

# Legislative Council

Tuesday, 5 March 1985

**THE PRESIDENT** (Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

## CASINO (BURSWOOD ISLAND) AGREEMENT BILL

### Second Reading

Debate resumed from 21 February.

**HON. G. E. MASTERS** (West—Leader of the Opposition) [4.35 p.m.]: The agreement Bill before the House is one about which the Opposition wishes to make strong comment, particularly with regard to the handling of the whole casino issue.

At times there has appeared to be absolute turmoil and chaos insofar as the responsible Minister is concerned; indeed, the matter has become something like a comic opera, except that it has developed into a much more serious situation.

There has been some talk in the media about the viability of the casino and about its financial backup, and I draw the attention of members to a number of Press statements that have come forward in recent weeks. The most disturbing Press statement I have read, and one which should concern this Parliament and all members in this House, is the one which appeared in the *Sunday Times* on Sunday 3 March under the headline, "CASINO 'SPUDS IN' \$2m boost each week". The article reads—

Work starts on Perth's casino next week—and the WA economy stands to benefit by at least \$2 million every week for the next 21 months.

Of course, that does not disturb me. However, what does disturb me is the statement that work will begin in the next week. It seems to me, and it would seem to most members of Parliament, that the decision of this Parliament is being taken for granted. We all know that both Houses of Parliament made a decision to support a casino in Western Australia. We also know that the Minister has carried out negotiations and made all sorts of statements, and that the agreement which has been signed is now before the House.

It is an insult to Parliament and to parliamentarians to read in the *Sunday Times*, "CASINO 'SPUDS IN' \$2m boost a week" and that work will commence next week, especially before the decision has been made by both Houses of this Parliament. It is improper, and it may be that the

newspaper has misinterpreted this matter, but it appears that the Minister has given tacit approval.

**Hon. D. K. Dans:** I will have plenty to say about the role of the Press. I have had no contact whatsoever with any newspaper on the matter of a casino.

**Hon. G. E. MASTERS:** I accept the Minister's comment and I presume he will join with me and the Opposition in expressing concern about such a headline.

I am surprised that the Minister, after having seen the headline in the *Sunday Times*, did not make a statement to the effect that Parliament has not made a decision. It would have been a proper course of action for the Minister to take.

**Hon. D. K. Dans:** Be careful.

**Hon. G. E. MASTERS:** Perhaps the Minister will tell the House whether he has made a statement.

**Hon. D. K. Dans:** Be very careful.

**Hon. G. E. MASTERS:** I am trying to be helpful to the Minister.

**Hon. D. K. Dans:** I think you are an honest person.

**Hon. G. E. MASTERS:** I ask the Minister whether he has issued a statement saying that work cannot commence on the casino until this Parliament ratifies the agreement and has debated the legislation which is before the House. This course of action is now being taken and it will obviously take at least two days for the legislation to pass through this House. There should not be any undue delay. It is improper that the statement which appeared in the *Sunday Times* should have been made, and if the Minister has made a public statement to the effect that the work will not commence this week, well and good.

Obviously members have read Press statements which have appeared in *The Western Mail* and other newspapers. One article to which I refer and which was published in *The Western Mail* of 23-24 February was headed, "Treasury has casino doubts". Once again the Minister should be concerned about that sort of statement. The Opposition would like to know whether the Treasury had any doubts about the viability of the casino and whether it advised the Government and Cabinet of its doubts.

We are well along the track; the agreement has been signed; so the Minister or the Government should come clean and say that there was a statement by the Treasury or that there was not. Let us get the thing aboveboard because there has been too much shilly-shallying, too much mucking around behind the scenes and no-one understands what has been happening. The Minister appeared

to be making a statement with very little authority, certainly not the authority of Parliament.

The integrity of this Parliament and its Ministers, and the integrity of the statements of those Ministers, have been in great doubt in recent weeks. People in the community are shaking their heads and wondering what has happened. If there is anything which will bring down any Government, it is doubt about that Government's integrity, doubt about what is going on in the background, and whether favours have been given to one group or another. I am not suggesting that would apply in this case, but at least frank answers from the Minister would give us an indication of whether those doubts are well founded.

There appears to be a smell of political bias and interference in many of the things which have been going on, and in some of the statements which have been made—even outright lies. We debated those issues last week, and I will not refer to them in any great depth tonight. Let me say that the issue of broken promises is one of public concern, and the sheer hypocrisy of making statements in certain areas will be canvassed strongly. In particular, whether environmental issues should go out of the window is a matter of public concern.

Again, perhaps we should look at *The Western Mail*, which seems to have picked up a lot of statements and material. That newspaper obviously has a very effective man in Martin Saxon, who seems to be able to get down to the nuts and bolts of some of these things. He has ways and means of finding out information which I and other members do not have.

I will make these statements because they need to be quoted and should be on the record. The edition of February 23-24 states, "Yes, there is egg on some faces" and "How the State Government has changed its tune".

Here are a few quotable quotes from the State Government about the casino project, and then what really happened.

Administrative Services Minister David Parker: "There have been some suggestions of foreign investors being involved and they are not the sort we want running our casinos"—August 22, 1983.

After that statement we look at this—

The Government signed an agreement this week allowing 40 per cent foreign ownership in the casino, which will be run by Malaysian-based Genting Berhad.

That conflicts with a senior Minister's comments. To continue—

Premier Brian Burke told the Legislative Assembly that some people might have "egg on their faces" as a consequence of the report linking the casino, Burswood Island and Perth businessman Dallas Dempster—April 4, 1984.

It continues—

This week Dempster put his signature to a \$200 million deal with the Government to build a casino on Burswood Island.

I ask members why is it necessary for the Premier of this State to make statements of that sort when he knows only too well they are untrue. No wonder people ask, "What integrity has this man? How can we believe anything he says when these things come out which prove to be lie after lie?"

I quote again—

Mr Burke said Burswood Island would be developed subject to transport, environmental and planning requirements being met—April 5, 1984.

To continue—

These studies have not been carried out by the relevant government departments.

I quote again—

Mr Burke rejected suggestions that Mr Dempster had several months to make his submission—April 6, 1984.

To continue—

Dempster/Tileska admitted it followed an earlier expression of interest with a detailed submission—almost four months after the official deadline—to the casino advisory committee.

The quotes continue—

New administrative Services Minister Des Dans: "It is important that people should be able to see that every stage of the casino development decision-making is done fairly. This is why we want the public to see the proposals we have to choose from"—April 9, 1984.

Again—

Detailed proposals—including two final contenders—have never been made public.

Again a statement from the Leader of this House; how can he make that statement one week and forget it the next?

Hon. D. K. Dans: Mr Masters—

Hon. G. E. MASTERS: The Minister will have plenty of time to reply. He can have the paper. No wonder he is blushing. It says this—

Mr Dans said the Cabinet did not think it was appropriate to sell Crown land. It had been agreed to make the (Burswood Island) area available on a 99-year lease—November 20, 1984.

I am not saying that any of these decisions is necessarily wrong. I am not criticising any of the people involved in putting together all the proposals and presenting them to the Government. I am saying that the Ministers—the Premier, the responsible Minister and other Ministers—have made statements which are downright lies. They have been proved to be lies and those men have been proved wrong. How much more can one expect the public to take?

I have already mentioned, and we have debated at length, the decision not to have an ERMP. I accept that was a decision of the Minister, and probably the right one. What I am saying is that he promised an ERMP to the public and he broke that promise. Now we have a new thing which we call a PER, which was especially invented for this project. It may well prove of great service and use in the future.

A number of Ministers have been asked whether this new PER will be available to people carrying out other projects. I think that must be the case. If one is to have fairness and equity and fair consideration for people entering into projects and developments, those people also ought to have the same sort of treatment.

A headline in the *Daily News* of 21 February 1985 reads—

Casino: MRPA "not told".

The article goes on to say this—

The Metropolitan Region Planning Authority has not been told formally that a casino is to be built on Burswood Island.

If the Minister responsible, the Leader of the House, has been concerned by those Press statements, I have not read much about his refuting them. I have not read any Press statements from him saying that those accusations are all wrong or untrue. The Minister ought to make some sort of statement to say they are untrue if that is the position. Let us hope today he tries to recover some lost ground by making those statements.

Having said this affair has been like a comic opera, having said the Minister lost control of this issue and all the procedures which should have been carried out, let us look at the agreement itself. As we all know, and as is clearly set out in the second reading speech, this was a decision of the Casino Control Committee chaired by Mr

Harry Jarman, a person of high integrity, of the highest repute. Certainly I will not in any way deny that.

Hon. D. K. Dans: Assisted by Officers of the Crown Law Department.

Hon. G. E. MASTERS: Sure. I am not arguing about that. Although I have some questions on the agreement, I assume that in fact that agreement has been brought forward with the very best intentions and by people of the highest integrity.

In the Minister's second reading speech, the expenditure is stated to be \$220 million, although I cannot find that in the agreement which refers to \$200 million. Anyway, I suppose in that sort of situation \$20 million might not mean much, although it seems an awful lot to me.

Hon. D. K. Dans: You will see it if you read the agreement.

Hon. G. E. MASTERS: I have read it, and I will raise the matter during the Committee stage.

I intend to raise a number of these issues, hoping the Minister can supply an answer to most of them in his second reading reply. I will not raise them again during the Committee stage unless I am not happy with his answers.

The expenditure is expected to be \$200 million or \$220 million, and I believe the project is to commence on 31 March 1985.

Hon. D. K. Dans: If the agreement is not signed by 31 March, it lapses.

Hon. G. E. MASTERS: My reading indicates that the Government is unlikely to commence work until 31 March. The completion date, all being well and with the help of Mr Reynolds and other people, is 31 December 1986. The agreement provides that where possible the developers should give every opportunity to local industry, local businesses, and local suppliers to tender for work and the supply of goods. Of course, in this sort of agreement no guarantees can be given. It is impossible for an agreement such as this to provide, or for the Minister to give, a firm undertaking of that sort when we all realise that a project of this size depends on competitive prices. I imagine that the reference to the opportunities for local business simply means that wherever possible local people will be given preference, all things being equal.

It was interesting to note that the Minister finished his speech by saying that the development was all about "jobs, jobs, jobs". He indicated that 1 500 people could be employed on the site. That number of jobs would make one dickens of an impact on Perth's unemployment.

Hon. D. K. Dans: It could rise to 2 500.

Hon. G. E. MASTERS: These jobs certainly could make a big impact, especially on youth unemployment.

The Minister's speech also indicates that the complex could eventually provide something like 1 700 jobs. Again, that is one dickens of a lot of permanent jobs.

The Minister gave an outline of the developments that will take place in the complex. Suffice it to say that among the major developments will be a 400-room hotel of international standard; a free-standing casino of 135 tables; a convention centre capable of holding 2 400 people; a theatre-restaurant for 1 200 people; and an exhibition-sporting centre capable of seating 17 000 people. I hope the Minister has done his environmental studies, considering that this is just 150 metres from the riverfront. Such a complex is quite magnificent.

Dempster Nominees Pty. Ltd., the family trust company of Dallas Dempster, will provide \$30 million; Genting Berhad of Malaysia will supply \$30 million; public shareholdings will amount to \$50 million, and no-one will be able to hold more than five per cent of that \$50 million, with the shares being 50c each and foreign ownership allowed to a maximum of 40 per cent; and the other \$110 million is to be obtained from the lead banker, the Rural and Industries Bank of Western Australia, which will hold the mortgage on the casino and its complex. I might add that I would like the Minister when replying to confirm what I am saying.

The site, of course, is Burswood Island. The casino resort complex will cover 12.5 hectares. Again, I have had some difficulty in adding up all the figures from the information provided, but it would seem that the remainder of the reserve totals 115 hectares. So the 12.5 hectares on which the casino is to be constructed is to be sold freehold to WA Trustees Ltd. for a sum of \$9.4 million, and that company will also pay \$20.6 million for the benefit of the agreement. So in effect it will be paying \$30 million for the freehold title and for the signature on the agreement.

WA Trustees Ltd. is a public listed company which I understand will hold the casino licence and be trustee with the unit holders of the Burswood Property Trust.

The Government is to buy from the Perth City Council 11.1 hectares of urban land. The agreement is to be between the successful applicants, the Minister and Dempster-Tileska Pty. Ltd. That consortium has formed a company known as Burswood Management Ltd. I understand this will

be the group which will borrow \$110 million from the R & I Bank and be the project managers and asset managers. WA Trustees Ltd. is a public listed company and will hold the casino licence and act as trustee with the unit holders. The casino will be operated by Genting Pty. Ltd.

The Burswood Park Board will supervise the development of the reserve and the general running of the reserve over the years to come. We have some reservations about the membership of the board, but I will let my colleague, Hon. Sandy Lewis, handle that. The board will supervise the development of the reserve and have around \$50 million to spend initially on development and getting it under way. I understand it is to receive at least \$1 million a year from then on or one per cent of the gross maintenance. I think it will be at least \$1 million.

The Burswood Park Board will be advised by the Burswood Park Technical Committee, an advisory body which will advise the board on environmental and other issues which will need to be taken into account in what will be a superb development on that total reserve.

The figure given for the return to the State may be optimistic; nevertheless, the Government has projected a figure based on 15 per cent of gross revenue from the casino.

Hon. D. K. Dans: The revenue after winnings.

Hon. G. E. MASTERS: The estimate of 15 per cent is \$7 million a year. The annual licence fee is to be \$400 000 to be paid to the control committee, and this will offset the cost of surveillance and other work done by the committee. That committee will have to work very hard, certainly in the early days.

As a result of the signing of the agreement and the commitment to spend these large sums of money, these millions of dollars, on what is obviously a very high-risk development to be undertaken by the developers and the investors, the casino operators have been granted exclusive rights for casino gaming for the next 15 years in this State. I understand the need for that because there are serious doubts about the viability of the project, and without this sort of protection it would be very difficult to imagine the complex surviving. After 15 years another casino could be considered if the Government believed it was justified. If that casino were built within 100 kilometres of the metropolitan area it would have to be of a very high standard and meet some rigid requirements.

These are some of the questions I have to ask of the Minister. Some documents have not been seen by the Parliament at least, and perhaps not by the

Minister. I refer to documents headed project management agreement, operations management agreement, Burswood property trust agreement and its trustee and foundation agreements. These agreements are vitally important and should be considered. I would like the Minister to indicate whether they are available to be seen by members of Parliament and, if not, why not.

I have already made reference to the casino gross revenue and the 15 per cent that will be taken from that revenue after paying people's winnings. No mention is made in the agreement of the method of surveillance of that gross revenue. Obviously some books must be kept, and we are talking about millions of dollars.

**[Questions taken.]**

Hon. G. E. MASTERS: I wonder whether there is any means whereby proper surveillance of the gross revenue of the casino could be guaranteed.

Hon. D. K. Dans: There are several kinds of surveillance. There is surveillance of cheats—

Hon. G. E. MASTERS: I am not talking about that. The Government has made a statement that it expects to get, say, \$7 million from the casino by way of 15 per cent of the gross revenue. I have no doubt that with Harry Jarman overseeing things at least that much will be extracted from the casino, but it seems there is nothing written.

Hon. D. K. Dans: It is in the casino's control.

Hon. G. E. MASTERS: That is good. The Minister can show me that in the legislation.

As I understand it, where there is any variation of the agreement at all the detail of those variations will be brought back to Parliament, and tabled in both Houses. It will be required to lie on the Table of the House for four sitting days, and if there is no rejection of those variations they will be accepted.

The issue of the freehold of the land is an important one. I am not saying that what the Minister of the Government has done is wrong, but I would expect that those developers of the complex, with the money they are investing and the security they would need, would require a freehold of 12.5 hectares, or whatever was necessary, to go ahead with the project. I am not querying the need for that amount of land; I am asking the Minister in this House, responsible for handling this whole operation, this question because he made a public statement that there would be no freehold of land and that it would be a 99-year lease.

