

QoN 1: Property acquisition numbers at Orchard Hills

Transcript Page: 6

1	<p>The Hon. DANIEL MOOKHEY: Have you identified how many residents will lose their homes to the project?</p> <p>Mr ANDREW CONSTANCE: Yes, the metro team will be able to respond to that with an answer to you this afternoon, but I believe it is around the number of 16 offhand, but I will double-check and get you the exact number.</p>
---	---

ANSWER

I am advised:

1	19 residential buildings are being acquired for the Sydney Metro – Western Sydney Airport project.
---	--

QoN 2: Rodd Staples

Transcript Page: 13

2	<p>The Hon. DANIEL MOOKHEY: Minister, you recently decided to spend \$830,000 of taxpayers' money to remove your respected departmental secretary, Mr Staples, as the head of Transport for NSW. When did you make that decision?</p> <p>Mr ANDREW CONSTANCE: I think that is all in the public domain and I stand by the statement I issued in relation to Mr Staples, and I really do not have anything further to add.</p> <p>The Hon. DANIEL MOOKHEY: I appreciate that and I appreciate the public explanation that you have made. But the question was when did you make the decision, and you have not yet explained that publicly.</p> <p>Mr ANDREW CONSTANCE: Last year.</p> <p>The Hon. DANIEL MOOKHEY: When, Minister?</p> <p>Mr ANDREW CONSTANCE: I would have to go back and have a look at my time frame on that.</p> <p>The Hon. DANIEL MOOKHEY: Can you take that on notice?</p> <p>Mr ANDREW CONSTANCE: I am happy to.</p>
---	---

ANSWER

I am advised:

2	I announced Mr Staples departure on 18 November 2020. I have nothing further to add to my previous statements on this matter.
---	---

QoN 3: Number of Ministerial Directions

Transcript Page: 15

3	<p>The Hon. DANIEL MOOKHEY: How many ministerial directions have you issued to your department in the last 18 months?</p> <p>Mr ANDREW CONSTANCE: How many?</p> <p>The Hon. DANIEL MOOKHEY: Yes.</p>
---	---

	Mr ANDREW CONSTANCE: I am happy to take that on notice, but I do remember one which was very clear and very clear to my heart. That was asking them to clear the trees back 40 metres from the Princes Highway after the bushfires.
--	--

ANSWER

I am advised:

3	In accordance with section 3B of the <i>Transport Administration Act 1988</i> , I regularly issue directions on a range of matters to transport agencies.
---	---

QoN 4: Provide copy of Ministerial Direction on bushfires

Transcript Page: 16

4	Mr ANDREW CONSTANCE: I do not know. You would need to ask the department. I think the point that I would make is that what has gone on there is a classic example of what needs to change. Because, let me tell you, after that event, when lives were put at risk in the way that they were put at risk, my expectation was that we would get the trees back from our highways because I am sick of people dying or running off roads and hitting trees. I am sick to death of a major event like that—where trees fell down on roadways for weeks. I am sick to the stomach to think that we could not even get diesel fuel into our fire tankers because our highways were closed because the trees were down all over them. It was a disgrace. So there is an example of me issuing a ministerial order. The Hon. DANIEL MOOKHEY: Do you mind providing us with a copy of your ministerial direction on notice? Mr ANDREW CONSTANCE: Absolutely. In terms of that one, yes, I am happy.
---	--

ANSWER

I am advised:

4	I refer you to the document tabled in the hearing.
---	--

QoN 5: Underpass at Appin Road as part of the Gilead development - Koalas

Transcript Page: 19-20

5	Ms CATE FAEHRMANN: I have some questions about koalas, so I think this will be much more fiery than anything we have seen today. Minister, you are aware of your Government's commitment to double koala numbers by 2050. Mr ANDREW CONSTANCE: I am. Ms CATE FAEHRMANN: Do you support that commitment? Mr ANDREW CONSTANCE: Yes. Ms CATE FAEHRMANN: So why is the RMS blocking—I refer particularly to a potential underpass at Appin Road as part of the Gilead development. I hear that RMS is saying that underpass cannot be built. Is there somebody here who can answer that detail for me?
---	---

	<p>Mr ANDREW CONSTANCE: Can I firstly just give some broad perspective in relation to that issue? First of all, the department has an absolute commitment, as I do, that we must do everything to protect the koala. Species numbers are terrible. The animal is obviously under enormous strain and threat in terms of its population. I dare say the wildfires did not help the population in the State. In an area like Appin, where there are colonies, my expectation is that through a consultation process we tease out some of those issues in advance of any decision that is made—be it how the project might be built, the detailed design or working through the environmental impact statement. We can absolutely take on notice any specific question that you have about the koala interface at that underpass and that interchange. I think that is really important, because I do want to give the community confidence that where possible we will absolutely protect the animal.</p> <p>Ms CATE FAEHRMANN: Can I just check if there are any officials here today that have detail about that particular project?</p> <p>Mr ANDREW CONSTANCE: I think there will be this afternoon, probably more likely to be this afternoon.</p> <p>Ms CATE FAEHRMANN: Mr Regan, are you—</p> <p>Mr REGAN: We will be able to give you a detailed response on that this afternoon. But I will reiterate the Minister's comment: The department is absolutely committed to resolving that issue and to protecting and enhancing the environment for koalas. We will be able to give you more detail on that this afternoon.</p>
--	--

ANSWER

I am advised:

5	I refer you to the answer provided in the hearing.
---	--

QoN 6: Link road between Appin Road and Menangle Road - Koalas

Transcript Page: 21-22

6	<p>Ms CATE FAEHRMANN: There is also a link road that is being investigated, between Appin Road and Menangle Road. You are aware of a potential link road in that area?</p> <p>Mr ANDREW CONSTANCE: Yes.</p> <p>Ms CATE FAEHRMANN: I have in front of me the corridor option, which, I understand, is the preferred option. It is actually going to cut through Noorumba Reserve, which is the very same area that RMS is concerned about in terms of the underpass.</p> <p>Mr ANDREW CONSTANCE: But again this is why—</p> <p>Ms CATE FAEHRMANN: Yes, I can ask the public servants but, ultimately, Minister—</p> <p>Mr ANDREW CONSTANCE: But, Cate, for starters, you are talking about a process that is just underway in terms of options without any definite decisions.</p> <p>Ms CATE FAEHRMANN: No, it is—</p>
---	---

	<p>Mr ANDREW CONSTANCE: You are also making statements in relation to agency views that I do not know are right, wrong or indifferent. You are making these claims.</p> <p>Ms CATE FAEHRMANN: The chief scientist has specifically said that this underpass is needed to maintain the connectivity for this koala population, that basically an underpass is the best option to ensure that this koala population will not be fragmented and fragmentation—I am sorry—is death for koalas, actually.</p> <p>Mr ANDREW CONSTANCE: Yes. I agree with that.</p> <p>Ms CATE FAEHRMANN: The underpass is possible. I have seen a diagram by Lendlease. I have seen the diagram.</p> <p>Mr ANDREW CONSTANCE: I will take this offline and have a look at it.</p> <p>Ms CATE FAEHRMANN: Can you please make inquiries?</p> <p>Mr ANDREW CONSTANCE: Yes, that is fine.</p> <p>Ms CATE FAEHRMANN: Can I just say Lendlease has also said to me it is just an additional \$4 million, which they will pay for.</p> <p>Mr ANDREW CONSTANCE: I am not aware of that. Just let us take it offline. I will go and have a look at it. It is not complex.</p> <p>Ms CATE FAEHRMANN: Go and have a look at it. One of the things that the local community is now concerned about is in fact that it is not the destruction of the ecological community that RMS is worried about, it is the fact that they want to put the link road there and destroy that corridor anyway.</p> <p>Mr ANDREW CONSTANCE: I have to take it on notice, Cate.</p> <p>Ms CATE FAEHRMANN: No, no. I am just wanting some kind of commitment from you. It is the healthiest population pretty much in New South Wales. I think part of whether the Government will see its commitment by 2050 to double koala numbers rests on decisions like this. You are the Minister in charge.</p> <p>Mr ANDREW CONSTANCE: That is fine. Again, the officials will be here this afternoon to go through the exact specifics. It is good you have flagged this this morning because they will be able to, obviously, get more information for you this afternoon. But, again, with any infrastructure that has to be built, particularly in the bush, there are environmental requirements that need to be met as part of a planning process. It would not matter if it is an endangered animal or in this case the koala. We have to work through those processes.</p>
--	---

ANSWER

I am advised:

6	Transport for NSW is reviewing the four short-listed options for the Link road. The options considered key constraints, including native vegetation and fauna habitat. Feedback from the consultation period will be used in the decision to select a preferred route.
---	--

QoN 7: M9 OSO interchange locations

Transcript Page: 23

7	The Hon. MARK LATHAM: Yes. So when, on 22 June 2018, you announced the tunnel for the planned M9 Outer Sydney Orbital route and you announced the tunnel from north of Cobbitty Road to south-east of Cawdor
---	---

Road, you would normally expect that interchanges would be built there at Cobbitty Road and also south-east of Cawdor Road.

Mr ANDREW CONSTANCE: Of course you are going to have an interchange point where the existing road network enters a motorway. That would be no different there. Again, back at that time, Minister Pavey was in the chair in terms of roads and I would have to go back and have a look at the specifics around those interchange points for me to be more complete in my answer to you. ...

The Hon. MARK LATHAM: Yes, thank you. Earlier in that year, on 26 March 2018, the M9 Outer Sydney Orbital route was announced without a road tunnel between Cobbitty and Cawdor. What happen in the three months subsequent to facilitate the need for the road tunnel to be announced and planned?

Mr ANDREW CONSTANCE: One of the things which happened—and correct me if I am wrong but I, again, would have to go and check with the Minister at the time—was that there was a pretty significant push on locally in relation to not splitting that community. There was also recognition that there was going to be significant growth for the future decades, given that there is no provision time frame for exactly when this motorway would be built and, of course, given the growth in that sector, which is phenomenal as you know. So a NorthConnex-style tunnel might be the best way to avoid splitting the community, so that is why that was suggested. If I remember correctly, there were also quite a few heritage properties out there that would have also been affected. But I would have to go back and check, to be honest, but that is my rough recollection of that issue at the time and it was pushed pretty hard by people like Chris Patterson, who was the member at the time.

ANSWER

I am advised:

7	I refer you to the answer provided by the Acting Secretary in the hearing.
---	--

QoN 8: Meetings chaired by Premier

Transcript Page: 23

8	<p>The Hon. MARK LATHAM: In the three-month period, do you recall attending meetings chaired by the Premier where you, Melinda Pavey, Chris Patterson and Jai Rowell attended to talk about the community opposition to the above-road M9, out of which the tunnel was decided?</p>
---	--

Mr ANDREW CONSTANCE: I would have to go back and have a look at my notes and meetings at that time, Mark, but invariably I would not be surprised if those types of discussions happened. I was chair of the Cabinet infrastructure committee at that time, so only naturally you would have the local members there presenting the community view.

The Hon. MARK LATHAM: Do you recall those meeting in the Premier's office chaired by the Premier?

Mr ANDREW CONSTANCE: I cannot remember where the meetings were but I will go back and have a look.

