

Question 1

The Hon. JOHN GRAHAM: Minister, you have referred to the five western Sydney regions where operators have had their performance measures every month this year. I am happy to concede that is the case in regions 3, 4, 5 and 15.

Mr ANDREW CONSTANCE: Thank you.

The Hon. JOHN GRAHAM: What is the fifth region?

Mr ANDREW CONSTANCE: I can find that out for you. The thing about it is that you have got Transit Systems in Liverpool—

The Hon. JOHN GRAHAM: You have referred to these regions.

Mr ANDREW CONSTANCE: — delivering every single month for the past two years.

The Hon. JOHN GRAHAM: Is there a fifth region in western Sydney that is delivering?

Mr ANDREW CONSTANCE: Yes, I can get that. We will get it for you. It is on the internet; you can google it if you are smart about that.

ANSWER

I am advised:

Sydney Metropolitan Bus Service Contracts 3, 4, 5 and 15 have met the publicly reported On Time Running KPI every month this year.

Contract 2 has met the On Time Running KPI every month this year, except during the traditionally difficult month of February when return to school and work affects all operators. The result achieved that month was 94.5% .

Question 2

The CHAIR: Back to my questions. The network control centre that currently provides operational support for buses in regions 7, 8 and 9, how many staff are employed there and will they keep their jobs if the sell-off is completed?

Mr ANDREW CONSTANCE: I will hand over to Mr Faurby, who is in charge of the State Transit Authority.

Mr FAURBY: The network you refer to, Chair, is the network control centre, which is the unit that oversees the day-to-day operation and execution of bus services.

The CHAIR: How many staff are there?

Mr FAURBY: I would have to give you the exact number, but I would say there are between 12 and 15 staff, but I am not 100 per cent sure that is totally correct.

ANSWER

I am advised:

The number of staff currently employed in State Transit's network control centre is 17. These staff are not guaranteed a role with the new provider(s).

Question 3

The Hon. JOHN GRAHAM: Region 6 has not run on time in any single month. Have penalties been issued?

Mr ANDREW CONSTANCE: I would need to take that on notice. It is not up to me to go and issue penalties; that is done at arm's length from me through the department. The observation I would make is that 94.3 per cent, they are entitled to be given an opportunity to bed the service is down—it is a big change. They are entitled to put an extra 270 weekly services in.

The Hon. JOHN GRAHAM: They have never run on time. I think it is a fair question. Have any penalties been issued?

Mr ANDREW CONSTANCE: I will take it on notice.

The Hon. JOHN GRAHAM: Is it possible under the contract to issue any penalties in the first year of the contract or is this operator shielded?

Mr ANDREW CONSTANCE: Mate, I am not privy to that degree of clauses in a contract region but I will go and find out.

The Hon. JOHN GRAHAM: Have any penalties been waived in relation to the service? Are you aware of that?

Mr ANDREW CONSTANCE: I will take that on notice but the point that I would make is that they are a new player in this region, you have got to give some opportunity for contractors to bed in. The point is that they are carrying 20 per cent more people, they are delivering an extra 270 weekly services, they are slashing the cancellations—

The Hon. JOHN GRAHAM: I can accept some of that but I think the public would want to know if this service is not hitting its on-time running at all, are there penalties? Are you holding this operator to account?

Mr ANDREW CONSTANCE: I will find out what the agency is doing. The point I would make is that you have to give fairness to a new operator trying to bed into that region. If there has not been abatement used—the aim is to try to allow them to settle into their new contact region. I think that is only fair.

ANSWER

I am advised:

On Time running has improved since the introduction of new timetables in July 2019, with Transit Systems West achieving 95.1% on time running in October 2019.

Contract 6 has a 'Credit' regime that applies in the first year.

TfNSW has continually monitored Contract 6 performance against its KPIs and is working with Transit Systems West to continue to improve performance. Some of the KPIs under Contract 6 were newly introduced and had no historical data to benchmark future performance. These KPIs are currently being analysed.

TfNSW is working with Transit Systems West to identify the cause of matters requiring performance improvement and introducing rectifications to those. Currently, no credits have been paid by the operator. However, credits are payable and will be collected in the near future

Question 4

The Hon. PETER PRIMROSE: Minister, what have you done to make sure that no more cyclists are killed because of your Newcastle Light Rail project?

Mr ANDREW CONSTANCE: This is an important question.

The Hon. PETER PRIMROSE: Yes, that is why I have asked it.

Mr ANDREW CONSTANCE: I would like to be able to answer it. Firstly, I do want to again reiterate that what we saw in Newcastle has been an absolute tragedy for that family. Again I want to express my condolences to that family. I have had subsequent letters with them since the last estimates hearing. To be honest with you, ultimately we must remember that there is a family that is grieving and there is a Coroner's report underway. I again reiterate that the department and the Government is going to await the findings of that Coroner's report. I just want to say that in relation to the family. Obviously, in terms of Danny Egan in particular, it is a tragedy. There is no doubt about that. I think it is fair to say there are always ongoing safety reviews around, in particular, light rail infrastructure. When the incident occurred, separate to that there was a further safety assessment done on that site and there were about eight recommendations made in relation to it. We followed the advice of the Centre for Road Safety, obviously, in this regard. You will note that the Centre for Road Safety has made some changes in Newcastle and made some public commentary in relation to the—

The Hon. PETER PRIMROSE: Minister, I accept the eight action plans. I have read the document. Can you give us some idea about the timeline for the implementation of those eight action plans, please?

Mr ANDREW CONSTANCE: My understanding is that some of those changes have already been made, for instance exclusion zones, signage—those types of things. Specifically in relation to all eight, I am happy to come back to you with the exact time frame in terms of all of that. But we do want to work with the council and we want to work with the cycling community up there. We want people to be safe. We want people to be safe around light rail, full stop. It would not matter if was Newcastle or the CBD.

ANSWER

I am advised:

I refer you to the answer to supplementary question 8.

Question 5

The Hon. MICK VEITCH: Good morning, Ministers. The first question—you will have to work out between yourselves who it is. It is to do with the drought. Which department is responsible for conducting the assessment on the number of available rail and road tankers for carting critical water to communities?

Mr PAUL TOOLE: Obviously, it sits under me, being Regional Roads and Transport. We know that we are suffering a pretty severe drought at the moment, with 98 per cent of the State suffering drought conditions. The New South Wales Government is working with measures to ensure that anywhere we can work with local councils to allow heavier vehicles to use those roads, whether it be carrying fodder, water,

livestock, getting to the saleyards at the moment—we are trying to ensure that access and the least possible route is identified to assist our farmers during these tough times at the moment.

The Hon. MICK VEITCH: I will come back to that. My question is actually have we conducted an assessment of the available number of road and rail tankers?

Mr PAUL TOOLE: I would have to take that on notice to work out how many there are. But that might be in the department. They may have that information this afternoon as well, that you might be able to ask and have that provided.

ANSWER

I am advised:

I refer you to the answer to supplementary questions 1 and 2.

Question 6

The Hon. MICK VEITCH: I am not saying this is the only strategy. I am just making sure that we are prepared. The Transport Services Functional Area Supporting Plan for the Goulburn water supply has a clause that states there is a water cartage contingency plan, which I suspect is unusual. Do other communities have that arrangement in place?

Mr PAUL TOOLE: Not that I am aware of. I would have to ask Mr Wakelin-King. Do you know anything about that one?

Mr WAKELIN-KING: We will need to take that one specifically on notice.

ANSWER

I am advised:

I refer you to the answer to supplementary question 7.

Question 7

The Hon. MARK BANASIAK: Minister Constance, looking at the taxi levy, you were quoted last time as saying that the money collected so far was about \$98 million. Mr Staples later on quoted \$92 million and then Mr Wing later on said approximately \$89 million was collected. Which one is it?

Mr ANDREW CONSTANCE: First of all, there was an initial payment made, which is around that \$96 million, \$98 million mark. That is not to be confused with the amount of take that has already occurred in terms of the levy. In the initial payment made to industry, to those plate owners, we made an initial payment. Then we worked through a hardship process with a panel that was formed with the engagement of the NSW Taxi Council. Is your question how much has been collected thus far, versus how much has already been paid?

The Hon. MARK BANASIAK: That is what I am asking. The three of you have given me three different answers to what has been collected so far.

Mr ANDREW CONSTANCE: We will take it on notice. We will get you the latest figures in terms of what has been collected, versus what has been paid out.

ANSWER

I am advised:

Point to Point Industry Assistance comprises three schemes:

- Transitional Assistance Scheme;
- Additional Assistance Hire Vehicles Payment Scheme; and
- Additional Assistance Payment Scheme (AAPS).

A total of \$134.3m has been paid out under the three P2P industry assistance schemes to date.

The Passenger Service Levy is collected by Revenue NSW on behalf of the Point to Point Transport Commission.

FY18 \$14.4m	
FY19 \$74.5m	(\$88.9M collected at FY19 to date)
FY20 \$17.8m	

As at 04.10.19 the total to date collected is \$106,656,231.00.

The website link is: <https://www.revenue.nsw.gov.au/help-centre/resources-library/Passenger-servicelevy-DSPSL-001.xlsx>

Question 8

The Hon. JOHN GRAHAM: I turn to an issue illustrated by the fact that there are signs popping up on the train and bus network telling commuters to separate their credit card from their Opal card so they will not be charged twice. How many customers have been charged twice?

