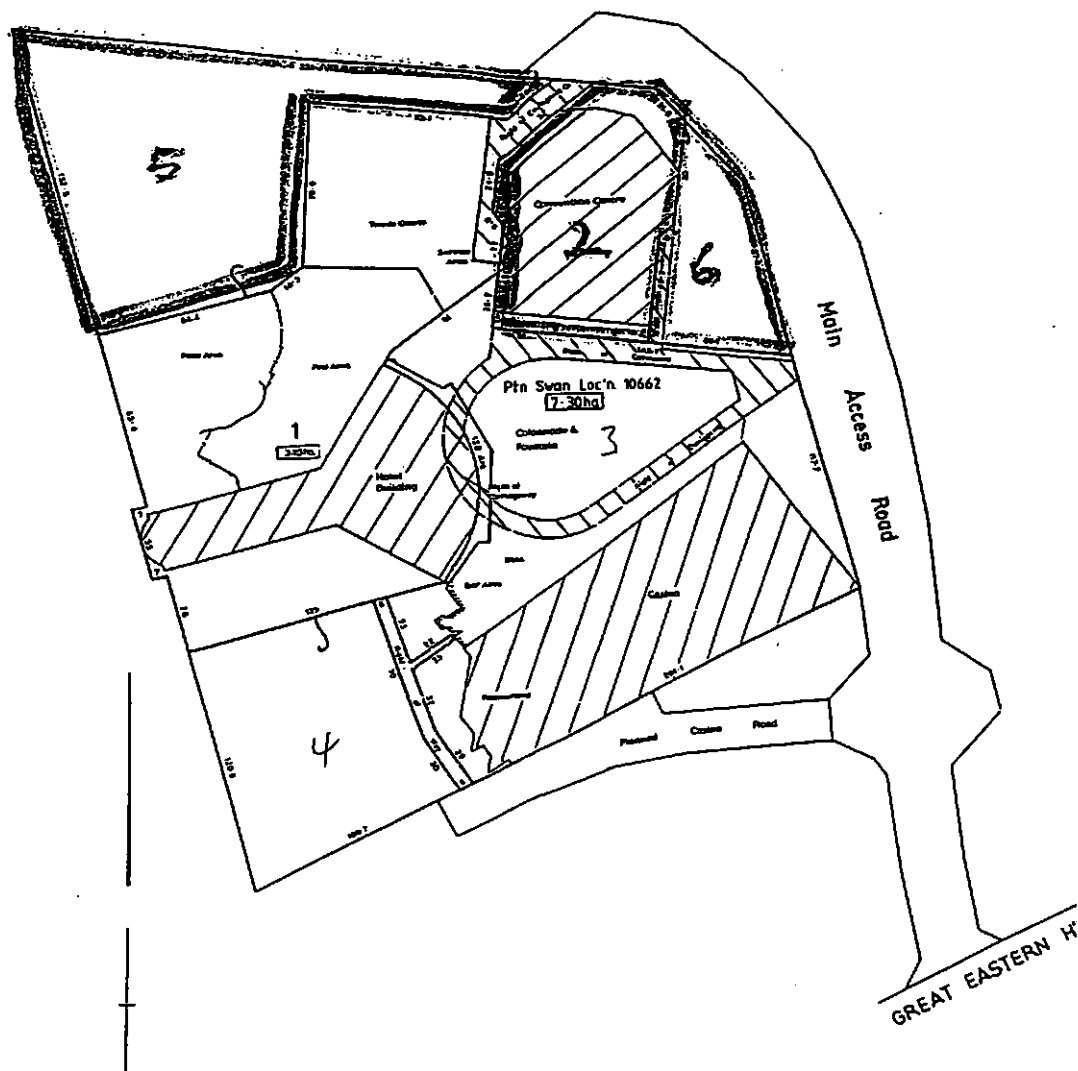
Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by Hon Graham Edwards (Minister for Sport and Recreation), and passed.

House adjourned at 12.47 pm

ANNEXURE A(1)



NOTE : Dimensions & areas subject to survey.

PLAN SHOWING PROPOSED SUBDIVISION OF SWAN LOC.10662
BURSWOOD MANAGEMENT PTY. LTD.