



The Hon. Andrew Stoner MP
Deputy Premier
Minister for Trade and Investment
Minister for Regional Infrastructure and Services

12 September 2013

The Hon. Natasha Maclaren-Jones MLC
Chair – General Purpose Standing Committee No.3
Legislative Council
Parliament House
Sydney NSW 2000

Dear Mrs ^{*Natasha*} Maclaren-Jones,

Please find attached copies of answers to questions asked of me both on and without notice by General Purpose Standing Committee No.3, as part of its inquiry into the Budget Estimates 2013-2014, on Monday 19 August 2013.

The questions cover proposed expenditure for the Trade and Investment, Regional Infrastructure and Services portfolio area.

Yours sincerely

The Hon. Andrew Stoner MP
Deputy Premier
Minister for Trade and Investment
Minister for Regional Infrastructure and Services

GENERAL PURPOSE STANDING COMMITTEE NO. 3

Monday 19 August 2013

Examination of proposed expenditure for the portfolio areas

**TRADE AND INVESTMENT,
REGIONAL INFRASTRUCTURE AND SERVICES**

QUESTION – Pages 2-3

The Hon. MICK VEITCH: How many other employees have been subject to external investigations in the Department of Trade and Investment, Regional Infrastructure and Services in the last financial year?

Mr PATERSON: I will take that on notice. A number of people in various parts of the department have been subject to investigations for a variety of matters. If you are looking for across the portfolio over the last 12 months, I will take it on notice.

The Hon. MICK VEITCH: You may also have to take on notice the external investigation companies that are used for those investigations.

Mr PATERSON: Happy to.

The Hon. MICK VEITCH: How are those external investigation companies engaged? What is the process?

Mr PATERSON: I would normally receive advice with a recommendation on who we would engage. By recollection, IAB has been used on more occasions than other firms, but it depends on availability and access. We need all investigations undertaken and responded to in a timely fashion so it depends on availability often. A number of firms are on the pre-approved procurement list to undertake these style of activities and we work from that list.

The Hon. MICK VEITCH: If you are taking on notice the list of companies, will you also provide the number of investigations that each respective company may have conducted on behalf of your department in the last financial year?

Mr PATERSON: Happy to.

ANSWER:

NSW Trade & Investment conducted 16 investigations of employees using external investigation companies in 2012/13 as follows:

- Internal Audit Bureau - 7
- Allygroup - 4
- Wise Workplace Investigations - 3
- Grace Consulting - 1
- Etika Pty Ltd - 1

QUESTION – Pages 3-6

The Hon. MICK VEITCH: I turn now to Resources for the Regions. I make it clear that I will talk about the economic assessment of mining-affected communities. It is not the program itself; it is the assessment that has been conducted. As a preamble I will read a couple of quotes from the first report, which is dated December 2011. On the first page the report states, "The working group assessed State revenue and expenditure data as well as some funding from Federal government sources and provided this information to an independent auditor, Hill Rogers Spencer Steer." In February 2013 the executive summary states, "An independent auditor, Hill Rogers Spencer Steer, was appointed to identify and report any issues which could compromise the integrity of the assessment. No issues of material concern were identified." Minister, in the 2013 report on page six under a section entitled, "Independent Audit", towards the end of the first paragraph, it states, "Hill Rogers Spencer Steer was subsequently appointed as the independent auditors." Minister, what is the process to appoint an independent auditor for this exercise?

Mr ANDREW STONER: I would have to defer to the department in relation to the actual procurement process of an independent auditor.

The Hon. MICK VEITCH: I will ask the director general. Mr Paterson, what is the process to appoint an independent auditor for this exercise?

Mr PATERSON: I will take on notice the question in relation to the actual process that was applied for this exercise alone. We would normally select from firms that are on the approved list to undertake an audit. Each examination of a case like this is different, so it depends on the circumstances of each individual case. But on the appointment of this particular auditor for this particular exercise, I will take that on notice.