People are entitled to know whether the Minister simply made a mistake, misunderstood the situation, or whether it was his intention at one

time to have a 99-year lease then turn it to freehold. The Minister made a statement and many people would have said that even if it were a 99-year lease, at least the land would still belong to the State. However, now it is to be freehold and I am challenging the Minister to come out and say honestly what went on, because my understanding is that the developers always intended to have freehold land and would never have gone ahead with the development without the freehold. I expect that the Minister misunderstood the situation.

I understand that the agreement gives power to the Government to resume any land required for purposes of the agreement and that any advertising necessary will be carried out. Is that correct? Could the Minister enlighten us on that?

Hon. D. K. Dans: I think maybe when we get to the Committee stages the agreement will be treated as a schedule.

Hon. G. E. MASTERS: What I am saying is that if we take our time on this debate—and I am not trying to delay the Bill—the Minister can make some notes and it will save us time in the Committee stage. We will not need to go through the Bill clause by clause. It is not my intention to put the Minister through that terrible process; I know how he hates it. I do not want to get him upset, because it is one of those days when he deserves a bit of consideration.

I really am going through this slowly, so that Mr Dans can answer many of these matters. I do not want to wade through the agreement any more than Mr Dans does. I spent the weekend doing that.

In the arrangement which includes the freehold of the land, reference is made to the exemption of stamp duty. Exemption will be made on the sum of \$30 million which means \$395 000 stamp duty will not be paid. Why is that the case? The Minister signed the agreement, so obviously he understands it. Could he give us a reason for that?

Clause 9 of the agreement refers to \$200 million. That is a large sum of money on anyone's terms. In his second reading speech the Minister referred to a sum of \$220 million. We are entitled to an explanation of the true figure. We should know.

Another question I wish to ask is: If a Crown grant of 12.5 hectares freehold is given for the casino complex, what would happen if the casino is not fully developed? If there is any problem there—perhaps there could be a problem with finance, or there could be political problems, not here, but overseas and a person could have a large sum of money tied up and is hoping to put that

towards the development of the casino—no reference is made in the agreement to say that if the complex is not completed according to the plans—\$200 million of it—and the development is stopped half-way, the people who buy that reserve land cannot hang onto it and at least salvage something out of the proposition. I would have thought that the continuing freehold of that land, even though the developers paid \$30 million, would be dependent on the completion of the casino complex.

Hon. D. K. Dans: The gaming licence does not issue. You can work it out from there yourself. Unless they complete it, there is no licence.

Hon. G. E. MASTERS: The whole complex?

Hon. D. K. Dans: The casino licence does not issue.

Hon. G. E. MASTERS: I understood the gaming licence would be issued on the completion of the casino, not the casino complex; and the complex is much more than just the casino.

Hon. D. K. Dans: That's right.

Hon. G. E. MASTERS: So there is a weakness there.

Hon. D. K. Dans: If you haven't a casino, you have a dead duck over there.

Hon. G. E. MASTERS: Something could go wrong with the financing. One of the partners might get run over, as any one of us might get run over; accidents can happen. Finances can dry up; problems can arise overseas; for one reason or another people can have changed circumstances. I am saying it is not really good enough for the Minister to say that the Casino Control Committee will only issue a gaming licence when the casino is completed. We are saying that the whole complex should be completed, otherwise there is a risk of the people involved losing the 12.5 hectares. It may be that this is covered in the agreement. All I am saying is that there appears to be a weakness. There is the need to make sure that this point is covered. If there is some doubt, the Minister could easily take the agreement away.

Hon. D. K. Dans: Let me make one thing quite clear to you: This is the agreement; if it does not go through this Parliament, the agreement is over. It is no good arguing about it. The deadline is 31 March. I am not emotionally involved in this.

Hon. G. E. MASTERS: We are members of Parliament, we have a job to do, and our job is to question such details, whether it be an agreement or not. It is no use Mr Dans leaning over and saying, "If you don't pass it, the whole thing goes into the bin and it won't proceed." That sort of threat does not mean anything to members of Par-

liament. The Minister has made a botch of it all the way through. Now he is trying to threaten us. If that is the way Mr Dans feels, he need not get up and give any answers at all.

Hon. D. K. Dans: Righto!

Hon. G. E. MASTERS: I am raising legitimate questions. It may be that the Minister does not have the answers; and I accept that he may not have the answers. It may be that there will be very few challengers to the casino Bill itself; the Opposition will not argue about it. I am not here to defeat the proposition. If the Minister looks at the record he will see that all along I have not opposed the casino. Nor have I even made a statement condemning the Burswood Island site. I have never publicly supported it, because I have had some reservations; but I have never condemned it. I have never condemned a project that will create many jobs and bring in huge sums of money. That is not the issue.

The issue is that we are debating an agreement and its terms and conditions. Large sums of money are involved, and we are entitled to ask the Minister questions and expect him to be able to answer them. That is his job. If he is not able to answer them, he is not competent; that is all there is to it.

The agreement is difficult for laymen to follow. Obviously a number of our members would have had some problems in following through the agreement; but obviously I have taken some advice, and the issues I have raised are not necessarily my own but those of other people who are perhaps more competent to examine agreements. That is my job; and I am sorry that the Minister has taken my questioning, even though it might have been fairly demanding, as condemning the project or putting the agreement at risk. I take exception to that sort of statement.

Hon. D. K. Dans: I told you I will answer every single clause of the agreement during the Committee stage, one by one.

Hon. G. E. MASTERS: We know that the Minister will do that. He has a document which shows, page by page and definition by definition, what it is all about.

I have put forward some very simple requests and statements on a provision to make sure that the complex is completed and whether there are certain safeguards relating to net and gross revenue, and the like. Surely to goodness the Minister does not have to look at his paper item by item to give us answers to those questions. Surely to goodness a Minister who has been responsible for the casino for all this time would understand some of the questions I have raised.

I am sorry that the Minister has taken this action. I intend to raise some of these issues during the Committee stage, but quite frankly much of that could have been avoided had the Minister said, "I don't know about that. I will have a good look at it over the dinner break, and I will come back with the answers."

I am not saying any more or less than that. I will continue to press for answers, as I and every other member of Parliament have the right to do.

**HON. V. J. FERRY** (South-West) [5.16 p.m.]: The Bill before the House is similar to many Bills that have come before the Parliament inasmuch as it is in the form of an agreement for ratification. It is unfortunate that this measure is one concerning the social structure of this State, and that, in my view, insufficient time has been allowed for proper debate in the public arena, and certainly in this Parliament, before the signing of the agreement.

The agreement has come to us in the form of a Bill, as is normal; but in fact it is a Government bungle. The Government has bungled the arrangements for the casino right from the start.

Of course, we can recall how the Government called for applications for a resort-type casino to be established in Western Australia; and having called for applications, the Government discarded quite a number of them and said, "We'll forget those. We will have it on Burswood Island in the Perth metropolitan region." I, for one, can say that I have always supported a resort-type casino in the Perth region; but I must say that the Government's handling of this leaves me disappointed because the people out there—the people we represent—are not completely satisfied that at this stage the Government has done the right thing.

In introducing the Bill to this House, the Minister concluded his introductory speech with the following words—

In short the Bill can be summarised in three words: Jobs, jobs, jobs.

It seems to me that the Government is more concerned with jobs, and so it should be, because we want people gainfully employed in this State; but the Government's emphasis that this project means jobs is based on other considerations. Many people in this community deserve work, and I for one fully support their endeavours to carry out that work. However, the Government's record in establishing negotiations since it came to office two years ago is piecemeal. The Government has a sorry track record, and it is desperately trying to cling to something to establish a record before the next State election. The casino is one shining light in the Government's very dull record.

The Government is trying to get the casino off the ground, understandably, before the America's Cup trials are held. That will be a great thing for Western Australia. As a Western Australian, I am fully supportive of promoting Western Australia in any way, be it through the America's Cup or whatever; but come what may, it seems that the Government is desperately trying to establish something meaningful in respect of jobs.

I am a little concerned because some of the people in the south-west whom I represent have been employed by the Commonwealth on a project that has been blackballed by a trade union. I hope this project does not run into that sort of problem.

I am on public record as being supportive of a resort-type casino in the Perth area. If it is to succeed, and we all hope it will, it will need the patronage of residents of the Perth metropolitan region and also those from other parts of Western Australia from time to time. It will also need a vast influx of tourists and visitors to Western Australia, either from the Eastern States or other parts of the world. The casino will need that support in order to be profitable in any shape or form.

We have been given assurances by the Government that it has researched this aspect and that visitors can be expected. Time will tell if that is the case. It is not unknown for casinos and such ventures to be viable for a time and then to run into difficulties. That is nothing new; it is a commercial hazard and I guess that those involved in the casino have taken that into account. I applaud them for taking the plunge in this matter and I wish them well in that regard. I am of the firm opinion that if a casino established in this State is to be profitable it must provide other attractions and features not necessarily associated with gambling. I note that this is provided for in the agreement.

I find one factor rather odd in the light of recent developments in this Parliament. The Minister has said, and it is contained in the agreement, that the developers must abide by all the laws of this State. One would hope so. Indeed, all citizens should do so. However, can we trust the Government in respect of the law? Can we trust the Attorney General who only last week subjected the citizens of this State to the consequences of an extraordinary decision to show favouritism to certain citizens?

#### *Point of Order*

**Hon. D. K. DANS:** We are not discussing what the Attorney General did last week. We are discussing the casino legislation.

**Hon. A. A. Lewis:** Touchy about it all aren't you?

The DEPUTY PRESIDENT (Hon. John Williams): I remind Hon. V. J. Ferry that he should stick closely to the clauses and definitions within the Bill.

### *Debate Resumed*

Hon. V. J. FERRY: I am talking about the enforcement of law under the Bill before the House and the Attorney General, as the legal Minister of the Government, has the responsibility for enforcing the law. I hope that in this context the Attorney General of the day, whoever he may be, will enforce the law for all citizens on an equal basis. Surely that is reasonable. Recently we have observed favouritism towards certain people, which I believe has upset citizens in the community. Numerous approaches have been made to me in this connection and many people are concerned about the law in this State. They are concerned that some people are given favoured treatment and that seemingly others do not have that advantage. I hope that under this agreement there will be no such undue favouritism and patronage which will disadvantage some citizens in comparison with others. Surely that is a reasonable proposition.

From now on the Government will be on its mettle, having had the experience of the unfortunate episode last week. The public will be watching the Government extremely closely to ensure that it upholds the law with true justice, not just political justice, on every occasion. The Government will rue the day that it made the extraordinary decision of recent times.

One facet of the legislation which is of interest to many people throughout the State relates to the traditional Australian game of two-up. I note from the legislation that two-up cannot be played within a radius of 200 kilometres of the casino. That seems to be an extraordinary provision.

Hon. D. K. Dans: It is illegal to play it in Perth right now within any distance.

Hon. V. J. FERRY: It is extraordinary that two-up can be played legally in some parts of the State but not in others.

Hon. D. K. Dans: Your Government should know all about that.

Hon. A. A. Lewis: At least they knew what they were saying.

Hon. V. J. FERRY: The Leader of the House and the Government are extremely touchy on the subject of two-up. I hope the Government has not lost money on that as well. It is extraordinary that two-up cannot be played within a radius of 200 kilometres of the casino in Perth. Many people enjoy playing two-up. I do not think they enjoy

losing their money, but it is a traditional game and one would have thought a modest game of two-up could be played anywhere. If it is allowed in some locations it should be allowed over the whole of the State. In the fullness of time that will be the case. Yet the Government is writing a restriction into this agreement regarding the playing of two-up.

A further provision in the Bill states that another casino cannot be established within 100 kilometres of the present casino within the next 15 years. We have here a contradiction in terms—a 200 kilometres restriction for the game of two-up and a 100 kilometres restriction for the establishment of a casino within 15 years, subject to certain other conditions. The Government is in a state of flux on this issue. Perhaps it is backing the odds rather than heads or tails.

Hon. D. K. Dans: You are saying that Mr Jarman did not know his job.

Hon. V. J. FERRY: I have not indicated in any shape or form that he is doing his job one way or the other. I am passing a remark about the incompetence of this Government. It certainly is incompetent and it is running into all kinds of difficulties and will continue to do so.

One feature which I am sure will be commented on relates to Burswood Management Limited which under the agreement will receive \$1 million from the gross casino revenue. This sort of money will do a great deal to ensure that the area is promoted and developed in the way we would all like. I will leave it to another member to comment in greater detail on that matter. The Bill has many facets and many questions will be raised during the Committee stage. I hope we will receive appropriate answers.

I hope that the Government will enforce the law with an even hand and that it will not be prejudiced towards friends or others in the community, whoever they may be. I do not know if it has any friends at the moment.

Hon. A. A. Lewis: The casino operator may be one of its friends.

Hon. Kay Hallahan: You must be getting pretty lonely yourself.

Hon. V. J. FERRY: The Government is very touchy on the subject of law and order. One hopes it will do the right thing and I will reserve comment on that matter until the Committee stage.

HON. A. A. LEWIS (Lower Central) [5.29 p.m.]: I am horrified to hear Mr Ferry's comments about the 200-kilometre limit on the playing of two-up. I know that the ALP has set out to lose Collie, but a radius of 200 kilometres means that other people can play two-up but the people in



Collie cannot. The Minister led this House to believe that he would do something about legalising two-up in mining areas. Collie is an important mining area and I am worried that the Minister has now made a big *faux pas*.

Hon. D. K. Dans: You are not suggesting that they play two-up now?

Hon. A. A. LEWIS: No, but they would like to, and the Minister gave them to believe that they would be allowed to. He did that when he had discussions with the people in Collie. They were cock-a-hoop when Mr Dans had his discussions with them. They thought that Mr Dans knew something about two-up. They did not know whether he knew anything about industrial relations or anything else, but it appeared that he knew something about two-up and the people of Collie were led to believe that they would be allowed to play two-up. They were very hopeful, but the ALP has let them down very badly over the last two years and they have been given to understand that the Government cannot be trusted.

I shall turn to some of the clauses in the Bill which concern me in order that, during the tea suspension, the Minister may obtain advice. The other day I had a go at the Minister about setting up another statutory authority to deal with the land on Burswood Island. It might be unfair to say that the Government botched this matter completely, but how any businessman could have dealt with the Government on this issue and found any joy in it, I do not know.

If Government members were steeplechasers they would have been put down by now. The Government has stumbled from hurdle to hurdle and has stepped from puddle to puddle, led by the Minister for Racing and Gaming who has really had a run of tragedy. He probably ought to be swabbed to see on which days he is dinkum, because his performance has been absolutely pitiful. The Minister has tried to defend the indefensible. He and his leader have made statements about this issue, and there seems to be a tendency among Government members that everyone must get in on the act in order to get a little bit of kudos for himself.

The statements Mr Dans makes do not bring him much kudos, because he contradicts himself every 24 hours. A prime example has been his performance in respect of the America's Cup at Fremantle, where his colleagues have taken him apart on television. Indeed, one wonders whether we shall have an America's Cup series if the Minister is responsible for organising it.

Let me return to the question of the management of land and this Government which does not

want to have any more statutory authorities. I should like the Minister to give me a legal interpretation of this issue. The Minister seeks to form a board as a body corporate under the provisions of the Parks and Reserves Act 1895-1983, to be called the "Burswood Park Board". The membership of that board is to comprise two natural persons nominated by the local authority; two natural persons nominated by the manager; and two members of the community from time to time nominated to the Minister by the committee.

We then turn to the Parks and Reserves Act, and this is the aspect which worries me. I should like the Minister to explain the position, because I cannot see anything in the agreement which will alter it. Under that Act, one-third of the members for the time being of the board shall form a quorum for the transaction of business. Does the Minister see any dangers in that provision if the two members from the management got together, if the two members from the committee got together, or if the two members from the local authority got together and, in each case, formed a quorum? Indeed, in the latter situation, the Minister's dealings or misdealings with the local authority concerned might give him cause for worry. He might find the board would not do very well if the two members from the Perth City Council got together and formed a quorum without the other members.

