

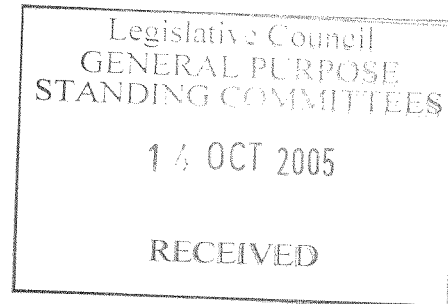


NEW SOUTH WALES

MINISTER FOR PLANNING
MINISTER FOR SCIENCE AND MEDICAL RESEARCH
MINISTER ASSISTING THE MINISTER FOR HEALTH (CANCER)
MINISTER FOR REDFERN WATERLOO

Ms Tanya Bosch
Director, Budget Estimates
General Purpose Standing Committee No. 4
Legislative Council
Parliament of NSW
Macquarie Street
Sydney NSW 2000

Y05/3523



Dear Ms Bosch

I refer to your correspondence of 22 September 2005 concerning questions taken on notice during the Budget Estimates Hearing of General Purpose Standing Committee No. 4 on 21 September 2005.

Enclosed please find responses to the questions taken on notice during the Hearing.

Yours sincerely



Frank Sartor

BREAST SCREEN SERVICES

On 21 September 2005 during the 2005 Budget Estimates Committee, Professor Jim Bishop took the following question on notice from Ms Gardiner MLC.

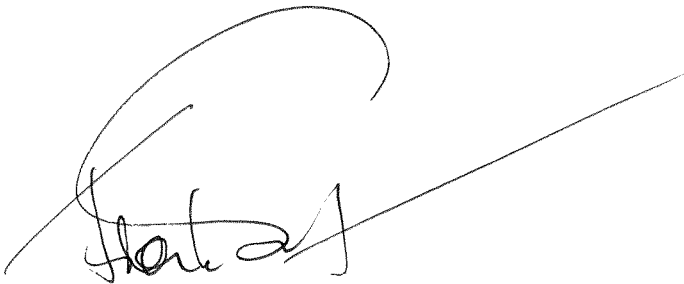
CHAIR: The Minister mentioned additional funding for some fixed screening and mobile services. Can you give us a breakdown of where they will be located? Also, can you give an indication of the fate of the service in Tamworth for example, which has had some question marks about it in recent times?

Professor BISHOP: There is no intention at this point to close services. The mobile vans will be used in a number of areas because, as you know, the areas do not align to the area health service boundaries at the moment. It will be our intention, once we have our review complete, most likely—and it depends on that review, but most likely—to try to move the screening boundaries to align more closely with area boundaries. Then we can get some synergy with respect to services and, I think, more infrastructure support for all services. It would be an intention to move in that direction following consultation with people providing breast screening, women in the area and the area health services. But that has yet to occur. That would allow a better alignment. As to the actual locations, I will have to take that on notice and give you the detail. I am happy to do that as quickly as I can.

Answer:

Please find attached the details of Breast Screen locations in NSW as at September 2005.

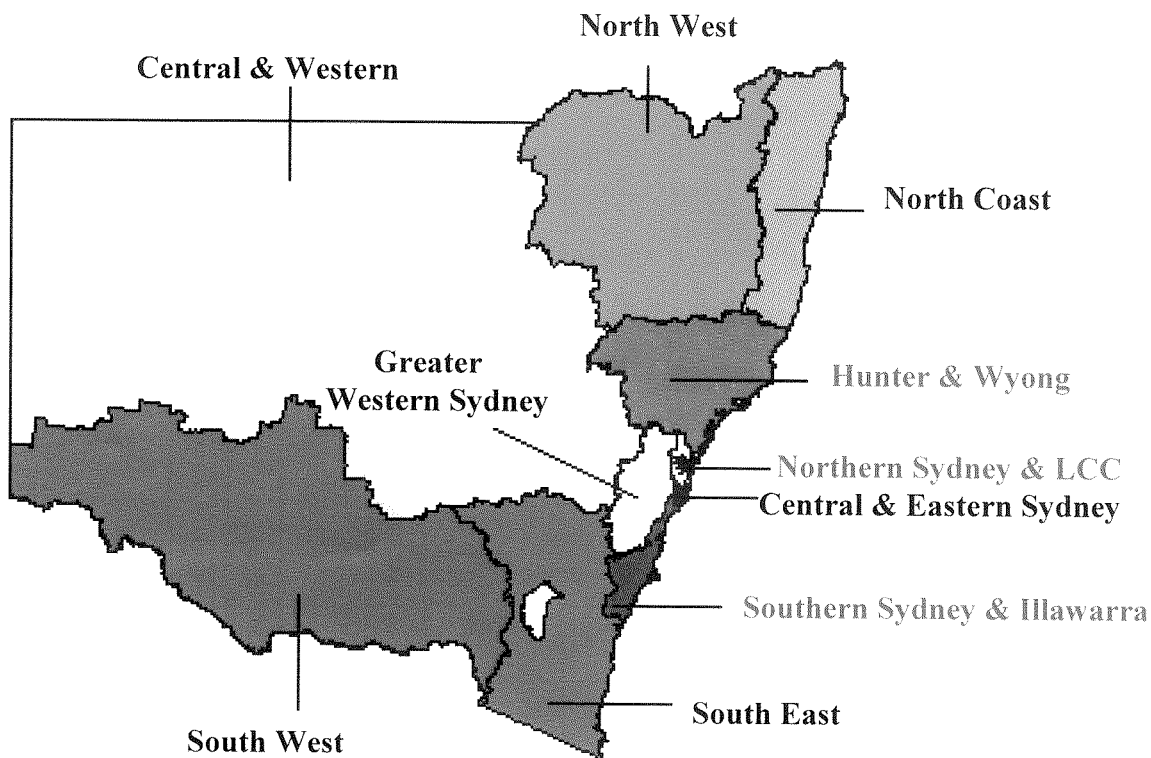
I have also provided the Membership list of the Cancer Institute NSW Cancer Screen Advisory Committee discussed at the Estimates Hearing, which Professor Bishop and I said we would be happy to supply.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