The Hon. MICK VEITCH: In the 2013 report it states, "NSW Trade and Investment invited four audit firms to tender to undertake an audit." Is there a panel from which they are selected to invite them to tender, or is it a public tender?

Mr PATERSON: No. It depends on the value of the work that is undertaken. There are thresholds below which we can go to an individual firm and seek a proposal in writing. For procurements above \$30,000 I think the cut-off is we get three proposals in writing and then make a decision based on value for money. If it tips over another threshold, which I think is \$150,000, we would go to a public tender or call for tenders. It depends on the procurement threshold and it depends on the circumstances. But that is the minimum. You have indicated from the document before you that we selected bids from four firms. We have met the minimum requirement in relation to procurement guidelines. But, as I said, given it is a very precise question in relation to this particular examination, I will take it on notice.

The Hon. MICK VEITCH: Thank you. In that process of procuring the independent auditor organisation, at any stage or at any time is there an opportunity for the organisation, the company, to declare a conflict of interest, or even a perceived conflict of interest?

Mr PATERSON: Certainly on my recollection of the process, we test to ensure that there are no conflicts of interest in terms of the proposals, but I am not aware of any conflict of interest in these particular circumstances.

The Hon. MICK VEITCH: Mr Paterson, how do you test for that? What is the process for testing if there are any conflicts of interest?

Mr PATERSON: It is usually a declaration from the proponent in the procurement that would identify that there are no interests or conflicts that would prevent them undertaking that activity. But if there is a particular form that the Committee would like to see that we use for the procurement purpose, I am happy to examine that and then provide it on notice to the Committee.

The Hon. MICK VEITCH: If possible, if there is a page or a statement where they declare they have no conflicts of interest, that statement is a standard across your department, I suggest?

Mr PATERSON: As I said, I will have a look at the forms. We undertake a variety of procurement activities. I will just make sure that in responding to your question we are being absolutely precise—

The Hon. MICK VEITCH: I appreciate that.

Mr PATERSON: —that we can provide to you that nature of the statement that an individual or a firm would be asked to sign.

The Hon. MICK VEITCH: Were any conflicts of interest disclosed during the engagement of Hill Rogers Spencer Steer for the 2012 and 2013 reports?

Mr PATERSON: I was not personally involved in making that selection choice, so I cannot answer it directly. I am happy, in looking at the question on notice, to examine whether there are any conflicts declared. I would be very surprised if there was a conflict declared and that we proceeded with it. My initial position to the Committee would be that, no, there was not.

The Hon. MICK VEITCH: But you will check and get back to us.

Mr PATERSON: But I will check and come back with a full answer to the Committee.

The Hon. MICK VEITCH: Is making a political donation a conflict of interest?

Mr PATERSON: Not that I am aware of.

The Hon. MICK VEITCH: It is not a conflict of interest?

Mr PATERSON: No. It is not a question that we would ask.

The Hon. MICK VEITCH: In a process like this, when a Minister says that we want to make sure that it is robust, above board and we cannot be accused of pork-barrelling, to use the Minister's words, would it not be important to make sure that the company engaged to conduct the independent audit has not made political donations?

Mr PATERSON: It is not something that we explicitly test that I am aware. As I have said, I will come back on the precise details. I will stand corrected on the precise detail of it. We do not question the nature of donations. We seek assurances that there are no issues of conflict of interest that would prevent the person undertaking the task that is before them. But, as I said, I am happy to come back on the precise detail. But I am not aware. I do not have access, nor do I seek to.

The Hon. MICK VEITCH: Would you be surprised to know that Hill Rogers Spencer Steer made a donation to the Liberal Party?

Mr PATERSON: As I said, it is not a question that I would ask and I do not know who does or who does not.

The Hon. MICK VEITCH: Minister, it would hardly seem independent, if the organisation engaged to conduct a robust audit or assessment of this document or this process wanted to avoid the perception of pork-barrelling. Do you not think that hardly seems independent?