ANSWER

I am advised:

8	<p>Based on my diary records, I attended a meeting in May 2018 to discuss community feedback about the Outer Sydney Orbital, which included the Premier, then the Minister for Roads and the then Member for Camden and the then Member for Wollondilly.</p> <p>The meeting discussed the significant community reaction to the corridors consultation.</p>
---	---

QoN 9: M9 OSO Transport produced maps in the public domain

Transcript Page: 26

9	<p>Mr ANDREW CONSTANCE: First of all, I cannot marry—and I was not in charge of Roads of the day, so let us just be a little bit reasonable here. I do not know what allegations you are asserting in relation to Transport planning. If you are asserting an allegation in relation to Transport planning please put it and I will respond to that. The point is we have a—</p> <p>The Hon. JOHN GRAHAM: Just on that, we will put some questions to the agency.</p> <p>Mr ANDREW CONSTANCE: That is appropriate.</p> <p>The Hon. JOHN GRAHAM: I am asking the question your agency asked. Who is talking to who? How did the developer know?</p> <p>Mr ANDREW CONSTANCE: That is a crazy question to ask me. I was not the roads Minister of the day. Ultimately, you are handing me documents that exist between a developer and another agency elsewhere in government. So I cannot be any more specific in relation to that. The Transport planners worked through a process with the community back at that time. I would have to go back and have a look at the exact time frame in terms of what Transport-produced maps went to the community.</p>
---	--

ANSWER

I am advised:

9	<p>The Outer Sydney Orbital has been identified by Transport for NSW as a long-term strategic priority. The study area for the alignment was released for community consultation in 2015.</p> <p>A high level alignment was included in the draft of Future Transport 2056, released for public comment in October 2017, before being finalised and released in March 2018.</p> <p>The Country Garden map does not correspond with any map released by Transport for NSW, or with the final exhibited alignment.</p>
---	--

QoN 10: M9 OSO – INSW role in relation to the corridor strategy

Transcript Page: 27

10	<p>The Hon. DANIEL MOOKHEY: Good. But it is the case, is it not, that Mr Rowell, as the relevant local member here, was arguing to take the tunnel much further, to the M5. Is that correct?</p> <p>Mr ANDREW CONSTANCE: I can't recall that.</p>
----	---

	<p>The Hon. DANIEL MOOKHEY: Did he make that submission to you at any point?</p> <p>Mr ANDREW CONSTANCE: I can't recall what you're saying.</p> <p>The Hon. DANIEL MOOKHEY: He has publicly said it. If you cannot recall it, I accept that, that is fine. I understand it is a complicated matter and it is representation. Did you ever receive advice from your officials, as the infrastructure Minister, or for that matter, Infrastructure NSW—who I think at the time you were responsible for—that they preferred a long road land bridge to achieve the same—</p> <p>Mr ANDREW CONSTANCE: I would have to go back and check what role iNSW had in relation to a corridor strategy. I would be hard-pressed to think they would have any engagement, but I will have to go back and double-check.</p>
--	---

ANSWER

I am advised:

10	As with all major NSW Government projects, a number of agencies were consulted, including Infrastructure NSW.
----	---

QoN 11: Estimated cost for Metro West

Transcript Page: 29

11	<p>The Hon. DANIEL MOOKHEY: Minister, what is the forecast final cost of the Metro West project?</p> <p>Mr ANDREW CONSTANCE: The forecast final cost?</p> <p>The Hon. DANIEL MOOKHEY: Yes.</p> <p>Mr ANDREW CONSTANCE: The final cost will be when we sign a contract.</p> <p>The Hon. DANIEL MOOKHEY: What is your current estimate of the Metro West project?</p> <p>Mr ANDREW CONSTANCE: I will take that on notice, but again there are still investigative works going on, Daniel.</p>
----	---

ANSWER

I am advised:

11	No. I refer you to the answer provided in the hearing.
----	--

QoN 12: Has estimated cost increased for Metro West

Transcript Page: 30

12	<p>The Hon. DANIEL MOOKHEY: Is your latest integrated baseline review for the Metro West project reporting that there has been a 30 per cent increase in the cost range?</p> <p>Mr ANDREW CONSTANCE: I will take that on notice.</p>
----	--

ANSWER

I am advised:

12	Your question proceeds on a false premise.
----	--

QoN 13: Offset requirements

Transcript Page: 30-31

13	<p>The CHAIR: I will ask one short question before I hand back to my colleague Ms Faehrmann. In relation to conservation offsets, I assume that you have seen recent reports in relation to offsets that were promised many years ago—before you tell me that that was in a Labor government, I am well aware—that have never been delivered. I just wanted to know what your department has been doing in relation to ensuring that the offsets in relation to major Transport projects actually come to fruition.</p> <p>Mr ANDREW CONSTANCE: Well, again, we work through the appropriate environmental impact statements [EISs] around our projects and we have to adhere to the Biodiversity Conservation Act, which is informed by the Environment Protection and Biodiversity Conservation [EPBC] Act at a national level. Particularly when there is a requirement to, the appropriate environmental assessments are undertaken. There is a classic example of this on the M4 with the Roper Road exit. The department has to meet the requirements in terms of the offsets, like everyone else.</p> <p>The CHAIR: You would think so, and yet—</p> <p>Mr ANDREW CONSTANCE: Have you got an example of where they have not?</p> <p>The CHAIR: Sure: the M7. Fifteen years later, we still have not got that conservation offset in place.</p> <p>Mr ANDREW CONSTANCE: We did not build that. That was built by the Commonwealth.</p> <p>The CHAIR: I am well aware, but presumably the obligations continue in your department.</p> <p>Mr ANDREW CONSTANCE: But that was built by the Commonwealth.</p> <p>The CHAIR: With a condition on it that an offset be put in. That offset still has not been put in. Are you saying that once a Labor Government is out, your department does not need to worry about those offsets?</p> <p>Mr ANDREW CONSTANCE: We were not responsible for the project.</p> <p>The CHAIR: Are you saying that you are not responsible for the offsets? That once there is a change of government—</p> <p>Mr ANDREW CONSTANCE: On a project that we did not build.</p> <p>The CHAIR: When there is a condition on a project for it to be built—</p> <p>Mr ANDREW CONSTANCE: But that is an obligation of the Commonwealth, I would have thought.</p> <p>The CHAIR: No, it is not. It is an obligation of your Government. Are you saying that there is no assurance—</p> <p>Mr ANDREW CONSTANCE: Put this to the officials this afternoon. My expectation is that if there is an offset requirement—that it be met. It is important. We love the environment.</p> <p>The CHAIR: You would think so, especially because a lot of the time public opposition is calmed down by saying, "Look, we will have an offset in place."</p>
----	--

	<p>In a lot of cases, particular places that have been identified for those offsets, it has never come to fruition. Do you not think that perhaps we should have those offsets in place before we commence development of new projects?</p> <p>Mr ANDREW CONSTANCE: No, because nothing would get built.</p> <p>The CHAIR: Nothing would get built but—</p> <p>Mr ANDREW CONSTANCE: But the point out of this is that there is a requirement that the offsets be provided. One of the challenges particularly with a calculator is—previously it was like for like. There has been some change to make the Act more workable. But your suggestion that somehow Transport does not meet its requirements under the Biodiversity Conservation Act—I am asking you to provide evidence of that being the case.</p> <p>The CHAIR: Sure. I can table that, if you like.</p> <p>Mr ANDREW CONSTANCE: Yes, great, because I would like to go and have a look at your claim.</p> <p>The CHAIR: Yes, because it is of concern. You would agree?</p> <p>Mr ANDREW CONSTANCE: Yes.</p> <p>The CHAIR: And if that is happening, would you not agree that we need to change the way things are done?</p> <p>Mr ANDREW CONSTANCE: Yes.</p> <p>The CHAIR: Great.</p> <p>Mr ANDREW CONSTANCE: But that is if your allegation is correct.</p> <p>The CHAIR: It is not my allegation. It is in a The Guardian article.</p> <p>The Hon. SCOTT FARLOW: Reputable!</p> <p>The Hon. SAM FARRAWAY: Oh, my goodness.</p> <p>The CHAIR: I know. Independent journalism—it is so offensive to your Government.</p> <p>Mr ANDREW CONSTANCE: Sorry. You are asking me to rely on a The Guardian article as to whether the agency is meeting or not meeting its biodiversity—</p> <p>The CHAIR: No, I am asking you to rely on your department. I would expect that they would know if they had fulfilled their offset obligations. If you need to take it on notice, please do—</p> <p>Mr ANDREW CONSTANCE: I am happy to,...</p>
--	---

ANSWER

I am advised:

13	I refer you to the answer given by Ms Drover at the hearing and the additional information provided to the committee.
----	---

QoN 14: M7 Offsets

Transcript Page: 32

14	<p>Mr ANDREW CONSTANCE: Peter, is it true that you—</p> <p>Mr REGAN: Thank you, Chair. I do not have the details on that particular environmental offset in front of me; however, we are very happy to give you an update this afternoon.</p> <p>The CHAIR: That would be fantastic. Thank you very much.</p>
----	--

ANSWER

I am advised:

14	I refer you to the answer provided in the hearing.
----	--

QoN 15: Active Transport infrastructure

Transcript Page: 32

15	<p>Ms CATE FAEHRMANN: Thank you, Chair. Minister, I just wanted to turn to the reported \$710 million that is being invested, as I understand, into walking and bike sharing infrastructure over the next four years. I have before me that the promise for this current financial year, 2020-2021, is that \$23.892 million of that \$710 million is being spent on active transport. Does that ring a bell, in terms of that approximate amount?</p> <p>Mr ANDREW CONSTANCE: First point: Yes, we are investing \$710 million over the next four years. You would expect it to ramp up, year on year. It is pleasing when some of the areas that are getting money, like Coogee, Lismore and Murray, are good areas that deserve projects and substantial money is going into some of those areas. I am happy to provide you with the information in relation to those projects in those seats, but they are good projects.</p>
----	---

ANSWER

I am advised:

15	<p>More people than ever are walking or cycling to work for leisure and fitness. The NSW Government continues to encourage people to walk and cycle as part of their everyday commute. We recognise that not only does it help relieve pressure on our roads and public transport system, but walking and cycling are healthy, active ways of travelling. By continuing to invest in the construction of new paths and infrastructure, we help keep people safe while encouraging more individuals to take up these modes of travel.</p> <p>Thanks to the NSW Government's strong economic management, approximately \$710 million will be invested into walking and cycling infrastructure over the next four years. This will bring the NSW Government's total investment to around \$1.1 billion – the largest commitment in the State's history.</p> <p>Information regarding the NSW Government's commitment to active transport is publicly available on the NSW Treasury and Transport for NSW websites.</p>
----	---

QoN 16: Active Transport – council funding

Transcript Page: 33

16	<p>Ms CATE FAEHRMANN: Are there more councils that are approaching you for contributions to funding for these bike paths at the moment than you are providing money for?</p> <p>Mr ANDREW CONSTANCE: I am not aware of—but I can go back and see what councils are approaching me. I mean, there are some good projects.</p>
----	--

	Take a project like the GreenWay project; we got in and funded that by working with the council.
--	--

ANSWER

I am advised:

16	<p>Yes.</p> <p>More people than ever are walking or cycling to work for leisure and fitness. The NSW Government continues to encourage people to walk and cycle as part of their everyday commute. We recognise that not only does it help relieve pressure on our roads and public transport system, but walking and cycling are healthy, active ways of travelling. By continuing to invest in the construction of new paths and infrastructure, we help keep people safe while encouraging more individuals to take up these modes of travel.</p> <p>Thanks to the NSW Government's strong economic management, approximately \$710 million will be invested into walking and cycling infrastructure over the next four years. This will bring the NSW Government's total investment to around \$1.1 billion – the largest commitment in the State's history.</p>
----	--

QoN 17: Active Transport - allocation of funding

Transcript Page: 33

17	<p>Ms CATE FAEHRMANN: It is not a very ambitious allocation of funding. So, it is an allocation—it is in the budget to just spend \$24 million of \$710 million this first year when there is such a demand for cycling infrastructure. Why is it so unambitious?</p> <p>Mr ANDREW CONSTANCE: Okay, but as part of that money—I mean, it is not \$24 million of \$710 million when we are also building major active transport links around some of our major infrastructure, as well. There is a component in that \$710 million which is factored into that.</p> <p>Ms CATE FAEHRMANN: Do you know how much that is?</p> <p>Mr ANDREW CONSTANCE: I can get you the number, yes.</p>
----	---

ANSWER

I am advised:

17	<p>Thanks to the NSW Government's strong economic management, approximately \$710 million will be invested into walking and cycling infrastructure over the next four years. This will bring the NSW Government's total investment to around \$1.1 billion – the largest commitment in the State's history.</p> <p>In 2020-21 alone, the total amount budgeted for walking and cycling infrastructure is around \$130 million.</p> <p>Information regarding the NSW Government's commitment to active transport is publicly available on the NSW Treasury and Transport for NSW websites.</p>
----	---

QoN 18: M9 OSO Daryl Maguire

Transcript Page: 33

18	<p>The Hon. MARK LATHAM: Thank you, Chair. Thank you, Minister. Minister, earlier on you mentioned you were not entirely sure if Daryl Maguire had made representations to your office about the Outer Sydney Orbital and the related tunnel. Can you undertake for the Committee's benefit to check the records and staff in the office to find out what the situation was?</p> <p>Mr ANDREW CONSTANCE: If we are going back to 2017 I can do my best, but I certainly never had any discussion with Daryl Maguire in relation to the Outer Sydney Orbital. I can tell you that now. I can go and do my best and have a go. Let me try. I have had high staff turnover since 2017, so let me try to find out that answer, yes.</p>
----	---

ANSWER

I am advised:

18	Having checked with my staff, no such formal representations were received based on available records.
----	--

QoN 19: Meeting with Louise Waterhouse

Transcript Page: 33

19	<p>The Hon. MARK LATHAM: Thanks for that. Earlier on you said that you do not meet with property developers. But you did meet with another Maguire client, did you not—Louise Waterhouse, a property developer at Badgerys Creek?</p> <p>Mr ANDREW CONSTANCE: Yes, that was obviously disclosed through my diary. Again, it was pretty much, if I recall correctly—and I will have to go back again and get the file note—that meeting was around the Western Sydney Airport. So, again, I am happy to provide you with advice in relation to that meeting.</p> <p>The Hon. MARK LATHAM: But why did you break your rule of not meeting with property developers to meet with Louise Waterhouse?</p> <p>Mr ANDREW CONSTANCE: Again, I will go back and check the file note at the time. But if I recall correctly, there was obviously a lot of effort in relation to the airport and getting employment lands off the ground at the time. But I will go back and check for you.</p>
----	--

