

**Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism**

**HEARING DATE: 5 MARCH 2024  
QUESTIONS ON NOTICE**

**Question 1**

**Transcript page 3**

The Hon. NATALIE WARD: I'll come back to demerit points. But, specifically, one of the most critical areas in road safety is the drug and alcohol testing. You've been roads Minister for nearly 12 months. What's the difference in the road toll for the nearly 12 months that you've been roads Minister compared to the previous period?

The Hon. JOHN GRAHAM: Sorry, just repeat the question?

The Hon. NATALIE WARD: Sure. You've been Minister for Roads for nearly 12 months now. What is the difference in the road toll for the nearly 12 months that you've been roads Minister compared to the period prior?

The Hon. JOHN GRAHAM: I will take on notice the difference over the 12 months. We can certainly get those figures for you with the officials.

The Hon. NATALIE WARD: Why don't I help you out? Under Labor, in the 12-month period to date it's 369. Under the former Coalition Government in the previous 12 months it was 271. The difference is a 98-fatality increase. That's a serious number. Drug and alcohol tests have decreased but the percentage of positive drug tests has increased. What do you say to that?

**Answer**

I am advised:

12 month rolling fatalities, as at 14 March 2024, was 363.

12 month rolling fatalities, as at 14 March 2023, was 273.

The difference is 90.

*Please note that data for 2023 is preliminary and subject to change.*

Drug and alcohol testing is a matter for NSW Police.

**Question 2**

**Transcript page 5**

The Hon. NATALIE WARD: Let's turn to the Centre for Road Safety then. I've noticed the 2023 annual statistical statement from the Centre for Road Safety has not been published yet. Have you or your office seen that report yet? Why hasn't been it published?

The Hon. JOHN GRAHAM: I'm not aware if the report has come to my office. I'm certainly happy to take that on notice.

The Hon. NATALIE WARD: Have you seen it?

The Hon. JOHN GRAHAM: I don't believe I've seen it, but I'm happy to be corrected. But I'm certainly happy to take that on notice. You're welcome to ask the—

**Answer**

I am advised:

As at 5 March 2024, the current Annual Statistical Statement is for 2022.

The 2023 Annual Statistical Statement will be created in November-December 2024 once the 2023 crash data has been finalised.

**Question 3****Transcript page 6**

The Hon. NATALIE WARD: Let's get to those numbers. How many unrestricted driver licence holders with 12 demerit points received a demerit point back?

The Hon. JOHN GRAHAM: Sorry, could you just repeat that?

The Hon. NATALIE WARD: How many unrestricted driver licences with 12 demerit points—so they've almost reached the maximum and should be taken off the road because of their behaviour—received a demerit point back under your scheme?

The Hon. JOHN GRAHAM: I'll take that on notice. We'll be happy to get that information for you.

The Hon. NATALIE WARD: How many with 11 points got a point back?

The Hon. JOHN GRAHAM: Again, we can take this level of detail on notice. You're welcome to—

The Hon. NATALIE WARD: How many with 10 points got a point back? Minister, it's your scheme.

It's your road safety assessment; your carrot and stick. How many drivers with 10 points got a point back?

The Hon. JOHN GRAHAM: We'll take all of these questions on notice, Ms Ward.

The Hon. NATALIE WARD: How many with nine points?

The Hon. JOHN GRAHAM: It's a similar answer on this one.

The Hon. NATALIE WARD: How many with eight points?

The Hon. JOHN GRAHAM: Each of these will be covered in the assessment. That's exactly why we're doing an assessment. We'd be happy to get you this information in the meantime.

**Answer**

I am advised:

Eligible customers will start to have demerit points removed from mid-April 2024.

A breakdown will not be available until removal of points commences.

**Question 4****Transcript page 11**

The Hon. MARK BANASIAK: I will go to the road safety forum, Minister. Something that's been raised with me by some of the participants who participate in a lot of these forums, particularly your heavy vehicle drivers, is that they give up a lot of their time. Time is money for heavy vehicle drivers. In some cases, if they have to attend a whole day, that could potentially cost them close to \$1,000 in expenses. Has there been any thought given to providing some of these people, who are essentially the only ones there who aren't getting paid to give their expert advice, some sort of allowance or subsidy to take that time off to actually provide you with that advice?