Mr ANDREW STONER: Mick, can I just point out that the situation in relation to donations has changed. A company like Hill Rogers Spencer Steer would now be excluded from making any political donation.

The Hon. MICK VEITCH: Yes.

Mr ANDREW STONER: We could go back in history to the time when the Labor Party was in government.

The Hon. MICK VEITCH: No. I am talking about this document.

Mr ANDREW STONER: If we were to exclude every company on that basis that had ever made a donation, which is a democratic right of every individual, and at that time every company, you would not be doing much business with too many companies. As I say, if you want to go back and make some comparisons—

The Hon. MICK VEITCH: No. I want to talk about this one.

Mr ANDREW STONER: —about companies that were doing business with your government and the donations they made, I am happy to do it.

The Hon. MICK VEITCH: That is okay. I think we agree that it was not that independent, the audit.

Mr ANDREW STONER: I do not agree with that at all.

The Hon. NIALL BLAIR: Point of order: The member is drawing the longbow in suggesting that the Minister agreed to what he was asserting. I do not think I heard him say that at all. They are his words and I do note that is something that should be put to the Minister.

The Hon. MICK VEITCH: I said we agree.

The Hon. NIALL BLAIR: I am sorry. I thought you were talking about the Minister.

The Hon. MICK VEITCH: Take it back.

The Hon. NIALL BLAIR: I will maintain my point of order.

Mr ANDREW STONER: From my point of view, the proper procurement processes were applied. The policy, which is my principal concern—to make sure there was a proper process for the allocation of Resources for Regions funds—was followed.

The Hon. MICK VEITCH: Okay.

Mr PATERSON: Could I just observe that I have drawn up the New South Wales Government procurement policy issued by the New South Wales Treasury. It refers to the standards of behaviour and states, "All parties will behave in accordance with the following standards at all times." Under "No conflict of interest" it states: A party with a potential conflict of interest will declare and address that interest as soon as the conflict is known to that party. If there was any conflict of interest, it is the responsibility of the party who has the conflict to make that conflict known in terms of procurement.

The Hon. MICK VEITCH: It would appear that they probably have not, but you will take that on notice and check for us?

Mr PATERSON: Yes.

ANSWER:

In appointing Hill Rogers Spencer Steer as the auditor for the *2012 Economic Assessment of Mining Affected Communities*, NSW Trade & Investment fully complied with NSW Government policy for the procurement of services up to \$30,000.

The policy establishes streamlined processes for low value contracts and for services up to \$30,000 requires only one written quote. In this particular case, however, on 26 November 2012 invitations were issued to four audit firms to submit tenders. The four firms invited to tender were selected on the basis of their corporate profile and experience and/or prior performance in delivering

services to NSW Trade & Investment. In the course of events, only Hill Rogers Spencer Steer submitted a quote, which was subsequently accepted.

The contract with NSW Trade & Investment signed by Hill Rogers Spencer Steer required them to comply with the *Code of Conduct for members of advisory committees/boards, contractors and consultants to the NSW Department of Trade and Investment, Regional Infrastructure and Services*, which specifically deals with conflicts of interest, as follows:

You must make sure that your interests do not conflict with your responsibilities while you are appointed to a NSW Trade & Investment advisory committee/board or while you are engaged by NSW Trade & Investment as a contractor or consultant. For example, a conflict of interest would exist when any one or more of these circumstances come up:

- *you have a financial interest in a matter NSW Trade & Investment deals with, or you have friends or relatives who you know have a financial interest.*
- *you have personal beliefs or attitudes (commercial, religious, social, or political) that may influence the impartiality of the work you do or advice you give*
- *you accept another source of employment, contract or appointment that may, or may appear to, compromise your integrity and that of NSW Trade & Investment*
- *you are a member of an external board of an organisation whose interests may conflict with those of the department such as entities that seek grants from NSW Trade & Investment, normally lobby government on issues managed by the department or are entrants in an industry awards program that NSW Trade & Investment is sponsoring or judging.*

The above list is indicative only and there may be other situations that can lead to a real or perceived conflict of interest.

