

PORT KENNEDY DEVELOPMENT AGREEMENT ACT, PROPOSED AMENDMENTS

**965. Hon JIM SCOTT to the minister representing the Minister for the Environment:**

I refer to the proposed amendments to the Port Kennedy Development Agreement Act tabled by the Minister for Planning and Infrastructure.

- (1) Is the Minister for the Environment aware that -
  - (a) these proposed amendments contain substantial changes to the original proposal, including a jetty, a road to the south coast, an eco village and a large amount of freehold residential land;
  - (b) some stakeholders have expressed concern about the potential impact of the jetty and boat launching ramp on the penguin and whitebait habitats;
  - (c) the Port Kennedy scientific park contains Ramsar Convention-listed wetlands, and that these could be threatened by the proposed access road to the coast and by a proposed second golf course, which would require substantial freshwater supplies; and
  - (d) the Port Kennedy scientific park contains a threatened ecological community - TEC19 - in the Holocene dune swales and that the Commonwealth will require assurances that this community and the associated Ramsar site are not threatened by the new proposals?
- (2) In view of this, will the minister use her powers under section 43 of the Environmental Protection Act to ensure that these new proposals are fully assessed by the Environmental Protection Authority before any changes are made to the Port Kennedy Development Agreement Act?
- (3) If no to (2), why not?

**Hon LJILJANNA RAVLICH replied:**

I thank the member for some notice of this question.

- (1)
  - (a) The Minister for the Environment is aware that the revised development plan for the Port Kennedy development project proposes a number of changes and that the proposal is different from the one originally assessed by the Environmental Protection Authority.
  - (b) Yes. In relation to the marine components of the revised development plan, referred to as the boat launching facility, town jetty and short-stay swing moorings, the EPA has provided preliminary advice that these components are beyond the proposal assessed by the EPA. Therefore, these components of the revised development plan will require referral to the EPA under section 38 of the Environmental Protection Act 1986 for a decision on whether these components warrant assessment; and, if so, at what level. This decision would take into account the potential for these components to impact on penguin and whitebait habitats.
  - (c) Yes. There is an existing approval for the Port Kennedy regional recreation centre, which involves the construction of two golf courses within the site. The revised development plan reduces the second golf course from 18 holes to nine holes and results in the conservation of wetland areas.
  - (d) Yes. The proponent must satisfy its obligation to the Commonwealth under the Environment Protection and Biodiversity Conservation Act 1999.
- (2) Section 43(3) of the Environmental Protection Act 1986 provides that a direction cannot be given to more fully assess a proposal when a statement has been served under section 45(5).
- (3) Not applicable.