Mr ANDREW CONSTANCE: Part of the challenge here is that if people keep their credit card and their Opal card on top of each other that is what can happen—you go and tap both cards. I would have to get you the exact information, but if people have done that they can ring up and be reimbursed.

ANSWER

I am advised:

I refer you to the answer given at the hearing.

Question 9

The Hon. JOHN GRAHAM: How long have customers got to request that reimbursement? Is there a cut off or does this extend backwards?

Mr ANDREW CONSTANCE: Not that I am aware of but I am happy to take that on notice.

ANSWER

I am advised:

Customers have 90 days to let TfNSW know if they need adjustments to any fares using contactless payments on Opal.

Question 10

The Hon. DANIEL MOOKHEY: Let us start with the 110 that we know need to be acquired. Have any of them already been acquired?

Mr ANDREW CONSTANCE: I would have to take that on notice. I mean, we knocked on doors last week and there might—you know, I do not think there has been. But, again, we knocked on doors for the first time last week to notify those businesses, those residents, that this train line is for three million people. So, no, we have not acquired any property as of yet in that sense. But I do not want you to be confused in relation to any government landholdings that we might already have—that is, the Crown land at the speedway.

ANSWER

I am advised:

I refer you to my answer given at the Hearing.

The NSW Government makes every effort to avoid the need to acquire private property. However, in some cases, there is no alternative. Sydney Metro's preference is to always try and reach a commercial agreement with affected land owners and tenants. Sydney Metro is committed to dealing fairly with all affected parties, including in relation to compensation. Consistent with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*, Sydney Metro is currently working with impacted landowners and tenants to work through any necessary property acquisitions.

Question 11

The Hon. DANIEL MOOKHEY: In respect to the 93 commercial businesses, how many of them are small businesses or retail shopfronts, do you know?

Mr ANDREW CONSTANCE: Not offhand. I mean, we can get a breakdown but, again, I dare say a significant number of them would be small businesses, yes.

ANSWER

I am advised:

Commercial acquisitions comprise approximately 80% small businesses or retail shopfronts.

The NSW Government recognises that the requirement to acquire property to build the Sydney Metro West project can be stressful to those impacted. The NSW Government is absolutely committed to ensuring those small business and retail shopfronts whose site is required for the delivery of the project have access to any support they need throughout the acquisition process, including their own designated personal manager and acquisition manager.

Question 12

The CHAIR: Looking at growth in patronage, if we could, Minister Toole, if I could ask you about the Newcastle buses. I have seen reports indicating that the patronage by the Opal data for bus trips in Newcastle had dropped significantly after privatisation. Do you have any more recent figures or anything to indicate that that growth is going up?

The CHAIR: For buses?

Mr ANDREW CONSTANCE: I can get you the breakdown, but that is remarkable.

The CHAIR: My understanding is that for the buses the patronage is actually down.

Mr ANDREW CONSTANCE: I can get you those but I do know that the buses for a long time before franchising were terrible. I will get you the breakdown in terms of that.

ANSWER

I am advised:

In October 2019, there were around 545,000 customer trips on buses, ferries and light rail in the Newcastle Transport area, compared with around 505,000 trips in October 2018 – a 7.9% increase in public transport trips.

Question 13

The Hon. PETER PRIMROSE: What is the allocation this year?

Mr PAUL TOOLE: I would have to take that on notice but there is \$90 million over the next two years for the program. It was modelled. It did go through budgetary costings before the last election, so we did cost it out. It was modelled off Western Australia, which indicated a 40 per cent take-up. At the end of the day, if more people than that take it up that is fantastic because this is going to be something that people in regional New South Wales have not had in the past. People in the city get transport subsidised; people in the bush do not. So, very importantly, they are going to be able to get this service into the future.

ANSWER

I am advised:

The Budget includes \$90.3m over three years to support funding of the Regional Seniors Card, in line with the Parliamentary Budget Office costing. The Budget funding in each year is:

	2019-20	2020-21	2021-22
<i>Regional Seniors Card (\$M)</i>	21.9	45.1	23.4

Question 14

The Hon. PETER PRIMROSE: Do you have any estimates of roughly how many people in Gosford are likely to take this up?

Mr PAUL TOOLE: We could find that out but whether or not we can come back this afternoon with an estimated number—people will still have to apply, they have to go online, they have to ring a customer service line if they wish to get the card. So that is something that each individual will still need to make a choice to be able to do. But in saying that, there will be people who will be eligible for it and I certainly look forward to rolling it out and seeing the success and the take-up of the Regional Seniors Transport Card.

The Hon. PETER PRIMROSE: I ask that you take on notice your estimates of the number of people in each State electorate or each local government area—it is up to you—who may take that up.

Mr PAUL TOOLE: I am not sure that we will have that kind of data but we will have a look to see if we have that specific data. There will be eligible Commonwealth cardholders as well. So whether we have that data—it may not be there—but we will have a look for you.

ANSWER

I am advised:

There are around 4000 customers in the Central Coast LGA that would be eligible for the Regional Seniors Transport Card.

Question 15

The Hon. DANIEL MOOKHEY: That is not my question. Did Transdev NSW tell you it was going to build these ferries in Indonesia and China? It is a straightforward question. Did it tell you?

Mr ANDREW CONSTANCE: I am sure that Transdev NSW in its procurement strategies around getting hold of these new ferries to deliver three Emerald-class and the 10 RiverCats advised Transport for NSW of its decision.

The Hon. DANIEL MOOKHEY: When did it do that?

Mr ANDREW CONSTANCE: I will have to take that on notice.

ANSWER

I am advised:

When the contract was award to Trandsev Sydney Ferries in February 2019.

Question 16

The Hon. DANIEL MOOKHEY: Thank you again to all of the officials and through you, Secretary, to all your officials for their attendance today. It is thoroughly appreciated. I might just turn to you, Commissioner Wing, if it is possible to get some questions in before you have to go. Just very quickly, how many booking service providers are currently authorised in New South Wales?

Mr WING: A little over 1,800.

The Hon. DANIEL MOOKHEY: How many applications are pending?

Mr WING: I would have to take that on notice.

ANSWER

I am advised:

19 pending (awaiting additional information)

Taxi - 1 lodged

Booking - 16 lodged

Combined taxi and booking - 2 lodged

Question 17

The Hon. DANIEL MOOKHEY: Thank you. We have Uber in the market, we have got Bolt in the market, we have got Ola in the market. Is there anyone else?

Mr WING: Of the well-known large players, DiDi is also in the market. Shebah is a local company which provides women-only services as well.

The Hon. DANIEL MOOKHEY: Okay. Is it possible, on notice, that we could get the dates that the companies that you just mentioned applied for authorisation and the dates they were granted authorisation?

Mr WING: Yes. Obviously I will have to take that on notice.

The Hon. DANIEL MOOKHEY: Okay. Is it possible, on notice, that we could get the dates that the companies that you just mentioned applied for authorisation and the dates they were granted authorisation?

Mr WING: Yes. Obviously I will have to take that on notice.

ANSWER

I am advised:

Account	Completed application received	Authorisation approved
Rasier/Uber	01/11/2017	01/11/2017
Ola	21/02/2018	21/02/2018
Taxify (Bolt)	01/12/2017	01/12/2017
Ladies Let's Roll Pty LTd (Shebah)	01/02/2018	08/02/2018
Didi Mobility (Australia) Pty Ltd	04/01/2018	05/01/2018

Question 18

The Hon. DANIEL MOOKHEY: I accept that you might have to take these on notice but I am probably going to have to still ask them. How much did you pay in the past 12 months in hardship? I was also going to ask how much has been paid to date— from the period of commencement to now. Do you know how many applications for hardship you have received?

ANSWER

I am advised:

\$32m has been paid out under the AAPS in the last 12 months and \$10.1m is to be paid over the next two years (2020 and 2021).

A total of 1258 AAPS applications were received.

Question 19

Mr STAPLES: No, I will take that on notice.

The Hon. DANIEL MOOKHEY: Do you know how many you have agreed?

Mr STAPLES: I will take that on notice.

ANSWER

I am advised:

531 AAPS applications were approved for payment based on criteria agreed by the Taxi and Hire Vehicle Industries Assistance Panel, which included the NSW Taxi Council.

Question 20

The Hon. DANIEL MOOKHEY: I expect you will have to. Do you know how many you have rejected?

Mr STAPLES: I will take that on notice.

ANSWER

I am advised:

727 AAPS applications were unsuccessful.

Question 21

The Hon. DANIEL MOOKHEY: Do you know how many are still waiting assessment?

Mr STAPLES: No, I will take that on notice.

ANSWER

I am advised:

All 1258 applications have been processed. The scheme closed on 30 June 2019.

Question 22

The Hon. DANIEL MOOKHEY: Do you know the average time the applicants have to wait for their claim to be assessed?

Mr STAPLES: All I can say is that I know that there has been a panel that has been very thoroughly going through it, notwithstanding that I have not been observing that closely. I will need to take on notice all those details.

The Hon. DANIEL MOOKHEY: Can you take on notice who are the members of the panel?

Mr STAPLES: Yes, I can take that on notice.