| Title | First Name | Last Name | Position | Organisation |
|-------------|------------|---------------|--|--|
| A/Professor | Michael | Bilious | Director, Department of Tissue Pathology | Institute of Clinical Pathology and Medical Research |
| Professor | John | Boyages | Director | NSW Breast Cancer Institute |
| Ms | Pam | Brackamm | QLD State Radiographer | |
| Dr | Tony | Brown | A/D Population Health | NSW Health Department |
| Ms | Mary | Crum | Project Officer, Pop Health | NSW Health Department |
| Professor | David | Gillett | Breast Surgeon | The Strathfield Breast Centre |
| Dr | Stewart | Hart | Breast Surgeon | |
| Ms | Roberta | Higginson | | |
| Dr | Elizabeth | Hindmarsh | | |
| Ms | Andriana | Koukari | Director, Screening Section | Department of Health & Ageing |
| Dr | Anne | Kricker | School of Public Health | Edward Ford Building A27 |
| Ms | Jennifer | Muller | Director, Women's Cancer Screening Services | Queensland Health |
| Mr | John | Newsom | Male Consumer | BreastScreen Queensland |
| Mr | Jonathon | Osborne | State Radiologist | Repatration General Hospital |
| Dr | Carole | Pinnock | Urology Unit | |
| Dr | Ann | Poulos | Senior Lecturer, School of medical Radiation Sciences | Faculty of Health Sciences, Cumberland Campus |
| Dr | Denise | Robinson | Acting Deputy Director-General, Population Health and Chief Health Officer | NSW Health Department |
| Professor | David | Roder (Chair) | Head of Centre for Cancer Control Research | The Cancer Centre South Australia |
| Dr | Marion | Saville | c/o Victorian Cytology Service | 752 Swanston Street CARLTON VIC 3053 |
| Professor | Jim | St John | Senior Clinical Consultant | National Cancer Control Initiative |
| Ms | Onella | Stagoll | CEO, BreastScreen Victoria | 31 Pelham Street |
| Dr | Gerry | Wain | Director, Gynaec-Oncology | Westmead Hospital |
| Dr | Todd | Walker | School of Biomedical Sciences | Charles Sturt University - Riverina |
| Dr | Helen | Zorbas | Director | National Breast Cancer Centre |

BreastScreen NSW Service Locations (Sept 2005)



BSNSW Central and Western

Fixed Sites

Broken Hill, Dubbo, Lithgow, Mudgee, Orange

Mobile Locations

Bathurst, Bourke, Brewarrina, Cobar, Collarenebri, Condobolin, Coolah, Coonabarabran, Coonamble, Cowra, Dunedoo, Forbes, Gilgandra, Grenfell, Lake Cargelligo, Lightning Ridge, Narromine, Nyngan, Oberon, Parkes, Rylstone, Walgett, Warren, Wellington, West Wyalong, Wilcannia

BSNSW South West

Fixed Sites

Albury, Griffith, Wagga Wagga

Mobile Locations

Balranald, Cootamundra, Corryong, Deniliquin, Finley, Gundagai, Hay, Hillston, Ivanhoe, Myrtleford, Narranderra, Temora, Tumbarumba, Tumut, Yarrowonga

BSNSW South East

Fixed Sites

Batemans Bay, Bega, Canberra City, Goulburn, Queanbeyan, Young

Mobile Locations

Boorowa, Bombala, Braidwood, Cooma, Crookwell, Jindabyne, Harden, Narooma, Yass

BSNSW Southern Sydney and Illawarra

Fixed Sites

Kogarah, Miranda, Nowra, Shellharbour, Wollongong

Mobile Locations

Roselands

BSNSW Central and Eastern Sydney

Fixed Sites

Ashfield, Royal Prince Alfred Hospital, Rose Clinic, The Royal Hospital for Women

Mobile Locations

Balmain, Bondi Junction, Burwood, Campsie, Chinatown, Five Dock, Leichhardt, Maroubra, Marrickville, Pagewood, Redfern, Roselands, Strathfield

BSNSW Greater Western Sydney

Fixed Sites

Bankstown, Bowral, Campbelltown, Liverpool, Parramatta, Penrith

Mobile Locations

Auburn, Cabramatta, Camden, Castle Hill, Casula, Emu Plains, Fairfield, Green Valley, Ingleburn, Katoomba, Lidcombe, Merrylands, Minto, Mount Druitt, Plumpton, Richmond, Revesby, Springwood, St Marys, Tahmoor, Wetherill Park

BSNSW North West

Fixed Sites

Tamworth

Mobile Locations

Armidale, Armidale Aboriginal Medical Service, Ashford, Barraba, Bingara, Boggabilla, Boggabri, Bundarra, Caroon, Deepwater, Emmaville, Glenn Innes, Guyra, Inverell, Moree, Narrabri, Pius X Aboriginal Corporation, Tenterfield, Tingha, Uralla, Walcha, Warialda, Wee Waa