It is your responsibility to avoid conflicts that could compromise the impartial performance of your role, and to disclose potential, actual or perceived conflicts of interest to NSW Trade & Investment. You must declare interests upfront and you must update NSW Trade & Investment of any changes as they occur.

Hill Rogers Spencer Steer did not at any stage indicate that they may have a conflict of interest in performing the services specified in the contract.

QUESTION – Page 8

The Hon. MICK VEITCH: Did the Minister for the Environment, the member for Maitland, make any representations to you about including Maitland in the process for this year?

Mr ANDREW STONER: No, she has not to my knowledge, no direct representation to me.

The Hon. MICK VEITCH: No representations at all on behalf of her community? That is staggering.

Mr ANDREW STONER: However, following the first assessment I do recall her saying that indirect impacts, including truck movements, ought to be considered. It is not up to the member for Maitland to put forward an expression of interest in the amended process. It was up to the Maitland City Council—

The Hon. MICK VEITCH: The member for Maitland has made no representations to you about the fact that Maitland was excluded?

Mr ANDREW STONER: No, the mayor did.

The Hon. MICK VEITCH: As you would imagine, we are receiving correspondence from people in the area who want to know why they missed out.

Mr ANDREW STONER: There may be a formal representation somewhere; I have not had a discussion with her about it. I will take that question on notice and if there have been formal representations made I will advise you. However, I emphasise that the member for Maitland did speak to me directly about the need to consider indirect impacts.

ANSWER:

The Member for Maitland and her office raised the Resources for the Regions program with my office – emphasising the need for the program to consider all indirect impacts of mining in her community.

The Member and her office also expressed disappointment that Maitland City Council did not respond to the survey, as part of the assessment of indirectly affected communities, which 38 councils across the State responded to.

QUESTION – Pages 8-9

The Hon. MICK VEITCH: How is the funding for Muswellbrook District Hospital emergency department, which was included as one of the projects to be funded from last year's budget, progressing? Will you provide an update?

Mr ANDREW STONER: I would have to talk to the Minister for Health. Health Infrastructure would be delivering the project. I would have to get information from her.

The Hon. MICK VEITCH: Will you take the question on notice?

Mr ANDREW STONER: Yes.

ANSWER:

The new emergency department planned for Muswellbrook Hospital will now be a \$6.5 million redevelopment following a \$2.5 million contribution from BHP Billiton.

The NSW Government has committed \$4 million to the project from the Resources for the Regions program. The Jointly funded project will give the community of Muswellbrook access to a modern emergency department and the latest technology in health care.

QUESTION – Page - 10

The Hon. JEREMY BUCKINGHAM: Deputy Premier, how many regional medical schools are there in New South Wales?

Mr ANDREW STONER: That would be a question which is outside my brief, because it is outside my portfolio. We have a Minister for Health and a Parliamentary Secretary for Regional Health who could answer that immediately. However, to my knowledge, we have regional medical schools at Tamworth, Armidale, Coffs Harbour and Newcastle. They are probably also at Wagga Wagga and possibly Bathurst, but I would have to take that on notice. Again, it is outside my portfolio so I am not briefed on it.

ANSWER:

There are six universities in New South Wales which house medical schools; the universities of Wollongong, Western Sydney, New England, Notre Dame, New South Wales and Sydney. Each university have defined links with certain regional health facilities, which are shown below.