ANSWER

I am advised:

Applications under the AAPS opened on 2 July 2018 and closed on 14 December 2018. Where an applicant could demonstrate that they had special circumstances that prevented them from lodging an application during the application period they were able to lodge a late application. Late applications closed on 15 May 2019. All applications were determined by 30 June 2019.

Question 23

The Hon. DANIEL MOOKHEY: Can you take on notice who are the members of the panel?

Mr STAPLES: Yes, I can take that on notice.

The Hon. DANIEL MOOKHEY: Can we get the meeting dates for the past 12 months on notice?

Mr STAPLES: Yes.

ANSWER

I am advised:

As provided under clause 7 of schedule 3 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* the members of the Taxi and Hire Vehicle Industries Assistance Panel are:

- the Chief Executive of the NSW Taxi Council (or the Chief Executive's nominee); and
- the Secretary of the Department of Transport (or the Secretary's delegate); and
- the Secretary of the Department of Premier and Cabinet (or the Secretary's delegate); and
- the Secretary of The Treasury (or the Secretary's delegate).

In the last 12 months the Taxi and Hire Vehicle Industries Assistance Panel met on the following dates:

- 21 November 2018,
- 14 December 2018,
- 30 January 2019,
- 13 February 2019,
- 7 March 2019,
- 9 April 2019,
- 3 May 2019,
- 27 June 2019.

The Taxi and Hire Vehicle Industries Assistance Panel also conducted business out of session on 18 March 2019, 9 April 2019 and 26 April 2019.

Question 24

The Hon. DANIEL MOOKHEY: How many suspensions of licences?

Mr WING: We have suspended a number of licences, including recently a number of wheelchair-accessible taxi licences for a couple of licensees who were simply not using them for wheelchair trips.

The Hon. DANIEL MOOKHEY: Do you have a specific number or would you like to take it on notice?

Mr WING: I will take that on notice but it was a couple, yes.

The Hon. DANIEL MOOKHEY: And cancellation of authorisations?

Mr WING: I will have to take that one on notice.

The Hon. DANIEL MOOKHEY: I refer to incident investigations and improvement notices. Are you able to come back to us on the number by booking service providers, the number by taxi service providers and the ridesharing companies part of the booking service provider market?

Mr WING: I will need to take that on notice.

The Hon. DANIEL MOOKHEY: I am asking these questions because obviously there is a lot of attention being placed at the extent to which the new framework is working. There are also a lot of claims being made about the extent to which rideshare companies and taxi companies are following their obligations. Any further information that you have on that would be most useful.

Mr WING: Yes.

ANSWER

I am advised:

How many suspensions of licences?

3 WAT licences were cancelled

Cancellation of authorisations? 267 Authorised Service Providers cancelled of which 214 were voluntarily surrendered.

I refer to incident investigations and improvement notices. Are you able to come back to us on the number by booking service providers, the number by taxi service providers and the ridesharing companies part of the booking service provider market?**

Authorised Service Providers type: Booking service provider (BSP), Taxi service provider (TSP)

- Safety audits

BSP only	151
TSP only	1
Both BSP & TSP	<u>40</u>
Total	<u>192</u>

- Levy Investigations/Audits

BSP only	51
Both BSP & TSP	<u>10</u>
Total	<u>61</u>

- Improvement notices

BSP only	155
Both BSP & TSP	254
Affiliated TSP*	<u>1</u>
Total	<u>410</u>

* Note: operates a taxi affiliated with an authorised taxi service provider

** The Act does not define ridesharing. It has booking service providers and taxi service providers.

Question 25

The Hon. MARK BANASIAK: Mr Staples, just on the hardship compensation, you took some of this on notice last time around and you actually came back with some of these answers. You came back and said that 1,258 applications were received and that the panel meets once a month and has done over the last 12-month period. That is just for clarification for the honourable member there. You also said that the Minister approves the criteria around hardship and that the NSW Taxi Council is on the panel. Who made the recommendation that the NSW Taxi Council would be appointed to that panel?

Mr STAPLES: That would be a point in history which I would not have at hand. I am happy to go back and see what information we have around that but it does seem appropriate that it would be part of that, given that the whole purpose of this is to provide support to those members.

ANSWER

I am advised:

The membership of the Taxi and Hire Vehicle Industry Assistance Panel (the Panel) is set out at clause 7 of schedule 3 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*. The Taxi Council was appointed to the Panel "to sit alongside Treasury and Transport for NSW to work out the best way to support plate owners in particular" (Minister for Transport and Roads, LA 26 September 2019).

Question 26

The Hon. JOHN GRAHAM: We are taking the risk on fuel indexing. What else?

Mr STAPLES: I would have to take it on notice. In fact, the contracts are available so we can—

The Hon. DANIEL MOOKHEY: Are we taking the risk on passenger volumes?

Mr STAPLES: We take the risk. We take revenue. We pay them for their performance.

ANSWER

I am advised:

Under Contract 6, TfNSW takes the risk on fuel (diesel and gas) pricing and patronage. The contract also allows for adjustments for the wage price index and CPI, which is standard in commercial contracts.

Question 27

The Hon. DANIEL MOOKHEY: Did you want to answer further or not that base assumptions cover passenger volumes?

Ms MILDWATER: I would have to take that one on notice.

The Hon. DANIEL MOOKHEY: And on notice, if it is passenger volumes, over what period of time are we guaranteeing it to the operator? Is it quarterly? Is it monthly? Is it a yearly?

Ms MILDWATER: No, I do not think we guarantee. I will take it on notice.

ANSWER

I am advised:

TfNSW takes the risk on patronage.

Question 28

The Hon. DANIEL MOOKHEY: In the course of that answer you gave to my colleague you said that there were a couple of KPIs which were new and being applied to this region that have not been applied to any others. How many are they and what are they?

Ms MILDWATER: I would have to take that one on notice. Some of the KPIs are commercial in confidence. But I could take it on notice to see what we can provide you in terms of what are new and what are similar but calculated differently as well.

ANSWER

I am advised:

Contract 6 included new KPIs for headways services, on demand services and minor defects notices issued by Roads and Maritime Services to provide TfNSW with additional safety assurance.

Copies of Contract 6 and the Sydney Metropolitan Bus Service Contract are publicly available on the Transport for NSW website.

Question 29

The CHAIR: Will it involve an extra 300 metres being taken off Thompson Square? Is that the proposal?

Mr HARDWICK: Do not quote me on the exact number, but it is actually in the document that has been presented. It shows the slip of land as to where that is. I am happy to take that on notice to give you a copy of what that looks like.

ANSWER

I am advised:

I refer you to the answer given at the hearing.

Question 30

Mr LAMONTE: The numbers vary over time. Depending on the phase of the project it will vary. There has been an initial build-up of people. With property that has been a focus and gradually we will build this up as we get into delivery. It will vary quite a lot over time.

The Hon. DANIEL MOOKHEY: How many are there now?

Mr LAMONTE: I have not got the precise number for you. I will take it on notice and come back to you with an exact number later today.

The Hon. DANIEL MOOKHEY: Do you have a range available to you?

Mr LAMONTE: I would rather come back to you and give you the precise number.

ANSWER

I am advised:

I refer you to the comments provided at the Hearing.

The number of staff employed by Sydney Metro is reported publicly in its Annual Report, a copy of which is available online.

Question 31

The Hon. DANIEL MOOKHEY: The question is specific. When the planning Minister has to make his approval, is he going to be approving just the tunnels, just the

stations, or both? What exactly is the scope of the planning approval that you are doing? Is it going to cover the stations?

Mr LAMONTE: I will take it on notice and come back to you with precisely what we are asking for, rather than something else.

ANSWER

I am advised:

The planning process for Sydney Metro West will be staged, in line with other infrastructure projects of this scale.

Matters relating to what the Minister for Planning and Public Spaces does and does not approve are a matter for the Minister for Planning and Public Spaces.

Question 32

The CHAIR: Yes. I will tell you why I am interested. It then says that all Intercity stations are fitted with help points and CCTV while 62 regional stations have CCTV and/or customer information help points. I am trying to understand which of those 95 unattended stations, which of the regional ones also, do not have CCTV or customer information help points. What is that overlap between those? Also the answer talks about 77 per cent of those unattended stations are remotely monitored. What percentage of the other 23 per cent are not remotely monitored and how many of those have help points and CCTV and how many do not? I am going to get to an actual question now. How many of the 95 unattended Intercity and regional stations also are not remotely monitored? Part B of the question is: How many of those are not fitted with help points and CCTV?

Mr STAPLES: If not, we will let you know and we will take it on notice. Obviously we want to get those numbers right.

ANSWER

I am advised:

NSW TrainLink operates services to 130 intercity stations on the rail network, all of which have been installed with CCTV cameras and help points. There are 58 intercity stations defined as unattended, all of which have CCTV and help points and/or commuter phones in operation.

Regional train and coach services currently stop at 63 regional stations. There are 41 regional stations that currently have CCTV and help point capability. There are several teams who monitor station technology such as CCTV cameras, help points, commuter phones and platform information display screens.

Of the 22 remaining stations all of them are unattended. While most have commuter phones or customer help and information points in good working order, none of the 22 stations currently have CCTV cameras.