BSNSW Northern Sydney & LCC

Fixed Sites

Chatswood, Dee Why, Erina, Gosford, Hornsby, St Leonards, Wahroonga

Mobile Locations

Manly, Ryde, Warriewood, Woy Woy

BSNSW Hunter Region & Wyong Shire

Fixed Sites

Waratah

Mobile Locations

Bateau Bay, Belmont, Bulahdelah, Cessnock, Denman, Dungog, Forster/Tuncurry, Gloucester, Hawks Nest, Karuah, Kurri Kurri, Lake Haven, Merriwa, Morisset, Muswellbrook, Murrurundi, Port Stephens, Scone, Singleton, Taree, Toronto, Raymond Terrace

BSNSW North Coast

Fixed Sites

Lismore, Port Macquarie

Mobile Locations

Ballina, Bellingen, Bellbrook, Bonalbo, Bowraville, Byron Bay, Casino, Coffs Harbour, Crescent Head, Dorrigo, Durri Aboriginal Medical Service, Evans Head, Grafton, Iluka, Kempsey, Kyogle, Macksville, Maclean, Mullumbimby, Murwillumbah, Nambucca Heads, Port Macquarie, Grafton, South West Rocks, Toormina, Tweed Heads South, Urbenville, Urunga, Willawarrin, Woodenbong, Woolgoolga, Woolli, Yamba

(No's of fixed sites = 40

No's of mobile locations = 167)

LEGISLATIVE COUNCIL
ESTIMATES HEARING - GPSC 4
21ST SEPTEMBER 2005

QUESTION ON NOTICE

QUESTION

The Hon Gregory Pearce MLC

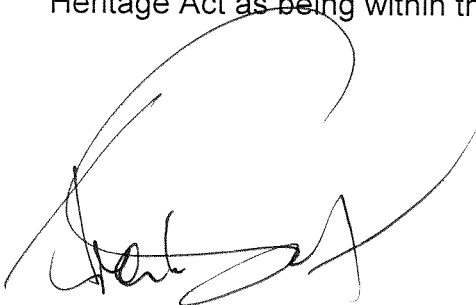
Why does the Government Directory, which I printed from about an hour ago, list the Heritage Council of New South Wales and the Heritage Office under Minister Michael Costa?

ANSWER

The Government Gazette, Special Supplement Edition No. 101, dated 10th August 2005, published a list of Government Ministers' full titles and a list of the various Acts allocated within the portfolios of each Minister. Page 4299 of Edition 101 listed the Heritage Act, 1977 as being one of the Acts allocated within the Planning portfolio.

However, the Government Directory website unfortunately contained a clerical error which occurred when it was updated in August.

The Government Directory has now been corrected to show the administration of the Heritage Act as being within the portfolio responsibility of the Minister for Planning.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

LEGISLATIVE COUNCIL
ESTIMATES HEARING - GPSC 4
21ST SEPTEMBER 2005

QUESTION ON NOTICE

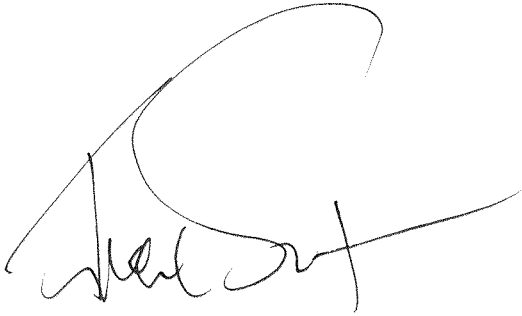
QUESTION

The Hon Sylvia Hale MLC

How much was spent on the creation or design of the Redfern-Waterloo Authority logo?

ANSWER

\$1,200.00.

A handwritten signature in black ink, appearing to read 'Frank Sartor', written in a cursive style.

Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

**PARLIAMENTARY QUESTION ON NOTICE
MINISTRY FOR SCIENCE AND MEDICAL RESEARCH**

QUESTION:

"With regards to what are considered the unfortunate side-effects of Ritalin, has the Government undertaken any research with regard to the use of the drug and the possibility of limiting or banning it?"

RESPONSE:

- The approval for the use of medications comes under Federal Government Legislation, the Therapeutic Goods Act, 1989 and the Therapeutic Goods Regulations, 1990 and therefore is a Commonwealth responsibility to approve or ban the use of therapeutic medications.
- I am advised that Ritalin (Methylphenidate) is a well studied stimulant medication for ADHD and psychostimulant compounds such as Ritalin have been in widespread use for the treatment of ADHD in Australia for approximately 15 years. Key studies include:
 - Hazel P (2004) Review of new compounds available in Australia for the treatment of attention-deficit hyperactivity disorder. *Australian Psychiatry*, Vol 12(4), 369-375
 - The Cochrane Collaboration (2005) Family therapy for attention deficit disorder or attention deficit / hyperactivity disorder in children and adolescents. John Wiley & Sons, Ltd
 - Kutcher, S., Aman, M., Borrks, S.J., Buitelaar, J., van Daalen, E., Fegert, J., et al. (2004) International consensus statement on attention deficit / hyperactivity disorder (ADHD) and disruptive behaviour disorders (DBDs): Clinical implications and treatment practice suggestions. *Eur. Neuropsychopharmacol.*, 14, 11-28.