ANSWER

I am advised:

19	Ms Waterhouse raised a Smart West proposal and the need for transport planning to support the planned western Sydney Airport and surrounding areas. As Minister for Transport and Infrastructure (not Roads) at the time, I took the meeting, which Transport for NSW officials also attended, and disclosed it in my ministerial diary.
----	--

QoN 20: M9 OSO meetings with the Premier

Transcript Page: 34

20	<p>The Hon. MARK LATHAM: Just coming back to the political management meetings that Jai Rowell and Chris Patterson convened with the Premier, attended by yourself and Minister Pavey, have you got a recollection of the Premier chairing those meetings in her or any other office?</p> <p>Mr ANDREW CONSTANCE: No, I cannot recall the meetings, but I am not saying they did not happen. But we are going back a fair way. I have been involved in a lot of meetings with MPs over the years who make representations—</p> <p>The Hon. MARK LATHAM: She is more than just an MP; she is the Premier.</p> <p>Mr ANDREW CONSTANCE: Yes, but you will also recollect at that time that the issue was pretty red hot in those communities, and it was a pretty public issue in terms of the community angst and concern about property take and housing being taken in that area. That is a matter of record. And, again, given the very nature of those seats, it is entirely appropriate for the Leader of the Government to be, obviously, involved in those types of issues.</p> <p>The Hon. MARK LATHAM: Can you undertake for the Committee's benefit to check your records about those meetings that I have referred to and, again, report—</p> <p>Mr ANDREW CONSTANCE: Yes, no worries.</p> <p>The Hon. MARK LATHAM: They were between March and June of 2018.</p> <p>Mr ANDREW CONSTANCE: Okay, I will go back and have a look.</p>
----	--

ANSWER

I am advised:

20	I refer you to the answer to Question on Notice 8.
----	--

QoN 21: Boating Now - Stuarts Point, Fishermans Reach and fees collected

Transcript Page: 43

21	<p>The Hon. MARK BANASIAK: I will turn towards a bit of the maritime stuff and the Boating Now program. The Stuarts Point boat ramp received a \$250,000 grant under Boating Now as a part of a larger foreshore development. Is the Minister aware that that essentially is being wasted because local council is being stymied by National Parks and other State agencies such as WaterNSW, which will not actually allow them to dredge a small section which will actually allow the boat ramp to be operated at both high and low tide?</p> <p>Mr ANDREW CONSTANCE: I am not aware of the specifics on that individual project, but I am happy to go and have a look at it for you.</p> <p>The Hon. MARK BANASIAK: Because that ramp is largely useless, a lot of recreational boaters are now using a boat ramp around the corner basically at Fishermans Reach, which is in serious need of repair. Has Kempsey council made any representations to your department about applying for Boating Now funding for that?</p> <p>Mr ANDREW CONSTANCE: Again, I will take that on notice. I do not know.</p>
----	---

The Hon. MARK BANASIAK: Specifically about figures that are collected via recreational boating fees and personal watercraft [PWC] registration fees—why is it that the Transport for NSW website is reporting 2012-13 figures as its most up-to-date data in terms of what has been gathered from those fees?

Mr ANDREW CONSTANCE: I think it is fair to say in more recent times that there is a process involving Treasury in terms of the release of the funds, which we have had to work through. I will get that updated for you so that that is accountable for boat licence payees and we will put all the numbers up so that there is absolute accountability around that, Mark. That is fine.

ANSWER

I am advised:

- 21 With respect to the Stuarts Point Boat Ramp, under Round 2 of the Boating Now Program, Kempsey Shire Council received \$250,000 to upgrade the Stuart's Point boat ramp. This upgrade included demolition of the existing ramp and reconstruction of a new ramp.
- This ramp is mostly suited for smaller vessels as the natural water depth of the adjacent waterway is shallow.
- The Fisherman's Reach boat ramp is more suited for large vessels, including commercial vessels on either low or high tide, as this boat ramp enters deeper waters of the Macleay River.
- Under Round 1 of the Boating Now Program, \$40,000 was allocated to improve the Fisherman's Reach boat ramp facility. The works included upgrades to the road access from Fishermans Reach Road to the boat ramp and the boat ramp manoeuvring area. Council has not sought funding for any further upgrades to the facility since that time.
- In relation to the Transport for NSW website, this is part of a larger Transport for NSW website update. In relation to this specific page (Boating fees at work), an update will be made shortly. Recreational boating and personal watercraft fees collected by Transport for NSW are hypothecated into the Waterways Fund. This fund invests in boating infrastructure upgrades through the Boating Now program among other functions of the Minister. Responsibility for maintaining boating infrastructure rests with the asset owner.

QoN 22: Waterways Fund financial position

Transcript Page: 44

- 22 **The Hon. MARK BANASIAK:** Would you be able to provide on notice the current financial position of the current Waterways Fund with a dissection between what is—
- Mr ANDREW CONSTANCE:** Yes, that is fine. No worries.

ANSWER

I am advised:

22	Information regarding the financial position of the Waterways Fund is publicly available.
----	---

QoN 23: M9 OSO meetings chaired by the Premier in 2018

Transcript Page: 44-45

23	<p>The Hon. JOHN GRAHAM: Great, thank you. I appreciate that answer, Minister. I want to turn back to the M9 Outer Sydney Orbital meetings. You have told us you do not necessarily strongly recall those meetings between April 2018 and June 2018, chaired by the Premier, to discuss this project. Let me put the question to you another way, though. If the Premier had declared a conflict of interest in relation to another MP, Daryl Maguire, you would have remembered that. Is that correct?</p> <p>Mr ANDREW CONSTANCE: The premise of your question is actually wrong. There was a highly contentious political issue in the State electorates of Camden and Wollondilly at the time. I will not sit here and go to the ins and outs of those meetings. I have been asked some specific questions in relation to whether and how I was approached for Country Gardens and all that sort of thing. I have given the Committee that response earlier.</p> <p>The Hon. JOHN GRAHAM: Yes, and you are taking some of those on notice. I respect that. You cannot recall now—understood.</p> <p>Mr ANDREW CONSTANCE: But I am not here to go through the ins and outs of meetings with MPs, and certainly meetings that go back a very long time ago.</p> <p>The Hon. JOHN GRAHAM: Alright. Minister, I respect the fact that you want to go and check the record on those matters before answering on notice. You may not recall immediately but you would recall if the Premier in one of the meetings that she was chairing declared a conflict of interest about Daryl Maguire, would you not?</p>
----	---

ANSWER

I am advised:

23	I refer you to the answer to Question on Notice 8.
----	--

QoN24: MV Freshwater – cost to run and service

Transcript Page: 47- 48

24	<p>The Hon. DANIEL MOOKHEY: When does the MV Freshwater need its next major service and how much will it cost?</p> <p>Mr ANDREW CONSTANCE: What?</p> <p>The Hon. DANIEL MOOKHEY: To service the MV Freshwater at its next major service.</p> <p>Mr ANDREW CONSTANCE: It has got to go through a five-year survey and the cost will probably be around the \$5 million mark. But I will get you the exact number....</p>
----	---

	<p>The Hon. DANIEL MOOKHEY: Minister, can you confirm it is going to cost \$10 million every five years to keep the two Freshwater class ferries running on weekends and public holidays?</p> <p>Mr ANDREW CONSTANCE: No, because I said I would get you the exact numbers.</p> <p>The Hon. DANIEL MOOKHEY: Great. Will you have those exact numbers this afternoon? Do you think your officials will be able to have them?</p> <p>Mr ANDREW CONSTANCE: No. We will take it on notice.</p>
--	--

ANSWER

I am advised:

24	<p>The MV Freshwater is currently undergoing its five yearly out-of-water survey. The cost of works associated with the survey and docking are around \$6 million.</p> <p>In late 2023, the MV Collaroy will need to undertake a survey and docking, and an engine rebuild. It is expected the cost would be approximately \$7 million.</p> <p>Other operating costs are commercial-in-confidence.</p>
----	--

QoN 25: MV Freshwater - Cost of run

Transcript Page: 47

25	<p>The Hon. DANIEL MOOKHEY: Minister, can you confirm it is going to cost \$10 million every five years to keep the two Freshwater class ferries running on weekends and public holidays?</p> <p>Mr ANDREW CONSTANCE: No, because I said I would get you the exact numbers.</p> <p>The Hon. DANIEL MOOKHEY: Great. Will you have those exact numbers this afternoon? Do you think your officials will be able to have them?</p> <p>Mr ANDREW CONSTANCE: No. We will take it on notice.</p>
----	--

ANSWER

I am advised:

25	<p>The MV Freshwater is currently undergoing its five yearly out-of-water survey. The cost of works associated with the survey and docking are around \$6 million.</p> <p>In late 2023, the MV Collaroy will need to undertake a survey and docking, and an engine rebuild. It is expected the cost would be approximately \$7 million.</p> <p>Other operating costs are commercial-in-confidence.</p>
----	--

QoN 26: Brad Burden investigation

Transcript Page: 48- 49

26	<p>The Hon. DANIEL MOOKHEY: Minister, Mr Staples committed to an investigation into the appointment of Brad Burden—</p> <p>Mr ANDREW CONSTANCE: You said I did about five seconds ago.</p> <p>The Hon. DANIEL MOOKHEY: Has that investigation been completed?</p> <p>Mr ANDREW CONSTANCE: Mate, I don't know.</p> <p>The Hon. DANIEL MOOKHEY: Why don't you know whether that investigation has been completed?</p> <p>Mr ANDREW CONSTANCE: Because it was a matter for Mr Staples.</p> <p>The Hon. DANIEL MOOKHEY: Have you been given the outcome of that investigation and report of any form?</p> <p>Mr ANDREW CONSTANCE: I would have to check with my office. What are you on about? You just said here I conducted an investigation when I hadn't.</p> <p>The Hon. DANIEL MOOKHEY: Minister, has your department conducted an investigation? Or did this not happen, despite being told last year?</p> <p>Mr ANDREW CONSTANCE: I will go and find out. I will take your question on notice.</p> <p>The Hon. DANIEL MOOKHEY: Minister, is Mr Burden still an employee of the department of transport or Transport for NSW?</p> <p>Mr ANDREW CONSTANCE: To the best of my knowledge, no.</p> <p>The Hon. DANIEL MOOKHEY: When did he cease being an employee?</p> <p>Mr ANDREW CONSTANCE: I will take it on notice.</p> <p>The Hon. DANIEL MOOKHEY: Why did he cease being an employee?</p> <p>Mr ANDREW CONSTANCE: I will take it on notice.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: Did Mr Burden receive a severance payment when he left Transport for NSW?</p> <p>Mr ANDREW CONSTANCE: I will take it on notice.</p> <p>***</p> <p>The Hon. DANIEL MOOKHEY: Great. Did he resign? Or was he dismissed?</p> <p>Mr ANDREW CONSTANCE: Mate, I don't know.</p> <p>The Hon. DANIEL MOOKHEY: Does the Acting Secretary know? Can you check? He is right there.</p> <p>Mr ANDREW CONSTANCE: Okay. Can I check with you? And then can I tell the good member that we are going to put this on notice and come back to you.</p> <p>Mr REGAN: Yes, Minister, you can.</p> <p>Mr ANDREW CONSTANCE: Thanks. We will take it on notice.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: Thanks. Finally, if you are going to be so helpful to take these things on notice, are you able to provide us with all the paperwork relevant to this matter?</p> <p>Mr ANDREW CONSTANCE: Mate, I will tell you one thing, I have a real issue with the way in which you bandy around people's personal employment records. I think there is a point of fairness involved in those individuals. There are so many professional men and women who work in the public sector. They are good people. If you want to get into this degree of minutia around one employee or others, it is a bit rough. It really is. I think the point out of it is</p>
----	--

	<p>I have given an undertaking to come back to you with a whole series of answers to your questions on notice about time frames involving Mr Burden. We will go from there.</p> <p>ANSWER ***Mr ANDREW CONSTANCE: I have been advised that there was no severance payment, just then via a Post-it note.</p>
--	---

ANSWER

I am advised:

26	I refer you to the answer provided in the hearing. Mr Burden was not an employee of Transport.
----	--

QoN 27: Ministerial Directions

Transcript Page: 52

27	<p>The Hon. DANIEL MOOKHEY: Mr Secretary, how many written ministerial directions has the department received from all of your cluster Ministers in the last year?</p> <p>Mr REGAN: I will have to take that on notice and come back to you with that number.</p> <p>The Hon. DANIEL MOOKHEY: Was it more than one?</p> <p>Mr REGAN: I am aware of one. Obviously that was discussed this morning. I am not aware of any others but I will take it on notice and come back to you on that.</p> <p>The Hon. DANIEL MOOKHEY: The legal authority of a written ministerial direction is that your department must comply. Is that correct?</p> <p>Mr REGAN: It is my understanding that the Minister has the capacity as the Minister to direct the department. I am not a constitutional expert so I will not give you the precise answer. I think we could probably include our understanding of it in our response on notice but we certainly act on the basis that, where we are directed or if we are directed on a ministerial basis, that is something that we implement.</p> <p>The Hon. DANIEL MOOKHEY: The Minister said that I should direct my questions to you this afternoon about the specifics of that particular ministerial direction. I want to take him up on his invitation and ask you about it. Firstly, when did Minister Constance issue you with that written ministerial direction?</p> <p>Mr REGAN: Just to be clear, he did not issue me specifically with the direction as I was not acting as the secretary at the time. I am happy to try and answer the question as well as I can in that regard. I personally have not seen the direction but we will provide it to you and I will certainly make sure that happens.</p> <p>The Hon. DANIEL MOOKHEY: Is there a chance that we can get it this afternoon or are we pushing our luck?</p> <p>Mr REGAN: I do not know. We will see what we can do. (some repetition on page 53)</p>
----	--

ANSWER

I am advised:

27	I refer you to the answer to Question on Notice 3 and document tabled in the hearing.
----	---

QoN 28: Cost to comply with direction

Transcript Page: 54

28	<p>The Hon. DANIEL MOOKHEY: And so, is it right to infer that the cost so far incurred by Transport for NSW to comply with the Minister's direction is at least \$10 million?</p> <p>Mr REGAN: Certainly the program that we have instituted is at least that, yes.</p> <p>The Hon. DANIEL MOOKHEY: What could be the highest cost?</p> <p>Mr REGAN: I do not know. I am happy to come back to you on that.</p> <p>The Hon. DANIEL MOOKHEY: Can you come back to me on that this afternoon, please, if possible?</p> <p>Mr REGAN: I will see what I can do.</p> <p>The Hon. DANIEL MOOKHEY: I appreciate that.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: You have shown good prescience here, Mr Secretary, because my next question was: Insofar as the radius, how many kilometres or hectares of land is subject of the Minister's order?</p> <p>Mr REGAN: I revert to my previous answer. I will be providing the details of what is in the order on notice, so I cannot answer that.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: How many trees so far have been removed as a result of the Minister's order?</p> <p>Mr REGAN: I do not have that information. I am happy to revert on that, as part of that broader update.</p>
----	--

ANSWER

I am advised:

28	<p>A \$10 million Bushfire Corridor Resilience Program has been carried out along two key strategic corridors; 223 kilometres of the Princes Highway and 127 kilometres of the Gwydir Highway.</p> <p>As at early March 2021, the Bushfire Corridor Resilience Program has removed approximately 6700 trees, not 16 million trees as claimed by the NSW Opposition. The program is yet to be completed.</p> <p>Transport for NSW is assessing priorities for further corridor resilience action and will be initiating works on other state road corridors in the coming months.</p>
----	--

QoN 29: Ministerial Order legal advice

Transcript Page: 56-57

29	<p>The Hon. DANIEL MOOKHEY: Fair enough. Thank you. Can I just ask: Did Transport for NSW ever commission any legal advice as to whether the Minister's direction was legal?</p> <p>Mr REGAN: I am not aware. I am happy to look at that.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: Why not? He is a lawyer. You are the secretary. How would you go about getting legal advice about whether the Minister's direction is legal?</p> <p>Mr REGAN: We have a general counsel internally, who we can seek advice from. The general counsel would determine whether or not that advice would be given—or sought external advice, including from the Crown Solicitor. I am not going to speculate—as I said, I was not involved in that process at the time—but I am happy to look into it.</p> <p>The Hon. DANIEL MOOKHEY: But you have continuing responsibility and you are now subject to the same order. I only imagine that you would want to make sure that you are not committing any illegality here. So, have you ascertained whether or not the Minister's order was legal?</p> <p>Mr REGAN: I personally have not.</p> <p>The Hon. SCOTT FARLOW: Six days into the job.</p> <p>The Hon. DANIEL MOOKHEY: Has anyone in here—anyone on this panel—bothered to figure out whether or not the Minister's instruction to your department was legal?</p> <p>Mr REGAN: As I just explained, this happened last year. I was not in the role. I am sure the secretary at the time would have taken the appropriate advice and I am happy to look at what was done in that regard.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: Did you ever seek its advice as to whether this was legal?</p> <p>Mr REGAN: I did not, no.</p> <p>The Hon. DANIEL MOOKHEY: Did your department ever ascertain—</p> <p>Mr REGAN: But to be clear—</p> <p>The Hon. SCOTT FARLOW: Point of order: The witness should be allowed to finish.</p> <p>Mr REGAN: I did not seek advice because I was not responsible for the issue at the time.</p> <p>The Hon. DANIEL MOOKHEY: Sure.</p> <p>Mr REGAN: If your question is whether the department did, I am happy to look at that.</p> <p>The Hon. DANIEL MOOKHEY: Okay, could you please look at that?</p> <p>Mr REGAN: I can.</p>
----	---

ANSWER

I am advised:

29	I refer you to the answer provided at the Regional Transport and Roads Budget Estimates hearing.
----	--

QoN 30: Ministerial order EIS

Transcript Page: 57

30	<p>The Hon. DANIEL MOOKHEY: Thank you very much. Did your department ever find out whether or not in order to comply with the Minister's direction you would have to go through any form of environmental impact statement?</p> <p>Mr REGAN: I am going to take that question on notice as well. As I said, we did go through and work extensively to see, on a risk-based approach, which works could be done immediately. In some cases there are complexities around land, around topography, around other constraints, and that is what is being worked through. So I am quite happy, as I have said, to come back with further detail. I apologise I am not able to give you all the answers to those questions right now because I do not have them.</p>
----	--

ANSWER

I am advised:

30	I refer you to the answer provided at the Regional Transport and Roads Budget Estimates hearing.
----	--

QoN 31: Ministerial Direction and private landowners

Transcript Page: 57

31	<p>The Hon. DANIEL MOOKHEY: I appreciate that, Mr Regan. Did you ever ascertain whether any private landholder would be impacted by the Minister's direction?</p> <p>Mr REGAN: Absolutely. There are private landholders who hold land next to the road corridors in question in some cases, so that would be part of the challenge that we would be working through as to whether or not we were able to undertake that or whether we would need to negotiate with those landowners.</p> <p>The Hon. DANIEL MOOKHEY: So have you initiated any negotiations with any landholder that is not the Crown in order to—</p> <p>Mr REGAN: I will have to look into that.</p> <p>The Hon. DANIEL MOOKHEY: Sorry, I will just finish. In order to—</p> <p>Mr REGAN: I will look into that. As I said, in some cases where there were difficulties we have found alternative routes that we have been able to use. In other cases there are opportunities that are prevented to us because what we are talking about here is retrofitting into existing roads. Where we are building new roads and new corridors, we have wider corridors to start with and we can achieve different outcomes.</p> <p>The Hon. DANIEL MOOKHEY: Have you had to compensate any landowner in order to comply with the Minister's order?</p> <p>Mr REGAN: I am not aware. I will look into that for you as well.</p> <p>The Hon. DANIEL MOOKHEY: Thank you. In effect, given that there are a lot of requirements on private landowners before they can remove a tree, what assistance has Transport for NSW provided any private landowner who has had trees removed?</p> <p>Mr REGAN: I did not say that they have.</p> <p>The Hon. DANIEL MOOKHEY: Have they?</p>
----	--

	Mr REGAN: To repeat my previous answer, I will take on notice the extent to which we have engaged with or discussed with private landowners, but I cannot comment hypothetically. So I will take that question on notice.
--	--

ANSWER

I am advised:

31	I refer you to the answer provided at the Regional Transport and Roads Budget Estimates Hearing.
----	--

QoN 32: Was ministerial direction policy

Transcript Page: 58

32	The Hon. DANIEL MOOKHEY: Did any officer ever provide any direct advice to the Minister recommending this as a policy prior to the Minister issuing the direction? Mr REGAN: I am sorry, I was not in the chair at the time. I am unable to answer that question. I am happy to come back with as much information as I can and, as you noted before, when we have the regional estimates hearing there may be an opportunity to ask more people there who have been more directly involved, but I cannot speculate on something that I was not involved in.
----	---

ANSWER

I am advised:

32	I have nothing further to add.
----	--------------------------------

QoN 33: Boating Now – scoring criteria

Transcript Page: 58-59

33	The Hon. MARK BANASIAK: I will direct my questions where I left off regarding the NSW Boating Now Program. The Boating Now guidelines state that at least a 25 per cent contribution from council is required. However, lower "will be considered if the project scores highly on the assessment criteria". Then it outlines the assessment criteria as: <ul style="list-style-type: none">• Direct benefits to current and potential waterway users• How the proposal supports the strategic outcomes of the Maritime Infrastructure Plan• Delivery confidence• Cost and affordability I am wondering whether someone can elaborate on how these projects are scored against that criteria. Is there a physical score awarded to each of those criteria? Perhaps on notice you can provide a scoring guide for the Committee so we can understand exactly how they were scored against that criteria.
----	--

ANSWER

I am advised:

33	Boating Now applications are assessed against the criteria outlined in the program guidelines, which are publicly available.
----	--

QoN 34: Boating Now grants – Eurobodalla, Sutherland

Transcript Page: 59-60

34	<p>The Hon. MARK BANASIAK: Moving to the Eurobodalla Shire Council, they received over \$1.1 million and they had to contribute zero. Can you tell me how they scored so highly that they are totally exempt from contribution?</p> <p>Mr HUTCHINGS: I would have to get advice on it. If I could take that on notice, we can get that information to you about why that was rated that way.</p> <p>...</p> <p>The Hon. MARK BANASIAK: Perhaps special points for the local member? Turning to Sutherland Shire Council, there are some discrepancies there. They were given \$200,000 for a Cronulla boat ramp dredging; however, there was an article in the St George & Sutherland Shire Leader that stated that the boat ramp is to be replaced at a cost of \$1.57 million. I am just wondering, why were they successful in getting a grant only to attract a significant amount of funds to replace the whole boat ramp?</p> <p>Mr HUTCHINGS: The details of that would be in the application so, again, I cannot give you the specifics of that here today. I would be happy to take that on notice and get them to you.</p> <p>...</p> <p>The Hon. MARK BANASIAK: Excellent. When we spoke to these councils about their application process, many of them actually said that they did not hold any statistical data as to vessel usage at the present sites or locations. So it is a concern that they would have applied for these funds, presented very minimal data to support it, and they got the go-ahead on these projects that may or may not actually achieve any measurable benefit to these communities and may not be what the community needs in terms of boating infrastructure. Did all these applications come with data to back up their decision?</p> <p>Mr HUTCHINGS: I have not read all the applications, but I certainly can get that information to you. So I will take that on notice. I can say that the delivery of the Boating Now Program across the State is part of Maritime's infrastructure delivery plan, so there is work that sits behind that, in conjunction with the Centre for Maritime Safety. So it is not totally an anecdotal dispersal of those funds. There is a plan that sits behind that, and we do prioritise where that goes. We are working towards, with the Centre for Maritime Safety, much more robust data and analytics when it comes to be able to prioritise our resources, our money and our staff around the State, and we are doing that. So, again, the detail of what you are talking about I would certainly have to take on notice, but that is generally the way in which we go about our business.</p>
----	--

ANSWER

I am advised:

34	<p>The Assessment Guidelines are publicly available.</p> <p>Boating Now projects are rigorously assessed against the program criteria. Unfortunately, some Councils are not in the financial position to contribute funding towards infrastructure projects which provide a wide social and economic benefit to the community. The program is designed so that communities and boating users that pay fees collected by the NSW Government are the beneficiaries of boating facilities and infrastructure, even when the Council does not have the financial capacity itself to deliver the infrastructure. More than 60 Boating Now projects have received a 100 per cent funding contribution from the Boating Now Program since its launch in 2014.</p> <p>Eurobodalla Shire Council sought funding for six projects under Round 3 of the Boating Now program. Four of these projects were successful and were awarded a combined \$1.1 million in grant funding.</p> <p>For the Sutherland Shire Council, the Cronulla Boat Ramp was reconstructed and a pontoon was installed under Round 1 of the Boating Now Program at a total cost of \$1.8 million and Boating Now allocation of \$650,000. These works were completed in October 2019.</p> <p>Under Round 3 of the Boating Now Program, the Council has been allocated \$200,000 to undertake minor dredging of the approach channel to the boat ramp. This work is expected to commence in late 2021 / early 2022 and will improve access to the recently upgraded facility.</p>
----	--