Of the 95 unattended stations on the NSW TrainLink network, 37 are unattended regional stations and 22 of them (59%) currently don't have CCTV capability.

Question 33

The Hon. PETER PRIMROSE: Mr Hardwick, can I ask you just one question briefly? If I was to access information under the Government Information (Public Access) Act [GIPAA] of all the correspondence and reports in relation to the proposal to take an extra 300 metres off Thompson Square for an extra lane, would I see that this was not being actively considered during the time of the parliamentary committee that I was a member of?

Mr HARDWICK: I cannot comment on whether you want to GIPAA something or not but as far as this was concerned it came to me in about the last two or three months as they had done some traffic studies in the area related to some other works. There was noticed around the changes that were occurring and the traffic uplift that had occurred was going beyond the bridge compared to the studies that were done leading up to the environmental impacts and those sorts of things. Remember it is 300 square metres. It is three metres wide roughly and 10 metres long.

The Hon. PETER PRIMROSE: I distinctly remember the amount of detail we put into looking at the proposed traffic movements, which were actually used as the argument as to why you needed to put the new bridge there in the first place. If you cannot answer that question, who can? Maybe Mr Staples can. If I was to put in a GIPAA request for all correspondence and reports in relation to the proposal for an extra 30 metres being taken out for an additional lane, would that show that this was not being actively considered during the period that I and other members of this Committee were members of the committee that inquired into the Windsor Bridge project?

Mr STAPLES: I am not trying to be cute but I think you will respect that I am not going to start providing advice on the GIPAA. I think the essence of what you are asking is: What knowledge did we have during that inquiry of the potential for that? If I can just set aside the GIPAA analogy—

The Hon. PETER PRIMROSE: The GIPAA request would show me—if I was given access to the information—what was being considered within your agency. I am simply asking you: Would I see that that was being actively considered by RMS or not?

Mr STAPLES: I certainly did some preparation for that inquiry because I attended part of the inquiry, if you recall.

The Hon. PETER PRIMROSE: Yes, I remember.

Mr STAPLES: I do not have any recollection of that. But with the help of Mr Hardwick we can undertake to see whether or not there was any work being done at the time of that inquiry and we can provide a response to your question.

The Hon. PETER PRIMROSE: If there was any work on that could you please advise me why it was not made available to the committee? You would recall that we went out there and also spent ages looking at projections to consider whether there would be sufficient width with the existing roads. That was, in fact, one of the things queried. I would be very interested to find out whether that information was being considered and whether it was made available to the inquiry. I will leave it to the witnesses to decide who the appropriate respondents are in relation to that matter.

ANSWER

I am advised:

Yes. Roads and Maritime Services considered the impacts of the revised modelling report, completed in March 2018, and a potential modification to the intersection. However, given that it was then unclear as to whether the project would be approved, it was decided to defer any decision until the project had been given final approval for construction, with updated traffic counts to be undertaken at a future date. Following project approval, these additional traffic studies were subsequently completed in August 2019. The decision was then made to proceed with the proposed modification, including its public exhibition to extend the merge lane, resulting in the loss of 160 square metres of Thompson Square open park land.

Question 34

The Hon. PETER PRIMROSE: The reason I am asking these questions is I am not a safety expert either. You are the ones building this thing. I have asked you and you have assured us that to the best of every piece of knowledge that you have, people using bikes, people in wheelchairs and particularly the elderly using mobility devices have nothing to worry about.

Ms MILDWATER: I might add, if you are asking in relation to the Sydney CBD light rail, we have been working with ATAC—which is the Accessible Transport Advisory Committee—for some time now and seeking their advice in terms of safety and accessibility on the light rail generally, so we have had their input and have been addressing their needs.

The Hon. PETER PRIMROSE: Can you maybe take on notice what some of those things are that they recommended that you do?

Ms MILDWATER: Certainly. But some of them include, for example, the tactile warnings near the edges of platforms, that type of stuff. But I can take it on notice to get some more information.

ANSWER

I am advised:

Transport for NSW met with accessibility groups on 9 October, including Blind Citizens Australia, to brief them on the project, TfNSW's safety campaign and the testing program.

The tactiles (quality and status of completion) across the light rail route were raised with TfNSW following the meeting on 9 October.

To assist those who are vision impaired, Tactile Ground Surface Indicators are installed along the edge of platforms in accordance with Disability Standards and in consultation with the City of Sydney.

A number of methods are used to distinguish between the corridor and pedestrian areas, including tactiles and kerbs along the alignment.

Transport for NSW is keeping accessibility groups informed through briefings of its progress, with further work to include a few areas such as pram ramps and installation of more tactile pavers.

Additionally, Transport for NSW is undertaking an audit to monitor the works underway to ensure completion by the start passenger services in December 2019.

Blind Citizens Australia were also involved very early in the project with stop design, including a tour of the Moore Park prototype stop in 2017 to provide feedback on accessibility features.

Question 35

The Hon. MICK VEITCH: My Staples, I want to continue on my theme around the drought and the supply of water to drink or critical water to communities running out of water. There may be now a rail slant to this. Have we conducted an assessment of our rail fleet carriages to see if there is any capacity for those to be used to deliver water or even the conversion of some of those hoppers et cetera? this. Have we conducted an assessment of our rail fleet carriages to see if there is any capacity for those to be used to deliver water or even the conversion of some of those hoppers et cetera?

Mr COLLINS: I can probably add a little bit. I know that Southern Sydney Freight and a number of other freight companies have moved water. It is the equivalent of 45 of the largest trucks is one train. It is 725,000 to 800,000 litres. A movement has been done for a couple of mines to keep them going. I certainly pass on and can give you on notice the freight companies. In terms of Sydney Trains and our infrastructure, we do have one or two water tankers but they are used for work purposes and are probably not of the size necessary for movement. But I know my freight colleagues and a member of the Australian Rail Association are working hard again with the community in understanding how we can use rail, which obviously has a huge capacity but does not get it to the local towns that perhaps need it, could assist and will assist in this matter.

ANSWER

I am advised:

I refer you to the answer to supplementary question 2.

Question 36

The Hon. PETER PRIMROSE: What is the estimated cost of the Western Sydney Freight Line between Chullora and Eastern Creek? I am happy for you to take it on notice.

Mr STAPLES: I was going to say that that is not a project in delivery at the moment. It is clearly identified in our western Sydney corridors, which we exhibited last year, but not a project at delivery. I will absolutely take that on notice and see what information we can provide.

ANSWER

I am advised:

The estimated cost of the Western Sydney Freight Line will be determined once a corridor alignment is confirmed.

Question 37

The Hon. JOHN GRAHAM: How deep is this market? How many bidders might you be engaging with in that process?

Ms MILDWATER: That is hard to say until we actually go, but we would like—

The Hon. JOHN GRAHAM: Just give us a rough idea.

Ms MILDWATER: —to get the best out of—I could maybe get back to you on notice. You would anticipate that all the current Australian companies would be bidding, as well as the international players that are already here, but there may also be some extras coming into the market.

The Hon. JOHN GRAHAM: Sure.

ANSWER

I am advised:

When Contract 6 was franchised there were eight (8) bidders. These included three (3) overseas operators currently not operating in Australia who bid either individually or in a partnership with an Australian operator.

It should also be noted that several current operators in Australia are multinational operators.

TfNSW anticipates there will be a number of interested parties and this will become more apparent after the industry briefing and market sounding processes.

Question 38

The Hon. DANIEL MOOKHEY: Do you have any indication from any of the Commonwealth agencies as to when you think the Commonwealth agencies will finish their assessment process?

Mr STAPLES: I think Infrastructure Australia has essentially given us a status report recently by putting the project on the priority list. It is really then a matter for the Commonwealth and the discussions between the Commonwealth and the State as to whether or not there is a decision.

The Hon. DANIEL MOOKHEY: What is the hold up, then, Mr Staples? Is it just the case that we are waiting for the Commonwealth to make a decision and effectively we are waiting for the two Treasurers to essentially resolve this? Is that the best way to characterise the state of the relations between the Commonwealth and New South Wales about Metro West?

Mr STAPLES: I think what you heard from the Minister this morning is that the State is committed to getting on with the delivery of Metro West but will continue to make representations to the Commonwealth about the potential for it to participate in the funding for that. But there is no precondition in the commitment in Metro West proceeding to the Commonwealth participating. The reason I keep referring back to the Treasurer is because you cannot look at these in isolation. You need to look at the overall capital program, the overall funding that the Commonwealth is providing and then looking across—just as we know in western Sydney the likes of the M12 and Sydney Metro Greater West have significant Federal contribution in them already.

The Hon. DANIEL MOOKHEY: I accept that is the policy objective of the Government and I accept what the Minister said, which is that the policy commitment does not turn on Commonwealth funding. I am just asking as a matter of process between the agencies at a departmental level, have all the processes been completed, to the best of your knowledge, that the Commonwealth would have to undertake in order for it to make an investment decision?

Mr STAPLES: Just to make sure that I do not mislead here, I think it is probably best that I take that on notice in terms of what we may be doing around that.

ANSWER

I am advised:

Delivery of Sydney Metro West is a very high priority for the NSW Government. The Government has committed to deliver Metro West, between Westmead and the Sydney CBD, whether or not the Australian Government makes a funding contribution.