Hon Frank Sartor, MP

Minister for Planning

Minister for Redfern-Waterloo

Minister for Science and Medical Research

Minister Assisting the Minister for Health (Cancer)

BACKGROUND:

- The approval for the use of medications comes under Federal Government Legislation, the Therapeutic Goods Act, 1989 and the Therapeutic Goods Regulations, 1990 and therefore is not a State Government responsibility to approve or ban the use of therapeutic medications.
- In Australia stimulant medication is formally monitored by statutory procedures and restricted to specialist prescribing, unlike other medications used for ADHD which may have more serious side-effects and are not monitored or restricted to specialist prescribing¹
- Extensive research and clinical experience have found that stimulants are safe and effective drugs² and have few side-effects when used in children under proper medical supervision.³
- Ritalin (Methylphenidate) is a central nervous system (CNS) stimulant that has effects similar to, but more potent than, caffeine and less potent than amphetamines. It has a notably calming and “focussing” effect on those with ADHD, particularly children.⁴
- ADHD is characterised by core symptoms of inattention, impulsivity, and excessive motor activity (DSM-IV; American Psychiatric Association, 1994), which often give rise to serious impairments in academic performance and social adaptive functioning both inside and outside the home.⁵
- The long term consequences of childhood ADHD include lower educational and vocational outcomes and increased risk for antisocial disorders and drug abuse in adulthood.
- Research shows that individuals with ADHD do not become addicted to stimulant medications when taken in the form and dosage prescribed by doctors. In fact, it has been reported that stimulant therapy in childhood is associated with a reduction in the risk for subsequent drug and alcohol use disorders.^{6,7}

¹ National Medical and Health Research Council (1997) Attention Deficit Hyperactivity Disorder (ADHD) - Clinical Guidelines, NHMRC: Canberra

² Gadow KD, Sverd J, Sprafkin J et al (1995). Efficacy of methylphenidate for attention deficit hyperactivity disorder in children with tic disorder. *Archives of General Psychiatry*, 52:444-55

³ Werry JS (1994). Psychopharmacology of disruptive behaviour disorders. *Child and Adolescent Psychiatric Clinics of North America*, 3:321-41.

⁴ Volkow, N.D., Fowler, J.S., Wang, G., Ding, Y., and Gatley, S.J. (2002). Mechanism of action of methylphenidate: insights from PET imaging studies. *J. Atten. Disord.*, 6 Suppl. 1, S31-S43.

⁵ Greene RW, Biederman J, Faraone SV, Ouellette CA, Penn C, Griffin SM (1996), Toward a new psychometric definition of social disability in children with attention deficit hyperactivity disorder. *J Am Acad child Adolesc Psychiatry* 35:571-578

⁶ Biederman, J. (2003). Pharmacotherapy for attention deficit / hyperactivity disorder (ADHD) decreases the risk for substance abuse: findings from a longitudinal follow-up of youths with and without ADHD. *J. Clin. Psychiatry*, 64 Suppl. 11, 3-8

⁷ Wilens, T.E., Faraone, S.V., Biederman, J., and Gunawardene, S. (2003). Does stimulant therapy of attention deficit / hyperactivity disorder beget later substance abuse? A meta-analytic review of the literature. *Pediatrics*, 111, 179-185.

DEPARTMENT OF PLANNING'S CODE OF CONDUCT

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from the Hon Jennifer Gardiner MLC.

CHAIR: We will now move to Planning. I thank Ms Westacott, Mr Haddad and Mr Lucas for being here this evening. I will lead off. Ms Westacott, does your department have a code of conduct for staff? I do not imagine you would have a copy of any such code with you, but do you have a code of conduct for staff?

Ms WESTACOTT: Yes, we do, but I do not have it with me.

CHAIR: Will you provide it to the Committee?


Ms WESTACOTT: Yes.

CHAIR: Are you aware whether the code of conduct is compliant with the latest provisions in the Anti-Discrimination Act?

Ms WESTACOTT: I would have to take that question on notice.

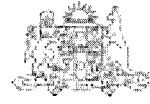
Answer:

A copy of the department's Code of Ethics and Conduct is attached. The Code complies with the latest provisions in the Anti-Discrimination Act 1977.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

Code of Ethics and Conduct



DEPARTMENT OF
INFRASTRUCTURE, PLANNING
AND NATURAL RESOURCES

Responsibility to Government

There are formal standards of behaviour which all State government employees are expected to adhere to. Your employment with the department encompasses the following legislative and corporate requirements:

- All State and Commonwealth laws must be observed. The onus is on you to act in accordance with the intent and spirit of the law. This means you need to act fairly, in good faith, without bias or expressing personal opinion.
- The main legislation that applies to your employment with the department is the Public Sector Employment and Management Act 2002 and its Regulation. There is other legislation such as that dealing with occupational health and safety, public finance and audit, industrial relations, anti-discrimination, freedom of information, privacy, etc which you should be aware of, especially any responsibilities these place on you. The department also administers a number of other acts and you have an obligation to know and understand legislative requirements which are relevant to your job.
- In addition, policies, guidelines, procedures and instructions are issued from time to time by other government agencies and the department that relate to the performance of your duties which you will need to familiarise yourself with and comply with.
- You have a duty to serve the Government of the day and to implement its policies and decisions in a politically neutral manner. The community is entitled to expect the business of the State to be conducted with efficiency, economy, fairness, impartiality and integrity. You should always act in the public's best interest and not in your private interest and give effect to all lawful departmental policies, whether or not you personally agree with or approve of them.
- You are expected to comply with any lawful and reasonable direction given to you by a person who has the authority to give the direction.

Respect for People

Our stakeholders and colleagues should be treated with courtesy and respect and in a fair and consistent manner. This involves:

- performing your professional duties with honesty, integrity and fairness and to the best of your ability;
- having respect for people's rights and obligations in all of your personal and professional dealings;

- having respect for privacy rights of individuals when dealing with personal information;
- ensuring that your decisions and actions are informed, fair, reasonable and appropriate to the circumstances, based on consideration of all relevant facts and supported by adequate documentation;
- working together with governments and communities and involving stakeholders in natural resource management decisions through leadership, participation and support;
- being personally committed to attaining the highest possible standards of performance;
- avoiding unfair discrimination on the grounds of sex, marital status, pregnancy, age, race, ethnic or national origin, physical or intellectual impairment, or sexual preference;
- avoiding behaviour which might reasonably be perceived as workplace harassment, sexual harassment, bullying or intimidating.