An amendment should be made to that clause to at least enable the appointment of an independent chairman. That is particularly necessary if we go through this whole procedure without so much as an ERMP.

Dr Riggert will be doing the environmental work—I admire him immensely—therefore, I am sure it will be handled properly. However, the Minister is seeking to establish a board which will be able to be pulled one way or the other, bearing in mind the provisions under the Parks and Reserves Act.

Have the Minister's officers looked at that aspect? I do not want the job; it would be far better for a ministerial appointment to be made.

Hon. D. K. Dans: I had you lined up for a job in the casino.

Hon. A. A. LEWIS: I know; other people did too—as the log which pushes the money down into the slot!

I am worried about that aspect and the Minister should be given the power to appoint an independent chairman to the board.

I am concerned also about the position in respect of the technical committee. Some of us know something about the Conservation and Land Man-

agement Act which has not yet been proclaimed. However, I point out that no provision is made on the proposed Burswood Park Technical Committee for a representative from conservation and land management.

The Burswood Park Technical Committee's composition will be as follows: a member of the authority; the Commissioner of Town Planning or his nominee; the Commissioner of Main Roads or his nominee; a representative of the local authority; the Director of the Department of Conservation and Environment or his nominee; a member of the Swan River Management Authority; a representative of the manager's environmental consultants; and the committee's nominated representative.

I suggest it may be a good idea to second people who apply for positions with the proposed Department of Conservation and Land Management, because it is possible that some well qualified people will not be given positions in that new department when it is formed. Such people could be very useful in fighting the sorts of battles the Minister has experienced in the past with the environmental lobby. As a kindness, I suggest to the Minister that perhaps he could take some advice—

Hon. D. K. Dans: I know the milk of human kindness drips from every pore of your body.

Hon. A. A. LEWIS: At least I have some human kindness; whether it be milk or other fluid I do not know.

I have outlined the aspects of the Bill which concern me. I intended to refer to the Crown Law Department, for which I have great respect. I must ask whether, if the Crown Law Department makes a decision, the Attorney General will overturn it. Would it be possible for the Minister to obtain legal advice, perhaps from a Queen's Counsel, on a contractual basis, as to whether the problems I have outlined in respect of the land management parts of the agreement could be rectified?

It seems that security matters within the casino have been tightened up and I have no doubt in my mind that Mr Dans, during his absences from the House, has visited Malaysia, Las Vegas, and other places and has looked at security measures in those countries, and that he has done an extremely good job. The person who put this together has a very fine record in the conservation area and I do not doubt that he will be trying to co-ordinate this matter with Dallas Dempster and will put all his efforts into it.

Hon. D. K. Dans: Are you referring to Mr Porter, because he will be on the technical committee?

Hon. A. A. LEWIS: No. Mr Dans, even at his age, could obtain a hearing aid under Medicare and it would not be a bad idea if he occasionally used it. I was talking about Mr Dempster.

Hon. D. K. Dans: I thought that was what you said, but I wanted to hear you say it again.

Hon. A. A. LEWIS: If the Minister wants me to speak up, I will do so. I was trying to give him some advice. The use of the Director of the Department of Conservation and Environment, as a technical committee man, is wrong. I do not say that because I do not like Mr Colin Porter; I think he is an excellent chap. However, I believe that the conservation and environment people or the EPA should be setting standards, and members of those departments should not be sitting on technical committees working out how it will be done. They should be saying "This should happen", and if Mr Dans listens he may even find that he can jump the old hurdle instead of hitting it, so far as the environmental matters are concerned. All that needs to be said is, "Up to EPA or departmental standards" and the land managers can manage the land and bring it up to those standards.

This Government and previous Governments have themselves tied up in knots in drawing up environmental plans and involving our top environmental and conservation officers in the drawing up of plans so that instead of being the trendsetters or the standard setters they are involved at both levels. The department or the EPA can give advice to the Government but it should not be involved on committees. It is a mere management tool and Governments—I am not blaming Hon. D. K. Dans—face this perennial question of these people being appointed to committees. Hon. D. K. Dans has made enough mistakes, and I cannot really blame him for falling into this one too.

The management of the Burswood Park Technical Committee and its legal implications should be investigated because there will be a major management problem. The set-up I have seen will result in beautification of the City of Perth. I do not think the casino will be bad for Perth at all. The approaches to Perth will look better. If the golf course is to be open to the public, the amount of money proposed for it seems reasonable in terms of the management project, and I am sure the managers will inject more funds if it starts to look tatty. Mr President, you would hate nothing more than to see a beautiful golf course return to looking like it does at the moment; you would like lovely golf courses to continue and flourish, and I am sure that can be done with good management.

I have doubts about the park committee and about the technical committee. I have doubts about decorum and the appointment of the park committee, and I hope the Minister can give me some assurances in this regard. I will not give him a hard time in Committee on this matter, but I want some answers to ascertain why only three groups are to be involved on the park committee, why he thinks it is necessary to set up a separate statutory authority, and why he instinctively went to the Parks and Reserves Act.

Hon. D. K. Dans: I will answer your questions, but can I correct you? I did not do any of those things. We had a committee. The Casino Control Committee gave the power on behalf of the Government.

Hon. A. A. LEWIS: The agreement says "Signed by Hon. Desmond Keith Dans, MLC". Is that the Minister, or is it not?

Hon. D. K. Dans: I will answer that question in reply.

Hon. A. A. LEWIS: Is it the Minister or is it not? Is the Minister taking advice without reading the paper that is put in front of him? Has he just signed this document? If he has, it is a very shocking thing. That is probably why he is in so much trouble. Hon. D. K. Dans shoots from the hip. Really we are talking about public money, not Mr Dans' money.

Hon. D. K. Dans: That is right. I have to make a suggestion to you, Mr Lewis. Read the Casino Control Act.

Hon. A. A. LEWIS: Is the Minister responsible for it?

Hon. D. K. Dans: Read the Casino Control Act.

Hon. A. A. LEWIS: Is the Minister responsible for it or not?

Hon. D. K. Dans: I was responsible for signing the agreement.

Hon. A. A. LEWIS: Is the Minister responsible for the Casino Control Act, or does he want to push the blame onto someone else?

Hon. D. K. Dans: I am responsible.

Hon. A. A. LEWIS: Good; I thought the Minister was becoming like my friend, Hon. Peter Dowding, who wants to take the glory and no responsibility.

Hon. Robert Hetherington: Get on with debate about the Bill.

Hon. A. A. LEWIS: Hon. Robert Hetherington, someone is in the Chair. If the member assists me I will get on with my speech at the pace at which I wish to proceed. The member's unruly interjections will not upset me in any way.

Hon. Kay Hallahan: Shame!

Hon. A. A. LEWIS: It is a shame that Hon. Robert Hetherington, a Deputy Chairman of Committees, should interject like that. As I said when I was so rudely interrupted, Hon. D. K. Dans is responsible for the Act. He has obtained the best professional advice possible, and even with all that beautiful professional advice he stuck his foot in it so many times. Surely his officers did not tell him to agree in Parliament to an ERMP. Surely his officers have not given him that sort of advice. Knowing some of the gentlemen involved, I know they would not have done so.

I was trying to point out to the Minister that there may have been a slip up and we should look at it because his name is on the agreement for posterity and therefore it is his responsibility. We will not have any more of the tantrums, screams and yells that we had in regard to the other Bill.

It is a little disappointing that every time the Minister is put under pressure or has to take some responsibility, he flares up like a sparkler and circles around almost as much, although he is a little heavier. These problems must be looked at. The Minister may have a satisfactory answer but, of course, he may not have any answer at all. He must be prepared to be questioned about his agreement and his Bill.

Can you imagine, Mr President, our bringing in an agreement when we were in Government and Mr Dans not wanting to question it in detail? It is our job in Opposition to question what the Government is doing, and Mr Dans with his high-handed attitude tries to deny that. All he will do is get more and more backs up and he will come to a very bitter end. It will not be far ahead of him.

I have asked the Minister the questions I would like him to answer. I still believe the signatories would be well advised to have a look at the technical committee in so far as representatives from the EPA, and the Department of Conservation and Environment are concerned, because I believe for the best workings of the authority the Director of Conservation and Environment or the EPA should be setting the standard, and all those other representatives should be bringing themselves up to that standard.

It may be a totally new area, and we know the Minister knows nothing about land management practice, but he must have experts who do. I implore him to get some answers at some stage and tell this House what he will do. He must tell the House why the committees were structured in that way. It is far too simplistic for a major investment of this kind. It seems to me it has been a split-of-the-cake job and the Government has said that

local government, management, and the committee must each have one-third and they all agreed to do it like that. That is not good enough when one is managing land for posterity. I implore the Minister and the people involved with the casino not to let that aspect get out of hand.

The authority has been compared with the Kings Park Board. Anything less like the Kings Park Board I have yet to see. I hope the Minister when he replies will answer these questions, or we will be spending a lot of time in Committee dealing with the detail and quoting the relevant Acts, and I guess the Minister will throw another tantrum if he is questioned in detail and does not have the information.

The Leader of the Opposition and I have tried to give the Minister a lead on the questions we are going to ask. We do not want a long Committee debate, but if the Minister through pure pig-headedness is not prepared to give us the answers, so be it. It is on his head.

**HON. TOM KNIGHT (South)** [5.54 p.m.]: I make it clear from the outset that I support the establishment of a casino in Western Australia. We as an Opposition have to look at what was mentioned earlier by my leader—the jobs it will create. There will be 1 500 jobs through construction and an additional 1 700 after completion. The unemployment situation we are experiencing Australia-wide means we must be well aware of job creative projects in Western Australia. Here is one which I believe will do just that, and the jobs will be permanent.

I believe the Government has stepped out of line during the planning and organisation of this project. A lot of short cuts have been taken, protocol has been walked over, and many things have been done through lack of business management. However, in the end we will get something this State will be proud of.

I have no particular axe to grind in relation to the Burswood Island site. In fact, I mentioned in this House some 18 months ago that I would like to see the casinos built in country towns and suggested Albany should be looked at. I certainly believe somewhere along the line we will have a casino. The gambling places in the Northbridge area were closed, and had we not done something to legalise the situation there would have been an outbreak of illegal gambling as we have seen all over the world. Whether or not we like it, the Opposition when in Government and the present Government have extended gambling pursuits, and this is another which would have come.

I am criticising the Government only because of the way it has handled this situation. I am pleased

a Western Australian man and company will be part of the establishment and the construction of this casino. I believe Mr Dallas Dempster, a well-known person in this State and one who is highly respected and admired from one end of the State to the other, is an ideal person to move into something like this because his business pursuits and background are impeccable. If we are moving into gambling we need someone of high standing and honesty and integrity. Mr Dempster has shown those qualities for a long time. In this respect the State Government has made an extremely good choice.

I support the concept and ideal of a casino in Western Australia and the fact that a Western Australian man is getting the contract to do it. I support the fact that Western Australians will be employed in it.

I support the Bill.

**HON. NEIL OLIVER (West)** [5.58 p.m.]: The manner in which the casino issue was first introduced and the way it has been managed since is unfortunate. It has set a precedent which will make it somewhat controversial. I hope once the decision has been reached the casino will proceed and the controversy that has surrounded it since it was announced will go away. Unfortunately it may not.

Members will know that I voted against the Casino Control Bill specifically because of the manner in which the licences were to be negotiated. They were to be negotiated in a manner unlike negotiations for a television or radio station applying for an initial licence or renewal of a licence, where there is a public hearing. These licences were to be negotiated in private. I said on that occasion, and it is recorded in *Hansard*, that from the time the successful applicant was announced the other applicants would go to the highest hill tops and scream their lungs out, irrespective of how good the successful applicant was.

That is exactly what has happened. Those people who have visited casinos around the world and visited the Genting Highland casino will know that it is probably one of the best operated casinos. This Government by its mismanagement and the manner in which it has gone about the introduction of a casino in Western Australia has brought Genting Berhad into disrepute. It has raised all sorts of possibilities of graft and corruption. That company is one of the best operators of casinos in the world. I see Mr Dans shaking his head. Part of it may be due to what is called "journalistic licence".

*Sitting suspended from 6.00 to 7.30 p.m.*

Hon. NEIL OLIVER: Prior to the tea suspension I was referring to the cloud over the joint venture partners to this agreement brought about by the Minister's mishandling of this casino project from the moment it was first announced in the Press. This evening the Minister mentioned that he was not involved; I had not read the Casino Control Act; it had nothing to do with the Minister.

The Minister came to this House on another occasion saying the tripartite consultative councillors had agreed, therefore we must agree as well; as members of Parliament had no say.

Whether these people reached a majority agreement I do not know; I do not know how they work. I do not believe that the Government can hide behind that statement.

It boils down to one single fact: A project of this nature should be aired in the public arena; it should be brought to the attention of the public and the hearing should be in public, like any other project. For instance, with a television or radio station, a public hearing is necessary in order to obtain renewal of the licence. This should be done in deference to all the people who were applicants for the casino licence and for the operation of the whole complex.

Irrespective of how successful the winning applicant is, the unsuccessful applicants will continue to be critical of the Government, and unfortunately also of the joint venture partners. The Government has been very unfair.

The operators are amongst the best in the world, but a cloud has been placed over the project. I hope that we do not go on year after year with all these accusations of corruption and graft against people due to the mismanagement of this project. Regrettably I have a feeling it will go on and people will go to the hill tops and still complain. This is regrettable and may, in many ways, lead to the casino not operating as successfully as the applicants may wish.

I am fairly conversant with the attitude of Malaysian entrepreneurs to the Australian industrial scene. I have had a look at the agreement. I cannot find any clause relating to industrial relations, but wherever one travels in the Asian countries there is always a criticism of Australia, due to its industrial relations climate. I cannot find any mention of it in the agreement, so I can only presume that the Government has come to some form of side arrangement which will enable this consortium to go ahead in peace and tranquillity on its building sites, so that when this contract draws to a conclusion on 31 December 1986 it will

possibly break all records for industrial relations on a building site.

John Cain was not able to do it in Melbourne in regard to four or five of the major lighting towers surrounding the MCG. I trust that Mr Dowding, in his capacity as Minister for Industrial Relations, will be able to advise the Minister on the best way to "move through the tulips" to make the task easier and to make the anticipated completion date of the project the actual completion date.

What surprises me is the big work force, which I understand is to be approximately 1 500, on the building site.

Hon. D. K. Dans: There will possibly be more on the site.

Hon. NEIL OLIVER: It might be 2 500.

Hon. D. K. Dans: It could rise to that.

Hon. NEIL OLIVER: I think there is some political licence there. I do not know how tall these buildings will be.

Hon. D. K. Dans: The four buildings will be going up simultaneously. Being a builder, you will understand that.

Hon. NEIL OLIVER: I have seen the operations of Multiplex. It is an excellent operator.

Hon. D. K. Dans: It will be off the main road, so there will not be any holdups with trucks and that sort of thing.

Hon. NEIL OLIVER: I have been into the Hilton—

Hon. D. K. Dans: What were you doing there without my permission?

Hon. NEIL OLIVER: I have been there on quite a number of occasions.

Hon. D. K. Dans: I was there when they were dropping bombs on the place.

Hon. NEIL OLIVER: I had been there before that, too. The record for the fastest building in Kuala Lumpur will be held by the new headquarters for Genting Berhad; it is right alongside the Hilton, and it is built by a company called Mult-T-Plex, because in Malaysia Multiplex could not be registered. The same will apply in Selangor which is the new capital of the state of Selangor. Here Am-plex is building a big library complex in the same way.

I find it difficult, having examined those sites and the operations of those organisations, to envisage 1 500 to 2 500 on a work site, but then anything is possible.

Hon. G. C. MacKinnon: I trust they are not bringing in coolies as well?

Hon. NEIL OLIVER: What happens in Malaysia and what happens here are totally different. I will not get onto that subject, but the workers actually live on the site in Malaysia.

Hon. D. K. Dans: They have a lot of public holidays.

Hon. NEIL OLIVER: They live on the site and many of them are not Malaysians.

