

QUESTION ON NOTICE BUDGET ESTIMATES SUPPLEMENTARY HEARING

RESPONSES TO PREVIOUS QUESTIONS ON NOTICE

On 10 November 2006, Greg Pearce MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

Can you identify which responses to previous questions on notice will be in the Annual Report?

Answer:

There were 93 Questions on Notice referred to by Mr Greg Pearce MLC. As these questions were directed to a range of Government agencies, the responses previously provided were coordinated as part of a whole-of-government process and relate to the Government overall. The responses identify the sources where this information is reported for individual agencies, for example Annual Reports and other publications.

CALLAN PARK –LEASING ARRANGEMENTS

On 10 November 2006, Dr Arthur Chesterfield-Evans MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

Lease at Callan Park - We Help Ourselves

12. Why has the Minister withdrawn and stopped the leasing and other arrangements for drug and alcohol rehabilitation service We Help Ourselves (WHOS) at Callan Park?

13. Are there any agreements as to who will be given the use of the WHOS buildings at Callan Park, and the newly-renovated neurophysiology building?

14. What are the Planning Minister's and Department's plans for the future maintenance and protection of the heritage gardens and buildings at Callan Park?

Answer:

The request for Minister's consent to lease of land at Callan Park is under consideration.

The future uses of Callan Park are governed by the Callan Park (Special Provisions) Act 2002, which allows health facilities, educational and community facilities on the site and requires that the land be retained in public ownership.

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BEACON HILL HIGH SCHOOL SITE

On 10 November 2006, Dr Arthur Chesterfield-Evans MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

1. How much did Landcom pay for the Beacon Hill High school site?
2. Was the site independently valued prior to the sale to Landcom?
3. If so who conducted the valuation and what value was placed on the site?
4. Is the Department considering a proposal to sell the Seaforth Technical College site?

Answer:

1. The amount paid for a site is not relevant to the assessment of a development application under the EP&A Act 1979.

The matters for determination are specified by the EP&A Act 1979 and relevant planning instruments. However, to assist the Committee, enquiries were made of Landcom who advised that it does not own the site.

2. Not applicable.
3. Any valuation of the site would be the responsibility of the Department of Education.
4. The Department of Planning does not own the Seaforth Technical College site.

BEROWRA WATERS MARINA

On 10 November 2006, Dr Arthur Chesterfield-Evans MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

Question refers to Notice of Determination of DA-164-7-2004. Regularisation and Proposed Expansion of Berowra Waters Marina:

9. Why were objectors to the above DA not advised of approval of this DA until February 2006, nearly a year after the former Minister Assisting the Minister for Infrastructure and Planning (Planning Administration) the Hon Diane Beamer MP approved the development on 21 March 2005?

10. Did the former Assistant Minister approve this development under delegation from the Minister?

11. Under what section of the Act is the Assistant Minister authorised to act as consent authority?

Answer:

9. The notification of the approval was delayed due to an administrative oversight. This oversight did not affect in any way anyone's appeal rights, as there were no 3rd party appeal rights for the DA. Nonetheless, the standard procedural appeal rights for the DA applied from the date of the notification (February 2006).

10. No.

11. At the time, Assistant Minister Beamer had joint responsibility with Minister Knowles for administering the *Environmental Planning & Assessment Act 1979* under the *Allocation of the Administration of Acts 2004*. The DA was determined under Part 4 of the EP&A Act.

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CHINDERA MARINA

On 10 November 2006, Jenny Gardiner MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

19. Provide to the Committee the various plans which the developer of the Chinderah Marina has submitted in order to meet the Department's or Minister's Approval Conditions.

Answer:

19. There are no such plans. The Minister's approval is subject to an appeal to the Land and Environment Court.

JACK EVANS BOAT HARBOUR AT TWEED HEADS

On 10 November 2006, Jenny Gardiner MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

15. What, if any role has the Department of Planning, had in preparing plans or concepts for the Jack Evans Boat Harbour at Tweed Heads?

16. Were any consultants engaged by the Department of Planning in relation to the Jack Evans Boar Harbour in 2005-06? If so, name the consultant/s and provide the amount expended on such consultants in 2005-06.

17. Are any consultants engaged by the Department of Planning in 2006-07 in relation to the Jack Evans Boat Harbour? If so, name the consultant/s and provide the estimated expenditure on such consultants in 2006-07.

18. If consultants have been engaged on the Jack Evans Boat Harbour project, what is the total expenditure on such consultants to date?

Answer:

15. The Department of Planning participated in the development of the Tweed Heads Town Centre Masterplan through the Ministerial Taskforce. The Masterplan included general design concepts for Jack Evans Boat Harbour. The matter of detailed design has been dealt with by the Tweed Shire Council.

16. No.

17. No.

18. Not applicable.

AIR EMISSIONS FROM FREIGHT TRAINS AT PORT BOTANY

On 10 November 2006, Greg Pearce MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

The Hon. GREG PEARCE: Earlier you advised that air emissions from freight trains associated with the expansion of Port Botany were assessed and determined to be within acceptable environmental and human health limits.

Mr HADDAD: That is from the trains?

The Hon. GREG PEARCE: Yes. Is that still your view? Is there any further work being done on that?

Mr HADDAD: There were air emissions from freight trains with the expansion of the port. They were assessed and determined within the limits. The advice I have got is that there are no plans to electrify the stage three freight network in the future on the basis that part of the assessment, and I remember very clearly, was referring to comparative data of emissions for towns or freight. I have not got the figures here. They indicate they were much less than relative. We got them from the Energy Information Administration of the United States Department of Energy, which basically came up with predicted figures. I am happy to make them available to answer more specifically the quantification of it. The advice was that they were relatively a lower contribution in terms of the numbers that would come up as a result of the expansion.

Answer:

Emissions from freight trains were considered in the Environmental Impact Statement and supplementary Environmental Impact Statement for the expansion of Port Botany.

Emissions were assessed and determined to be within acceptable environmental and health limits.

No further work is being done on this issue.

TIP AT EASTERN CREEK/MINCHINBURY

On 10 November 2006, Arthur Chesterfield-Evans MLC asked a number of questions of the Director General during Budget Estimates Supplementary Hearing which were placed on notice—

5. Why is the NSW Government considering a putrescible waste landfill within homes, sporting grounds, public school, child care facilities and parks after 20 developments?
6. As this quarry has been zoned for landfill what type of landfill has this been zoned for?
7. What is the timetable for the environmental assessment of this development application?
8. How will residents be involved in the environmental assessment process?

Answer:

5. The NSW Government is not considering a proposal for a putrescible waste landfill in the Eastern Creek/Minchinbury area.

The Light Horse Business Centre proposes to establish a waste recycling and landfill operation at the former quarry adjacent to the M4 Motorway in the Eastern Creek area. This operation would receive, recycle and dispose of building and construction waste (but not putrescible waste).

The Minister for Planning is the approval authority for the proposal under Part 3A of the *Environmental Planning & Assessment Act 1979*.

6. The quarry has not been zoned for a landfill.

Under *State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area* (SEPP 59), it has been zoned for Employment purposes.

The proposal is permissible with development consent in the Employment zone under SEPP 59.

7. The Company has not to date submitted its environmental assessment of the proposal, nor a development application.

8. Should the Department receive this environmental assessment, it will make it publicly available for at least 30 days. During this period, the community will be invited to make written submissions on the proposal.