Integrity and Public Interest

You should ensure that your private interests (both financial and personal, including voluntary work) do not give rise to any actual, potential or perceived conflict of interests with your official duties. This means having regard to:

- behaving at all times in a manner that upholds the department's reputation and promotes our stakeholder's confidence;
- personal or sexual relationships with colleagues or clients that go beyond the level of a professional working relationship;
- financial interests in a matter involving the department;
- offering, giving or receiving payment, gifts or benefits that are intended to, are likely to, or could be perceived to, cause you to act in a partial manner in the course of your duties. This means that you must not use your official position to obtain gain or benefit for yourself or any other person or group, e.g accepting gifts, substantial hospitality and entertainment where undue influence, preferential treatment or access to privileged information could result. If you have doubts about accepting a gift or benefit, discuss the matter with your supervisor;
- secondary or outside employment that compromises your integrity and/or the integrity of the department. You must obtain approval for any outside employment, whether paid or unpaid, to ensure that it does not interfere with the performance of your official duties, nor give the appearance of creating a conflict of interest. This includes membership on committees or boards;

- using sensitive, personal and/or confidential information obtained in the course of your employment and the non-disclosure of any such information without clear authority;
- personal, philosophical, religious, moral or political beliefs or attitudes that could influence, or could be seen to influence, the impartiality of advice you give;
- entering public debate on political and social issues or providing public comment that relates to the department's activities. This should be confined to factual information and should not express an opinion on official policy or practice unless required to do so by the circumstances of a particular situation (e.g if asked to do so in court);
- ensuring that personal use of alcohol and other drugs does not interfere with the proper performance of your duty;
- reporting fraud or corrupt conduct to senior management;
- not using your position to obtain opportunities for future employment outside the department;
- being careful in your dealings with former employees to make sure that you do not give them, or appear to give them, favourable treatment or access to privileged information;
- after leaving the department's employment, not using or taking advantage of any official, personal or confidential information that was obtained during your employment.

Responsive Service

In serving and valuing customers you need to provide them with relevant assistance which is responsive to their needs. This means:

- In the course of your duty you are expected to take reasonable care in giving information or advice. Your decisions and actions need to be consistent with government policy and made in accordance with approved procedures. Where appropriate, you should give reasons for your decisions and these should be justifiable in terms of the public's interest and be able to withstand public scrutiny. Any advice or information you give should be clear, accurate, reliable, current and complete. If you act illegally in this regard by giving false information on purpose with malicious intent you will be dealt with under the law.
- You should provide information promptly and in an appropriate format that is easy for the recipient to understand.
- You have a responsibility to ensure that people using our buildings, ports, facilities, waterways, recreation areas do so in a safe manner. You need to do all that is possible to maintain a high standard of care.
- You need to maintain drive and a positive external focus to enhance customer and community satisfaction.

Economy and Efficiency

You must have a strong commitment to accountability by being efficient and economical in your use and management of public resources. This involves:

- Using your authority, available resources and information only for the work-related purpose intended. This includes the organisation of your own work time. Departmental facilities and equipment should only be used for private purposes when official permission has been given.
- Striving to keep up to date with advances and changes relevant to your area of work and continuing to look for ways to improve organisational performance.
- Protecting departmental property, facilities and resources.
- Avoiding or minimising waste.

Failure to Comply with Requirements

If you are found to have breached the code of ethics and conduct, the department may decide to take disciplinary action against you in accordance with the relevant provisions of the Public Sector Employment and Management Act 2002. Action could also be taken against you under the relevant specific legislation.

Reporting corrupt conduct, maladministration and waste

You are urged to report suspected corrupt conduct as well as maladministration and serious and substantial waste of public resources. The Protected Disclosures Act 1994 provides certain protections against reprisals for employees who voluntarily report such matters.

APPOINTMENT OF Ms BEATTY

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from the Hon Greg Pearce MLC.

Question:

The Hon. GREG PEARCE: Are you aware of a conference held on 2 September at Parramatta? The purpose of the conference was to introduce a group of employees to a newly hired person, Ms Jo Beattie?

Ms WESTACOTT: I am not aware of that conference, and Ms Beattie did not take up her appointment in the department.

The Hon. GREG PEARCE: What were the circumstances in which she did not take up her appointment?

Ms WESTACOTT: It is a matter for the Minister for Natural Resources; it is on the natural resources side.

The Hon. GREG PEARCE: Is it the case that the acting Natural Resources director-general, Richard Sheldrake, revoked Ms Beattie's appointment?

Ms WESTACOTT: You would have to put that question to him.

The Hon. GREG PEARCE: Were you involved in the hiring process regarding Ms Beattie?

Ms WESTACOTT: I approved her appointment. At the time I was director-general of the DIPNR.

The Hon. GREG PEARCE: What was the process for her appointment?

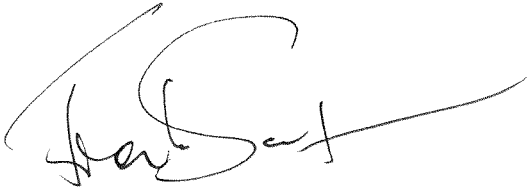
Ms WESTACOTT: The normal competitive selection: an external advertisement panel with an independent person on it.

The Hon. GREG PEARCE: Could you give us the names of the panelists?

Ms WESTACOTT: Off the top of my head, I cannot. I know it was someone from the Premier's Department and two people from my department. May I take the question on notice, because I cannot be specific?