Another point I would like to make is in regard to tourism. Members will be aware that I brought this up in the debate on the Casino Control Act in regard to the stated fact that it was a tourist attraction. There are various types of casinos, and the one being sponsored by the Government is the tourist-type with all the associated facilities.

A businessman in Malaysia or Singapore today has to wait four weeks to get on a plane to fly here. I do not know how these tourists are eventually to get to this facility, but no doubt the joint partners have some plan. I hope the Minister will announce the plan. Perhaps it will involve charter flights, following the agreement with the new Federal Minister for Transport. If the joint partners have been able to make a breakthrough in this area, that is excellent.

The biggest tourists to Western Australia have been the US sailors. I know Mr Dans has not been rude to them because he knows that a lot of their money goes to Fremantle. Nevertheless, since his Government has been rude to them, not too many are turning up here. After the business with the British ship, the HMS *Invincible*, I do not think British sailors will be coming too often and I imagine they would have been good customers for the casino. I do not know whether the Minister is to signal a change in direction by the Burke Labor Government in its treatment of visits by US naval ships. Perhaps the Government will also ensure in future that we do not have women boycotting our defence installations.

Singapore has a population of about 2.5 million plus around 1.5 million expatriates and people from surrounding countries, and with its population of around four million it has a turnover of about three million tourists a year and is planning for as many as five million in 1986. Italy, with its population of about 56 million, has about 90 million tourists a year. Switzerland, with its population of around eight million, has about 28 million tourists a year. I would be interested to know whether the Minister could give an indication of the tourist potential for this State in terms of numbers. Obviously if this amount of money is to be spent a very thorough examination of this aspect must have been made. My attitude to Tan Sri Lim, Lim Chee Wah, and K. T. Lim is that they are bound

to have done their sums fairly well and probably better than the Government.

Is the convention centre, expected to seat 2 400 people, to be erected immediately during the first stage, or will it follow on from that?

Hon. D. K. Dans: Yes.

Hon. NEIL OLIVER: Well, to have 2 400 delegates, let us say attending three conventions simultaneously, is quite a task and I do not know how it is intended that the facility be fully utilised.

Hon. D. K. Dans: That is up to the entrepreneurs.

Hon. NEIL OLIVER: But these questions need to be asked because the Government is selling these people a very nice piece of "A"-class reserve and the Government needs to ensure that the people of the State get the benefit.

Hon. D. K. Dans: It is at Government insistence that a convention centre and an exhibition centre are to be built.

Hon. NEIL OLIVER: No convention in Australia brings together 2 400 people; mostly they run at about 300 or 400 people or a lot less. There must be some major plan for conventions to be held in Perth.

I am interested in the decision not to go ahead with a full environmental study. This is not like the Government.

Hon. D. K. Dans: Weren't you here when I answered your urgency motion?

Hon. NEIL OLIVER: Yes, I was; but when he was in Opposition, if any of our Ministers had told Mr Dans what we were told, he would not have accepted it.

Hon. D. K. Dans: Professor Main told me that a public environmental review was put into operation in 1984. If he is telling me lies I will severely take him to task.

Hon. NEIL OLIVER: Were Mr Dans in Opposition and were he given such a reply, he would not ever have accepted it, not tomorrow, not the next day or the day after that, and neither would his shadow Ministers and backbenchers have accepted it. I guarantee that every one of them would have been wanting to get to his feet to comment on this subject.

I understand that in the vicinity of 6 000 parking bays could be associated with this complex, and that would create major drainage problems. I am surprised therefore that no ERMP has been prepared for the project. I am wondering whether the environmental people have had the opportunity to examine the plans in detail. Are there detailed plans or just thumbnail sketch

plans? The Minister in his second reading speech thanked the Perth City Council for its co-operation, yet it was only a week ago that the PCC was not very happy with the Government.

Hon. D. K. Dans: They are ecstatic now.

Hon. NEIL OLIVER: I understand a very senior person with the council met with the Premier last week and that perhaps allowed the Minister's speech to be rephrased.

Clause 3 of the agreement provides that a building licence should be issued, which means that the plan for the project would have to gain clearance on aspects such as fire precautions, health requirements, and all the other matters involved in obtaining a building licence. Have full working drawings been completed and lodged with the Perth City Council?

I shall quote what I said on 9 May 1984, and my comments can be found on page 8104 of *Hansard* for that year, when I referred to the report of a board of inquiry into casinos, an inquiry chaired by a Mr Francis Xavier Connor, a retired judge of the Federal Court. Incidentally, he was a very prominent member of the Labor Party; I believe he was a junior vice president of the Victorian Labor Party's State council. He told John Cain that it was unwise to have a casino, and John Cain very quickly said, "Right, if that's the case we will not have a casino in Victoria". It is interesting to read what a certain witness had to say and it should be understood that the inquiry was extended so that this person could make a statement to it.

The agreement which we are ratifying this evening has to stand the judgment of not only the Labor Party—because the Labor Party will not always be in Government, in fact it will not be in Government for very much longer—

Hon. D. K. Dans: About 20 years more.

Hon. NEIL OLIVER: The Labor Government will not be in power for very much longer, because the people are becoming rather disenchanted with it.

The point I wish to make is that persons who made a submission to the inquiry took into account the fact that the operators of a casino had to live with both sides of the political spectrum. The joint venture partners' agreement we are ratifying this evening will have to live with a Labor Government as well as a Liberal Government, as sure as the sun rises in the east and sets in the west.

Hon. D. K. Dans: Are you sure of that?

Hon. NEIL OLIVER: That is a fact. I would like to quote what Sir Stanley Raymond said when giving evidence to the inquiry, as follows—

Sir Stanley Raymond, in his evidence given in Melbourne, recounted how, as Chairman of the Gaming Board for Great Britain, he had served under five Home Secretaries, two from one party and three from another. 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.

I have seen no bipartisan approach to this project. The Minister has not invited us—as he has done with respect to other projects—to view the project. In the past we have been taken to sand dunes in four wheel drive vehicles; flags have been placed in various spots, and we have been told that they are the next tourist attraction. We have been told "We will be doing this, this, and this". Nothing like that has been done with respect to this casino development. I presume the Minister will say, "I am sorry, I forgot about that".

Hon. D. K. Dans: Mr Oliver, I did not.

Hon. NEIL OLIVER: After this has been ratified, I will take the Minister out to Burswood Island and show it to him. I shall speak when we move to the Committee stage.

HON. D. K. DANS (South Metropolitan—Leader of the House) [7.55 p.m.]: I thank members on this side of the House for their general support of the agreement.

First, I would like to make some observations arising from the comments of the Leader of the Opposition. In the first instance, I do not believe that the project has been mishandled. If we look at the passage of this legislation through the Parliament and weigh it against what has occurred in other States we will note that it has been expeditious and free of any real hazards.

I took over the responsibility for this legislation when I returned from the United States last year and it is now about 12 to 13 months on from then. Let me say at the outset that I was not surprised by the various Press reports, and the innuendos and falsehoods which were expressed, as well as all of the other things which have happened; but Mr Masters must understand that we are politicians and members of Parliament and we have to become used to innuendo and, in some cases, slander. In a few cases the Press actually impugned the reputation of a number of prominent businessmen in this community. I do not know what will happen about that; it is not for me to comment.

The criticism and questions by members in this Chamber have been carried out in the right and proper place. I have no objection to that, but there are some people with strong motives for stirring up the problems that have beset the implementation

of this legislation. After all, when this Chamber passed the Casino Control Act, the assurance was given that the agreement would be brought back here for the final analysis.

I have recounted in this Chamber previously what would happen. The first requirement was to set up an independent committee to which this Chamber agreed, and that was the Casino Control Committee. In addition to that, investigations were made overseas, by officers of my department, in company with the Federal police, and at a later stage with the local police, into the background of the people to be involved with this casino. I was perfectly satisfied with the findings.

Perhaps we will always hear the statement that I mishandled the matter. I am quite happy with my performance; it has been straightforward and above reproach. Mr Masters asked why I did not let him know about the final contenders. Let me remind members of what I did. Apart from a few confidential documents the models of the final contenders were laid out for perusal—in fact, not only the final contenders, but also all of the applicants. This was done for the Press to view, unhindered, for three or four hours. It is a matter of record that members of the Press did not avail themselves of that offer, which had not been given before. Later I offered Opposition members in this Chamber a full review and explanation of the documents, as well as a private viewing of them if members wished to go down to my office. I can recall Mr Pandal's retort, "We are not going to fall for that one—guilt by association".

I made that offer on two or three occasions and it was reported in the electronic media and in the Press. I am not saying that the Opposition was wrong in not going down to view the documents, but the fact is that the offer was made quite genuinely.

Hon. Neil Oliver: Where?

Hon. D. K. DANS: I am not one to ferret out speeches in *Hansard*. I am sure members of the Opposition who have good memories can recall that I made such an offer.

Mr Pandal came down to my office and looked at the models. He was very impressed. To Mr Pandal's credit, at no stage did he say he was opposed to a casino; rather, he was opposed to a casino being built on Burswood Island.

I will try to recount as quickly as I can some of the questions raised by Hon. Gordon Masters. He asked why I did not refute the statement in last week's *Sunday Times* which said that work would start this week. I am getting a little tired of the Press and the endless statements we have issued to try to correct some articles. I am a little touchy on

this issue because one of my best friends of 30 years' standing had his reputation impugned by the *Daily News*. Had he wanted to take action he could have done so, but because he is the director of a large firm he did not. Perhaps at a later stage over a glass of beer when we are all friendly I will tell Mr Masters what were the motives behind that. Let us say I have had to learn, as we all have, to take the good headlines with the bad.

In all fairness, I do not know where the *Sunday Times* got the story. It certainly did not come from me. "Freedom of the Press" does not mean what most people think it means; it simply means the freedom to print all the things they want. Newspapers are commercial enterprises and they print news that sells papers. Let us not get carried away by the freedom of the Press and what it is supposed to do and not to do. Bad news sells papers and good news will not sell a copy.

Hon. G. E. Masters: That was good news was it?

Hon. D. K. DANS: It was about the first good news we have had.

Hon. G. E. Masters: A bit premature.

Hon. D. K. DANS: I am demonstrating what I think Mr Oliver referred to as "journalistic licence".

At no stage did the Government grant any special favours to certain groups during the selection process. Mr Masters did not say that, but he said he was concerned. That was one of the reasons the Casino Control Committee was set up—to carry out the negotiations on behalf of the Government.

Hon. G. E. Masters: I said I had great respect for it.

Hon. D. K. DANS: I understand that. I am not knocking Mr Masters. I said the reason the committee was put in place was to do the negotiations for and on behalf of the Government.

I refer now to the environmental issue, which looms very large. When the Opposition moved the urgency motion the other day I told the House I had said quite frankly at the Press conference we would not do an ERMP. I was asked the question and said straightforwardly we were not doing it. The reason was I had been advised it was not necessary. Professor Main subsequently advised me by phone he was going to do a PER, and as I told the Chamber the other day, I said "What is that?" He outlined to me that it was a public environment report and it was first used in 1984.

You will recall, Mr President, that I said I had not heard of that. The reason for its being done was that the major building was to be 150 metres



from the river. During the debate I tabled a plan which showed that about 2 500 piles would be used under the hotel complex which was closest to the river, and assurances had been given that no leach would flow to the river. In addition I gave the Chamber all the conditions of the soil for the other buildings which were to be placed on concrete slabs. We found that was quite adequate for buildings further away from the river. They are very adequate indeed for the purpose.

I also said at that time that no Government which had any idea about staying in office would enter an agreement which would subsequently be disastrous. I can only take the advice of experts. If we are to have an ERMP for every building in the metropolitan area, our very slow growth will continue, although it has speeded up under our Government.

I assure the House that all the environmental requirements of this State will be met. In this agreement—I am jumping the gun a bit—there are a number of clauses which give the Minister the power to halt construction at any time, or any other Minister when the Opposition becomes the Government. We need to have it.

Hon. G. E. Masters: You know very well you could not stop that sort of construction.

Hon. D. K. DANS: Mr President, you have read the agreement and you know that if there was leaching into the river the Minister would have to halt the construction until it was rectified, or risk political suicide and turn his political party into a flight of Kamikaze pilots. I am sure Mr Masters would not do that, and I am damn sure I would not.

On the question of selling Crown land, I took a proposition to Cabinet; it was considered we would look at the question of leasehold land. Later in the negotiations the Casino Control Committee told us—and I accept its advice—that it would not be possible with leasehold land to raise the kind of finance necessary to get the project underway. You, Mr President, and Mr Masters have some entrepreneurial experience and know that would be correct. We changed our minds and we said so. I came and told Parliament why we had changed our minds.

I have to refute what Mr Masters said about the PER being specifically invented for this purpose. I do not think Mr Masters would suggest the eminent Professor Main was telling me fibs. The other day I outlined where a PER had been used in 1984. Until Professor Main reminded me of it and I outlined it to the Chamber, I did not know about it.

Hon. G. E. Masters: The important thing is that many other concepts and developments should have the same consideration.

Hon. D. K. DANS: In an answer to Mr Masters I said that under the same circumstances my answer would be "Certainly".

Hon. G. E. Masters: I am not criticising that provided it is across the board.

Hon. D. K. DANS: I am on record as saying, "Certainly".

The next question was whether work would commence on 31 March. I do not know. That is the last date on which we can sign this agreement or ratify it or seek some extension of time.

Various figures have been given for the construction work force. When the construction force is on the site, perhaps at the height of work, we will count them and get an approximate figure. The operations work force is 1 760 on completion; that will be in the casino and the total complex.

I do not have the investment figures in my head, but we can look at them when we come to the actual agreement. They are outlined there. Mr Masters quoted them to me and I am confirming what he said.

Hon. G. E. Masters: I said there was mention in the agreement of \$200 million.

Hon. D. K. DANS: I will come to that in a minute. I said \$220 million would be required and the agreement used a figure of \$200 million. The reason for the difference is there will be cost overruns. In a project of this size, \$10 million will be raised from unit holders and \$10 million, if it is required, by way of loans, making a total of \$220 million.

I have been using a wrong figure in relation to the number of hectares which will comprise the reserve. I have been saying it will comprise 118 hectares but it will be 100 hectares. I had not taken into account the approaches for the new Burswood Bridge.

No doubt the area will be landscaped and in the fullness of time it will blend in with the reserve. For the sake of accuracy I am saying that the area will consist of 100 hectares.

A break-up of \$30 million which has been provided by the Government is included in the agreement—\$9.4 million was paid for the land and \$21 million for the licence. I do not think the Opposition can knock the Government's entrepreneurial skill in making \$30 million for the State. I have seen many casino agreements but I have not seen any which will provide the profit that this casino will provide.

Hon. G. E. Masters: I think you could say that you have the most valuable signature on record in Australia.

Hon. D. K. DANS: Of course I can and I will give Hon. Gordon Masters a copy of my signature for his autograph book.

Hon. G. E. Masters: I do not think you will need to do that.

Hon. D. K. DANS: I know when I am going to retire, God willing, but some members in this House do not know when they will retire and I may have news for some of them.

Hon. G. E. Masters: Do not be so sure about that. Lets get back to your signature.

Hon. D. K. DANS: I will forget about my signature.

Mr Masters asked a question about the role of the Burswood Property Trust. It will involve the collection of assets from the operation of the casino and the resort. After all, it will be the WA Trustees who will have control of the operation.

In answer to the query concerning the ancillary documents attached to the agreement being made available to members of Parliament, I advise members that there are four such documents between private parties. If Hon. Gordon Masters or any other member in this House would like to come to my office I am prepared to show them the documents. They are not public documents, but I am prepared to show the agreements to interested members if they want to look at them. I am sure members will understand the reason I cannot make them available to the House.

Mr Masters raised a query as to how the Government will be able to check the gross revenue figures. The answer is contained in the Acts Amendment and Validation (Casino Control) Bill and it is a simple exercise. Other casinos in this country have made it foolproof and impossible to engage in the American exercise called "skimming"—that is, skimming off profits before the tax is paid.

