

REPORT ON PROCEEDINGS BEFORE
PUBLIC WORKS COMMITTEE
INQUIRY INTO THE IMPACT OF PORT OF NEWCASTLE SALE
ARRANGEMENTS ON PUBLIC WORKS EXPENDITURE IN NEW
SOUTH WALES

CORRECTED

At Jubilee Room, Parliament House, Sydney on Thursday 31 January 2019

<https://www.parliament.nsw.gov.au/lcdocs/transcripts/2166/31%20January%202019%20-%20Corrected%20-%20Port%20of%20Newcastle%20sale%20arrangements.pdf>

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Ms CALFAS: The port commitment deeds mirror the well-planned [New South Wales Government strategy for port development](#). The Port of Newcastle port commitment deed is an arrangement between the Port of Newcastle and the New South Wales Government willingly agreed to by the Port of Newcastle shareholders. NSW Ports is not a party to that deed. The Port of Newcastle is now seeking to increase its business value by claiming that the sale conditions are unfair without negotiating with the New South Wales Government in compensating New South Wales taxpayers. To date, no credible evidence has been presented to support a change to existing government port strategy.

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The Hon. LYNDA VOLTZ: You say, "NSW Ports is not a party to this deed and was not aware of its existence until recently." When were you aware of the existence of the pass-through payments?

Ms CALFAS: When it was mentioned in [the Newcastle Herald back in 2016](#).

The Hon. LYNDA VOLTZ: That is not recently, that is a few years ago.

Ms CALFAS: That would be within two years.

The Hon. LYNDA VOLTZ: [Was it 13 September 2016?](#)

Ms CALFAS: I could not give you a date, but we learnt about it through the media releases.

The Hon. JOHN GRAHAM: That seems quite extraordinary. One of the arguments this morning has been [whether or not the arrangements were secret](#). It seems quite extraordinary that [you found out when this was in the paper](#).

Ms CALFAS: We have our port commitment deeds. We have the Port Botany and the Port Kembla port commitment deeds, which are deeds between ourselves and the New South Wales Government. We are aware of those deeds and we are aware of the conditions that are included in those. [The fact that the State entered into a separate deed](#) with the Port of Newcastle does not involve us, it is a matter entirely between the State and the Port of Newcastle.

The Hon. JOHN GRAHAM: You were paying close attention to this. You had a commercial interest in doing it. If it had been possible to find out you would have known earlier.

Ms CALFAS: We did not take an interest in trying to find out, to be honest. We had our arrangement.

The Hon. JOHN GRAHAM: If it appeared in the newspaper it would have been drawn to your attention; you certainly would have known then. But it was not until that occurred some time later that you were aware these commitments had been made in the deed?

Ms CALFAS: That is correct. We were not aware until we read about them in the newspaper.