Answer:

The Panellists for the position of General Manager, Regional Water Reform and Innovation were Peter Sutherland, Deputy Director General and Geoff Fishburn, Executive Director both from (the then) DIPNR. The independent panel member was Vicki D'Adam from the Cabinet Office.

A handwritten signature in black ink, appearing to read 'Frank Sartor', with a long horizontal flourish extending to the right.

Hon Frank Sartor MP

Minister for Planning

Minister for Redfern-Waterloo

Minister for Science and Medical Research

Minister Assisting the Minister for Health (Cancer)

QUESTION ON NOTICE**2005 BUDGET ESTIMATES COMMITTEE****COST OF COURT CASE—FREIGHT TERMINAL AT INGLEBURN**

On 21 September 2005 during the 2005 Budget Estimates Committee, the Chief Financial Officer took the following question on notice from the Hon Greg Pearce MLC.

The Hon. GREG PEARCE: What is the status of the intermodal freight terminal at Ingleburn?

Mr FRANK SARTOR: On my understanding, that was the subject of a decision by the Land and Environment Court. I do not intend to intervene contrary to the decision; I simply intend to factor that into the Freight Strategy.

The Hon. GREG PEARCE: So there is no appeal?

Mr FRANK SARTOR: I do not intend to appeal.

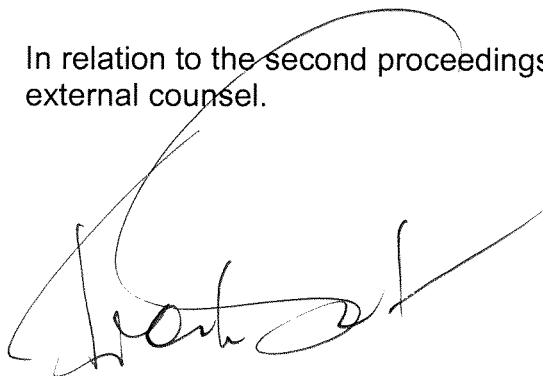
The Hon. GREG PEARCE: Perhaps Mr Lucas could answer this. How much did it cost the department to fight the court case regarding that terminal?

Mr LUCAS: I do not have that information. I would have to take the question on notice.

Answer:

There have been two court proceedings in relation to this matter. In the first proceedings, the Department incurred costs of \$26,455 to engage external counsel and approximately \$24,000 is to be recovered from the applicant in proceedings.

In relation to the second proceedings, the Department incurred costs of \$16,500 to engage external counsel.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

FOOTPATH WIDENING IN THE ROCKS

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from Mr Greg Pearce MLC.

Question:

The Hon. GREG PEARCE: Minister, has your department received a development application for the widening of footpaths throughout The Rocks?

Mr FRANK SARTOR: No, I am not aware of that. A lot of those matters, I think below \$5 million, are delegated to the Sydney Harbour Foreshore Authority. In fact, I was even thinking of increasing that level. They would probably go to the authority. I am not sure whether I will even see that. I am not aware of it.

The Hon. GREG PEARCE: I am told that widening of the footpaths will cost between \$9 million and \$10 million.

Mr FRANK SARTOR: Then it may come to me.

The Hon. GREG PEARCE: But you do not have it yet?

Mr FRANK SARTOR: No.

Ms WESTACOTT: It would be assessed by the Sydney Harbour Foreshore Authority, and then it would go straight to the Minister. We will take the question on notice.

Answer:

I am advised that a development application with a construction value of \$2.9 million has been lodged and addressed by the Sydney Harbour Foreshore Authority for the footpath widening of George Street. The area this concerns runs from the Fortune of War Hotel to the north western end of George Street up to the underside of the Harbour Bridge, including part of Argyle Street to the north west.

A second development application for the same area, with a construction value of \$1.2m, but for land under the separate ownership of the City of Sydney, has also been lodged and is currently being assessed by the Foreshore Authority.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

M5 EAST TUNNEL

On 21 September 2005 during the 2005 Budget Estimates Committee, the Deputy Director General, Office of Sustainable Development, Assessments and Approvals took the following question on notice from Ms Hale MLC.

Ms SYLVIA HALE: I turn now to a perennial topic: the M5 East Tunnel.

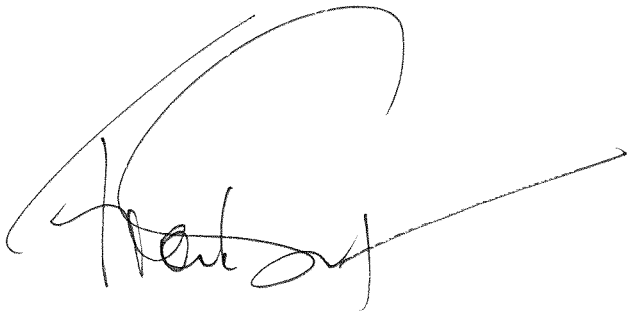
..... [and]

Ms SYLVIA HALE: The Health Department seemed to suggest that it would be reasonable to put up some sort of warning sign stating that people should avoid being in the tunnel for any prolonged length of time. The RTA has still failed to put up that warning, has it not?

Mr HADDAD: I am not aware of any adverse health impacts inside or outside the tunnel, but I am happy to take that on notice and clarify it further.

Answer:

The RTA, in consultation with the Department of Planning, NSW Health and the Department of Environment and Conservation, has developed a communications strategy to advise people of safe usage of tunnels. Information has been communicated to the public through a wide array of avenues including brochures, website information and radio advertisements.



Hon Frank Sartor MP

Minister for Planning

Minister for Redfern-Waterloo

Minister for Science and Medical Research

Minister Assisting the Minister for Health (Cancer)

GOSFORD CITY LINK PROJECT

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from the Hon Jennifer Gardiner MLC.