QoN 35: Boating Safety Officer reports

Transcript Page: 60

35	<p>The Hon. MARK BANASIAK: How often have you received reports from your boating safety officers that councils are not adhering to their requirements to maintain these boat ramps, let us say in the last three years? I know you would probably have to take that on notice.</p> <p>Mr HUTCHINGS: I definitely have to take that on notice.</p>
----	---

ANSWER

I am advised:

35	<p>Responsibility for maintenance of an asset resides with the asset owner. The Conditions of Grant for the Boating Now Program places a clear responsibility on the delivery partner for the ongoing maintenance of boating infrastructure during and following completion of Boating Now projects in accordance with any manufacturers' recommendations and/or accepted standard industry practice.</p>
----	---

QoN 36: Windsor Bridge

Transcript Page: 61

36	<p>The CHAIR: Thank you, that is very helpful. I am just going to ask a couple of quick questions about specific projects and if you need to take them on notice, Mr Regan, please do. In relation to Windsor Bridge, what are the costs to date of demolishing that heritage-listed bridge?</p> <p>Mr REGAN: I do not have that with me right now but I will take that on notice.</p> <p>The CHAIR: Thank you. And also what is the anticipated total cost of the demolition and disposal—so where we are at now and what is anticipated?</p> <p>Mr REGAN: If I can get that information this afternoon, I will try to give that to you.</p>
----	---

ANSWER

I am advised:

36	I refer you to the answer provided in the hearing.
----	--

QoN 37: Bells Line of Road

Transcript Page: 61

37	<p>The CHAIR: Thank you. In relation to the Bells Line of Road corridor and the upgrade, what information has been given to councils so far to assist their planning in relation to that upgrade?</p> <p>Mr REGAN: Unless Mr Collins has that one?</p> <p>Mr COLLINS: We will take that on notice.</p> <p>Mr REGAN: We will take that on notice and come back to you on that as well.</p>
----	---

ANSWER

I am advised:

37	<p>Transport for NSW is currently developing a program of works to address road safety improvements and overtaking opportunities, focusing on heavy vehicle overtaking needs for the western end of the Bells Line of Road Corridor (Chifley Road) near Lithgow. The primary benefits include travel time savings and improved road safety.</p> <p>Transport for NSW has been in discussions with Council on these improvements.</p>
----	--

QoN 38: Richmond Road to Central Coast

Transcript Page: 61

38	<p>The CHAIR: Thank you. Is there a proposed route from Richmond Road to the Central Coast?</p> <p>Mr REGAN: My understanding is that there is—I would not say a proposed route. There was historically some very long run corridor identification work</p>
----	---

	done some time ago, but I have not seen anything of late. Again, it would probably be best to take that on notice and I will let you know the status of that. Certainly it is not actively something that we have been looking at, but I know that a long time ago there was some investigation work done.
--	--

ANSWER

I am advised:

38	<p>Following the 2018 public exhibition of the Outer Sydney Orbital Stage 1 (OSO) the NSW Government deferred the section of OSO north of Richmond Road pending further investigation and consultation with Department of Planning, Industry and Environment and Councils.</p> <p>Transport for NSW is continuing its preliminary investigations into potential future transport links between Western Sydney and the Central Coast, considering the passenger and freight transport needs of future generations of Greater Sydney and the Central Coast as well as social, economic, environmental, cultural, and heritage considerations. No other route has been proposed.</p>
----	---

QoN39: M5/M8 Traffic volumes

Transcript Page: 63

39	<p>The Hon. JOHN GRAHAM: Mr Collins, what is the split between M5 East and the M8?</p> <p>Mr COLLINS: I have not got that information to hand.</p> <p>Mr REGAN: We can come back on that.</p>
----	--

ANSWER

I am advised:

39	Transurban publishes trip data for the M5 East and M8 on the NSW Road Toll Data website.
----	--

QoN 40: Northconnex

Transcript Page: 63

40	<p>The Hon. JOHN GRAHAM: While we are dealing with those, I might just quickly ask in relation to NorthConnex: What is the number of trucks who have been fined for travelling on Pennant Hills Road since NorthConnex happened?</p> <p>Mr COLLINS: I do not have those details. I understand that several warnings have been issued but I am not aware of the numbers of fines available to us.</p> <p>The Hon. JOHN GRAHAM: I am happy for you to take this on notice for either later in the session or afterwards: the number of trucks that have been fined for using Pennant Hills Road, the number of trucks that are using NorthConnex now and the number that have passed through the truck gantries—that is, the number that includes those who have been fined and</p>
----	--

those who have not been fined because they might have been appropriately travelling.

Mr REGAN: We will take that on notice and see what we can get you.

ANSWER

I am advised:

40 I refer you to the response to LC 4666 for information as at the date of the hearing, as well as the answer provided in the hearing.

QoN 41: Mobile speed cameras

Transcript Page: 64

41 **The Hon. JOHN GRAHAM:** I turn now to the change to the mobile speed camera program and ask about progress in the rollout of that program. This was announced on 19 November last year and included three different changes. I am interested in how far through those three changes we are. So it was the warning signs, the livery and also the increased hours for the cameras. Firstly, on the warning signs, are all those warning signs now gone across New South Wales? Is that a partial rollout or—

Mr REGAN: Just bear with me on that one; I will find that information for you, Mr Graham. Certainly we have made significant progress; I just need to check whether they are all gone.

The Hon. JOHN GRAHAM: Okay. I will let you do that. I am interested in how far through that part of the rollout we are.

Mr REGAN: I understand.

The Hon. JOHN GRAHAM: The livery is coming off some of the vehicles—how many of the vehicles is it coming off?

Mr REGAN: I will revert to you on that as well.

The Hon. JOHN GRAHAM: Great, okay. And again, how far through that process are we? So it might be coming off—

Mr REGAN: Certainly in terms of the process, if I could come back and give you an update on the hours—you mentioned the 7,000 to 21,000. We are aiming to roll that out and finalise that in the second half of this year. So we are some way into that program but aiming to achieve that by the second half of this year.

The Hon. JOHN GRAHAM: Yes. So you are some part through the tender process but none of that has happened on the ground. Is that a fair characterisation?

Mr REGAN: I think it is probably best on those three that I come back and give you an update as to where we are up to, to the extent we can.

...

The Hon. JOHN GRAHAM: We have talked about the changes to the program, but how many mobile speed cameras are there on the roads in New South Wales? It has been reported as 45.

Mr REGAN: I do not have the exact number. Certainly, the mobile speed cameras operate at just over 1,000 locations that they move between.

The Hon. JOHN GRAHAM: Yes, but my question is: The number of cameras is not expected to change under this program, is it? There has been no announcement about that. I assume that that is not the case.

	<p>Mr REGAN: No, my understanding is that the locations are the locations and the mobile cameras move between them.</p> <p>The Hon. JOHN GRAHAM: Right, okay. So there will not be any additional locations notified publicly or used—is that what you are saying?</p> <p>Mr REGAN: I will confirm that when I respond....</p>
--	---

ANSWER

I am advised:

41	Refer to the answer provided at the Regional Transport and Roads Budget Estimates Hearing.
----	--

QoN 42: Northconnex - fines

Transcript Page: 65

42	<p>The Hon. JOHN GRAHAM: Right. When did that commence or when will that commence?</p> <p>Mr COLLINS: From day one.</p> <p>Mr REGAN: So we were issuing warning letters from the start, and the fines—I think people should not expect to be getting warning letters forever; that fines will be issued.</p> <p>The Hon. JOHN GRAHAM: When will fines start?</p> <p>Mr REGAN: I am probably not going to be able to give you a precise date on that right now, but certainly the rule that has been put in place around the regulation, we expect that trucks are following it.</p> <p>The Hon. JOHN GRAHAM: Okay. I invite you to take that on notice. Often—it would not be unusual for there to be a warning period. It is normally very publicly communicated. So I invite you to take it on notice.</p> <p>Mr REGAN: We can come back with a little bit more detail. Certainly, our expectation is that those regulations are followed and that there will be fines that are associated with those regulations and they will be implemented.</p>
----	--

ANSWER

I am advised:

42	Enforcement commenced on Monday 15 March 2021.
----	--

QoN 43: Mobile speed cameras - fine increase

Transcript Page: 65

43	<p>The Hon. JOHN GRAHAM: Essentially those fines have been going up since this program has been rolled out. The Minister has defended that strongly. One of the things I wanted to ask about, though, was: Since 1 July the number of mobile speed camera fines jumped unilaterally and then stayed higher. What change occurred after 1 July that saw a consistent increase in the number of mobile fines?</p>
----	--

	<p>Mr REGAN: I think that is a question that I will take on notice. I would want to check that with the Centre for Road Safety as to what they believe is contributing—</p> <p>The Hon. SCOTT FARLOW: If only you had called Bernard.</p> <p>The Hon. JOHN GRAHAM: Yes, okay. I might indicate that we would expect to continue some of this discussion across both sets of estimates.</p> <p>Mr REGAN: Absolutely. We understand that and we are happy to try to provide that.</p>
--	---

ANSWER

I am advised:

43	<p>The increased number of people caught supports the position of Transport for NSW and what the statistics show – speeding is the leading cause of death and trauma on NSW roads and has been increasingly problematic over the last year during the COVID-19 pandemic.</p> <p>Transport for NSW expected to see an increase in people caught by mobile speed cameras as the removal of warning signage and other changes are rolled out across the network.</p> <p>Transport for NSW expects to see numbers stabilise and decrease once the full changes to the speed camera program are implemented over the next year and as motorists begin to get the message that just like using a mobile phone and being caught by a mobile phone detection camera, they can, and will, be caught anywhere any time on the NSW road network by mobile speed cameras too.</p> <p>Each year road traffic fines increase by the consumer price index (CPI) on 1 July.</p> <p>The power to avoid penalties for speeding is totally in the control of the driver.</p>
----	---

QoN 44: Sydney Trains EBA

Transcript Page: 67

44	<p>Mr DAVID SHOEBRIDGE: That is what I am asking you about. I am asking you if you will rule out terminating the enterprise bargaining agreement given the catastrophic cut that would mean to the wages and conditions for the thousands of people who keep our train network running.</p> <p>Ms HOLDEN: I am not in a position at the moment to discuss the alternatives. I am happy to take the question on notice.</p> <p>Mr DAVID SHOEBRIDGE: So you are leaving as an option—and this is the message you want to give to the thousands of people who keep our train system running—right now, the prospect of terminating the EBA and savagely cutting their wages and conditions. You are leaving that open in a public hearing.</p> <p>Ms HOLDEN: No. Can I take that question on notice to understand what else? At the moment we are looking at alternatives, but our focus at the moment is really talking to our people and the unions about extending this agreement for six months.</p>
----	---

ANSWER

I am advised:

44	I refer you to the answer provided in the hearing.
----	--

QoN 45: Sydney Trains Union Meeting

Transcript Page: 69

45	<p>Mr DAVID SHOEBRIDGE: Did you consult with the unions before you put the proposal by email to all your staff?</p> <p>Ms HOLDEN: We consulted—the 17th was the first time that we met with the unions and we agreed to follow up with a subsequent meeting this week, which we did.</p> <p>Mr DAVID SHOEBRIDGE: So you met with them after you sent the mass email out.</p> <p>Ms HOLDEN: No.</p> <p>Mr DAVID SHOEBRIDGE: How much before you sent the mass email out?</p> <p>Ms HOLDEN: I would need to check my diary and the timing of that. I can take that on notice.</p> <p>Mr DAVID SHOEBRIDGE: In the event that the enterprise agreement is not extended and expires, can you give the committee an indication of what the reduction in the average take-home pay for staff at Sydney Trains would be if they fell under the modern award?</p> <p>Ms HOLDEN: I would have to take that on notice.</p>
----	---

ANSWER

I am advised:

45	<p>An initial meeting was held at 3pm on 17 February 2021, with the Unions, Chief Executive Sydney Trains, Transport for NSW Executives and NSW TrainLink.</p> <p>At 5:41pm on 17 February 2021 an email was sent to all staff providing them with a high level explanation of the proposed variation of the Enterprise Agreement (EA) and that Executives had engaged with the Unions. The email noted there would be further engagement with the Unions on 22 February 2021.</p> <p>At 11am on 19 February 2021, a livestream event was held with Sydney Trains Leaders to explain the proposal to extend the EA through a variation. This event provided Leaders with information to support their teams and ask questions.</p> <p>At 1pm on 22 February 2021, a follow up meeting was held with the Unions, Chief Executive Sydney Trains, Transport for NSW Executives and NSW TrainLink to further discuss the EA variation. The regular meeting with the Unions was held immediately afterward.</p>
----	--