University	Rural Clinical Schools and Departments of Rural Health
Sydney	Broken Hill UDRH Dubbo Orange Lismore UDRH
New South Wales	Wollongong Wagga Wagga Albury Port Macquarie Coffs Harbour
Newcastle/New England	School of Rural Medicine – Tamworth
Western Sydney	Bathurst Lismore
Wollongong	Shoalhaven Lismore Broken Hill UDRH
Notre Dame	Rural School (Lithgow, Calvary Wagga)

QUESTION – Page 15

The Hon. PAUL GREEN: I note that 14 infrastructure projects in mining-affected communities have been shortlisted for funding in the first round of this year's Resources for Regions program. Can you clarify who were the assessors on the independent assessment panel?

Mr ANDREW STONER: The independent assessment panel comprises Infrastructure NSW, NSW Farmers and Local Government NSW. That panel makes recommendations to the board of Infrastructure NSW. Obviously, the panel has been involved in a shortlisting process in consultation with my agency, NSW Trade and Investment, Regional Infrastructure and Services. I do not know the names of the individuals, if that is what you were after.

The Hon. PAUL GREEN: No, that is fine thank you. I note that the projects were "chosen due to their capacity to support economic growth and productivity, relieve infrastructure constraints and support New South Wales communities affected by mining". What specific selection criteria were used to shortlist the particular projects?

Mr ANDREW STONER: The involvement in the process of Infrastructure NSW is to ensure that projects that receive funding are aligned to the State's economic priorities. We established Infrastructure NSW as a level of independence and expert advice to the Government on the forms of infrastructure that would deliver the best return to the economy, and therefore to jobs. This State—and I think elsewhere in the country—had a history of too many political promises being made—projects allocated on the basis of whim or the latest thought bubble. So I guess Infrastructure NSW is to keep the Government honest. It undertakes assessments based on benefit cost ratios—that is, what is the return to the economy for so many dollars spent. That overlay on the assessment is the path through which all applications have to follow. In addition, the involvement of Local Government NSW and NSW Farmers would bring a degree of local community need for those particular projects. That is the process we have set up. As I say, it is really important that funds are not used, for example, for a local government idea to replace local government expenditure on an essential item. By the way, the sorts of things that have come up are around water and sewerage infrastructure, roads, bridges, health infrastructure et cetera, which gives the best return to those local communities.

The Hon. PAUL GREEN: Are you able to provide the complete details of the assessment process?

Mr ANDREW STONER: I am.

The Hon. PAUL GREEN: You can take that on notice.

Mr ANDREW STONER: I have it here somewhere. We will get it back to you on notice. I have so many briefing notes that it is not easy for me to navigate them.

ANSWER:

The Resources for Regions assessment process starts with Expressions of Interest being lodged for each proposal with NSW Trade & Investment (NSW T & I). Infrastructure NSW (assisted by NSW Treasury, NSW T & I) conducts an assessments on all proposals in consultation with relevant stakeholders. Infrastructure NSW is assisted in this assessment by a Regional Independent Assessment Panel. The highest priority projects that meet the program eligibility criteria are shortlisted and invited to submit a full application.

Infrastructure NSW and the Regional Independent Assessment Panel reviews the applications, initial expressions of interest and supporting documents for each project. Supporting documents will include:

- the business case and economic appraisal for the project, including financial forecasts
- asset procurement plans relevant to the project, and
- risk management strategies.

The Independent Assessment Panel then makes recommendations for funding to Infrastructure NSW. Infrastructure NSW makes final recommendations to the NSW Government, taking into account the State's overall infrastructure needs as expressed through the State Infrastructure Strategy. There may also be consultation with NSW Government agencies and other relevant stakeholders to inform the evaluation process.

Detailed information about the Resources for Regions application and assessment process can be found in the document Resources for Regions 2013 – 2014 Expressions of Interest – Information and Guidelines, which is available at the NSW Trade & Investment website at:

http://www.business.nsw.gov.au/_data/assets/pdf_file/0020/27155/Resources-for-Regions-2013-EOI-A-Wollongong.pdf

QUESTION – Page 18

The Hon. STEVE WHAN: Minister, you mentioned earlier that Cessnock and Maitland councils have not returned surveys for Resources for Regions and that was the reason they were not included. Can you take on notice and provide us with the documentation relating to the survey sent to Maitland and Cessnock councils? In other words, what was sent to them including the covering letters?