If I may refer members to page 26 of the Acts Amendment and Validation (Casino Control) Bill, provision is made for the appointment of a general casino control officer, who has already been appointed. The name of the appointee is Mr Michael Egan who has a law degree and comes from Tasmania. He will have a number of casino control officers under his control. In addition to that the Auditor General will have the right to enter the casino and examine the books at any time.

Hon. G. E. Masters: Is that clause 26 or page 26?

Hon. D. K. DANS: It is on page 26, schedule 2, clause 37. Would Mr Masters like me to read it out.

Hon. G. E. Masters: No, I have it.

Hon. D. K. DANS: It is explained on page 26. The casino control officers will control the money and the games, they will put up the roulette wheel and, in fact, all the money from the casino will pass through their hands. It is a system which is better than the American system. Bearing in mind that there are two casinos in Tasmania, two in the Northern Territory and two due to commence operation in Queensland, I advise members that there has not been one case to date of any malpractice within Australian casinos, because the Australian controls are foolproof.

In answer to the question concerning the agreement giving the Minister the power to resume land for the purpose of the casino without advertising, I advise members that the Minister does have the power to do that. It was thought that the Government would have to resume land from the Perth City Council, but that will not be necessary because we have reached an amicable agreement.

I think I have answered all the questions raised by Mr Masters, but if there are any others he could perhaps jog my memory and I will answer them.

Hon. G. E. Masters: Did you say that the Minister and the Government can resume any land for the purpose of improving the complex?

Hon. D. K. DANS: That will no longer be necessary. It was thought that at some stage we may have to resume land.

Hon. G. E. Masters: Because everything has been finished now I understand that there is no problem.

Hon. D. K. DANS: The Government and the Perth City Council have reached an amicable agreement. The Government can resume land any time it likes, but rather than resume some of Kagoshima Park, which is Crown land, we will vest Kagoshima Park in the Perth City Council.

Mr Ferry said that the Government had ignored submissions and had dictated that the casino would be built on Burswood Island. Let us be honest about this. Prior to the election this Government said it would build a casino. In fact, it said it might build two casinos and it made it known that Burswood Island was the site it had in mind for one of the casinos.

The Government did not ignore the submissions it received and it was widely known that the casino would be built on Burswood Island. Therefore, the Government did not dictate its terms. It simply

said what kind of casino it wanted and that it would be sited on Burswood Island. The reason is quite simple. The Government is looking at a tourist type casino and not at a casino similar to that proposed in South Australia.

The casino complex will consist of a 400-room hotel; a free-standing casino, not a fly-trap casino; and on the Government's insistence, it will contain a convention centre, an 18 hole golf course, an outside amphitheatre, a theatre-restaurant, a theatre complex and swimming pools, plus the beautification of Burswood Island.

I take Mr Oliver's point that when this matter has been finalised members of the upper House should take a tour of Burswood Island to ascertain what we are talking about. I have found that many people are confusing Burswood Island with Heirisson Island.

Hon. Neil Oliver: I have been there, but I was not invited.

Hon. D. K. DANS: I have also been there and I was not invited.

In regard to the relevant development being brought to fruition by the Government, I advise that Mr Ferry is entitled to his opinion. He said that he trusted the Government would enforce the agreement. Of course it will, the Parliament will see to that!

Why was the 200-kilometre restriction chosen for the playing of two-up? That is an excellent question and the answer is that casinos everywhere must have some kind of monopoly.

Hon. H. W. Gayfer: Why did you pick that figure? You cut out quite a few towns.

Hon. D. K. DANS: At present the playing of two-up anywhere, with the exception of Kalgoorlie, is illegal.

Hon. H. W. Gayfer: We are all aware of that.

Hon. D. K. DANS: In answer to Mr Lewis, his fears about Collie are groundless; Collie happens to be 203 kilometres from the Perth GPO. I have checked that figure for Mr Lewis.

Hon. A. A. Lewis: As long as that goes into *Hansard* I am happy. I think you are wrong.

Hon. D. K. DANS: The member thought he was going to have a windfall *sans faire rien*. If my advice is wrong I will stand corrected. I understand the distance is 203 kilometres, but if for any reason it is a little closer the excellent game of two-up which is played in Collie could move its operation a few kilometres out of town. I am not urging the member to go to his constituents and let them know how to break the law.

Hon. A. A. Lewis: You have made the comment to my constituents.

Hon. D. K. DANS: I do not think I have. Of course, it can go on in the north and it will avoid situations such as that which happened in Mt. Magnet the other day when the police harassed the people involved. I do not know why that was done at an ordinary picnic meeting.

A member interjected.

Hon. D. K. DANS: The restriction is applied to give some exclusivity to the casino.

The question was asked why the Government is setting up another statutory authority to look after Burswood Park. I do not know why that decision was made. I think it was like the streaker's defence—it seemed like a good idea at the time. The decision has been made after looking at the Kings Park Board and realising what an excellent job had been done. The Burswood Park Board will simply look after the grounds of the park. In addition it will look after a large sum of money. The alternative is to allow the entrepreneurs to manage the park themselves. We did not want that, and we took the best advice we could and set up the board. If we look at the composition of the board we find it has two Government nominees who do not necessarily have to be members of the Casino Control Committee and two nominees from the Perth City Council. If the chairman they want cannot be nominated by those four members, my name is not Des Dans.

Hon. A. A. Lewis: What members of the committee are nominated by the Minister of the day?

Hon. D. K. DANS: There will be six people on the committee. I think they will do an excellent job in disbursing the \$1 million, the absolute minimum sum. I hope it will rise to something like \$2.5 million in a very short time.

Hon. A. A. Lewis: Don't try to snow me with money.

Hon. D. K. DANS: If for some reason or other it is found that the board is not all it is cracked up to be, we have the remedy that we can amend the agreement by laying the amendments on the Table of both Houses of this Parliament for a period of 12 days. However, I do not think we shall be too keen to do that.

I impress upon members that this agreement was negotiated by the Casino Control Committee and it also fitted the wishes of the Perth City Council and the people putting up the money. We could have said that we would leave it to the people supplying the money and allowed them to do the lot. However, I think the Casino Control Committee has done an excellent, first-rate job

and it has taken advice from the Government departments it consulted.

Mr Oliver raised a number of obscure points. For example, he asked for an indication of the number of tourists coming to Western Australia because of the casino. If I could tell members how many people will come to Australia for the America's Cup I would be very happy indeed. Surely that is a job for management, a job for the people who have put up the money. It is their responsibility to find out how many people will come to the casino.

Hon. Neil Oliver: I thought you might be interested.

Hon. D. K. DANS: I am interested. One of the problems with the America's Cup is to get accurate information between the sublime and the ridiculous. I prevailed upon the Federal Government to make available \$100 000 for a visitor study. A large group of international accountants rushed in and got the contract. After a few weeks of reading reports we found that they were getting nowhere. When we asked them what was going on they said that for another \$50 000 they would be able to provide an answer.

Hon. Neil Oliver: Send them to Singapore.

Hon. D. K. DANS: We do not want them to go to Singapore. I have been so many times to Singapore that I feel like a yoyo. It is a very difficult exercise.

Hon. Neil Oliver: It is difficult for you but it is not difficult for everyone.

Hon. D. K. DANS: It is difficult for Price Waterhouse, so much so that it withdrew from the contract.

Hon. Neil Oliver: Why does it always have to be Price Waterhouse? What about trying someone else?

Hon. D. K. DANS: We now have the right combination together and are using some of our own officers who are skilled in this area and who may come up with the right answers.

With regard to how many visitors will come from Singapore, I think this has been well researched by the people supplying the money, and they would be the best people to ask.

The next question queried whether a convention centre with a capacity of 2 400 is too large. The member was a guest of Genting at the Malaysian casino and enjoyed the hospitality of Genting. I have no argument with that; I know that members of the Opposition were shown how the convention centre could be closed off into a number of smaller areas. The same provisions will be included in the convention centre for Perth. In addition it will

have simultaneous multilingual translation which is not presently available in Perth. Since it has been internationally known that the centre will be built, as well as an exhibition centre, to date the developers have had inquiries from 27 to 30 organisations seeking bookings when the centre becomes available. At the risk of boring the Chamber—

Hon. G. E. Masters: It has never worried you before.

Hon. D. K. DANS: It does worry me tonight. Members are aware that the casino is a total complex. It is a freestanding casino quite deliberately so that it may become a tourist attraction in the sense that any other hotel in Perth will be able to advertise the existence of a casino on Burswood Island and if it so desires it can run mini-buses to the casino. I have not heard many entrepreneurs running hotels in Perth grizzle about that. Whether or not we like it the greatest tourist attraction in this State is not the dinosaur footprint in Broome or the huge log in the south-west; it is the beautiful city of Perth on the banks of the Swan River. It has no parallel in the world and our aim as a Government is to get more people into the city. Even if they come to play golf or to gamble when they are here we can show them the attractions which abound in this State to the north, south, east, and west—I suggest Rottneest—and feed them into those areas.

For those reasons, apart from the job opportunities which will be provided and the interest the casino will generate in the State, it is a very commendable enterprise.

It has been suggested that the Government is attempting to hurry through this legislation in order that the casino may be completed in time to be in operation for the America's Cup. Let there be no secret about the fact that it would be wonderful if the casino were completed in time for the America's Cup. I am sure the joint venturers would agree with that statement.

Hon. Neil Oliver: You should be able to arrange it.

Hon. D. K. DANS: I will; there are no worries about that. By the same token, Mr Oliver is a businessman of some note, and he would agree that no-one would be prepared to commit himself to the investment of a sum in excess of \$200 million—in excess of \$300 million when the second stage is built, as I am sure it will be—for an event which will peak for only two weeks. It is true there will be some run-up to the cup; the world 12-metre championships will be held here in the middle of next year. However, the casino will be an ongoing business and I am sure it will be the catalyst, along with the America's Cup and the

other events we have planned around it, which will not only excite people when they are here, but which will also titillate their interest in the State so that they return and eventually invest money in other projects here.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. D. K. Dans (Leader of the House) in charge of the Bill.

#### **Clause 1: Short title—**

Hon. G. E. MASTERS: I draw the Minister's attention to the documents to which both he and I referred during the second reading debate and I shall enumerate them in order that I may ascertain that I have the right ones. They are: The project management agreement; the operation management agreement; the Burswood Property Trust and its trustee; and the foundation agreement.

Hon. D. K. Dans: Those are the four agreements.

Hon. G. E. MASTERS: A number of areas of concern have been raised by various members during debates on this issue over recent months. I refer to the unfortunate absence of Hon. Phillip Pental who has been aggressive in his opposition to some of the proposals in this respect. Unfortunately he is in hospital. However, he has indicated to me in writing that he has spent 13 months fighting a suggestion that the casino complex should be based on Burswood Island and he believes he has given adequate reasons for his opposition. Had he been here, Hon. Phillip Pental did not intend to regurgitate the arguments he put forward previously.

Suffice to say, according to Hon. Phillip Pental, the Government's record throughout the entire episode has been one of contradiction and inconsistency with its own policies and aims. He said that he did not blame Mr Dallas Dempster or his colleagues who have sought legitimately to use such a prime site; good luck to them. That responsibility is one for the Government to shoulder.

I make that comment, because the member is not here and I thought I should refer to some of the submissions he made and thoughts he had at the time.

Hon. A. A. LEWIS: I would have thought the Minister would have given up misleading the Chamber. Two of my colleagues have mentioned that the distance from Perth to Collie is 155 or

156 kilometres. It is 203 kilometres by road. The Minister has driven on that road, and he knows the distance involved. He has stated in this place that Collie is situated 203 kilometres from Perth.

I ask: Is the Minister going to do something about this? Why was the limit of 200 kilometres chosen and why did he tell us that Collie was over 200 kilometres away from Perth when, by simple reference to a map, one finds that is not the case?

Hon. D. K. Dans: I asked my officers to check the distance in kilometres, not miles, and my instructions are that the distance from the Perth GPO to Collie is 203 kilometres; but, as I said, I would stand corrected. However, during the tea suspension, that situation was checked carefully.

The DEPUTY CHAIRMAN (Hon. John Williams): Order! I must draw the attention of the Chamber to the fact that nowhere in the Bill before us is the subject of two-up at Collie mentioned and it is not relevant to the matter we are dealing with at the moment.

Hon. V. J. FERRY: I ask the Minister why the distance of 200 kilometres was chosen as the radius within which two-up would be excluded.

Hon. D. K. Dans: All casinos have areas of exclusive coverage. It was recommended to me initially that the area of exclusion be 500 kilometres, but that distance was rejected. When the Casino Control Committee finally produced its recommendation of 200 kilometres, I accepted it as being reasonable, bearing in mind that the playing of two-up is illegal except in Kalgoorlie. I put that recommendation to Cabinet and it was accepted.

Hon. NEIL OLIVER: I draw the Minister's attention to the fact that members are usually invited to inspect projects, such as the development at Secret Harbour and the new railway line at Millendon, in order that they are fully conversant with them.

Why did we not receive an invitation? The Government might have had an easier, or an easy time anyway, had we received one.

Hon. D. K. Dans: We have something specific to work on. I indicated this, incidentally, to Hon. Neil Oliver. I said then that we would make an examination of Burswood Island. If the member wishes I will offer him once again all the material in my office, including the models. When we go to Burswood Island I will take along the people who can readily explain to the member all the ins and outs that are involved.

No, the member was not alone in not receiving an invitation because no-one received one.

Clause put and passed.

**Clauses 2 and 3 put and passed.**

**Clause 4: Agreement ratified and implementation authorized—**

Hon. G. E. MASTERS: Firstly I draw the Minister's attention to clause 6 of the agreement where it states, in effect, that this is part of the agreement. Basically clause 6(1) of the agreement provides—

The State shall as soon as practicable after the Operative date . . . notwithstanding the provisions of the Town Planning and Development Act . . .

Those words suggest some preference to and some difference from many other developments and I wonder why it is incorporated in the legislation.

Secondly, during the second reading debate I raised the matter that there shall be caused to be issued in the name of the trustee a Crown grant of 12.5 hectares, for the casino complex. I did not receive an answer during the second reading stage. What would happen if the Crown grant was issued for 12.5 hectares and the casino was not developed or completed for one reason or another in the way that it was first considered that it should be completed, and the agreement was terminated? What would happen to the Crown grant? Would it revert to the State or be left with the developers?

Hon. D. K. DANS: I thought I tried to explain that point during the second reading debate. Perhaps I did so by interjection. First of all, the licence would not issue.

Hon. G. E. Masters: Where does it say that?

Hon. D. K. DANS: On the back of the agreement. I can revoke the licence or take it away while the casino is operating. The licence would not issue and the piece of land for which \$30 million had been paid for the development of the casino—which would be worth exactly \$3 million—would remain.

Hon. G. E. Masters: I cannot see where it says that. The developers have paid \$30 million for 12.5 hectares of land?

Hon. D. K. DANS: That is correct.

Hon. G. E. MASTERS: The requirement is of course that they will construct a casino complex and it will be to the drawings, plans, and specifications accepted by the Minister and the control committee. What would happen if something went wrong; perhaps the project was not completed, finances ran out or something unforeseen happened? Would the developers hold the 12.5 hectares of land, or would the agreement be terminated by the Minister for one reason or another? Where in the agreement does it state

what will happen to that land? Will it be held by the developers, irrespective of whether the casino complex is completed and irrespective of whether something goes wrong, or will that land revert to the State? That is all I am asking, knowing very well that the gaming licence will be issued under certain conditions.

Say the land has been handed over to the developers; if somebody pays \$30 million for it and it then is worth only \$3 million, the question still is: What would happen if something went wrong and the agreement was terminated?