<p>On 23 February 2021, the Unions contacted Sydney Trains and NSW TrainLink via email to advise their position and desire to negotiate. On 26 February 2021, Sydney Trains and NSW TrainLink provided a formal response was to the Unions.</p> <p>Sydney Trains Enterprise Agreement 2018 is an agreement registered under the <i>Fair Work Act 2009</i> (Cth).</p> <p>Under the terms of that Act, an EA does not expire once it has passed its nominal expiry date. Therefore the current conditions and rates of pay would continue to apply to Sydney Train EA covered employees, if the employees do not approve the extension.</p>

QoN 46: M9 OSO – meetings with Premier TfNSW staff

Transcript Page: 69

46	<p>The Hon. MARK LATHAM: Mr Regan—and you can take this on notice of course—could you please furnish to the committee any record of your officials who attended meetings regarding the Cobbitty to Cawdor tunnel decision in the first half of 2018, the Ministers present, including the Premier, and any notes, minutes and records that they took from those meetings please?</p> <p>Mr REGAN: I am happy to take on notice to have a look into that. I am not aware of whether there were officials from Transport for NSW there. Just so that we are clear, what meetings are we talking about?</p> <p>The Hon. MARK LATHAM: Meetings between March and June of 2018 with senior Ministers such as Constance, Pavey and Berejiklian, and with the two backbenchers present—Patterson and Rowell—to discuss the tunnel proposal from Cobbitty to Cawdor. I understand that officials were present.</p> <p>Mr REGAN: Okay. I will take that on notice. Thank you.</p>
----	--

ANSWER

I am advised:

46	<p>Transport for NSW does not hold records of officials attending those meetings. However, it is not uncommon for Transport officials to be asked to attend briefings to answer questions from local members.</p>
----	---

QoN 47: M9 OSO media article

Transcript Page: 70-71

47	<p>The Hon. MARK LATHAM: Can you take on notice to find out what was the media report where an MP gave information to the developers?</p> <p>Mr RAIMOND: It sounds very similar to the one that you speak about but, yes, I am happy to take that on notice.</p> <p>...</p> <p>The Hon. MARK LATHAM: Around this time, Mr Maguire is in dreadful trouble at the Canterbury council inquiry at ICAC and he has resigned from the Liberal Party and then the Parliament. That was three days prior to your memo to self on 16 July. Are you confusing that with the Outer Sydney Orbital Chinese investor newspaper article?</p>
----	---

Mr RAIMOND: As I said, I am happy to take on notice exactly what article I might have been responding to or been asked to respond to.
--

ANSWER

I am advised:

47	Mr Raimond was not made aware of what prompted Clare Gardiner-Barnes to ask him to check facts in relation to briefings for Outer Sydney Orbital. An assumption was made that it specifically related to media reports published around July 2018.
----	--

QoN 48: Cyber Security

Transcript Page 71 - 72:

48	<p>The Hon. JOHN GRAHAM: In terms of the impact on Transport, was there an impact or a potential impact on train or traffic signalling?</p> <p>Mr REGAN: No. To be very clear, the information referred to is in relation to an external file transfer system. It is not actually an infiltration into our internal system itself.</p> <p>The Hon. JOHN GRAHAM: Yes, okay.</p> <p>Mr REGAN: It has been an issue, as I said, with some global implications. A number of parties and government agencies in Australia have been impacted either directly or indirectly in terms of some of their files, but it is not an infiltration into the actual system itself.</p> <p>The Hon. JOHN GRAHAM: When did Transport become aware of this?</p> <p>Mr REGAN: More information has become available over the past couple of months that it has been around. I am not sure of the exact date, which was a little bit before—I was not fully in the loop on it. The initial incident is understood to have occurred at the back end of last year or early January.</p> <p>The Hon. JOHN GRAHAM: Okay.</p> <p>Mr REGAN: But there has been investigation in that time.</p> <p>The Hon. JOHN GRAHAM: Could you take on notice exactly when Transport became aware of it?</p> <p>Mr REGAN: I will tell you what I am able to in that regard.</p>
----	--

ANSWER

I am advised:

48	Transport for NSW became aware it had been impacted by the Accellion FTA breach on 21 January 2021.
----	---

QoN 49: M9 OSO – meetings with Premier TfNSW staff and meeting notes

Transcript Page: 74

49	<p>The Hon. JOHN GRAHAM: Mr Regan, I think you have already agreed to this when my colleague asked you about those meetings that did occur. We are talking about meetings between April 2018 and 22 June 2018, those two or three meetings chaired by the Premier in the Premier's office. Departmental officials are present. You were taking on notice who those</p>
----	---

	<p>officials were. I think you have taken on notice any briefing notes, any notes that might have been taken. But I am also asking you to take on notice, if you have not already, any briefing notes that were prepared for any of those meetings. Let me ask you first. Were any briefing notes prepared, to your knowledge?</p> <p>Mr REGAN: Certainly I did take on notice that I would see whether any departmental officials attended those meetings, which I will do. Your question is, were there any briefing notes prepared?</p> <p>The Hon. JOHN GRAHAM: Yes. Are you prepared to take on notice any notes that were taken at those meetings, to produce those, firstly?</p> <p>Mr REGAN: If there were any departmental officials there. I am happy to look into that, yes. The Hon. JOHN GRAHAM: Good. And produce them if they exist.</p> <p>Mr REGAN: Yes, and I will look if there are briefing notes, if they exist.</p> <p>The Hon. JOHN GRAHAM: Secondly, were any notes prepared for the meetings?</p> <p>Mr REGAN: Yes, I am happy to look into that, take that on notice.</p> <p>The Hon. JOHN GRAHAM: Great. And produce those if they are the case.</p> <p>Mr REGAN: Yes, sir.</p>
--	---

ANSWER

I am advised:

49	<p>Transport for NSW does not hold records of officials attending those meetings. However, it is not uncommon for Transport officials to be asked to attend briefings to answer questions from local members.</p>
----	---

QoN 50: M9 OSO – what was published when

Transcript Page: 75

50	<p>Mr REGAN: Mr Raimond has explained his understanding. We believe that the information discussed as to what was in the public domain—from Transport's point of view there is a sequence. That, as you say, starts very broad and narrows down. I am quite happy for us to provide you with what, we believe, was published when from Transport's point of view. But I cannot, obviously, speak for other departments. I would make the point that, notwithstanding that level of refinement and development, at this point the project has not proceeded and we have not been acquiring that land either. The level of refinement and development of a corridor continues to change over time. Trying to make sure we can be as helpful as possible, but I do not think there is anything more that we have got that we have not put forward.</p> <p>The Hon. JOHN GRAHAM: But that time line will be helpful.</p> <p>Mr REGAN: I am very happy to indicate where we published and what we published because that is what we put out into the public domain over a period of time from 2012. I am happy to take that and bring that forward to you as well.</p>
----	--

ANSWER

I am advised:

50	I refer you to the response to Question on Notice 9.
----	--

QoN 51: Community Road Safety Fund

Transcript Page: 75-76

51	<p>The Hon. MICK VEITCH: I just want to go back to the Community Road Safety fund, again more at your level, Mr Regan, if I could. Prior to the bell ringing last time, we were just talking about the process upon which expenditure requests are elevating to the Minister's office and which Minister actually signs off on it. We have determined it is Minister Constance. Does Minister Toole ever sign off on any of the requests for funding out of the Community Road Safety fund?</p> <p>Mr REGAN: Yes. Some of the road safety initiatives that we are looking at are in that part of the portfolio as well.</p> <p>The Hon. MICK VEITCH: I will explore those with Minister Toole at his hearing. So the ministerial sign-off takes place. What is the public reporting of this fund? What is the process? Is it an audited fund?</p> <p>Mr REGAN: Perhaps I can come forward to you with that. I know that we do publish a summary. I know that Minister Constance had one this morning. Perhaps if I could come back to you. I will take on notice what is published and what the process is. The fund itself is not a standalone legal entity but it is a fund of which monies come in and out. All of that is accountable.</p> <p>...</p> <p>Mr REGAN: That is what I was referring to. There is that level of base, business-as-usual activities that they are doing. There are different requirements for the sign-off of different aspects. There are sign-offs around advertising campaigns that might need to go through different routes—potentially even through to Cabinet advertising committees—and there are particular initiatives that would go forward that would need to be considered by the relevant Ministers. I think perhaps it might be best for me to get that information and come back to you. I will take on notice the administration and the reporting on that fund because it is, as I understand it, relatively transparent.</p> <p>The Hon. MICK VEITCH: When you said the "Cabinet advertising committee", does that include the sponsorships that are paid for out of this fund?</p> <p>Mr REGAN: I am not sure. I will revert on that.</p> <p>The Hon. MICK VEITCH: Can you just check because the sponsorship clearly is an issue. I mean, is it advertising, for instance?</p> <p>Mr REGAN: Yes.</p> <p>The Hon. MICK VEITCH: So does it go through the Cabinet—</p> <p>Mr REGAN: I am not sure of the precise nature but there are certainly different procedural routes for sign-off, be it sponsorship or advertising and other programs that involve an element of that.</p> <p>The Hon. MICK VEITCH: So for something like police overtime, some of that is paid via this fund. Does the Minister sign-off in advance, or what is the process for the Minister to authorise the sign-off on that activity?</p>
----	--

	<p>Mr REGAN: Unfortunately I am not aware of those specifics, so I will take that on notice and revert.</p> <p>...</p> <p>The Hon. MICK VEITCH: Sorry, did you take on notice whether or not the sponsorships are part of the fund?</p> <p>Mr REGAN: Yes, I will look at that.</p> <p>The Hon. MICK VEITCH: Because that is also important.</p> <p>Mr REGAN: We are very happy to give you some visibility and allay concerns that you have around the level of transparency. I think it is actually quite transparent.</p>
--	--

ANSWER

I am advised:

51	Refer to the answer provided at the Regional Transport and Roads Budget Estimates Hearing.
----	--

QoN 52: Koalas Environmental assessment

Transcript Page: 77

52	<p>Ms CATE FAEHRMANN: That is that technical assessment panel or something, is that correct?</p> <p>Mr REGAN: The technical assurance panel I think is the name. That is right.</p> <p>Ms CATE FAEHRMANN: Who are the members of that panel?</p> <p>Mr REGAN: I do not know but I can come back to you. I could take that on notice.</p>
----	--

ANSWER

I am advised:

52	This information is publicly available on the Department of Planning, Industry and Environment website.
----	---

QoN 53: Koalas – Deadmans creek, Heathcote Road & Sandy point

Transcript Page: 77-78

53	<p>Ms CATE FAEHRMANN: Thank you. That was a very informative answer. Coming back to koala crossings broadly, when there are clearly areas of road where there are quite a number of koala deaths occurring—I have been approached by some members of the public who are concerned about one. I will give you an example: It is Deadmans Creek on Heathcote Road, Sandy Point. It is a notorious koala kill spot apparently. Six or eight koalas are killed every year. There is nothing there in terms of an underpass or signage as I understand it. What happens with Transport for NSW? What do you do to try and stop these koala deaths?</p> <p>Mr REGAN: Certainly if there is a regular pattern, I am sure that is something that is brought to our attention, or if we ourselves are aware we would look to see what can be done to mitigate that.</p> <p>Ms CATE FAEHRMANN: How does that happen? So this has been happening for quite a few years apparently. It is a notorious spot for deaths of</p>
----	---

	<p>koalas. So when you say, "We would look at that", what is the process and how is it fast-tracked?</p> <p>Mr REGAN: It depends how it comes to us. If it is a planning condition around a new development—</p> <p>Ms CATE FAEHRMANN: No, these are just roads. They are there, koalas are crossing, they are getting killed.</p> <p>Mr REGAN: Yes. We have our own internal environmental team who would look at that, but I think it really does depend how that issue is brought to our attention.</p> <p>Ms CATE FAEHRMANN: What would be the best way for a member of the public to bring it to your attention?</p> <p>Mr REGAN: I would say that the best thing I could do is to take on notice details of the specific issue at Heathcote Road and come back to you. Because certainly if there is an issue there that we can look to address, we would be very happy to look at that.</p> <p>Ms CATE FAEHRMANN: These are members of the public having to rescue koalas. One was hit by a semitrailer and another had a koala carrying a joey and was wandering down the centre of the same street. These are very busy roads. So Heathcote Road, Sandy Point, take that on notice and have a look at that.</p> <p>Mr REGAN: I am happy to take a look at that.</p>
--	---