Mr ANDREW STONER: I am happy to do that. This was initiated by Local Government NSW, that was the process, but we will get all the documentation around that and table it with the Committee.

ANSWER:

On 27 September 2012, Mr Shaun McBride, Senior Strategy Manager – Finance, Infrastructure and Planning, Local Government Association of NSW and Shires Association of NSW (LGSA) issued the following email message:

The NSW Government Mining Affected Communities Audit Working Group has requested the Associations to assist in conducting a survey of mining affected communities.

Mining affected communities include:

- *Local Government Areas (LGAs) where mining activities are located,*
- *LGAs that are neighbouring active mining areas and provide dormitory services or are used as transport thoroughfares; and*
- *LGAs where significant mining activity is expected to commence in the near future.*

The survey and explanatory notes are attached. The Associations strongly encourage all councils who consider that their communities are affected by mining to respond to the survey. Other councils may lodge a nil return or disregard the survey.

Yours sincerely,

While a response date of 30 September 2012 was initially nominated and subsequently extended to 19 October 2012, all survey responses received were accepted.

The survey and covering note follow.

Re: Mining Affected Communities Audit Working Group LGA Survey

In May 2011, the NSW Government established a working group of senior officials to undertake an Economic Assessment of Mining Affected Communities, in keeping with the NSW Government's Resources for the Regions election commitment.

The report of the Working Group was released in February 2012. For the purposes of that assessment, the Working Group determined that a mining affected community was a Local Government Area (LGA) from which the government collected a certain threshold of mining royalties.

On review of the 2011 assessment, it was determined that the definition of 'mining affected community' as implemented by the Working Group was insufficient to encompass all communities affected by mining, including:

- LGAs that are neighbouring active mining areas and provide dormitory services or are used as transport thoroughfares; and
- LGAs where significant mining activity is expected to commence in the near future.

In the conduct of this second assessment (2012), the Working Group has been asked to give further consideration to the definition of 'mining affected', to allow for a more refined appraisal of infrastructure needs. To this end, the following short survey will assist the Working Group to consider alternative ways of categorising LGAs for the purposes of the 2012 assessment. The survey is being sent to all local government authorities in NSW.

Please return your completed survey by September 30, to:

Nick Milham
 Principal Director Policy Development and Evaluation
 Secretariat to the Mining Affected Communities Audit Working Group
 NSW Trade & Investment
 Ph: (02) 6391 3613
 Email: nick.milham@industry.nsw.gov.au

'Nil' returns would be appreciated.

Survey

Name of LGA:	
Contact officer:	
Contact details:	

1. Would you consider that the infrastructure needs of your LGA are significantly impacted by mining in or around your jurisdiction?

Yes		No	
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2. If answer to Q1 is no, you have completed the survey. Please still return it.

3. If answer to Q1 is yes, in what capacity is your LGA affected?

a) Existing mining in LGA	yes/no
b) Current expansion of mining in LGA	yes/no
c) Transport route or dormitory for mining elsewhere	yes/no
d) Planned future mining development in LGA	yes/no
e) Future mining development elsewhere (impacting as per c above)	yes/no

f) Other:	yes/no
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4. If answer to Q1 is yes, in what way are infrastructure costs in your LGA affected?

a) Additional burden on existing infrastructure	yes/no
b) New/augmented infrastructure required	yes/no
c) Other:	yes/no

5. Is mining (or further mining) expected to commence in your jurisdiction in the foreseeable future?

Yes		No	
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If yes, what infrastructure constraint(s) is your LGA likely to face?

