

## *Port Kennedy Development Bill 2017*

### **Second Reading Speech**

I move that the Bill now be read a second time.

The Port Kennedy project involves an area of Crown land, the development of which is governed by the *Port Kennedy Development Agreement Act 1992* and a State Agreement. The original agreement contemplated private sector developers delivering public works (such as golf courses, a club house and boating facilities) in exchange for Crown land of equivalent value.

Unfortunately, the original development proved unviable, due to changing economic conditions and, most recently, sea level rise which has reduced the amount of developable land. However, it has proved impossible to implement an amended proposal, due to the restrictive nature of the Act.

Accordingly, the Government has worked closely with the private sector developers and their project managers, Mirvac, to reach a negotiated outcome. This has taken the form of a Sale and Development Agreement (termed a “SADA”), which reframes the project contemplated for Port Kennedy.

The SADA also contemplates the introduction of a Bill, to achieve a contemporaneous rezoning of the revised project development area under the Metropolitan Region Scheme and the City of Rockingham Local Planning Scheme. This approach is similar to that taken in the *Sunset Reserve Transformation Act 2014*.

For these reasons, the *Port Kennedy Development Bill 2017* has now been prepared. It repeals the restrictive *Port Kennedy Development Agreement Act 1992* and its unworkable State Agreement. Further, it simply and effectively rezones the revised project development area under both the region and local planning schemes. Formal public consultation will occur at the structure plan planning stage via the local planning scheme.

This Bill allows the State and public to benefit from the provision of remaining public works and infrastructure at Port Kennedy, which are now long overdue, and it is to be done in a manner that is projected to deliver a return to the Consolidated Account of approximately \$9.22 million.

The \$9.22 million represents the value of the development land to be sold, less the costs of agreed public works of approximately \$15 million delivery, which will be protected by bank guarantees including:

- Regional beach works;
- Boat moorings;
- Public jetty in addition to the existing boat launching ramp and finger jetty;
- Surf club storage facility;
- Western beach access and carpark; and
- a golf course club house for the reconfigured 18 hole golf course.

In addition to the land purchase and public works, the State will retain two fully serviced sites being a western eco-tourism site and a short term accommodation site in the town centre. These sites are valued at approximately \$4.0 million and will enable the State to explore sale or lease opportunities as the project is further developed.

Pursuant to Standing Order 126(1), I advise that this Bill is not a uniform legislation Bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the Government of the State is a party. Nor does this Bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the Commonwealth

I commend the Bill to the House and table an Explanatory Memorandum.