The Hon. JOHN GRAHAM: Look, it's a really good point. I spoke to some of those people, obviously, at the forum and I've dealt with them previously. We're really grateful to have—you need operators in the room. We've got some of the best road safety experts from around the country but I want to hear direct, particularly from some of our heavy vehicle drivers. I really appreciate—

The Hon. MARK BANASIAK: But that expert advice comes at a cost to them. If they're doing it all the time—

The Hon. JOHN GRAHAM: Yes, it's a good point. I'd be happy to take that on notice.

That's something

we might look at as we're working in this area. But their input was hugely appreciated.

**Answer**

I am advised:

Payments were not provided to stakeholders who attended the Road Safety Forum, who all generously provided their time and input. For fairness to all attendees, no consideration is being given by Transport for NSW to payments after the event. No requests were received from specific attendees to support their attendance.

**Question 5****Transcript page 12**

The Hon. MARK BANASIAK: I might go to some questions on the Powerhouse. Minister, what's the maintenance expenditure for the Powerhouse Museum, Ultimo campus over the last five years?

The Hon. JOHN GRAHAM: I'd have to hand over to the Powerhouse, to Lisa Havilah, to be able to speak about the actual expenditure. Let me put it in this order: There are maintenance issues at the Powerhouse. There have been community concerns that perhaps the maintenance spending has not been as high as it should be. I can't necessarily vouch for that, but I understand that community concern. Regardless, it is in a state where an investment is needed.

The Hon. MARK BANASIAK: Sure. If Ms Havilah can come up, we can maybe hear some of that great data.

LISA HAVILAH: I'll have to take the figures on notice, but I can report that we have had an ongoing maintenance program that has been consistently applied and we have had capex money. We have done work on mechanical; we've done work on building maintenance.

That's been an ongoing program. The problem is that in the last up to 40 years the museum has operated on that site, unfortunately the mechanical has now come to end of life. There are major structural issues with the building and it's not in a state now that can safely house the Powerhouse collection and provide a good experience for our audiences.

**Answer**

I am advised:

From 1 July 2018 – 30 June 2023, Powerhouse invested \$10,905,939 into reactive maintenance and capital expenditure at Powerhouse Ultimo. Expenditure for 2023/24 will be included in the annual report.

**Question 6****Transcript page 15**

The Hon. NATALIE WARD: Sure. But you've got a number there, early indications. Have you been briefed on the numbers and what this will cost the Government? Surely Daniel Mookhey is asking you. You've got 200,000 eligible drivers. What is this going to cost?

The Hon. JOHN GRAHAM: I've certainly been briefed on these figures. I'm providing the figures I've been briefed on. We'll examine the cost as part of the budget process in the ordinary way.

The Hon. NATALIE WARD: Will you provide that number? Have you been told how much it will cost? Your toll relief scheme—how much is it costing?

The Hon. JOHN GRAHAM: It's too early to say what the cost will be, particularly until we hit that April period. But I'll be happy to update the Committee.

The Hon. NATALIE WARD: Can you provide that on notice to the Committee in relation to January?

What have you been told it will cost so far?

The Hon. JOHN GRAHAM: I'm happy for you to ask any of the officials this afternoon or perhaps even now if you'd prefer.

The Hon. NATALIE WARD: But, Minister, you said you've seen a number.

The Hon. JOHN GRAHAM: I've provided to you the figures that have been supplied to me.

The Hon. NATALIE WARD: You said you've seen a number: 200,000 drivers. What is the dollar figure? Or can Mr Murray answer that?

The Hon. JOHN GRAHAM: Let me put it to you this way. It's well within the budget, but I'll refer to the secretary.

JOSH MURRAY: The January figures—obviously, we're mapping those through at the moment because January is a lower traffic month, as the Committee is aware. It would be wrong for us to do full calculations based on that month, but we're working through that in the modelling. As you're aware, \$561 million over two years has been made available for the \$60 toll cap.