However, the NSW Government continues to seek an Australian Government funding contribution to Sydney Metro West.

Infrastructure Australia has assessed Metro West and included it in their national Infrastructure Priority List as a high priority initiative.

Question 39

The Hon. JOHN GRAHAM: Mr Staples, I will skip over some issues that we have not been able to touch on in the agency section with you. The first one of those I wanted to ask about was the trial of the on-demand ferry service to Blackwattle Bay, the fish market and Barangaroo. Can you give us any early indication about how this has travelled and whether it has been a success?

The Hon. JOHN GRAHAM: What is the total cost of running the trial?

Ms MILDWATER: I do not have that in front of me but I can take that on notice.

ANSWER

I am advised:

The six (6) month Ferry On Demand trial commenced on 14 October 2019 in the Bays precinct and includes Blackwattle Bay Wharf, Sydney Fish Market Wharf, Pirrama Park Wharf and Barangaroo Wharf. Customers can book a ride using an app, on the wharf or over the phone. The service operates between 7am and 10pm on weekdays and between 8:30am and 7:30pm on weekends and public holidays.

As at 30 October 2019, the patronage is generally trending positively with 600 patrons using the service in the first week and 835 in the 2nd week, with the majority of commuters boarding at the Blackwattle Bay Wharf. We've seen this positive trend continue in week 3 despite the absence of any marketing. The marketing engagement will commence in November 2019. At this stage, the majority (49%) of the bookings are made at the wharf and 20% made using the online booking application. A customer survey taken after the 2nd week of operation shows that 92% of those surveyed were satisfied with the service.

A report on the service is scheduled to be delivered by the operator in February 2020, for TfNSW to consider the next steps regarding the continuation of the service.

The cost of the trial is commercial in confidence. The cost of the trial is included in the total Ferry System Contract value.

Question 40

The Hon. JOHN GRAHAM: I want to ask about on-demand buses. I asked a question on notice in particular about vehicles. The question was, "Will companies conducting the trial be able to retain the vehicles or other equipment procured for the purpose of the trial?" The answer I got was, "This information is publicly available." I have not been able to track it down but I am happy to be guided as to where it is publicly available. Will companies be able to retain the vehicles?

Ms MILDWATER: I will probably have to take that one on notice and get you the answer. I think different companies have probably procured vehicles in different ways. I was not aware of that answer so I will find out where the information is available.

ANSWER

I am advised:

Each On Demand trial is unique, dependant on the proposal put forward by the operator. Across the trials there were a number of different methods used to obtain vehicles to enable the trials. These include:

- Use of vehicles that are already under contract with TfNSW
- The operator purchased a new or second hand vehicle for use in the trial
- The operator uses an operator owned vehicle that was already within its own fleet of vehicles
- The operator leased a vehicle for use in the trial.

TfNSW has not purchased any vehicle outright to be used in the trials.

The retention of vehicles by the operator after completion of the trials will be dependent on the method used by the operator to obtain the vehicle and is a matter for each operator to determine

Question 41

The Hon. JOHN GRAHAM: It would be helpful if you can answer that in general or if there is some variation between trials. I will also ask specifically in relation to the services that I have previously asked about down in Candelo and Eden. I note the Candelo service has now concluded, is that correct? The on-demand trial down there?

Mr FULLER: Yes, I can answer that. That is correct. It was concluded on 27 September.

The Hon. JOHN GRAHAM: On 27 September this year?

Mr FULLER: That is right.

The Hon. JOHN GRAHAM: How many people caught the service in total—that particular aspect?

Mr FULLER: I would have to take that one on notice. Obviously we have cancelled that one and revamped the overall offering in that area.

ANSWER

I am advised:

I refer you to the answer given at the hearing.

Question 42

The Hon. JOHN GRAHAM: How is the new Eden service different from the old Eden service?

Mr FULLER: I could not give you the exact details. I would have to take the details on notice to see exactly how it compares.

The Hon. JOHN GRAHAM: Just in relation to that question about, "Will companies conducting the trial be able to retain the vehicles," I am asking that in general. I am also asking it specifically in relation to Candelo. I think this was a \$300,000 trial—feel free to correct me; I am going from memory. Was a vehicle purchased? Where is that vehicle?

Mr FULLER: We can take that on notice.

ANSWER

I am advised:

I refer you to the answer given at the hearing. See page 83-85.

Question 43

The Hon. JOHN GRAHAM: That was not the case when this was costed at the election. When this commitment was made it was a \$524.5 million commitment. Now it is down to \$500 million.

Mr WAKELIN-KING: The announcement in the pre-election period, in February 2019, was \$500 million for this program.

The Hon. JOHN GRAHAM: I am referring to the PBO costings.

Mr WAKELIN-KING: Yes, and \$500 million for Fixing Local Roads and also, as you will be aware, it also included the announcement on—

The Hon. JOHN GRAHAM: Where is the \$24.5 million—

Mr WAKELIN-KING: I will need to, if I may, take that specific question on notice because the principle of the program is to provide funding to replace local government bridges on local government roads. We, the State, do not maintain those bridges or those roads. So I will take on notice, if I may, in respect of those.

The Hon. JOHN GRAHAM: My reading is this clearly says this has been absorbed. I do not want to be incorrect though. If there is a specific Treasury allocation which meets the costing that was taken to the election I am happy to be contradicted. That is what I am asking on notice. Is there a specific Treasury allocation to meet the full costing of that program, as it was advertised prior to March?

Mr WAKELIN-KING: We will take that on notice.

Mr STAPLES: I do not want to get into it again too heavily. The benefit for councils out of this program is often a reduction in day-to-day maintenance costs because they might be spending a lot of time year on year maintaining an old timber bridge and you replace it with a concrete bridge, which is much more static and does not require as much work. In fact, one of our priorities at the moment with our bridge replacement is to sometimes reduce the maintenance activities.

The Hon. JOHN GRAHAM: We covered a fair bit of this ground last time.

Mr STAPLES: I just wanted to make sure that we did not lose that element. But we will take on notice the clarification.

ANSWER

I am advised:

The Government has committed \$500M in capital funding for the Fixing Country Bridges Program to repair/replace the worst condition bridges in regional and rural communities.

In addition to the \$500M in capital, the NSW Government has allocated operational funding to ensure the bridges are appropriately maintained commencing with \$500k in 2019/20 increasing annually to an ongoing total of \$10M per annum from 2023/24.

Question 44

The Hon. JOHN GRAHAM: Can you confirm the existence of this document? I am happy for you to do that on notice.

Mr STAPLES: Which document are you referring to?

The Hon. JOHN GRAHAM: I am referring to the 26 September 2016 memo that I referred to last time on notice and again today headed "Failure and critical options analysis", which was released under GIPAA—I have not seen it myself—which put these things in writing. Can you confirm—and I suggest you do this on notice—in order to provide us some reassurance that this document exists that the reporting is accurate at the time and what has changed since to be able to give us the assurances you have given us? Because it is of significant comfort that this was of significant concern.

Mr STAPLES: I do have some recollection of talking to this last time but obviously 2016 predates my time as secretary. I certainly remember it being well reported at the time when it came out in the public domain through media. I cannot remember how the document came out now but I certainly remember it coming out. I have no knowledge of any sort of direction, only having a modal focus. In fact, the amount of commitment we have made on rail to the Illawarra area in recent times is very significant. I think their actions are probably the best place to judge it and then I am foreshadowing that in terms of organisationally we really set ourselves up to make multimodal decision-making. But I will take on notice your specific request about a direction.

ANSWER

I am advised:

There is no government directive to exclude a modal comparison.

Under the Evolving Transport model, RMS is merging with Transport for NSW. This will ensure an integrated approach to transport planning that considers the entire transport network and all modes to deliver the mobility services that meet the needs of customers.

Question 45

The Hon. MICK VEITCH: I want to move on to the Port of Eden attenuator, Mr Staples, and essentially where that is up to now since our last time together, since our last dance.

The Hon. MICK VEITCH: Are you able to take it on notice and give us a more current status on that?

Mr STAPLES: Certainly.

ANSWER

I am advised:

The NSW Government remains committed to delivering the Eden Safe Harbour Project.

The Project will make Snug Cove a safer harbour for visiting and local vessels by providing shelter from wind generated waves from the south-westerly direction.

Improved port safety and functionality is expected to enable further investment in maritime related infrastructure and services.

Significant works have been completed to date developing an appropriate, cost effective design solution that meets stakeholder expectations and responds to the various project constraints such as the need to ensure the safe navigation of cruise ships accessing the recently completed Eden Cruise Facility.

A Final Business Case is now being prepared as required by the NSW Government's Infrastructure Investor Assurance Framework.

Question 46

The Hon. MICK VEITCH: Mr Staples, last time we were doing the waltz you took on notice a question around asbestos for RMS sites. The answer came back and it says, "The department maintains a centralised consolidated asbestos register for sites under its management. As per regulations, hazmat assessments are to be undertaken every five years. The next one is due in 2024." Is that asbestos register centralised? Is it publicly available?

Mr STAPLES: I am happy to ask Mr Wakelin-King whether he has got any knowledge around that particularly. I am not expecting that it would be publicly available, to be honest with you, would be my response but I will ask Mr Wakelin-King.