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QUESTION – Page 19

The Hon. MICK VEITCH: Are you able to tell us what the annual instalments are for that contract? (for Sapphire SAP design)

Mr PATERSON: We will come back to you on notice with the precise terms of what we anticipate it will cost us each year. The numbers I have straight off the top of my head include our operating costs as well as what we pay SAP, so to be precise in respect of the question that you have asked, I will come back on those.

ANSWER:

The SAP project was originally budgeted for \$14 million being \$10 million for Phase 1 and \$4 million for Phase 2, based on completion of Phase 2 by 30 June 2013. In addition to this funding, a contingency amount of 20 per cent (\$2.8 million) was provided. The actual cost for Phase 1 was just under \$10 million. Phase 2 is still underway, due to be completed on 31 October 2013. The exact amounts paid to SAP under contract are commercial-in-confidence.

QUESTION – Page 20

The Hon. MICK VEITCH: I refer to the Blayney to Demondrille railway line. Is your department offering any attractions or sweeteners to companies that might take on the operation of that line?

Mr ANDREW STONER: That issue has been raised with me, I think during a community Cabinet meeting in Bathurst last year. I think I referred the person who raised it to the Minister for Transport. To my knowledge we have not had an approach for financial support under the relevant program, which is the Regional Industries Investment Fund. I will have to double check that, but nothing has come across my desk.

The Hon. MICK VEITCH: I am happy for you to take the question on notice.

Mr PATERSON: To the best of my knowledge, we have not received any formal application. It would be assessed under the guidelines of the program to which the Deputy Premier referred if we did receive one.

ANSWER:

No applications have been received by NSW Trade & Investment for assistance through the Regional Industries Investment Fund (RIIF) in relation to operating the Blayney to Demondrille railway line.

QUESTION – Page 21

The Hon. MICK VEITCH: I draw your attention to the expedited process for the disposal of Crown lands. We heard during last week's estimates committee hearings that Fisheries NSW is assessing Crown laneways that lead to waterways. Does your department pay for that?

Mr ANDREW STONER: I will take that question on notice. Not to my knowledge, but we will have to confirm that.

ANSWER:

The Crown Lands division of NSW Trade & Investment is responsible for the assessment of Crown road closure applications. As part of the assessment process, Crown Lands references Fisheries NSW for consideration of any access issues for fishermen. Fisheries NSW is a division of the Department of Primary Industries within NSW Trade & Investment.

Fisheries NSW has been working with recreational fishers and fishing clubs to identify, maintain, enhance and promote access to waterways throughout NSW for the benefit of recreational fishers and the community. As part of the access program, Fisheries NSW is consulted about applications for closure and sale of Crown roads to determine potential impacts on access for anglers. To accommodate the acceleration in the process, Fisheries NSW, with funding from the recreational fishing trust, have employed one additional officer to help ensure fishers are fully consulted and the applications are independently assessed by fishers.

The Minister for Primary Industries has previously responded to a question taken on notice from her Budget Estimates Committee hearing, regarding the staff resources of Fisheries NSW allocated to the Crown road closure assessment process.

QUESTION – Page 22

The Hon. MICK VEITCH: What funds are currently available in the Public Reserves Management Fund?

Mr ANDREW STONER: I will defer to Ms Brooks to answer that.

Ms BROOKS: Are you talking about the total quantum of funds held in the Public Reserves Management Fund?

The Hon. MICK VEITCH: Yes.

Ms BROOKS: I am not sure if I have that.

The Hon. MICK VEITCH: You can take it on notice.

Ms BROOKS: I might need to take that one on notice unless I can quickly find it. I think I will have to take that one on notice.

ANSWER:

The reconciled cash balance of the Public Reserves Management Fund (PRMF) was \$23.3 million as at 30 June 2013. Funding allocations from the PRMF for 2013/14 will be determined during the final quarter of 2013.

QUESTION – Page 22

The Hon. MICK VEITCH: Minister, how many dredging works were conducted in the rivers, estuaries, lakes and harbours under the 2011-12 budget?

Mr ANDREW STONER: I will have to seek advice on that one as well.