Hon. D. K. DANS: Clause 7(3) of the agreement reads as follows—

The Manager shall from time to time and as soon as is reasonably practicable, but in any event in sufficient time to give to the Minister adequate and reasonable time for consideration prior to the commencement of construction of the Relevant Phase, submit to the Minister for approval detailed plans and specifications relating to that Phase, the obligations of the Manager under this sub-clause to include, but without limitation, an obligation to submit to the Minister for approval detailed plans and specifications of the buildings comprising the Resort Complex;

So at every stage of the building of the complex the Minister has control. In the first instance, of course, I do not foresee the complex proceeding until the money is raised. When the Jupiter Trust was placed on the market for sale it was oversubscribed many times and I cannot envisage a situation such as Mr Masters suggests.

Hon. G. E. MASTERS: The Minister is saying in his own words that he could not envisage anything like that occurring at this stage because there is sufficient finance and bankers to ensure that the complex is completed in the way it has been planned.

He is also saying, of course, there is no provision in the agreement to handle the situation if something going wrong. He says he envisages nothing will go wrong. This is a straightforward technical question, I suppose. The Minister is saying that there is no provision for the handing back to the Government of that 12.5 hectares of land if anything goes wrong, and that the developers would hold it, albeit they would have paid \$30 million and would be the proud owners of land worth \$3 million.

Hon. D. K. DANS: That is exactly what will happen. They would be left with a block of land for which they had paid \$30 million which would then be worth \$3 million.

Hon. G. E. Masters: But they would still own it?

Hon. D. K. DAns: They would own it because this is the agreement, and no matter how one tries to twist it, we will not tell people who pay \$30 million for the land, "If something goes wrong we will repay you your \$30 million and you give the land back".

Hon. G. E. MASTERS: Just so it will appear on the record correctly, after all the explanations the Minister has given, the end result is that if anything goes wrong the developers will continue to hold that 12.5 hectares of land once the Crown grant is issued. That is the question I asked and I received an answer to it.

Hon. D. K. DAns: That is right.

Hon. G. E. MASTERS: That is what I wanted to know.

Hon. A. A. LEWIS: I accept the good faith of the Minister in talking about the Burswood Park Board. Really most of the problems were created by the Minister and his colleagues by saying outside and inside this place, "We are setting up a board similar to the Kings Park Board". It will be nowhere near the size of the Kings Park Board. It will not do the same job and why the comparison was drawn, I do not know. I would hope that the Minister could tell me why it is a "C"-class reserve. I am looking at clause 6(1)(c). Does he think a park board provides strong enough protection for the future?

The membership of the board could alter in the future. I am not demanding that provision be made within this agreement because the Minister wants to get on with the job; but surely the job of the Burswood Park Board is to create the best possible park, technically and aesthetically that it possibly can with the amount of money available.

Hon. D. K. DAns: The choice of a "C"-class reserve was made after discussion with the Department of Lands and Surveys. An "A"-class reserve cannot be amended without permission of the Parliament.

This clause also obliges the State to establish and maintain the Burswood Park Board under the provisions of the Parks and Reserves Act.

Hon. A. A. LEWIS: Is the Minister being fair to the owners or managers by not protecting their interests by making it an "A"-class reserve? I believe the greatest possible protection must be given. It seems that the Department of Lands and Surveys could play with this land, and some of us do not want alterations made in the future. The Minister is now saying that it will be made a "C"-

class reserve so it can be altered. I believe it should have more protection.

Hon. D. K. DAns: We are not presently dealing with a Bill, but with an agreement; and this is the agreed process entered into by the developers. We took the advice of the Department of Lands and Surveys to the Casino Control Committee, I accepted the recommendation and put it to the Cabinet, and the Cabinet accepted it.

Hon. A. A. LEWIS: The Minister can see what I am getting at. It will not be long before he brings this back for amendment, because we will move on to page 35 on which a definite amendment is required.

I do not doubt the Minister's sincerity when he uses all those high-flown words, but the Government needs some successes. I really believe that the Department of Lands and Surveys should have made it an "A"-class reserve, but I will not go any further than that. I have given the Minister the benefits of my thoughts on that subject, and the structure of the Burswood Park Board. A lot more thought should go into that than has already gone into it.

Hon. G. E. MASTERS: I refer at this stage to the use of local professional services, labour, and materials—the statement contained in clause 10 of the agreement. Obviously this intends to protect Western Australian manufacturers, local industry, employees, and the like. I refer to it because it is an important statement in any agreement. I do not argue with it because the Government's intention is fair and reasonable. Clause 10(d) of the agreement provides that Western Australian suppliers and manufacturers be given proper consideration, but there is no guarantee that this will be so.

I note that interested persons are present tonight, and I hope that during this debate the message gets across loud and clear, as I am sure it will. We are all deeply concerned for our local industries, and we look forward to their participation in this project. That will mean a great deal to local businesses.

Hon. D. K. DAns: The developers are very conscious of this requirement. This is one of the clauses on which there is no disagreement. The Minister has control and, at all stages of the proceedings, will ensure that the clause is carried out to the extent practicable.

Hon. V. J. FERRY: I hope that the Government will ensure, as far as possible, that the services of local people are engaged in this project, whatever their calling may be. However, I have received many approaches over the weekend from people in the south-west who complain bitterly that a number of projects in the south-west are not

using local labour. Here we have an agreement which assures, as far as possible, the use of Western Australian labour in the project.

I cite the construction of the Austmark building in Bunbury, which is an office tower and associated hotel being built by Multiplex. My information is that very few, if any, local people have been engaged in that project. How far do we go with preference to local labour in these projects?

I commend this arrangement; but the people I represent in the south-west are irate. I received a telephone call from a gentleman who lives out of Bunbury, and who complained bitterly that he has been unsuccessful in obtaining any job on projects in the south-west because labour is being imported from outside the region.

The Government's thrust is through the "Bunbury 2000" concept; but the people down there are feeling let down in this regard. Whereas I commend the Government for the legislation before the Chamber, it is a sore point that the people in the south-west who want jobs are not receiving favoured treatment. The "Bunbury 2000" concept is not working in respect of local workers and the Government needs to give attention to it.

Hon. D. K. DANS: While the Government would be very happy if local labour were used, unfortunately it is the right of the contractors to use what they deem necessary of the labour available to them. However, I take the member's point, not only in relation to this Bill but in relation to the Government generally.

Hon. NEIL OLIVER: In relation to plans and specifications, on page 17 it says that the manager has an obligation to submit to the Minister for approval detailed plans and specifications. I asked if the Minister had received those plans and specifications, and he said "Yes".

Hon. D. K. DAns: I did not say that.

Hon. NEIL OLIVER: Yes, the Minister did. I also asked whether they had been submitted to the City of Perth. In his second reading speech, the Minister congratulated the City of Perth for its co-operation. When I asked whether the plans and specifications had been submitted to the City of Perth, I was told "Yes".

Hon. D. K. DAns: I do not like being misquoted. I never said that. I said that I submitted to this Chamber drawings of the pile structure which was to go under the main building. I also said in the second reading speech that I had details of soil conditions to carry the other buildings. I did not say that I had the plans and specifications at all.

Hon. NEIL OLIVER: On examination of *Hansard*, the Minister will find that he did say that. However, I will not pursue the matter. I put it to the Minister that he received the plans and specifications on the resort complex. The Minister said, in the second reading speech, that the second hotel would go ahead. The agreement states, "... if and when the construction of stage 2 ...". The paramount word is "if". The Minister said this evening that stage 2 would go ahead. Does the word "if" indicate that there is a possibility that stage 2 will not go ahead?

Hon. D. K. DAns: I said that I have high hopes that the second stage would be constructed. I do not have the plans and specifications. When this Bill is ratified, the plans and specifications, with the application for the building permit, will go to the council. The council is aware of that arrangement and is happy with it.

Hon. A. A. LEWIS: The Minister gave me an answer about a person from the proposed Department of Conservation and Land Management being on the committee. I feel that there would be many other people who would be more competent to be members of the technical committee than those named by the Minister. I believe this is something at which the Minister should look, so that, in the future, the same problems do not occur. I think these provisions are new but, if applied in the future will stop some problems occurring.

Hon. V. J. FERRY: Are you looking for consistency?

Hon. A. A. LEWIS: Yes. I believe it would be a good idea, when the Minister talks to the operators, for them to have a look at that side of this matter. It might make the technical committee's job a lot easier when dealing with other matters.

Hon. D. K. DAns: I take the member's point. I was referring only to this agreement. When new organisations are in place, we will look at it again. This is a unique committee.

Hon. G. E. MASTERS: I refer the Minister to clause 14 of the agreement. I refer particularly to the issues of units and options being made available to the public. Members will note that \$40 million worth of units will be offered to the public at 50c a unit with a further discretionary amount of \$10 million if it is thought to be necessary. Will the issue to the public come before the requirement of Dempster and Genting to pay for their units? I assume the issue to the public will come after Dempster and Genting have paid for their units. However, the agreement does not say so.

Hon. D. K. DAns: I am advised that the foundation agreement calls for the public to put their



money in before. At that moment Dempster and his partners have to supply their money.

Hon. G. E. MASTERS: I want this absolutely clear. Is the Minister saying that before Dempster and Genting pay for their units, the public will be invited to subscribe \$40 million to the project by purchasing 50c units? I find that extraordinary. I would have thought that Dempster and Genting would pay for their units before the offer was made to the public.

Hon. D. K. DANS: The explanatory notes on clause 14 state that paragraph (a) provides that the developers shall issue 120 million units at a selling price of 50c each. Half of these units will be issued to Genting (Western Australia) Pty. Ltd., a wholly owned subsidiary of Genting Berhad. The other 60 million units will be issued to Dempster Nominees Pty. Ltd.

The foundation agreement provides that Dempster and Genting WA shall apply for their respective units within seven days of full public subscription or the underwriters taking up the units on offer with payment on similar terms to the public issue payment requirements.

Options will also be issued in the proportion of one option for every two units. Thirty million options will be issued to Dempster and 30 million to Tileska at no initial cost. The reason for Genting WA receiving units and Tileska being given options is simply a commercial one as both companies are controlled by the Lim family which owns Genting Berhad.

Hon. G. E. MASTERS: I think this is a matter of some importance. The founders have the ability to dispose of their units in the trust. Is there any restriction on the ability of those people to transfer their units and shares?

There is nothing in the agreement, as I read it, except perhaps clause 25, which restricts the trustee.

Hon. D. K. DANS: Referring to the unit holders?

Hon. G. E. MASTERS: Regarding the ability of the founders to dispose of their units or shares.

Hon. D. K. DANS: They would be listed on the Stock Exchange, the same as anything else, and they would be able to be dealt in, in the same as any other unit shares. There would be no restrictions. We have already a foreign investment of five per cent. We have gone a little further than that, if one reads the agreement, trying to get behind the register.

Yes, they would be able to trade in the shares. To do otherwise would be bad commercial practice.

Hon. NEIL OLIVER: In particular I refer to the issue of units for options. Can the Minister give any indication as to how these will be underwritten?

Hon. D. K. DANS: They are fully underwritten by Wardley Australia Ltd. of New South Wales.

Hon. NEIL OLIVER: They will be the lead underwriters?

Hon. D. K. DANS: They are the underwriters.

Hon. NEIL OLIVER: The same as the diamond trust?

Hon. D. K. DANS: I do not know how the diamond trust works.

Hon. NEIL OLIVER: They were the underwriters for the diamond trust.

In regard to the previous situation, it is all very well to make these statements; I know that the Minister feels pleased and satisfied that the small investors of Western Australia have an opportunity to participate in the initial unit issue. We know that in many instances public institutions represent a large proportion of the investment. They hold a larger proportion than the small investor. When the diamond trust was issued it was the intention to allow the small investor a larger share, but most of the units had already been underwritten by the major public institutions. Can some consideration be given to ensuring a better spread of this investment so that the small people in Western Australia have an opportunity to participate. It will be very much oversubscribed, but perhaps there may be some fairness in the allocations.

Hon. D. K. DANS: It is intended that the minimum public subscription will be 1 000 units, and the offer will in the first instance be directed to Western Australian residents.

Hon. Neil Oliver: Individuals?

Hon. D. K. DANS: Individual residents.

Hon. G. E. MASTERS: There is reference in the agreement to the period of exclusivity of the casino. In other words no other casino will be permitted in Western Australia for 15 years, as I understand it.

Fifteen years is a very long time in anyone's language. I would have thought that to say nowhere in Western Australia—a huge place—could a casino be considered for 15 years—bearing in mind I understand the need for protection of those people investing enormous amounts of money—is placing a complete blanket over the State. Anything could happen, north or south, in 10 years, and it seems to be a long time, perhaps an over-long time.

Hon. D. K. DANS: We looked very carefully at the 15 years. Again that is part of the agreement. From my own investigations I found that Queensland had encountered traumas in endeavouring to get another casino off the ground at Townsville, where taxation had been dropped from 15 per cent to 10 per cent. Bearing in mind the population density in Queensland as against our own, the Casino Control Committee was of the opinion it would be 15 years at the very least before we would be in a position to put into operation another casino of the kind that we envisaged on Burswood Island.

I want to make it quite clear that we are not in the business of turning Western Australia into a second Las Vegas. In addition to the 15 years' exclusivity, the next casino would be up to the standard of that proposed at Burswood Island. I went along with the recommendation of the Casino Control Committee, which thought long and hard about this, and I took the recommendation to the Government. It was agreed to.

Hon. NEIL OLIVER: I refer members to page 25, paragraph (d). The committee has the power to look to the transfer to a specific interest or holder of units or options. It is obviously provided somewhere else in the agreement that the committee has access at all times to the register of unit holders. The committee, not being a unit holder, must have access at all times to the register of unit holders. Will the committee have access to the procedures of the board of management or the board of directors? Will minutes of those meetings be available to the committee?

Hon. D. K. DANS: I am not sure what the member is asking. Clause 19 provides—

The Trustee and the Manager shall make available for inspection by the Minister, the Committee or the Committee's Nominated Representative all information held in respect to the ownership, unitholdings, shareholdings, directors or corporate structure of the Burswood Property Trust or the Manager, and all minutes of meetings of unitholders, shareholders and directors and other records relating thereto.

Is that the answer?

Hon. A. A. LEWIS: On page 35, clause 22 (5)(a) provides—

prevent the State permitting the playing of the game known as "two-up" in any part of the State which is outside a radius in any direction of 200 kilometres of the Burswood Casino;

We have a problem here.

The Minister says Collie is 203 kilometres away, while my colleague says it is 156 kilometres away. The Minister seems to have led my constituents to believe that in future the great mining town of Collie would be granted its natural right as one of the biggest mining towns in the State, the second city of the south-west, to play two-up.

Will the Minister get the signatories of this agreement together and reduce this figure to 150 or even 100 kilometres? Any games of two-up played in Collie are not likely to affect this casino in any way. I can see why this provision is in the agreement, but people in Collie would like to be able to play two-up legally, just like the people in Kalgoorlie, and eventually those in the electorates of Tom Stephens and Phil Lockyer. The Minister would redeem himself if he were to include Collie with those areas. But if this provision goes through I hate to think of what might happen to the Minister when he attends the Collie races next.

Hon. H. W. GAYFER: This clause intrigues me somewhat, mainly because it prevents the Government from permitting two-up to be played anywhere within 200 kilometres of the Burswood casino. This provision will sanction the playing of two-up anywhere in WA except Kalgoorlie, where it is already allowed. All this means that in the event of the Government's agreeing to the furtherance of two-up, other than in Kalgoorlie, the game will not be allowed to be played closer than 200 kilometres from the Burswood casino.

This annoys me because for the first time in the history of WA we are pegging kilometres from other than the Perth GPO. Considering that all other Acts where necessary refer to the GPO, I see no reason why this provision should be for 200 kilometres taken from the Burswood casino. We should be consistent with all our other Acts and take the distance from the Perth GPO. This small thing should be altered in the interests of consistent legislation. The signatories should be asked to agree to this change. Then should this agreement or a similar agreement need to be changed, all distances will be taken from the same point. This is just plain commonsense.

Hon. D. K. DANS: This is an agreement, not an Act, and the agreement was reached between the developers and the Casino Control Committee. The distance from the casino is consistent with other casino agreements in Australia.