ANSWER

I am advised:

53	<p>Transport for NSW is aware of the problem of koala vehicle strike on the Deadman's Creek section of Heathcote Road.</p> <p>Transport for NSW and the Department of Planning, Industry and Environment are currently investigating signage and fencing options to remedy the koala vehicle strike problem at this location as part of the implementation of the NSW Koala Strategy.</p> <p>These investigations are scheduled for completion later in 2021 and will consider the extent of fencing required to safely channel koalas under the existing Deadman's Creek Bridge which already provides good connectivity for koalas</p> <p>The NSW Government has announced \$35 million to investigate the duplication of the full length of Heathcote Road including over Deadman's Creek. Investigations will include the need to further enhance fauna connectivity.</p> <p>Members of the public can report koala vehicle strikes using a link to the IFAW Wildlife Rescue App available from the Centre for Road Safety website. The app allows people to report a dead animal anywhere including on roads. The app also helps people find a carer group for injured animals.</p>
----	--

QoN 54: Koala habitat – Moorebank Intermodal

Transcript Page: 78

54	<p>Ms CATE FAEHRMANN: Secondly, a different issue but again koalas—because for some reason a lot of people come to me about koalas these days—at the Moorebank Intermodal Terminal. That is also being constructed in koala habitat as I understand it. The intermodal terminal itself—I think this is the second stage of the intermodal terminal—is basically happening in koala habitat. I have a photo in front of me again. It says "koala crossing". That is a sign with "koala crossing" and it has the construction, Mr Regan, right behind the koala crossing. What the local community are asking me to ask you today is: What is being done to ensure that koalas have safe movement? This is clearly in the middle of a corridor and the development is happening right behind it, which does not look great for koalas. Do you know what is happening there?</p> <p>Mr REGAN: I do not, and I would look into it. If it is the construction of the intermodal terminal itself, I think it may well be a Federal Government issue. That is not an attempt to pass concern for the koala. I will look at what involvement we have and I am certainly happy to try and give you some assistance, if we can.</p> <p>Ms CATE FAEHRMANN: Just from a broader, big picture perspective on this—yes, the developments are potentially Federal responsibility; however, the road, I assume, is still part of your bailiwick.</p> <p>Mr REGAN: It may be. Some of the roads around there are State. Some are local. I am happy to look and see whether there is something that we can contribute to.</p>
----	---

ANSWER

I am advised:

54	<p>Transport for NSW is not the proponent for the Moorebank Intermodal Terminal and is not undertaking works on this section of Moorebank Avenue.</p> <p>Moorebank Avenue between the M5 Motorway and Anzac Road is predominantly owned and maintained by Liverpool City Council.</p> <p>Moorebank Avenue between Anzac Road and Cambridge Avenue is owned by the Commonwealth and maintained by Liverpool City Council.</p>
----	--

QoN 55: Doubling koala numbers

Transcript Page: 78

55	<p>Ms CATE FAEHRMANN: The Government has committed to doubling koala numbers by 2050. One of the key threats to koalas is roadkill. Is there anything with the department in terms of meeting targets or addressing those threats that you are undertaking?</p> <p>Mr REGAN: I am very happy to look into that for you. Can I come back on that?</p> <p>Ms CATE FAEHRMANN: Does anybody—</p>
----	---

	Mr REGAN: I am not sure whether we have the right people here because it is in our environment area, which we do not have a representative from today. But I am certainly happy and I will genuinely come back to you and we can have a discussion around that.
--	--

ANSWER

I am advised:

55	<p>Measures to mitigate koala vehicle strike have been integrated into projects for many years as part of our road infrastructure development program.</p> <p>The principal strategies are fencing to exclude koalas from major highways and crossing structures to provide safe passage to habitat on either side of the roadway.</p> <p>In addition to the work done as part of our road infrastructure development program, Transport for NSW has been working with the Department of Planning, Industry and Environment to fix koala vehicle strike hotspots on the existing road network.</p> <p>This is a key action under the Government's NSW Koala Strategy and is based on an assessment of koala vehicle strike locations across NSW.</p> <p>In joint projects between the Department of Planning, Industry and Environment, Transport for NSW and relevant local councils, feasibility assessments are now underway to investigate the mitigation of further vehicle strike hotspots across the state.</p>
----	--

QoN 56: information provided to Mr Raimond at the hearing

Transcript Page: 81

56	<p>The Hon. JOHN GRAHAM: The witness has been supplied with either an article or the suggestion that this perhaps might have been the article. Can you take on notice which of the team sitting behind both of you has supplied that?</p> <p>Mr REGAN: Okay, I can take that on notice to see whether I can, but I am not sure.</p>
----	---

ANSWER

I am advised:

56	I refer you to the answer to Question on Notice 47.
----	---

QoN 57: Transport Asset Management Plan – unfunded election commitments and business cases

Transcript Page: 82

57	<p>The Hon. JOHN GRAHAM: Good. It is really in relation to—the last set of documents I handed over to the Minister, he has not given back, so if these ones can come back. These are the documents. They relate to 26 unfunded</p>
----	---

	<p>election commitments at that point and then four partially funded business cases. What I would like is an update on funding for those projects. Obviously it was a real concern that there might be election commitments made by the Government unable to be funded because of the macro Transport funding at the time. Where are they up to now, now that some time has passed and some attention has been paid to them? If we could get, on notice, an update on those projects—it is really an update on funding—and, secondly, an update on timing, although I am open to anything you might want to put.</p> <p>Mr REGAN: No, I will take that on notice, thank you. I understand your question, thanks.</p>
--	---

ANSWER

I am advised:

57	The NSW Government is investing a record \$72 billion over the next four years, to transform the road and public transport network, including the delivery of election commitments.
----	---

QoN 58: Camellia – Site identified

Transcript Page: 83

58	<p>The Hon. DANIEL MOOKHEY: Sure, okay. I have just tabled a document and provided it to you, which is a chronology that Transport for NSW produced, which in turn was produced to the upper House in response to a call for papers—just so you have some background as to what the document is. Can we confirm that Transport for NSW identified 4-6 Grand Avenue as a potential stabling site as early as mid-2014?</p> <p>Mr REGAN: This document that you have tabled—just to try to understand the context—looks like an extract from a document.</p> <p>The Hon. DANIEL MOOKHEY: No, it is a document. I can give you the exact context: It was produced after The Guardian put in a freedom of information request to your department as part of an issue note that was then provided, I believe, to either the secretary or Minister's office documenting the entirety of the transaction as understood by Transport for NSW at the time. The document was produced at the start of 2019. I will ask my original question: Transport for NSW identify 4-6 Grand Avenue as a potential stabling yard in mid- 2014—correct?</p> <p>Mr REGAN: I will have to take that on notice.</p> <p>The Hon. DANIEL MOOKHEY: Sure.</p> <p>Mr REGAN: Sorry, I have not seen—I am not aware of the specifics in this document. What I can tell you is that the potential for stabling options for the potential Parramatta Light Rail project was considered and the time frames—I think you mentioned 2014 or 2015, I am not sure of the exact time. I would have to come back to on that.</p>
----	---

ANSWER

I am advised:

58	<p>Transport for NSW acquired land at 4-6 Grand Avenue, Camellia, for a stabling and maintenance facility for Stage 1 of the Parramatta Light Rail project in June 2016 following an extensive search of potential locations which identified it as the most suitable.</p> <p>The decision to acquire the property was made on the basis that the site best met Transport for NSW's needs and to secure the site in the face of changing local market conditions, delivering certainty for the project.</p>
----	---

QoN 59: Camellia - Offer of sale

Transcript Page: 84

59	<p>The Hon. DANIEL MOOKHEY: Thank you. At the time—in the first half of 2015—4-6 Grand Avenue, Camellia, was owned by AkzoNobel, a chemicals manufacturer. In 2015 they offered it for sale on the open market. Is that correct?</p> <p>Mr REGAN: I am not aware of the precise nature of that.</p> <p>The Hon. DANIEL MOOKHEY: Can you take that on notice?</p> <p>Mr REGAN: I will take that on notice.</p>
----	---

ANSWER

I am advised:

59	<p>Transport for NSW's acquisition of this land has been referred by the Minister for Transport and Roads to the Auditor-General and the Independent Commission Against Corruption, so it would not be appropriate to comment further.</p>
----	--

QoN 60: Camellia - Chemicals

Transcript Page: 84

60	<p>The Hon. DANIEL MOOKHEY: Thank you. Just to establish, the site is riddled with tetrachloride, chloroform and hexavalent chromium, isn't it?</p> <p>Mr REGAN: Mr Thomas will be able to speak to you about the precise nature of the chemicals, but the site does have contamination. That was known prior to it being purchased. Mr Thomas will be able to speak further about that.</p> <p>The Hon. DANIEL MOOKHEY: I just want to know whether or not those three chemicals— tetrachloride, chloroform and hexavalent chromium—were present on the site. Is that correct?</p> <p>Mr THOMAS: I can confirm the hexavalent chromium. I am not sure about the others.</p> <p>The Hon. DANIEL MOOKHEY: Okay. Do you mind taking that on notice?</p> <p>Mr THOMAS: Sure.</p>
----	---

ANSWER

I am advised:

60	This information is publicly available on the Transport for NSW website.
----	--

QoN 61: Camellia - FIC response

Transcript Page: 85

61	<p>The Hon. DANIEL MOOKHEY: When the Finance and Investment Committee authorised a bid to buy the land directly from AkzoNobel, it explicitly said that that transaction could only go forward if AkzoNobel agreed to clean it up—correct?</p> <p>Mr REGAN: I cannot recall.</p> <p>The Hon. DANIEL MOOKHEY: Do you mind taking that on notice and checking?</p> <p>Mr REGAN: I will take that on notice.</p>
----	---

ANSWER

I am advised:

61	Transport for NSW's acquisition of this land has been referred by the Minister for Transport and Roads to the Auditor-General and the Independent Commission Against Corruption, so it would not be appropriate to comment further.
----	---

QoN 62: Camellia - Parsons Brinckerhoff

Transcript Page: 84

62	<p>The Hon. DANIEL MOOKHEY: Thereafter, prior to you engaging in any negotiations with Billbergia, you paid Parsons Brinckerhoff, an engineering firm, to assess the site and they also warned you that the site was contaminated and that would affect the ability for it to host a stabling yard—correct?</p> <p>Mr REGAN: I will take that on notice.</p>
----	--

ANSWER

I am advised:

62	Transport for NSW's acquisition of this land has been referred by the Minister for Transport and Roads to the Auditor-General and the Independent Commission Against Corruption, so it would not be appropriate to comment further.
----	---

QoN 63: Boating Now

Transcript Page: 86-87

63	<p>The Hon. MARK BANASIAK: I am going to go back to you, Mr Hutchings, still on the boat ramp subject, and I appreciate you will probably have to take some of this on notice. When we received feedback from the successful councils, pretty much all of them said that they have not spoken to Maritime</p>
----	--

since round one. So my question to you is what level of oversight and checking does Maritime do after they have issued these successful grants? Is there a progress check? How do you make sure that councils are on track to deliver these projects?

Mr HUTCHINGS: I will take that on notice. There would be so many councils that you have mentioned there in different rates of communication with our group, so if we could take it on notice we will get you a detailed report.

The Hon. MARK BANASIAK: Sure. I do note that you stated—and I think the Minister also stated this—that quite often you have to go out to councils because they are not forthcoming in applying for these grants. Can you explain to us why out of the 69 allocations from round three only seven went to councils west of the Great Divide and whether there was a conscious effort to go out to those councils west of the Great Divide prior to round three?

Mr HUTCHINGS: I will have to get you that on notice, if you do not mind.

...

The Hon. MARK BANASIAK: One last question, specifically about a regional project for Lake Mulwala. There was a successful application for a pump-out facility for larger vessels. Currently there are no larger vessels that require pump-out capabilities on that lake. Did the council responsible put forward an argument that there may be some commercial enterprises that would want to engage or they would need those facilities? I appreciate you would have to take that on notice.

Mr HUTCHINGS: I actually fish on Lake Mulwala a couple of times a year. There are a couple of bigger vessels that would need that. The bulk of the vessels are smaller, trailable recreational boats but there are a couple of bigger ones.

The Hon. MARK BANASIAK: Maybe on notice could you come back and tell us whether there was a demonstration that there might be an increased need for that facility because there might be an increased number—

Mr HUTCHINGS: I can certainly take it on notice to find out the circumstances leading up to why that was approved.