CHAIR: Very good. We might be getting somewhere. Can you tell the Committee if the Gosford city link plan is still valid?

Mr FRANK SARTOR: I will take advice on that.

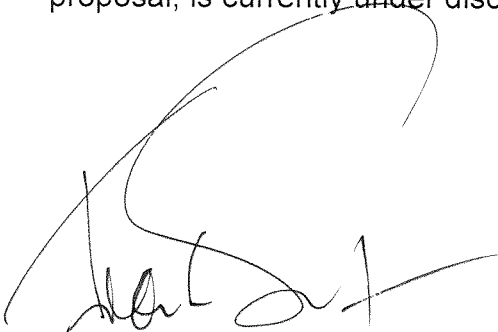
Ms WESTACOTT: Can you be more specific? Is this the LEP?

CHAIR: The Gosford city link project?

Ms WESTACOTT: I will take that on notice. There are number of projects on the Central Coast.

Answer:

The redevelopment of Gosford Hospital and surrounding areas, known as the City Link proposal, is currently under discussion between Council, and NSW Health and Landcom.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

COST OF METROPOLITAN STRATEGY

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from the Hon Jennifer Gardiner MLC.

CHAIR: In relation to the Sydney metropolitan strategy, which we mentioned earlier, can you tell the Committee how much money has been spent so far on consultants and advisers who were hired to assist residents to produce submissions to the Department of Planning in relation to that strategy?

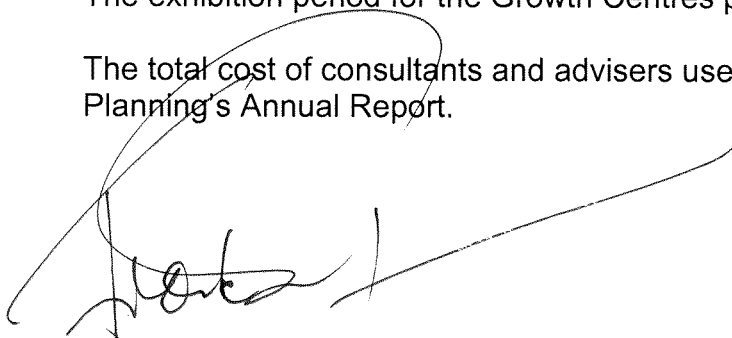
Mr FRANK SARTOR: Yes. I have some details here for you, although I may not have them all. The department received 930 submissions and lots of emails. The web site had 12,000 hits, I think. The special assistance line has taken 600 calls and made 550 appointments with landholders; 283 of these meetings have actually been held. I do not know the actual cost of the consultants.

Ms WESTACOTT: We will take that on notice. The exhibition period has not finished so we have not finalised the cost.

Answer:

The exhibition period for the Growth Centres plans concluded on 7 October 2005.

The total cost of consultants and advisers used will be published in the Department of Planning's Annual Report.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

RESIDENTIAL DEVELOPMENT AT BUNDEENA

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from Ms Hale MLC.

Ms SYLVIA HALE: Are you conscious of the consternation about the proposal for a fairly intense residential development at Bundeena and the desire of the residents to retain what they consider to be a unique environment?

Mr FRANK SARTOR: I am aware of that from other sources. Other people have been to see me about Bundeena but I am not sure whether we have much of a role in that. I will take advice. But I am also aware of some other issues in the Sutherland shire that have not been addressed in a timely fashion that need to be resolved. My message to councils is: Let us resolve a few things and not create more work for everybody. Under the new planning laws, we have a lot more power to refuse things or to refuse to accept applications, and to be much quicker in giving answers, especially noes. Noes would be quick. But I do not know whether we would want to get involved in the Bundeena one.

Ms WESTACOTT: I am not sure whether that is being dealt with under consent by council. I will take that on notice.

Ms SYLVIA HALE: I believe that one of the considerations is that the council prepared a draft LEP that would have restricted the scale or intensity of the development in the area. But with the amendments to the Act the existing LEP, rather than the draft LEP, will now be taken into account and the existing LEP will permit this more intense development.

Mr FRANK SARTOR: So you are saying that a draft LEP has not been finalised and that has been the problem.

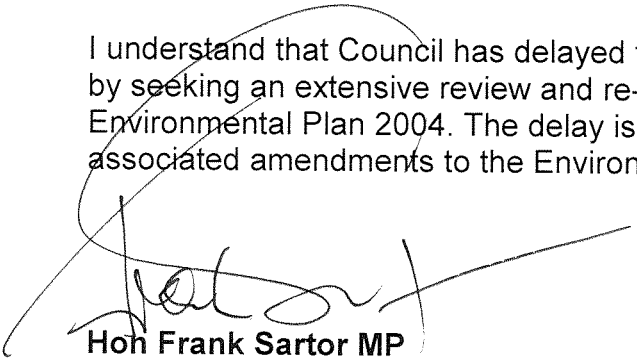
Ms SYLVIA HALE: That is right.

Mr FRANK SARTOR: I will ask my department to look at that and report to me on it.

Answer:

I understand that there are two contentious development proposals involving residential development in the Bundeena village. This is a local planning matter and Sutherland Shire Council is the consent authority.

I understand that Council has delayed the introduction of new planning controls for Bundeena by seeking an extensive review and re-exhibition of draft Sutherland Shire Local Environmental Plan 2004. The delay is unrelated to the Government's Planning Reforms or associated amendments to the Environmental Planning and Assessment Act 1979.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

STATUS OF DRAFT LEPs

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from Ms Hale MLC.

Ms SYLVIA HALE: What is the general state of the draft LEPs that were waiting for approval by the department and that were with the department prior to the amendments to the Act? Is the department treating them as null and void?