Mr Lewis keeps hammering away about Collie. I know as well as anyone else that, with the exception of Kalgoorlie, it is illegal to play two-up in WA. Whether the game should be legalised elsewhere is a matter for conjecture and it is something we will consider when I bring in a gaming

Bill following the receipt of the gaming report; but that is some time down the track.

Mr Lewis knows full well that we must have some limit, and in this case 200 kilometres was decided on. The recommendation of the gaming report is that people should be able to apply for a permit to play one game of two-up and that a distance should be involved.

Two-up has been played illegally in the Collie coalfields longer than the member and I have been alive and I presume it will be played illegally for many years to come. The game is played illegally in Fremantle and has been for hundreds of years.

Nevertheless the agreement is for a distance of 200 kilometres from the Burswood Island casino, a provision similar to that found in all other casino agreements in Australia. In the fullness of time casino two-up might prove to be very unpopular. Two-up is not generally highly regarded when played under casino rules. But just as there is a limit to the playing of two-up within certain distances from the Jupiter and Townsville casinos, we have decided on a distance from this casino of 200 kilometres. The original recommendation was 500 kilometres and I think we did very well to settle on 200. Depending on how the casino two-up goes and depending on the gaming legislation I introduce, we might be able to allow the game to be played in the Pilbara and in the Murchison, where it cannot now be played legally.

Hon. A. A. LEWIS: The Minister horrifies me more and more with his talk about the Murchison and the Pilbara. Collie is an acknowledged mining area in the same way as the Pilbara and Kalgoorlie. I understand that the Minister might look at the other areas when he introduces his gaming legislation, but I am sure the Minister would like to see people in these towns, including Collie, playing two-up legally.

Agreeing to a distance of 200 kilometres will put the Minister in a bind, because if he gives the Pilbara people the right to play two-up without giving a similar right to the people of Collie, he will have the whole of Collie down on his neck. The ALP is already doing its best to lose the seat of Collie, and I do not object to that. It would have lost it at the last election had Tom Jones not stood for it. The Minister blithely said that he finally agreed to a distance of 200 kilometres, but the people of Collie do not believe he tried hard enough. Further, while he might think it all right to talk about a gaming Bill, we really need to wait to see it first. He will make himself unpopular if he disadvantages some mining towns. It was a shocking thing for the Government to say that it

was all right for Kalgoorlie people to play the game, but not for other people.

I think the Minister has to grasp the nettle and start working for the people of this State, not for the management or owners of the casino. I am positive they would not put any bars in the way of Collie. They might want those Collie people to come and stay in their pub and play the other games that the casinos are allowed to play.

The Minister may be placing a bar and taking away those profits of gambling, where otherwise Collie people might have gone to the casino to gamble. They may be so incensed because the Minister has not worked hard enough for it.

Hon. D. K. DANS: I might bend a little on this one and at some stage I am prepared to look at giving Collie exactly the same conditions that we will give to the race clubs in the north-west; that is, on every race day they may apply for a permit to have a game of two-up after the races. On all other occasions that activity will be illegal.

I am glad that Mr Lewis has raised this issue with me, and I am sure the people of Collie would be thrilled with this erudite expose that Mr Lewis has put forward on their behalf.

Does the member suggest that is what the people of Collie require? I will go on record as saying that sometime down the track I will suggest that, by the application of the gaming permit, that right will be given to the people of the Pilbara—and the member was just saying that we would not equate the people of the Pilbara with the people of Collie—and we will look at giving the people of Collie exactly the same conditions as the people of the Pilbara, the Murchison, the Gascoyne, or the mining areas will receive.

Hon. A. A. Lewis: Or Kalgoorlie?

Hon. D. K. DANS: That is a separate issue. I am not addressing that issue. I am replying to what the member said. This becomes more ridiculous every minute.

The distance of 200 kilometres was adopted, and I suppose I could say 12 kilometres, 1 000 kilometres or 50 kilometres. That was the agreement. I will take on board the comments of Mr Lewis in respect of the gaming provisions.

The only difference is that if the Collie Race Club applies for a gaming permit to conduct two-up, then it must follow that all other games of two-up will be illegal and we will relentlessly pursue those people engaged in such activities.

Hon. V. J. FERRY: On the question of two-up—

The DEPUTY CHAIRMAN (Hon. John Williams): Order! I think this debate is becoming

repetitious, almost to the point of contravening Standing Orders. I will not allow that, unless it is particularly germane I shall stop it.

Hon. V. J. FERRY: Clause 22(5) says, "Prevent the State permitting the playing of the game known as two-up in any part of the State which is outside a radius in any direction of 200 kilometres from Burswood Casino". Does the Government expect this particular agreement and the Bill to override other Statutes?

Hon. D. K. DANS: Clause 22(5)(a) of the agreement provides that two-up cannot be played within a 200-kilometre radius of Burswood Casino. It provides that exclusivity provisions do not prevent the State from organising the playing of games referred to in the Police Act as being lawful, if they include any lottery conducted or permitted under the Lotteries Control Act, including bingo, Lotto, soccer pools, two-up at Kalgoorlie, or a trade commercial lottery, and games referred to in the report of the committee of inquiry into gaming in Western Australia.

Hon. V. J. FERRY: I take it that this does not override the normal Statute relating to offshore activity.

**Clause put and passed.**

**Clauses 5 and 6 put and passed.**

**Clause 7: Certain planning laws modified—**

Hon. NEIL OLIVER: Regarding the zoning of the site, I ask whether the exemption has been granted on the ground that such use is contrary to any town planning zone or any other statutory authority?

I am referring to subclause (2)(b), the Town Planning Development Act of 1928, and the town planning scheme prepared under that Act; because the Bill grants an exemption. The site shall remain zoned for this use for the currency of this agreement; that is, any town planning scheme, or any amendment to the Town Planning Act cannot be applied to the development, because it is exempt.

Hon. D. K. DANS: How does this relate to clause 7 of the Bill?

Hon. NEIL OLIVER: It relates to the Town Planning Development Act and the town planning scheme prepared under that Act.

I am seeking clarification. I am referring to the Town Planning Act. I do not understand the reference to "statutory town planning engineering or environmental provisions" which may be exempt. Should there be a comma there? I am not aware of any provisions relating to engineering or the environment in the Town Planning Act. If there were I would be worried about the Metropolitan Water Authority, which has breached the Act by

applying town planning provisions and is continuing to do so under these provisions.

The DEPUTY CHAIRMAN (Hon. John Williams): I think there is a comma missing.

Hon. D. K. DANS: If we put a comma in will you be happy?

Hon. NEIL OLIVER: Yes.

**Clause put and passed.**

**Clauses 8 and 9 put and passed.**

**Title put and passed.**

### *Report*

Bill reported, without amendment, and the report adopted.

### *As to Third Reading*

HON. G. E. MASTERS (West—Leader of the Opposition) [9.45 p.m.]: I always understood that in a situation in which a call was made against the proposition—in other words a call by Hon. Mick Gayfer of "No"—at some stage during the Committee proceedings, an objection was lodged. I did not think we could properly continue with the third reading until tomorrow. That has always been the case where an objection has been lodged. I think we should deal with the third reading tomorrow, even if it is the first item on the Notice Paper.

The DEPUTY PRESIDENT (Hon. Lyla Elliott): I understand that one clause was opposed but no division was taken.

### *Point of Order*

Hon. JOHN WILLIAMS: I was in the Chair and I did call, and because I was not sure I restated the question and there was no dissenting voice. That was the operative question.

The DEPUTY PRESIDENT: In that event I believe the motion is in order.

### *Third Reading*

Bill read a third time, on motion by Hon. D. K. Dans (Leader of the House), and transmitted to the Assembly.

## **ACTS AMENDMENT AND VALIDATION (CASINO CONTROL) BILL**

### *Second Reading*

Debate resumed from 21 February.

HON. G. E. MASTERS (West—Leader of the Opposition) [9.48 p.m.]: This Bill makes changes to a number of Acts which are consequential to the passing of the agreement that the House has just debated. Changes are made to the Police Act,

the Lotteries (Control) Act and the Casino Control Act. It seems to me the changes to the Liquor Act, for example, make it clear that the control of many of the functions dealing with liquor and entertainment in the casino complex are passed from the Licensing Court to the Casino Control Committee. I made some inquiries over the last few days of people involved in the hotel industry, expecting a strong reaction. I did not get that reaction and it appears to me from the information I have so far that there is not a great deal of concern over the proposals in the Bill dealing with changes to the Liquor Act.

For the interest of members I will make some comment about this Bill now which will save me from raising the same matters during the Committee stage. For example, the Act now states that the Licensing Court may, on application of the licensee, supervisor, or the police, vary the hours and conditions of a casino licence. That provision will not apply to the casino complex and the supervisor or police will not be able to apply to the court for a variation of the hours and conditions at the casino because the responsibility will lie with the Casino Control Committee.

Reference is made to the Casino Control Committee simply notifying the court of the hours which are to apply, including the variations in operations. Again, I am surprised that there has not been an outcry from the community, especially from those people who are involved in those sorts of operations. I have not been able to receive any advice from people in that position and, therefore, I am unable to argue about that matter.

It is interesting to note that where cabaret licences are issued the normal requirement is that liquor be sold only where entertainment is provided. We have no argument about the premises in this case because the casino complex will be second to none and it will be required to sell light refreshments. I understand that the court grants cabaret licences as it sees fit, but with the casino the conditions will be agreed to between the court and the casino. I will raise the matter during the Committee stage because I wonder whether disagreement will occur between the court and the casino on this matter. Obviously, it may never occur, but nothing in the legislation says what will happen if there is a conflict of views in this area.

The Casino Control Committee will have the opportunity to make most of the decisions concerning the Liquor Act. It appears that the changes in the Act are substantial, but there is recognition of the special needs of the casino and the different conditions that will apply to the casino complex compared with hotels.

As far as the Police Act is concerned, minor and consequential changes will be made, and I do not propose to debate those matters at this stage.

The Casino Control Act will have some substantial amendments, but once again it falls in line with the Casino (Burswood Island) Agreement Bill which has already been debated. There is a need to change the Act to bring it into line. It proposes that the Minister will not approve another casino licence for a specific time. This matter was discussed when we debated the previous Bill.

The requirement that the casino must be completed before a casino gaming licence is issued seems to be in some doubt and I will raise this matter during the Committee stage.

The Bill states that a public company entering into a casino complex shall undertake to pay certain fees, and this matter has already been discussed. The Bill deals with the handling of late payments. In the case of late payments a 20 per cent rate of interest will be charged and the money can also be recovered in a court of law.

Section 21 has been rewritten in order to make sure that the agreement provisions are complied with, and it is perfectly straightforward. It is interesting to note that there is to be a change in the way in which an application is handled, and if this Bill is passed the application will go to the Casino Control Committee.

The Bill provides for the Minister to act on reports or recommendations of the Casino Control Committee. The Minister may, if he so wishes, suspend or revoke a gaming licence, but in order to do that he must give the holders of that licence 14 days' notice. In other words, they must respond in 14 days and give a reason that the licence should not be revoked or suspended. Furthermore, there is a requirement for the rules of the games to be vetted and approved by the Casino Control Committee.

It appears that the committee will have increased powers, and this may be to take the load off the Minister in the general running of the casino. I support that move because it is wrong and dangerous for the Minister to be involved in the casino and to be heavily involved in the decision making as far as the general operations of the casino are concerned. I welcome the move away from the ministerial responsibility, but the Minister always has the overriding power if he wishes to exert that power. The Casino Control Committee is the group to take some of those responsibilities away from the Minister.

It is interesting to note that people can be prohibited, in writing, from entering the casino

area by an authorised person appointed by the manager of the casino. A penalty of \$500 will apply when a person who is prohibited from entering the casino does so. It is also interesting to note that there is a provision in the Bill for authorised persons to use reasonable force to remove people who are not wanted in the casino complex.

A point which was raised when discussing the previous Bill and which concerns people under the age of 18 years is covered in this Bill. People under 18 years of age are not permitted to enter or remain in a licensed casino. I commend the Government for that change. Authorised casino officers will have the authority to prosecute such offenders.

Finally, a validation clause is contained in the Bill which validates negotiations and decisions made by the Minister in processing this Bill and the Casino (Burswood Island) Agreement Bill. I do not intend to debate, clause by clause, the amendments to the Liquor Act and the Casino Control Act. I will raise one or two issues in the Committee stage if the Minister does not answer the general comments I have made.

With those comments, I support the Bill.

**HON. D. K. DANS:** (South Metropolitan—Leader of the House) [0.00 p.m.]: I thank the Leader of the Opposition for his support of this consequential legislation.

I do not want to answer any of the points he has made at this stage but for the sake of accuracy prefer to do so in the Committee stage.

Question put and passed.

Bill read a second time.

*Sitting suspended from 10.01 to 10.07 p.m.*

#### *In Committee*

The Deputy Chairman of Committees (Hon. John Williams) in the Chair; Hon. D. K. Dans (Leader of the House) in charge of the Bill.

**Clauses 1 to 12 put and passed.**

**Clause 13: Section 30 amended—**

Hon. G. E. MASTERS: I direct a question to the Minister which I raised during the second reading debate. Perhaps I should have left it until this stage. Proposed new subsection (3) states—

The Court may impose such conditions on the granting of a cabaret licence—

- (b) when the cabaret licence is granted to a casino licensee, as are agreed by the Court and the casino licensee, including conditions defining the extent and nature of the entertainment to be provided.

Obviously disagreements will occur at times. On those occasions will the Casino Control Committee make the decision? Under normal circumstances the court will decide the conditions, but what will occur should there be a disagreement.

Hon. D. K. Dans: On those occasions the court will have the whip hand.

Hon. G. E. MASTERS: Where does it say that?

Hon. D. K. DANS: It will be decided between the court and the casino licensee. The Casino Control Committee will not operate here. If agreement cannot be reached the court will decide.

Hon. G. E. MASTERS: I will take the Minister's word, but with all due respect to him I must point out that this clause does not say that.

Hon. D. K. Dans: But what other machinery is there?

Hon. G. E. MASTERS: None. The point is that these things are okay while everything is going well, but things can become very difficult when a problem develops. It is all very well simply to say that if a dispute occurs, one or other of the parties will decide. The trouble is that sometimes that does not happen. I cannot agree with this because there is nothing to say that the court shall decide or that the court shall have jurisdiction over the licensee. I can see absolutely nothing in the legislation to say that the court will have any jurisdiction. The Minister might assure the Chamber that the court will have the whip hand, but that does not appear in the legislation.

Hon. D. K. DANS: There is no machinery to solve the problem raised by Mr Masters. This is the best compromise that could be reached by the Crown Law Department, but I am assured by the department that if no agreement can be reached and in the absence of any other machinery, the court will decide. The Casino Control Committee will not operate in this area.

**Clause put and passed.**

**Clauses 14 to 28 put and passed.**

**Clause 29: Section 19 amended—**

Hon. G. E. MASTERS: This clause provides for the deletion of section 19(2). I want to know whether this means now that a gaming licence can be issued even though the casino is not completed? Why have these words been deleted? In earlier debate on the Casino (Burswood Island) Agreement Bill there was much talk about whether the gaming licence could be issued before the building was completed and we were assured that it had to be completed before a licence was issued. It seems that that provision is now to be deleted.

Hon. D. K. DANS: What Mr Masters says is correct. This provision has been replaced by a section in the agreement we have just passed. It provides that the complex must be completed to the satisfaction of the Minister before the licence shall issue.

**Clause put and passed.**

**Clauses 30 to 36 put and passed.**

**Clause 37: Section 27 amended—**

Hon. G. E. MASTERS: This is another matter I raised during the second reading debate. This clause deals with the prohibition, which can stand for 24 hours and which can be revoked by the person authorised to do so at a time sooner than 24 hours; and a penalty of \$500 is provided for. As I understand it this provision means that if some sort of undesirable person tries to gain entry to the casino, someone with written authority will be able to say, "We don't want you; clear off". I can understand that approach being taken with a drunk or someone else causing a disturbance, but how will the casino management deal with a gangster type or someone involved in drugs? A prohibition of 24 hours against someone of this sort is not nearly enough. Is there a provision for the casino management to ban permanently someone or a group of people of the sort I have just outlined?

