

PORT KENNEDY RESORTS PTY LTD, WATER CORPORATION WORKS AGREEMENT

610. Hon. C.L. Edwardes to the Minister representing the Minister for Government Enterprises

I refer the Minister to the Port Kennedy Resorts Pty Ltd (in Liquidation) and the answer to question on notice No 265 and ask: -

- (a) is the Minister aware that the Water Corporation is committed to repay a debt of \$500,000 to Port Kennedy Resorts Pty Ltd as part of a 'Customer Constructed Works Agreement' relating to a Sewerage Pumping Station;
- (b) is the Minister aware of the provisions of the Corporations (Administrative Actions) Act 2001, relating to Administration, Receivership and Liquidation of Proprietary Limited companies;
- (c) as this 'works agreement' repayment is an asset of Port Kennedy Resorts Pty Ltd., has the agreement been paid out to the Administrators of Port Kennedy Resorts;
- (d) if not, why not;
- (e) will the Minister now direct that the 'works agreement' repayment be paid to the Administrator of Port Kennedy Resorts Pty Ltd;
- (f) if not, why not; and
- (g) has the Minister sought Crown Law advice on the status of the 'works agreement' repayment?

Mr E.S. RIPPER replied:

- (a) The Water Corporation advises me that it is committed to a Customer Constructed Works Agreement, signed on 4 July 2000, with an outstanding contract liability of \$503 000.
- (b) Yes.
- (c) No.
- (d) Under the conditions of the Customer Constructed Works Agreement binding the parties involved, payment, which is subject to claim, is not due until 10 June 2003.
- (e) No, payment will be made to the Administrators of Port Kennedy Resorts Pty Ltd when it becomes due under the conditions of the Customer Constructed Works Agreement.
- (f) Not applicable.
- (g) No.