Ms BROOKS: Again if you are asking for the number of dredging works, certainly the coastal infrastructure program, which is funded by the Government to undertake upgrade works to coastal infrastructure, includes some dredging works but I will have to take on notice exactly what is funded.

The Hon. MICK VEITCH: That was for 2011-12. If you do take that question on notice could you also get it for 2012-13?

Mr ANDREW STONER: I am advised that we have committed \$3 million over two years for something called Rescuing our Waterways. We have already made funding offers of up to \$1.6 million to assist local councils undertake dredging in Wallis Lake, Lake Cathie and the lower Myall River in the eastern or shortcut channel. The coastal infrastructure program provides 100 per cent funding for dredging to maintain navigation access to government-owned maritime infrastructure. Some \$2 million has been allocated over the next two years for dredging in entrances such as the Clyde, Bermagui and Clarence rivers, Batemans Bay, Coffs Harbour, Ulladulla and Ballina boat harbours, as well as the Hastings River navigation channel adjacent to the Port Macquarie commercial moorings. So that is a bit of information. There are a couple of programs there; a total of \$5 million over two years addressing a number of dredging issues.

ANSWER:

In 2011-12 there were five dredging projects undertaken at Wallis Lake, Smiths Lake, Evans River, Black Neds Bay and Swansea Channel, with a total cost of \$0.905 million.

In 2012-13 there were four dredging projects undertaken at Wallis Lake (Oyster Paddock), Tuncurry Channel, Clyde River Entrance Bar and Swansea Channel, with a total cost of \$1.509 million.

QUESTION – Page 24-25

The Hon. JEREMY BUCKINGHAM: What is the value of wind farm investment currently proposed in New South Wales?

CHAIR: The Hon. Jeremy Buckingham has been told that the questions in relation to wind farm values are a matter for the Department of Planning. You can rephrase your question but in relation to wind farms and planning—

The Hon. STEVE WHAN: Point of order: The questions about the planning process for things that are in train might be questions for the Department of Planning and Infrastructure but for the Department of Trade and Investment, Regional Infrastructure and Services, I would have thought the value of investments in New South Wales was directly relevant and the Minister could choose to answer it or not as he saw fit.

CHAIR: The question related to wind farms and planning.

The Hon. JEREMY BUCKINGHAM: To the point of order: No, it did not. In my question there was no mention of planning. I simply asked the value of wind farm investment proposed in New South Wales.

Mr ANDREW STONER: I will get that information for you on notice.

The Hon. JEREMY BUCKINGHAM: Can you answer that, within two or three billion dollars? Have a guess.

CHAIR: The Minister has answered the question.

Mr ANDREW STONER: I said I would get the information on notice. We have a system of government that has portfolios, with Ministers responsible, under the administrative orders, for issues and items within those portfolios. In this case the Minister for Resources and Energy—energy includes wind farms—and—

ANSWER:
\$6 Billion

QUESTION: Page 27

The Hon. JEREMY BUCKINGHAM: Minister, why is the Department of Trade and Investment seeking court costs against the Fullerton Cove Residents Action Group?

Mr SCOT MacDONALD: Point of order: Is that matter before the courts? Is it sub judice?

CHAIR: I do not know if it is before the courts. I would have to seek clarity.

The Hon. STEVE WHAN: On the point of order: I think the Minister and his advisors would know where it is up to. He can indicate if he is not able to answer the question.

Mr ANDREW STONER: Again, this seems to be being handled within the Office of Resources and Energy, with possible involvement from the Crown Solicitor. We would have to seek advice and responses on notice.

ANSWER:

As this matter is before the court, it is not appropriate to comment. NSW Trade & Investment is pursuing recovery of its professional legal costs incurred in defending a judicial review case. Fullerton Cove Resident's Action Group against the Department that was unsuccessful. In litigation, a successful party, such as the Department, is ordinarily entitled to recover its costs.