Hon. D. K. DANS: Section 26(3) of the Casino Control Act reads as follows—

(3) A direction given under subsection (2) by the Commissioner of Police is of no effect until notice has been given in writing of that direction to the casino licensee concerned.

In other words, the Commissioner of Police directs in writing. However, the Leader of the Opposition asked a more general question about dealing with card counters, pickpockets and various undesirable people.

In the first instance, all casinos in the world have a kind of intelligence network and casinos carry what they call a black book and, as the member would know, as one enters a casino he is observed by closed circuit television cameras which the security officers of the casino watch. These officers are pretty adept at picking up people who are on the bad list. The Leader of the Opposition will understand that people who operate in this area have a tendency to travel from country to country and from casino to casino.

Hon. Neil Oliver: You are not suggesting we will entice criminals to Western Australia, are you?

The DEPUTY CHAIRMAN (Hon. John Williams): Order!

Hon. D. K. DANS: Section 26(2) of the Casino Control Act reads as follows—

(2) The Casino licensee concerned or some person acting under his authority or the Commissioner of Police may give to a person a direction in writing prohibiting the person from entering or remaining in the licensed casino.

That is as far as they can go. All the casinos I have visited have direct contact with the nearest police station and have a very old fashioned crank telephone in place.

Hon. G. E. Masters: Did you say that the police are the people who can—

Hon. D. K. DANS: Both.

Hon. G. E. Masters: Where is it stated in the Bill?

Hon. D. K. DANS: Section 26(1) of the Casino Control Act reads as follows—

(1) A person does not have a right against the owner or occupier of a licensed casino, or a casino licensee, to enter or remain in the licensed casino, except by the licence of that occupier, owner or casino licensee.

So one does not have an automatic right to go in and stay there. The Bill continues as follows—

(2) The casino licensee concerned or some person acting under his authority or the Commissioner of Police may give to a person a direction in writing prohibiting the person from entering or remaining in the licensed casino.

Hon. G. E. Masters: For a long period of time?

Hon. D. K. DANS: Forever.

Hon. G. E. Masters: That is all I wanted to know. Thank you.

Hon. P. H. WELLS: Could the Minister take the reverse of that situation and explain this to me? I can understand the desirability of keeping certain unsuitable people out of the casino. Is any protection provided if that security runs away with itself and decides that it will infringe upon the rights of different people? In other words, say, for instance, it is decided that because there are many members of Parliament they do not want any MP in a casino.

Hon. D. K. Dans: That would be a very wise decision.

Hon. P. H. WELLS: We recently passed the Equal Opportunity Bill. We do not want discrimination. Does the Bill now before us provide any protection for the rights of a person who has wrongfully been barred from going into such an establishment?

Hon. D. K. DANS: The Casino Control Act does not provide for that but, Mr Deputy Chairman, you and Mr Wells would be aware that many other remedies are available to a person who has been wrongly accused, wrongly charged, or wrongly excluded, but it is certainly not contained in the Casino Control Act, nor is it in the agreement.

Hon. P. H. Wells: Is that not dangerous?

Hon. D. K. DANS: No, it is quite regular. It ensures we do not load up every Act of Parliament with particular rights. One has redress through the civil law of this country if one is wrongly accused or wrongly charged. Many things may be done.

Hon. P. H. Wells: I could come and knock on your door?

Hon. D. K. DANS: No, Mr Wells would see a lawyer.

Hon. P. H. Wells: The Minister is saying a person has to go through the process of employing a lawyer to protect himself, and that is the only process he has available. There is no provision in the terms of the Acts? That means it would be costly. My constituent could pay \$9 000 to prove he is innocent.

**Clause put and passed.**

**Clauses 38 to 44 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. D. K. Dans (Leader of the House), and transmitted to the Assembly.

### **TOWN PLANNING AND DEVELOPMENT AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. D. K. Dans (Leader of the House), read a first time.

#### *Second Reading*

HON. D. K. DANS (South Metropolitan—Leader of the House) [10.18 p.m.]: I move—

That the Bill be now read a second time.

The amendment proposed in this Bill relates to an administrative matter in terms of the composition of the Town Planning Appeal Tribunal. In general terms, the new provision will enable the Minister

to appoint another eligible person to act as chairman or member in a situation where the chairman and his deputy or a member and his deputy are simultaneously ill or absent for some valid reason.

In accordance with the Act as it presently stands, the Town Planning Appeal Tribunal consists of three members, one of whom shall be the chairman, appointed by the Governor. The Act also provides that the Governor shall appoint deputies for the chairman and their members.

The chairman of the tribunal, Mr D. Malcolm, QC, has advised the Minister for Planning that due to unforeseen circumstances there will be occasions where conflicting commitments will mean both he and the deputy chairman will be absent from the tribunal. In situations such as this, the amendment will enable the Minister to appoint another person who has the same qualification for appointment as is required of the chairman and his deputy or a member and his deputy to act as the chairman or member or their respective deputies. The amendment will avoid any unnecessary delays in the determination of town planning appeals.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. Margaret McAleer.

### **PARKS AND RESERVES AMENDMENT BILL**

#### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon. D. K. Dans (Leader of the House), read a first time.

#### *Second Reading*

HON. D. K. DANS (South Metropolitan—Leader of the House) [10.30 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to make three minor amendments to the Parks and Reserves Act. The first of the amendments concerns the leasing of portion of Kings Park. Section 5(3) of the Act requires the consent of both Houses of Parliament before the Kings Park Board may lease any part of Kings Park. The Act was amended in 1972 by insertion of section 5(4) to enable the board to lease the Bovell Kiosk in the Arthur Fairall Playground, and in 1978 by insertion of section 5(5) to authorise leasing of the Kings Park Restaurant.

The surroundings of the Lawrence Pavilion have been landscaped to provide a feature garden and playground for small children, including the disabled, and the pavilion has been modified to



provide public facilities and a kiosk for sale of refreshments. A provision very similar to that of 1972 is now proposed to empower the board to lease this kiosk.

The second of the amendments relates to the exclusion of domestic animals and birds from reserves controlled by boards constituted under the Act. Section 8(1) of the Act empowers a board to make by-laws for, amongst other things, "preventing or regulating the admission of vehicles, horses, dogs, asses, mules, camels and cattle". The Rottnest Island Board is concerned that it does not have the ability to control introduction of animals such as cats and birds onto the island. It is now proposed to expand the existing powers provided by the Act to embrace birds and animals generally.

The last of the amendments relates to penalties for breach of by-laws made by a board under the Act. Section 8(2) of the Act presently limits to \$50 the penalty that a board may prescribe in its by-laws for those situations where an infringement notice is issued under section 14(2)(d), and an offending party chooses not to contest the matter in court. The section otherwise specifies a maxi-

mum fine of \$1 000 which can be imposed by a court of summary jurisdiction for a breach of by-laws.

Penalties imposed by infringement notices under Kings Park by-laws are much less—in most cases less than half—than those imposed for the same offences under the Road Traffic Act, with the latter moreover awarding demerit points. There are other anomalies also with, for instance, the Local Government Act prescribing maximum penalties of \$200 for offences against that Act and \$500 for offences against by-laws under that Act.

It is now proposed to increase the maximum modified penalty imposed by infringement notices from \$50 to \$200, to allow for removal of anomalies and to avoid the need for similar adjustments within the near future. Any change to by-laws to increase penalties within the proposed range would, in accordance with section 9 of the Act, be subject to Parliament's review.

I commend the Bill to the House.

Debate adjourned, on motion by Hon. V. J. Ferry.

*House adjourned at 10.32 p.m.*

## QUESTIONS ON NOTICE

499 and 547. *Postponed.*

### ENERGY: GAS

#### *Pipeline: Compensation*

563. Hon. V. J. FERRY, to the Minister for Employment and Training representing the Minister for Minerals and Energy:

In the laying of a natural gas pipeline by the State Energy Commission through private property—

- (1) What conditions are imposed on the landowner?
- (2) What obligations are the responsibility of the SEC?
- (3) Is the landowner compensated for the imposition of a gas pipeline through his land?
- (4) If so—
  - (a) what formula is used for assessing compensation; and
  - (b) what rate of remuneration is paid to a land owner?

Hon. PETER DOWDING replied:

- (1) and (2) The conditions imposed on the landowner and obligations of the commission are set out in the commission's standard easement document.
- (3) Yes.
- (4) (a) and (b) For the metropolitan area the Valuer General's office provides individual property valuations and in the case of the country areas the valuations were generally based on 15% of the broad hectare values provided by the Valuer General's office.

566 and 574. *Postponed.*

### DRAINAGE: COLLIER AREA

#### *Boundaries*

575. Hon. P. G. PENDAL, to the Leader of the House representing the Minister for Water Resources:

- (1) Is it correct that maps provided by the Metropolitan Water Authority regarding the Collier drainage area show Pitt

Street, Kensington, as being the north-west extremity of the rated properties?

- (2) If so, why does the separate map published in the *Government Gazette* of Friday, 25 March 1983, show the catchment boundary as extending beyond Pitt Street and including the Collins, Market and Dyson Streets properties?

Hon. D. K. DANS replied:

- (1) Yes. The map referred was published in the *Government Gazette* of 25 November 1983.
- (2) The Collier Pines main drain declaration notice of 25 March 1983 showed the catchment boundary as determined from surface contour information.

The City of South Perth advised that the small area beyond Pitt Street would not be connected by the local authority drainage system to the main drainage system.

### CRIME: HOUSEBREAKING

#### *Applecross: Statistics*

576. Hon. P. G. PENDAL, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) What statistics, if any, are available regarding the level of house-breaking in the Applecross area in the past four years?
- (2) Will the Minister give full details to the House?

Hon. J. M. BERINSON replied:

- (1) Statistics relating to house-breaking are not available prior to 1983 nor are they broken up into categories.

1983—99 offences of breaking and entering.

1984—94 offences of breaking and entering.

These figures include all types of premises for the Applecross area.

- (2) Answered in (1).

### WILDLIFE: BLACKBOYS

#### *Use of Term: Education Department Instruction*

577. Hon. P. G. PENDAL, to the Minister for Employment and Training representing the Minister for Education:

- (1) Have schools been circularised with instructions to cease using the term

"Blackboy" in relation to a well-known WA native bush?

- (2) Will he table a copy of the letter or reasons for the instruction?

Hon. PETER DOWDING replied:

- (1) No.  
(2) Not applicable.

578. *Postponed.*

### CRIME: STATISTICS

#### *North Metropolitan Province*

579. Hon. P. H. WELLS, to the Attorney General representing the Minister for Police and Emergency Services:

- (1) Can the Minister advise me what are the relevant quarterly crime statistics for departments representing areas in the Shire of Wanneroo and the City of Stirling over the past three years?
- (2) Has there been any significant increase in crime in these areas, and what action has the Government taken to ensure adequate protection of the public?
- (3) What additional detection of crime can be attributed to the additional policemen appointed to the Warwick Police Station?
- (4) How many of the additional 150 police recruits proposed to be employed next financial year will be allocated to work in the northern suburbs, and to which areas will they be allocated?

Hon. J. M. BERINSON replied:

- (1) and (2) Statistics are not readily available, and obtaining them would involve considerable research.

On 29 October, 1984, a new concept of mobile policing was commenced from Warwick Police Station, with the intention that this patrol contribute to crime prevention.

The 35 members of this new unit will be increased by a further five in the near future.

- (3) The activities of the Warwick uniformed patrol, including their crime detection, are presently being collated and analysed. It is premature at this juncture to establish precise levels of improvement.

- (4) No allocations will be made from additional police numbers proposed, until State-wide needs have been fully examined and priorities established.

580. *Postponed.*

### TRAFFIC: PARKING

#### *Schools*

581. Hon. P. H. WELLS, to the Minister for Employment and Training representing the Minister for Transport:

- (1) Has the Government investigated the problem created by parking and vehicle traffic at schools?
- (2) Has any discussion been held with council and town planning people to help manage the problem?
- (3) What assistance is there available for existing schools that experience problems regarding parking and vehicle traffic?

Hon. PETER DOWDING replied:

- (1) and (2) Yes. The Minister for Police and Emergency Services has set up a committee, known as the School Roads Safety Advisory Committee, chaired by a representative of the Police Department, to look at safety outside schools. In addition to the Police Department, the committee consists of representatives from the Town Planning Department, local authorities, Education Department, Westrail, Main Roads Department and parents' and citizens' groups. I understand the committee has recently reported to him regarding suggested safety counter-measures.
- (3) Existing schools should initially contact the appropriate local authority. State Government authorities are also available to assist local authorities with technical advice if required.

### HEALTH: REPETITIVE STRAIN INJURY

#### *Public Servants*

582. Hon. P. H. WELLS, to the Leader of the House representing the Premier:

- (1) How many public servants are currently off work with repetitive strain injuries?
- (2) Has there been any assessment of what stage these workers are with RSI?
- (3) What is the Government doing for those of its staff who have been off work for

some time with RSI and who will not be able to operate a keyboard again?

- (4) What compensation is available for a person classified as totally incapacitated by RSI?

Hon. D. K. DANS replied:

- (1) In January 1985, the RSI task force conducted a survey which indicated that there were 589 reported cases of RSI.

During the period 1-1-84 to 31-12-84 the SGIO had 269 compensation claims.

- (2) The Government task force on RSI, through the Public Service Board, is at present collecting and analysing all available information in this area. A database is currently being developed to establish the basis for epidemiological study and management response systems.

- (3) The Government task force is reviewing those methods of diagnosis and treatment being used by Western Australian health professionals. It is also investigating the availability and type of rehabilitation resources.

A number of initiatives involving graded return to work programmes, job design and/or rotation are available options for injured workers. A number of health professionals employed by the task force will be made available to assess Government departments and instrumentalities in accommodating the special needs of these workers.

The Government accepts the need to, in some incidences, retrain workers following their occupational injury or illness and will make every effort to maintain people within their place of work.

- (4) Compensation is paid at the current award rate (excluding any allowances, eg; district allowance) up to a maximum of \$70 236 plus medical expenses (under section 17 of the Workers Compensation and Assistance Act) of 10 per cent of the maximum payment, ie: \$7 023.60.

## GAMBLING: CASINO

### *Construction: Commencement*

583. Hon. NEIL OLIVER, to the Minister for Racing and Gaming:

- (1) Has construction of the casino on Burswood Island commenced?

- (2) If not, is the Minister aware that some other construction has commenced adjacent to that site?

- (3) If "Yes", can the Minister advise who is the head contractor for this contract?

Hon. D. K. DANS replied:

- (1) No.

- (2) Yes. Preliminary work has commenced on the approaches for the planned Burswood Bridge.

- (3) Main Roads Department.

584 and 585. *Postponed.*

## QUESTION WITHOUT NOTICE

### INDUSTRIAL RELATIONS: STANDOVER TACTICS

#### *Police: Responsibility*

566. Hon. G. E. MASTERS, to the Leader of the House:

Does the Minister stand by his statement when, as Minister for Industrial Relations, he stated in this House that industrial inspectors were not appropriate to handle standover tactics in the workplace and that that duty was rightly the job of the police who had to deal with those complaints and that those complaints should be directed to the Police Force?

Hon. D. K. DANS replied:

I cannot recall my exact answer at that time, but that certainly was not my answer. What I said was that where the Criminal Code or the Police Act had been transgressed that clearly was a job for the civil courts. I stand by that statement. However, I know what the Leader of the Opposition is adverting to.

Industrial law is appropriate to the Industrial Commission, it is true; however, over the years it has unfortunately become a little bit of a mish-mash. I certainly did not answer the question in the manner put forward by the Leader of the Opposition. Yes, I am on record as making a statement along those lines when in Opposition and later when in Government.