Mr WAKELIN-KING: We will take it on notice. Obviously we hold the central register. To the extent it is publicly available, I do not have that information to hand but I can find out for you and, if not, get back to you this afternoon. I will take it on notice.

The Hon. MICK VEITCH: The response goes on further and says, "Remedial works that were required for four sites that fall under the P2 will be completed by the end of November 2019." Essentially what is the status? Are those works on track to be completed by the end of 2019?

Mr WAKELIN-KING: I will take that on notice. I will see if I can get you an answer before the end of business today, otherwise we will come back to you on notice.

ANSWER

I am advised:

Transport for NSW maintains a centralised (consolidated) Asbestos Register for TfNSW and RMS sites under its management. The register is not publicly available. Other cluster agencies maintain separate registers.

For sites that have been identified with P2 hazards, remedial works are underway and are on track to be completed by December 2019.

Question 47 – 52

47. The Hon. DANIEL MOOKHEY: I will continue along the theme of dust, which my colleague raised. The question is to you, Mr Secretary, or to whomever you wish to direct it. For the major tunnelling projects that the Transport cluster is engaged in, namely, the metro projects plus WestConnex, what dust standards apply?

The Hon. DANIEL MOOKHEY: Let me just unpack that step by step. The question was specific about the legal exposure standard that is being followed. What exposure standard is being followed?

Mr LAMONTE: The precise standard I would have to come back to you on and take on notice.

The Hon. DANIEL MOOKHEY: Does it sound like it might be 0.1 milligrams per cubic metre over an eight-hour day, given that that is the national standard?

Mr LAMONTE: To the extent that there is a national standard, that is what we will be following. But I would probably come back to you on the precise nature of what we are following there.

The Hon. DANIEL MOOKHEY: When you talked about the equipment, what you are referring to there, am I correct in saying that you require personal protective equipment [PPE] that is standard three, which is the highest form? Is that what it is?

48. The Hon. DANIEL MOOKHEY: I will continue along the theme of dust, which my colleague raised. The question is to you, Mr Secretary, or to whomever you wish to direct it. For the major tunnelling projects that the Transport cluster is engaged in, namely, the metro projects plus WestConnex, what dust standards apply?

The Hon. DANIEL MOOKHEY: I would just pause there, Mr Lamonte, because I want to ask the same questions in respect to the road projects, if that is possible.

Mr REGAN: I am not aware of the specific standard that we are following and would also take that on notice, unless Mr Hardwick can answer that.

Mr HARDWICK: No. I believe it is the same, but I do need to just confirm that we are using the same standard.

49. The Hon. DANIEL MOOKHEY: So the contractors do the monitoring? Do they report it to you?

Mr LAMONTE: Yes.

The Hon. DANIEL MOOKHEY: Is that the same for the road projects?

Mr HARDWICK: Yes, that is correct.

The Hon. DANIEL MOOKHEY: How often are they reporting? Is it monthly? Is it weekly? How often do you check?

Mr LAMONTE: I am not sure. I would have to check that.

The Hon. DANIEL MOOKHEY: Is that the same, Ms Trussell? Did you want to say anything?

Ms TRUSSELL: No, I do not want to add anything.

The Hon. DANIEL MOOKHEY: Mr Regan?

Mr REGAN: No, I think it is probably best if we take the question on notice—the broader questions that you are asking—and come back with a more detailed response.

50. The Hon. DANIEL MOOKHEY: Okay. Are you informed if a contractor breaches the dust standards?

Mr HARDWICK: I can answer from that perspective. On each of the projects, all of the standards are set out within the contract. Any breaches of that would also come back to us for notification of any breaches.

The Hon. DANIEL MOOKHEY: So you have a mandatory notification clause, effectively?

Mr HARDWICK: Yes, that is correct.

The Hon. DANIEL MOOKHEY: Is that the same with—

Mr LAMONTE: Yes, we do.

The Hon. DANIEL MOOKHEY: Have you received any notifications?

Mr HARDWICK: I would have to take that on notice across so many projects to just test that.

The Hon. DANIEL MOOKHEY: I am asking specifically about WestConnex. Have you received any notifications about WestConnex?

Mr HARDWICK: I will have to take that on notice to confirm that.

51. The Hon. DANIEL MOOKHEY: Mr Lamonte, have you received notifications about any breach of this?

Mr LAMONTE: We receive notifications where there has been an exceedance of dust levels. But we also, to just be the other side of that, look at what mitigations have been applied as well.

The Hon. DANIEL MOOKHEY: Of course.

Mr LAMONTE: So it is not necessarily a straight: There has been a breach. It may be that there has been a breach of level of dust, but there might well have been some of the mitigations in place, whether it be face masks or anything else.

The Hon. DANIEL MOOKHEY: Of course, that is as you would expect. But how many notifications have you received?

Mr LAMONTE: I would have to take that on notice for the precise number.

The Hon. DANIEL MOOKHEY: Can you give us a range over the past 12 months?

Mr LAMONTE: In the past 12 months, I have seen probably two or three occasions where there has been an issue which needs to be resolved.

The Hon. DANIEL MOOKHEY: Is it possible to get some answers this afternoon on this? We have got SafeWork witnesses coming this afternoon and I would like to be able to put some of this evidence to them if it is possible.

Mr LAMONTE: Sure.

52. The Hon. DANIEL MOOKHEY: But my question is have they issued any infringement notices, prohibition notices, correction orders, anything of the sort?

Mr LAMONTE: Not that I am aware of.

The Hon. DANIEL MOOKHEY: Mr Hardwick?

Mr HARDWICK: I am not aware. I will take the question on notice.

ANSWER

I am advised:

No SafeWork NSW Improvement Notices are on record for the past 12 months for Respirable Crystalline Silica for WestConnex projects.

The Sydney Metro City & Southwest project has received no notifications to date.

The national Workplace Exposure Standard is 0.1 milligrams per cubic metre over an eight-hour day, which is reflected in the relevant contracts entered into by agencies within the Transport Cluster.

Each contractor engaged by agencies within the Transport Cluster is required to have a compliant WHS Management Plan to manage the risks of Respirable Crystalline Silica, which includes plans or procedures to control exposure through measures such as ventilation, dust suppression and personal protective equipment. It also includes the need for exposure monitoring (such as air samples collected in a worker's breathing zone).

PPE Standard 3 does not exist.

Question 53

The Hon. DANIEL MOOKHEY: We are going to move now to you, Mr Holliday. I want to resume the dialogue we were having with your predecessor about Yarra Bay. Firstly, you are the acting CEO now?

Mr HOLLIDAY: I am indeed, yes.

The Hon. DANIEL MOOKHEY: Is your appointment process overseen by Transport for NSW or Treasury?

Mr STAPLES: The process involves decisions at a ministerial and Cabinet level in terms of appointment of board. Appointment of chief executives are a matter at a ministerial level through a recruitment process, which is still to be finalised.

The Hon. DANIEL MOOKHEY: But is it the transport Minister or the Treasurer?

Mr STAPLES: I believe it is the transport Minister.

The Hon. DANIEL MOOKHEY: What is the timetable that you are aware of?

Mr STAPLES: I do not have a timetable available, but I am happy to take it on notice.

The Hon. DANIEL MOOKHEY: What is the selection procedure that has been followed? Is it a publicly advertised job?

Mr STAPLES: There is an involvement of the board, because it is recognised that that there is a board for the Port Authority, who would make a recommendation to the Minister in relation to the appointment of a chief executive. My expectation is that they would follow a normal government recruitment process.

The Hon. DANIEL MOOKHEY: Does that mean the board is leading the process, or Transport for NSW is leading the process?

Mr STAPLES: The board.

The Hon. DANIEL MOOKHEY: Has the board yet advertised the position, to the best of your knowledge or Mr Holliday's knowledge?

Mr STAPLES: I have had a discussion with the chair about the recruitment process, but I am not up to date with the specific status of it. So if you do not mind, I will take the timing of that on notice.

The Hon. DANIEL MOOKHEY: Did you learn anything from that discussion with the chair that might give us a bit more information as to what procedures are being followed and when?

Mr STAPLES: No. I think that I had a conversation about what options they were considering, and I know that they are getting on with something. But I need to check and provide that on notice.

ANSWER

I am advised:

The appointment of Chief Executive Officers is a matter for recommendation by the Board of a State Owned Corporation to the portfolio minister, being the Minister for Transport and Roads and the Minister for Regional Transport and Roads.

A rigorous recruitment process was followed by Port Authority's Board and a recommendation has been made to Government for endorsement/approval.

Appointment of the Chief Executive Officer is anticipated by the end of November 2019

Question 54

The Hon. DANIEL MOOKHEY: Mr Holliday, we might continue with the discussion we were having. You said that there were a number of organisations other than Royal Caribbean and Norwegian Cruise Lines who were prepared to make a contribution. Did you have who were?

Mr HOLLIDAY: When we formally announced the detailed business case we also invited organisations to register an interest. Commercial and industry engagement commenced and registrations to participate in that industry engagement closed on 4 October. There were 59 registrations received from interested organisations covering cruise lines, financiers and design, construction and delivery contractors. Thirty organisations were selected for one-to-one meetings based on a range of evaluation criteria, and these meetings have commenced and will conclude in early November. Those organisations that were not selected for interview have been offered the opportunity to provide a written submission by the end of October. An information memorandum was distributed to registered parties after signing a confidentiality deed. So that is where we are in the process.