The Hon. NATALIE WARD: On the early indication, will you take it on notice to provide this Committee with that number? You've clearly got a number of what it will cost. Some 200,000 drivers are eligible. What will it cost the taxpayer? Will you take that on notice and provide that to the Committee?

JOSH MURRAY: We can take that on notice, but I'd just remind the Committee that it is 200,000 tags for those motorists, which will have a range of different impacts once they have reached the toll cap.

The Hon. NATALIE WARD: How much has been accumulated as of today?

JOSH MURRAY: That's what we're modelling at the moment.

The Hon. NATALIE WARD: You'll take that on notice?

JOSH MURRAY: Yes.

The Hon. JOHN GRAHAM: But I do want to just stress that caution about using January as a guide, because it is a lower traffic time for the city. But we're providing you the information that we do have.

The Hon. NATALIE WARD: Sure, but either you know or you don't know. You've got a number. This is budget estimates. This is a dollar figure that's costing taxpayers on your policy. We don't know how much taxpayers are spending on your policy and you won't tell us, is that right?

The Hon. JOHN GRAHAM: That's why the secretary has offered to get that information for you.

The Hon. NATALIE WARD: Will you provide that on notice to this Committee, a dollar figure?

JOSH MURRAY: Yes

The Hon. NATALIE WARD: We look forward to that. How much has been accumulated for the truck cap this year?

The Hon. JOHN GRAHAM: I haven't been briefed on the truck cap multiplier expenses, but we're happy to provide that detail if we've got it.

The Hon. NATALIE WARD: Minister, we want to know how much taxpayers are paying. How much are we paying for this landmark policy of yours? You haven't been briefed?

The Hon. JOHN GRAHAM: It's very early months in this policy. I'm I'm happy for the secretary or the agency to provide information we do have.

## Answer

I am advised:

The NSW Budget 2023-24 allocated \$561 million over two years to the toll cap rebate, which is set to benefit approximately 720,000 toll account holders. The first claim period is scheduled to open in April 2024.

The Truck Multiplier implementation will run from 1 January 2024 ending 31 December 2025, costing \$54 million across the two-year trial. In January, there were around 21,000 unique tokens eligible for the rebate (belonging to around 8,000 customer accounts), at an estimated value of \$1.3 million to \$1.4 million.

**Question 7**  
**Transcript page 19**

The CHAIR: I understand that both City of Sydney and Inner West Council in fact are flatly rejecting to take on those sites because of the absolutely alarming level of contamination, including huge amounts of methane, including huge amounts of PCB. Perhaps you could share and put on the public record now just exactly what is going on on that site in terms of contamination.

JOSH MURRAY: I might ask Ms Drover to come in and just provide some up-to-date information on us managing that.

CAMILLA DROVER: Can I just clarify the area that you are referring to? Because there are a number of different areas in that precinct.

The CHAIR: I think it's the area that was going to be called St Campbells park.

CAMILLA DROVER: Is that with a land bridge across?

The CHAIR: Yes.

CAMILLA DROVER: I will take it on notice.

**Answer**

I am advised:

The broader St Peters Interchange site previously operated as a quarry and brickworks, and later as Alexandria landfill. Landfill gases (including methane) are a by-product of landfills, created as waste materials decompose.

Transport for NSW manages the broader St Peter's Interchange site in accordance with its Landfill Closure Management Plan and its Environment Protection Licence, including regular ground gas and leachate monitoring for as long as necessary.

Emissions are common at both operational and non-operational landfill sites.

Landfill gas (including methane) emissions are expected to continue and to fluctuate until the waste decomposes, and levels stabilise. This might take several years.

Transport for NSW works closely with other experts, including the Site Auditor, contamination consultants, the Waste Assets Management Corporation and the NSW Environment Protection Authority to ensure contamination risks are being managed effectively across the SPI site.

Ongoing monitoring allows Transport for NSW to identify and respond to emerging landfill gas issues. Transport for NSW and its contractors also undertake routine surveys of nearby properties to ensure levels do not present a risk to the public.