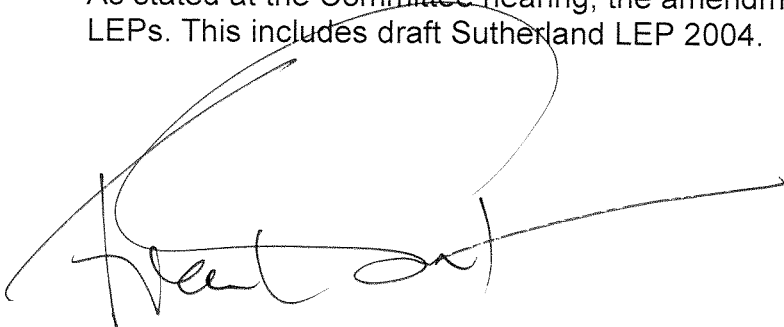
Ms WESTACOTT: The Act is irrelevant to them.

Mr FRANK SARTOR: The Act is irrelevant.

Ms WESTACOTT: The Act does not impact on draft LEPs. I will have to take this on notice. My recollection of the Sutherland LEP is that the council did not proceed with that LEP, but I will give you that on notice. The implementation of part 3A did not change the status of draft LEPs in the system.

Answer:

As stated at the Committee hearing, the amendments to the Act do not impact on draft LEPs. This includes draft Sutherland LEP 2004.

A handwritten signature in black ink, appearing to read 'Frank Sartor', with a large, sweeping flourish above the name.

Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)

APPROVAL TIMES FOR LEPs

On 21 September 2005 during the 2005 Budget Estimates Committee, the Director General took the following question on notice from the Hon Greg Pearce MLC.

The Hon. GREG PEARCE: On the question of approving LEPs, do you keep statistics on how long it takes for LEPs to be approved by the Minister once they come back?

Ms WESTACOTT: Yes, we do. There are two types of LEPs. As you know, there are those that are dealt with under section 69 delegations that go from councils directly to the Minister, and there are those that are more comprehensive or significant that are dealt with by my department, which prepares the section 69 report to the Minister. I am happy to take that question on notice.

The Hon. GREG PEARCE: Can you give us the statistics for the past three years and how many are outstanding at the moment?

Mr FRANK SARTOR: If you are concerned about delays, I have noticed—and I have been looking at this issue—that delays are caused by a range of reasons. One reason is that Parliamentary Counsel does not support the wording and says that it is too—whatever. By the time it bounces between councils and Parliamentary Counsel it can take months alone. Another reason is that sometimes they simply do not comply with state policies. One of my concerns with section 69 delegations is that they are all able to be put on exhibition but sometimes they have provisions that are clearly at odds with State policies. For example, I have met with property industry representatives. They were amongst the groups. I have also met with the Total Environment Centre and others. One thing they said was that they are concerned about some councils wanting to impose all sorts of conditions beyond basics that, for example, just duplicate basics. That is something I simply want to streamline. Basics is a pretty reasonable standard; a fairly reasonable demanding standard. I would be concerned if more of that happened. I hope to reach a point where we can, at a very early stage, tell councils, "No, you can't do that."

I also have the power to amend LEPs before approving them. The problem with that is that in some cases amendments will involve a rezoning, and that probably should not be done unless there is a further public process, if you know what I mean, especially if you are changing a use, like residential to commercial or whatever. Under the new provisions of the Act I am looking at a more streamlined approach, but I suspect that that is a work in progress. It will always be a work in progress. Councils will change their minds and put things up that are not acceptable. There will be negotiations. By their nature, they take a while. I would like to see them done more quickly but given that I am such a consultative kind of guy, I like to talk to people and consider these matters. I cannot always determine them with the speed that I have been accused of acting in other ways.

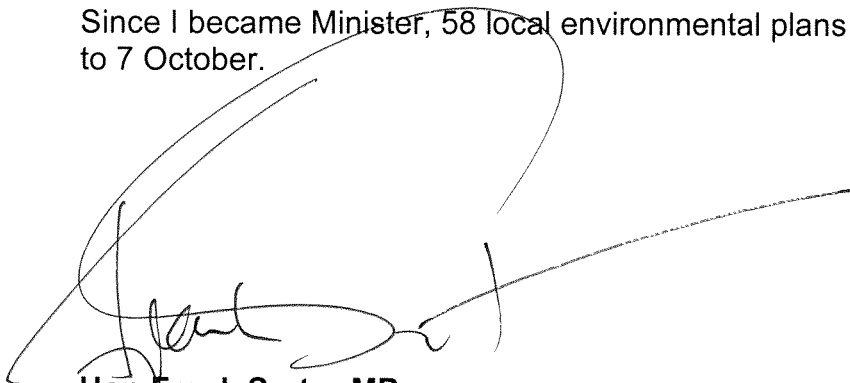
The Hon. GREG PEARCE: We will get the figures anyway and no doubt they will be useful to you.

Answer:

The number of Local Environmental Plans (LEPs) approved annually is shown in the following table.

| | 02-03 | % | 03-04 | % | 04-05 | % |
|----------------|--------------|----|--------------|----|--------------|----|
| Total gazetted | 288 | | 319 | | 210 | |
| Dept report | 67 | 23 | 87 | 27 | 81 | 39 |
| Council report | 221 | 77 | 232 | 73 | 129 | 61 |

Since I became Minister, 58 local environmental plans have been gazetted from 5 August to 7 October.



Hon Frank Sartor MP
Minister for Planning
Minister for Redfern-Waterloo
Minister for Science and Medical Research
Minister Assisting the Minister for Health (Cancer)