The Hon. DANIEL MOOKHEY: On notice, can the Committee have the names of the 59 organisations that registered and the 30 that were invited to one-on-one meetings?

Mr HOLLIDAY: I can take that on notice and see what I can provide to you.

ANSWER

I am advised:

Port Authority of New South Wales has signed confidentiality deeds with the respondents to the industry engagement around the cruise capacity business case.

On this basis, the names of the respondents and the organisations that were invited to on-on-one meetings remain commercial-in-confidence.

Question 55

The Hon. MICK VEITCH: As part of the Forestry Corporation sale or disposal scoping that has been undertaken by government, as of today has RMS been consulted in any way about the extensive road network that is established and maintained by the Forestry Corporation, either looking at taking it over or have it classified as regional road?

Mr STAPLES: I might ask Ms Trussell whether she has any knowledge around that, or Mr Wakelin-King.

The Hon. MICK VEITCH: I would hate for Ms Trussell to be here all day and not answer a question. Let us let Ms Trussell have a go.

Ms TRUSSELL: I would have to take that on notice.

The Hon. MICK VEITCH: The question that has been taken on notice, to be very clear, is: As of today, have you been involved at all in any of the discussions as to what is to happen to those roads?

Mr STAPLES: Understood.

ANSWER

I am advised:

Roads and Maritime Services has not held discussions with the Forestry Corporation regarding the ownership or classification of its roads. Local roads in LGAs with significant forest land are eligible for funding under fixing local roads. Classified regional roads may be considered as part of the road classification and regional road transfer review.

Question 56

The Hon. JOHN GRAHAM: Maybe some answers now, if you wanted to?

Mr STAPLES: The first one, there were some specifics around silica. Mr Lamonte can give you a little bit more detail around some of the notifications we received from contractors and so forth. We do not have that on roads but we thought we might as well cover the metro.

The Hon. DANIEL MOOKHEY: That will be appreciated.

Mr LAMONTE: Probably just to contextualise this, we are doing an awful lot of work here and if I call out Cate Cole, who is a Churchill Fellow, who is pretty much an international expert in this field working for us. She has done some great work and one of the early things she has done is made virtue out of an open and honest reporting system. So perhaps we will see the figures in that sense. In the 12 months to the end of September there have been 63 individual exceedances reported in 47 incidents. They are reported on a monthly basis. There have been no notices from SafeWork NSW or Comcare. And just to be very clear, of course the primary means of mitigation is filtration and ventilation, but most tasks require a P2 respirator but some specific tasks require P3 level, and that is applied.

The Hon. DANIEL MOOKHEY: Just to quickly follow up on that, Comcare's involvement, does that stem from, is it Leighton's?

Mr LAMONTE: I would have to come back to you on that specific one.

The Hon. DANIEL MOOKHEY: Of the 63 notices and 47, what did you do?

Mr LAMONTE: What we do is follow up with the contractors to understand why there have been these errors—is it the insufficient filtration ventilation as the primary means of reducing dust levels, or is it that we have had exceedances where they have not had adequate personal protective equipment [PPE]? How far away were they from the workforce where the work was going ahead? Has this been properly planned out? We work through all of those incidents. That is one of Cate's really big areas too, to try and influence.

The Hon. DANIEL MOOKHEY: Which tunnel was it?

Mr LAMONTE: There will be across a range of our worksites, and I can provide you the details if you wish

The Hon. DANIEL MOOKHEY: Yes, I would.

ANSWER

I am advised:

They were across tunnelling, demolition and Central Station.

Question 57

Mr STAPLES: The second one was in relation to the scope of the planning approvals for Sydney Metro West. We took on notice whether it went beyond the tunnel. Mr Lamonte can give you a little bit more detail around the scope of that.

Mr LAMONTE: Just to start off with, we have got 100 people right now working on Sydney Metro West, which answers one of the points which was raised earlier. We mentioned the scoping report going into the Department of Planning, which went in last week, and that is the driver for CSs to be issued. We mentioned EIS for the first stage of the project and that actually is looking at the Westmead to the Bays tunnelling. That is going on public exhibition next year. The further stages of Sydney Metro West will be assessed in subsequent EISs. That obviously then links to the next stage which will be submissions and preferred infrastructure report, which will then be lodged with the Department of Planning in the usual way.

Just to round that one out, on the first stage of the planning process, what we were looking for planning approvals for, which I think was the specific question you asked, was approval for the whole Sydney Metro West broad concept and specifically for approval of major civil construction work between Westmead and the Bays Precinct. Future planning processes will include the remaining civil construction work from the Bays into the Sydney CBD. The rail system's fit-out, the station fit-out, aboveground building construction and operation of the metro line—all that is still to come.

The Hon. DANIEL MOOKHEY: Will all that is still to come be pursued as State critical infrastructure as well?

Mr LAMONTE: I would have to check on that bit.

The Hon. DANIEL MOOKHEY: Right.

ANSWER

I am advised:

Sydney Metro is seeking a declaration for Sydney Metro West to be State significant infrastructure and critical State significant infrastructure.

Question 58

Mr STAPLES: I have a little bit more detail around the Eden-Candelo on-demand bus. Mr Fuller can provide a bit more on that.

The Hon. JOHN GRAHAM: Thank you.

Mr FULLER: So there were a couple of questions. The first one was: How many people actually patronised the Candelo service at start-up? It was 38 trips in total and it did finish on 27 September. The next question was about how different the Eden service was—what was the comparison? Previously it was basically a fairly refined route around the old 790-791 bus routes within a determined distance of those. The new service actually allows for a more customised pick-up and residents' drop-off at any location within a four-kilometre zone of Eden. It is a much more flexible arrangement.

The Hon. JOHN GRAHAM: It is a much more zonal arrangement rather an add-on to an existing on-demand or route.

Mr FULLER: Exactly.

Mr HARDWICK: I do it to an existing plan.

Mr FULLER: To a rounded route. That is exactly right. It runs between 8.45 and 1.00 p.m. In relation to vehicles on that service, because we are leveraging an existing contract with an existing provider, they are existing buses that were in downtime during that period and they continue to be that way. There have been no specialist buses purchased for those routes.

The Hon. JOHN GRAHAM: Right. At the start of the trial, you are referring to the commencement of the Eden-Candelo trial there.

Mr FULLER: That Sapphire Coast trial is with our local provider that has existing buses that had dead running at the time. They were put into service to provide that. There were no additional purchases.

The Hon. JOHN GRAHAM: Okay, thank you—in that instance, but there might be in other trials.

Mr FULLER: There could be. We can come back if there are.

The Hon. JOHN GRAHAM: Okay. Thank you.

ANSWER

I am advised:

In relation to the vehicles used for the Rural and Regional On Demand trials:

(a) Each trial is unique dependant on the proposal put forward by the Operator.

Across the trials there are a number of different methods that vehicles were obtained to enable the trials. These include:

- Use of vehicles that are already under contract with TfNSW
- The Operator purchased a new / second hand vehicle for use on the trial
- The Operator uses an operator owned vehicle that was already within its own fleet of vehicles

- The Operator leased a vehicle for use on the trial.

(b) The retention of the vehicle by the Operator post the trials will be dependent on the method used by the operator and the operators determination post on demand trial. TfNSW has not purchased any vehicle outright to be used on the trials.

Question 59

The Hon. JOHN GRAHAM: Thank you. We might turn now to some Roads questions. I will start with the Western Harbour Tunnel & Beaches Link. The next step in this process is for the EIS to go on exhibition. Can you give us any update as to the timing of that next step?

Mr STAPLES: Obviously that is one of our really critical road projects. Mr Regan and Mr Hardwick have got some involvement in that so I might turn to Mr Regan first to give you a bit of a run down about the timing. He may ask Mr Hardwick for some input.

Mr REGAN: Thanks, Mr Staples. Yes, as the secretary mentioned, this is one of our major and most critical projects we are in the process for finalising materials for. In the planning process and the environmental impact statement we do not have a final time frame for yet, but that work is well advanced. We will update the Committee in the future.

The Hon. JOHN GRAHAM: Okay. Can you give us any sense, though, of how close we are?

Mr REGAN: I think it is something that we are working through. We have further discussions with government so I do not expect it will be too long at the moment.

The Hon. JOHN GRAHAM: Is this going to happen before Christmas?

Mr REGAN: I do not have a time but I can take it on notice, if you wish, and come back with more detail.

ANSWER

I am advised:

The NSW Government will keep the community informed on the delivery of the Western Harbour Tunnel and Beaches Link Program. Further information will be made publicly available in the near future.

Question 60

The Hon. JOHN GRAHAM: I have been asking questions on notice about the property acquisitions that have taken place for that project. This is for the Western Harbour Tunnel & Beaches Link. The answer was extraordinarily general. I will not trouble you with the details of this very general answer. Have property acquisitions taken place for this project?

Mr REGAN: There have been some property acquisitions done to date. Just bear with me on this. You will recall that when some earlier announcements were made—and it must have been back some 18 months ago—there were a number of

properties that were identified that might be impacted. Discussions did commence with those parties at the time. In some cases people have opted to conclude a transaction by agreement but we have not been in a compulsory acquisition context. We have continued to discuss. It is obviously important that we work to finalise the alignment and to continue to work to minimise any property impacts and to confine the design around that. That is something that there will be more information on and, back to your previous question, to give more advice to the community on.