ANSWER

I am advised:

- | | |
|----|--|
| 63 | <p>With respect to tracking councils' progress in delivering projects, Transport for NSW works with delivery partners to ensure the successful delivery of each Boating Now project.</p> <p>Delivery partners provide a monthly report to TfNSW on the progress and status of each project. TfNSW officers also regularly conduct site meetings, inspections of projects and official events for project completions.</p> <p>Once a project has been completed and for any claims for payment of grant monies for progress payments, the delivery partner is required to provide supporting documentation with each claim, providing evidence of the work completed, before any payments will be made.</p> |
|----|--|

	<p>With respect to engagement with council's west of the Great Divide, yes. Under all rounds of the Boating Now program, Transport for NSW writes to all councils. Further information is publicly available.</p> <p>With respect to the sewage pump-out on Lake Mulwala, this project was assessed in line with the Boating Now Program Guidelines. The pump-out facility will be available for all commercial and recreational vessels operating in the area, including the two commercial passenger cruise vessels operating on Lake Mulwala.</p>
--	--

QoN 64: EA Sydney Trains

Transcript Page: 89

64	<p>Mr DAVID SHOEBRIDGE: I think you agreed to take on notice what the difference would be between the average take-home pay under the enterprise agreement and the modern award if the enterprise agreement were terminated. I think you agreed to take that on notice. Is that right?</p> <p>Ms HOLDEN: I did, yes.</p>
----	--

ANSWER

I am advised:

64	<p>An initial meeting was held at 3pm on 17 February 2021, with the Unions, Chief Executive Sydney Trains, Transport for NSW Executives and NSW TrainLink.</p> <p>At 5:41pm on 17 February 2021 an email was sent to all staff providing them with a high level explanation of the proposed variation of the Enterprise Agreement (EA) and that Executives had engaged with the Unions. The email noted there would be further engagement with the Unions on 22 February 2021.</p> <p>At 11am on 19 February 2021, a livestream event was held with Sydney Trains Leaders to explain the proposal to extend the EA through a variation. This event provided Leaders with information to support their teams and ask questions.</p> <p>At 1pm on 22 February 2021, a follow up meeting was held with the Unions, Chief Executive Sydney Trains, Transport for NSW Executives and NSW TrainLink to further discuss the EA variation. The regular meeting with the Unions was held immediately afterward.</p> <p>On 23 February 2021, the Unions contacted Sydney Trains and NSW TrainLink via email to advise their position and desire to negotiate.</p> <p>On 26 February 2021, Sydney Trains and NSW TrainLink provided a formal response was to the Unions.</p> <p>Sydney Trains Enterprise Agreement 2018 is an agreement registered under the <i>Fair Work Act 2009</i> (Cth).</p>
----	--

	Under the terms of that Act, an EA does not expire once it has passed its nominal expiry date. Therefore the current conditions and rates of pay would continue to apply to Sydney Train EA covered employees, if the employees do not approve the extension.
--	---

QoN 65: Camellia – Valuation

Transcript Page: 91-92

65	<p>The Hon. DANIEL MOOKHEY: Sure. This is an extract from the Colliers valuation, which the department commissioned one month after it purchased the site. The page that I have specifically given you shows you precisely how much taxpayers would have paid had we pursued the compulsory acquisition pathway. It states that the market value at the time was \$25 million. So despite you reciting a false history earlier about what was going on in the Camellia property market, this report makes clear that your department paid more than double to buy this toxic land. Why?</p> <p>Mr REGAN: I am sorry, I do not see that it does.</p> <p>The Hon. DANIEL MOOKHEY: Fair enough.</p> <p>Mr REGAN: This document that you have provided me appears to be an extract from another document. I am happy to take it on notice, but in my understanding of what you have provided me it does not at all indicate what you just said.</p> <p>The Hon. DANIEL MOOKHEY: Turn over the page. Do you see the key assumptions and important comments? There is a highlighted section that says:</p> <p style="padding-left: 40px;">Notwithstanding this, we are unaware of the complete history of the site and we strongly recommend the full suite of due diligence. We have not been provided with the cost to rectify any potential contamination and for the purposes of our assessments and in accordance with our instructions, we have disregarded the effect of any existing site contamination.</p> <p>Why did your department tell your valuers to ignore the fact that the land was contaminated when you retrospectively got it valued?</p> <p>Mr REGAN: I am sorry, I will take that on notice. I am not aware of the details of this document or what extract you have provided it from. I am happy to take on notice and respond to your broader question, but I do not think you can take this out of context in the way that you are doing.</p>
----	--

ANSWER

I am advised:

65	Transport for NSW's acquisition of this land has been referred by the Minister for Transport and Roads to the Auditor-General and the Independent Commission Against Corruption, so it would not be appropriate to comment further.
----	---

QoN 66: M9 Maps

Transcript Page: 92

66	<p>The Hon. JOHN GRAHAM: Okay, Mr Regan. I will just ask about the Cawdor matter. I want to ask one final question on the public reports that might have led to this developer putting in their own map that was very accurate. There were a series of general maps beforehand, but it was not until we got to the March 2018 actual route that there was a very specific map or this developer's map seems very specific. The Premier's office made a number of suggestions about public reports that might be out there. I have been through each of them: the 2015 "Purple Haze", it was referred to, Infrastructure Australia report and the Future Transport 2056 draft. They are all more general than the specific routes later—I think Mr Raimond and I have agreed on that—but from a Transport department point of view, can you point to any public document or report that is as specific as the March 2018 route or the specific map that this developer published?</p> <p>Mr REGAN: Thank you for that question. I did take on notice before that we would come back with a list and the details of the maps and publications that Transport put out. I will do that.</p>
----	---

ANSWER

I am advised:

66	I refer you to the answer to Question on Notice 9.
----	--

QoN 67: Stevedores

Transcript Page: 92

67	<p>The Hon. JOHN GRAHAM: I ask you to take on notice two issues. One is that despite the Minister's commitment, stevedores continue to put up charges on freight operators: a 56 per cent increase by Hutchinson recently and Patrick is apparently charging a \$50 reversing fee for A-doubles. This issue was supposed to be fixed. The charges were supposed to stop going up. This is a major hammer blow to productivity. Can you take on notice what is going on with these charges and the Minister's commitment to fix this issue?</p> <p>Mr REGAN: I will take that on notice to the extent that we can give you any information that we are responsible for.</p>
----	--

ANSWER

I am advised:

67	The supply chain is not within the NSW Government's control. We need to ensure that any intervention in one part of the supply chain does not result in a long term impact on overall supply chain costs and increasing costs to consumers or have other unintended outcomes.
----	---

The NSW Government's only role in relation to stevedore charges is to ensure that these charges are not applied for the purpose of recovering the cost of paying financial penalties under the Port Botany Landside Improvement Scheme (PBLIS) truck booking arrangements.

To facilitate this, stevedores are required to provide notice to Transport for NSW of proposed changes along with sufficient supporting information to demonstrate the fees are not for the purposes of recovering the cost of financial penalties under PBLIS. Stevedores are not required to demonstrate the rationale for new or changed costs outside of this requirement related to the PBLIS penalties.

Stevedore charges applied to landside transport operators are not subject to the NSW Government port charges price monitoring scheme in the *Ports and Maritime Administration Act 1995*. The price monitoring scheme covers the various port charges applied to vessels for port usage.

The NSW Government is concerned about the potential for increasing port charges to drive up the cost of everyday goods and impact on the competitiveness of our exports. To address this, Transport Ministers from across the jurisdictions asked the National Transport Commission to develop voluntary national guidelines for applying stevedore infrastructure and access charges at Australian container ports.

The national approach will support consistency between Australian ports and ensure supply chains – and Australians more broadly – will benefit from more transparent stevedore pricing. Draft guidelines will be provided to the Infrastructure and Transport Ministers for endorsement in 2021.

The NSW Government is also concerned about the introduction of fees on higher productivity vehicles and we encourage Patrick Terminals to provide transparency on the site-specific operational impacts, on a vehicle-by-vehicle as well as a task basis, that reportedly result from the use of these vehicles.

As noted in relation to stevedore charges, the NSW Government role is limited to ensuring that charges imposed are not applied to recover the cost of penalties incurred by the terminal operators under the PBLIS Mandatory Standards.

QoN 68: Canada Bay Council – transfer of Mortlake slipway

Transcript Page: 92

68	<p>The Hon. JOHN GRAHAM: Secondly, in relation to the call by the City of Canada Bay Council to transfer ownership of the Roads and Maritime Services slipway site at Mortlake so the community can access that site, could you take on notice where this is up to—what is possible on notice?</p> <p>Mr REGAN: I will take that on notice. That is fine.</p>
----	---

ANSWER

I am advised:

68	Transport for NSW is unaware of any approach by City of Canada Bay Council to transfer the land.
----	--

QoN 69: Acquisition internal audit

Transcript Page: 93-94

69	<p>The Hon. DANIEL MOOKHEY: Secretary, if you are in a position to respond now it would be helpful, but if not you can take these on notice. On 21 November 2019 Transport for NSW completed what was called a Commercial Land Acquisition Internal Audit Report—correct?</p> <p>Mr REGAN: Could you give me a bit more information?</p> <p>The Hon. DANIEL MOOKHEY: Commercial Land Acquisition Internal Audit Report, internal audit reference IAO2-20, completed on 19 November 2019 by Alex Wendler, the Acting Deputy Secretary of Infrastructure and Place, and issued by Brooke McGuiggan, the Assistant Director of Audit and Risk—correct?</p> <p>Mr REGAN: I can look into that.</p> <p>The Hon. DANIEL MOOKHEY: It made a series of recommendations around improving your purchase processes—correct?</p> <p>Mr REGAN: I said I would look into it, yes.</p> <p>The Hon. DANIEL MOOKHEY: One of the recommendations that was contained in this audit report was to, "Define a policy and control framework and document and approve any deviations, and implement an independent review of acquisition processes to ensure quality and compliance." It said that the due date for all of that was 31 October 2020 as part of the evolving Transport program and co-design process for IP branches. Was the due date met insofar as those two recommendations were made?</p> <p>Mr REGAN: I will take that on notice. I will look into that for you.</p> <p>The Hon. DANIEL MOOKHEY: If you can take that on notice, can you also take on notice what precisely have you done to implement the recommendations of the internal audit report?</p> <p>Mr REGAN: Of that particular report?</p> <p>The Hon. DANIEL MOOKHEY: Yes.</p> <p>Mr REGAN: Yes.</p> <p>...</p> <p>The Hon. DANIEL MOOKHEY: Can you also provide us on notice with the current acquisitions policy and control framework for commercial acquisitions?</p>
----	---

	<p>Mr REGAN: I will look to do that.</p> <p>The Hon. DANIEL MOOKHEY: On notice, can you tell us how many commercial acquisitions have taken place in each of the calendar years for the last three years?</p> <p>Mr REGAN: It is a very significant number.</p> <p>The Hon. DANIEL MOOKHEY: It is actually 99, I believe. That is what your report says.</p> <p>Mr REGAN: I think that is a subset of the overall acquisitions that Transport has undertaken, but I will confirm that. I will take that on notice.</p> <p>The Hon. DANIEL MOOKHEY: To be fair, it says that between September 2014 and July 2019 you acquired 83 commercial properties. If you do not mind identifying those 83 properties on notice, that would be great.</p> <p>Mr REGAN: I will see what I can provide. I think you asked for the number.</p>
--	---

ANSWER

I am advised:

69	<p>Recommendations from the audit have been applied to our restructure program. For example, the structure of the new Property Team was designed to support appropriate checks, balances, and assurance frameworks for all activities, including acquisitions. The new structure also provides clearly defined functions, roles, accountabilities, responsibilities, handover and escalation processes.</p> <p>Work is already underway to determine the ways of working for the Property Team, including identifying opportunities for improvements and these initiatives are being implemented on an ongoing basis.</p> <p>Information on property acquisitions can be found on the NSW Government Property Acquisitions website.</p>
----	---

QoN 70: Labour Hire

Transcript Page: 94

70	<p>Mr REGAN: Transport was already looking at its procurement of labour hire for professional service contractors and a further review was undertaken after the Public Service Commission looked at that particular matter.</p> <p>The Hon. DANIEL MOOKHEY: Was that review prepared by an external firm or agency?</p> <p>Mr REGAN: I think there was some external involvement, but I will take that on notice.</p> <p>The Hon. DANIEL MOOKHEY: Can you identify when that review was completed?</p> <p>Mr REGAN: I will take that on notice.</p> <p>The Hon. DANIEL MOOKHEY: And you said that the review was provided to the secretary. Was it provided to the Minister as well?</p> <p>Mr REGAN: I will take that on notice.</p>
----	--

ANSWER

I am advised:

70	<p>A review of procurement of professional services was undertaken by Grosvenor Procurement Advisory, who were selected as part of a tender process.</p> <p>The review was completed November 2020 and finalised by the department as standard practice. A Ministerial briefing was not provided.</p>
----	---