The Hon. JOHN GRAHAM: The reports were that 71 property owners might be impacted. Is that still an accurate report?

Mr REGAN: I do not have a sense of the number at this point and I think I will perhaps add that to my previous responses.

The Hon. JOHN GRAHAM: That you will take on notice?

Mr REGAN: Yes.

The Hon. JOHN GRAHAM: Thank you. Can you tell us, perhaps on notice, how many property owners by agreement have concluded negotiations?

Mr REGAN: Yes. I will look at what I can come back with on notice.

ANSWER

I am advised:

The NSW Government publishes data on annual basis regarding property acquisitions by NSW Government agencies, including agencies in the Transport Cluster. This includes the number of acquisitions concluded by agreement. Further information is available at www.propertyacquisition.nsw.gov.au.

Question 61

The Hon. JOHN GRAHAM: I might turn to WestConnex and the so-called residual land. First, I want to ask about a particular part of the residual land—the bit that was discussed before the election. It was described in one report as roughly an acre near Underwood Road and Ismay Avenue near Powell's Creek. It looked like it was going out to market but then it was withdrawn by the Government until a Minister for Planning and Public Spaces was in place. What is the status of that land?

Mr STAPLES: I do not have a particular knowledge of that. I will ask Mr Regan whether he knows anything about that. Obviously we are working within the Government's commitment to not proceed with a sale on that land. We are not doing anything against that policy, but I could not give you the specifics at this stage.

Mr REGAN: I am aware of the property you are referring to but I do not have the specifics to hand. I am happy to come back to you with an update on notice.

The Hon. JOHN GRAHAM: Thank you. In general what is the Government's general policy with the residual land as a result of WestConnex? Is the general policy that it should not be sent to sale?

Mr STAPLES: There were some specific commitments made by the Government around particular parcels of land on WestConnex that they will be retained for public purpose, rather than being sold. The working through with local stakeholders on the specifics of that use is still to be completed from a process point of view. I would not rule out that there are still some sites in the right locations where it is appropriate to

sell. I think what we were talking about is some of the larger parcels that could have a public use, rather than a commercial or residential use.

The Hon. JOHN GRAHAM: On notice will you provide what particular bits of land you consider the Government has made a commitment to?

Mr STAPLES: We can give you a list of the lands that we believe form part of the policy position.

The Hon. JOHN GRAHAM: Thank you. Could you also let me know how much land is considered residual for each of stage of WestConnex at the moment—for stages 1 to 3A and 3B?

Mr STAPLES: Yes, we can certainly do that. The only reason I slightly hesitated was that some of the land transitions between stages. We will endeavour to split it as best we can.

The Hon. JOHN GRAHAM: I think you know what I am asking. If there is a sensible way to present that information I am open to that.

ANSWER

I am advised:

A Residual Land Management Plan has been prepared for M4 East and New M5 and submitted to Department of Planning for consideration. The plan outlines the land that could be subject to the Government Policy.

The M4-M5 Link is still in delivery. A Residual Land Management Plan will be prepared closer to project completion.

Question 62

The Hon. JOHN GRAHAM: Finally, the total number of stacks for the WestConnex project is reported as 29. Is that accurate?

Mr STAPLES: Are you talking about the filtration buildings?

The Hon. JOHN GRAHAM: I am asking about—

Mr REGAN: The ventilation facilities?

The Hon. JOHN GRAHAM: Yes.

Mr STAPLES: That was my error, sorry.

Mr REGAN: I will come back and confirm the number. Are you asking how many facilities there are?

The Hon. JOHN GRAHAM: Yes. It has been reported as 29. Could you tell me if that is correct and could you provide the locations that are publicly known on notice? I take it that after the public discussion none of those are proposed as filtered at the moment.

Mr STAPLES: I apologise for my error on that.

The Hon. JOHN GRAHAM: There is no need to apologise.

Mr STAPLES: Obviously that information is in the environmental impact statements in terms of where those locations are. What are you looking for?

The Hon. JOHN GRAHAM: If they are all public, could you provide me with the locations?

Mr STAPLES: Okay.

ANSWER

I am advised:

The WestConnex Tunnel Ventilation outlet locations and corresponding projects are:

1. Kingsgrove –for New M5 tunnels
2. Arncliffe – built to service both New M5 and M6 tunnels
3. St Peters Interchange, Canal Road – New M5 tunnels
4. St Peters Interchange, Campbell Street – M4-M5 Link Tunnels
5. Rozelle Interchange – for M4-M5 Link Tunnels, Rozelle Interchange Tunnels
6. Iron Cove – For the Iron Cove Link tunnels (part of the RI project)
7. Haberfield – for the New M4 tunnels and M4-M5 Link Tunnels
8. Homebush – New M4 tunnels

Question 63

The Hon. DANIEL MOOKHEY: Now that we are in testing and, as you said, you are capable of now testing a theory against the practice, from observation, which sounds excellent. Of the 38 to 40 minutes it takes to go from Circular Quay to Randwick, how long will a person on the light rail be waiting at intersections at red lights?

Mr HARDWICK: Are you talking about the whole length?

The Hon. DANIEL MOOKHEY: Of the 38 to 40 minutes—I presume that is inclusive of time waiting at traffic lights?

Mr HARDWICK: Correct.

The Hon. DANIEL MOOKHEY: How much time would a passenger be waiting?

Mr HARDWICK: Every trip will be different, depending on what happens.

The Hon. DANIEL MOOKHEY: Sure, but on average?

Mr HARDWICK: I would have to take it on notice how long. Average is going to be quite a wide average because of that, but I would have to take on notice the exact average time.

The Hon. DANIEL MOOKHEY: If I am a car at, say, King Street in the city, how long will I be waiting for a light rail to actually cross the intersection now? Do you know? How long does it take for the light rail to cross an intersection?

Mr HARDWICK: How long does it take for the vehicle to cross?

The Hon. DANIEL MOOKHEY: Yes, each vehicle.

Mr HARDWICK: Seconds for the vehicle to actually cross the intersection.

The Hon. DANIEL MOOKHEY: The 67-metre vehicle.

Mr HARDWICK: Yes. It is seconds to get across. It depends on the speed with which it is already coming at, whether it has just left a station. It will vary whether it is accelerating up or already at average speed. If it is at average speed, it is seconds. If it is coming out of a stop it will take a little longer because it is ramping up to speed.

The Hon. DANIEL MOOKHEY: But if I am a car, compared to now how much extra will I be waiting at the intersection?

Mr HARDWICK: The intent is to try to balance the vehicles with that. As we are doing the testing and the drivers are getting up to speed with driving through—because they have started at a slower speed whilst they have been doing testing—we are starting to get them up to speed.

The Hon. DANIEL MOOKHEY: Do you have that information? Can you tell the public how long extra they will be waiting?

Mr HARDWICK: Not until we get into the final stages of testing as we start to continue to move the intersections. Because we can move the personality around to make sure we get the right balance between the light rail vehicle and the rest of the motor vehicles—and, critically, for pedestrians as well.

Mr STAPLES: We have made fair progress in the Randwick to Circular Quay section to teach the personalities around managing that. Obviously from the moment we started works in George Street we have put a real focus on trying to reduce vehicle movements within the CBD area. We have had some really good success around that. That is another key variable to how much time you will spend at an intersection because of the number of other cars that are there. The next big step for us in terms of really bedding in the confidence on the travel time will be when we go into passenger service because the other big variable is—

The Hon. DANIEL MOOKHEY: We have two minutes left, so I—

Mr STAPLES: I was just trying to help with the travel time.

The Hon. DANIEL MOOKHEY: I do, but is it possible to get the additional bit on notice just so I can ask the last question I wanted to ask and my colleagues can ask one more?

Mr STAPLES: Okay.

The Hon. DANIEL MOOKHEY: Thanks. In terms of question 60, I asked you in the previous session, "What were the total costs involved with the Alstom litigation?" You have come back and said, "I'm advised financial statements including expenditure on consultants are available in agency annual reports." I have checked and the cost of the litigation is not disclosed in those reports. So can I ask what was the total cost to the New South Wales taxpayer for its involvement in Alstom litigation? That includes in-house costs and spending on consultants.

Mr STAPLES: I do not have that at hand. We would have to take that on notice.

ANSWER

I am advised:

Transport for NSW is balancing the operational needs of the new light rail with those of existing road users.

The individual personalities for the 56 Traffic Control Systems Plans required for the 63 signalised intersections along the SLR route are complete and are being tested with the trams.

Each intersection is different, with different demands and a range of clearance times. Generally, road traffic already stops regularly at intersections for pedestrians to cross at the signals without major impacts to traffic.

When the light rail is operational, the trams will cross at the same time as pedestrians and cyclists, which is expected to have minimal impact.

As light rail testing continues, additional adjustments continue to be made to improve how intersections function for all road users.

Further analysis of the traffic impacts on the surrounding network is also underway to ensure we balance the needs of the light rail and the broader network. This process will continue until the light rail is fully operational and services are bedded in.

There has not been any litigation with Alstom therefore no costs have been incurred.