**Question 8**  
**Transcript page 23**

The Hon. MARK BANASIAK: Mr Murray, alongside the one licence plate that was handed in by the sovereign citizen, how many driver licences have been handed in under this sovereign citizen protest?

JOSH MURRAY: I'd have to seek advice on that.

**Answer**

I am advised:

Transport for NSW does not capture data on driver licences surrendered under the category Sovereign Citizen protest.

**Question 9****Transcript page 23**

The Hon. MARK BANASIAK: Ms Havilah, how much of this year's capital budget was set aside for maintenance for the Powerhouse Museum?

LISA HAVILAH: In 2023 it was \$1.15863 million in reactive maintenance.

The Hon. MARK BANASIAK: And this year? Has there been anything applied for this year or have we not applied anything because we're closing it?

LISA HAVILAH: No, we're still continuing opex. Apologies. I've got the last five years for you, and I will get that final number straightaway.

**Answer**

I am advised:

The budget for Reactive Maintenance and Capital Expenditure in 2024/25 across all Powerhouse sites will be determined following the finalisation of the Budget Process.

**Question 10****Transcript page 25**

The CHAIR: Okay. I might pursue this in the afternoon as well. Why has the Government not announced exhibitions for the International Art Series yet, which usually happens both at the MCA and Art Gallery of NSW?

The Hon. JOHN GRAHAM: I can confirm that funding has been confirmed for both those institutions for the International Art Series. As to whether it's been announced or not, I would actually have to take that on notice. You may well be right but I can confirm that funding has been provided for both those sets of events.

**Answer**

I am advised:

The Sydney International Art Series (SIAS) takes place at the Art Gallery of NSW and Museum of Contemporary Art during the summer period. The 2024/25 SIAS exhibitions will be announced later.

**Question 11****Transcript page 26**

The Hon. DAMIEN TUDEHOPE: The Grants Administration Guide provides this—and this is an issue which I raised with Ms Boyd on a previous occasion. It provides:

Where a method other than a competitive, merit-based selection process is to be used (including one-off or ad hoc grants), officials must document why that method will be used and outline the risk mitigation strategies. This must be approved by the responsible Minister (or head of agency or delegate). Does that document exist?

The Hon. JOHN GRAHAM: Yes, it does. I have provided it to the Parliament previously.

The Hon. DAMIEN TUDEHOPE: Can you identify, in the list of documents provided to the Parliament, the document that you say complies with that requirement? There's an index there. Can you identify in the index the document that you say complies with that requirement?

The Hon. JOHN GRAHAM: I can certainly answer your question. The document was provided to the Parliament on 10 November 2023. You asked me about this matter twice.

You asked me in estimates, where

I indicated, "I'm advised the relevant document has been provided." You asked me where it was in a question on notice—

The Hon. DAMIEN TUDEHOPE: Correct.

The Hon. JOHN GRAHAM: —on 16 January, to which I replied, "It was provided under a letter of the Clerk of the Parliaments on 10 November 2023." I told you when and where it was. It's been publicly available since 10 November.



The Hon. DAMIEN TUDEHOPE: I may stand corrected in relation to that. In respect of the compliance with that document and the administration guidelines, you have, in fact, approved an expenditure on 28 September for a \$20,000 taxpayer allocation pursuant to the small commitments grant for a Soldiers Beach Surf Life Saving Club, have you not?  
 The Hon. JOHN GRAHAM: I would have to come back to look at the exact timing of a specific requirement.

**Answer**

I am advised:

The Special Minister of State approved Soldiers Beach Surf Lifesaving Club for funding on 28 September 2023.

The Soldiers Beach Surf Lifesaving Club were notified by letter, on 11 October 2023, that its application was successful.

**Question 12****Transcript page 27**

The Hon. JOHN GRAHAM: The MP does not have any role in the assessment or approval process, with the merits of the project to be assessed independently, and they supported the program office management actions. They were recommended to—

The Hon. DAMIEN TUDEHOPE: Can I ask you this? Have you got a copy of this new probity protocol?

The Hon. JOHN GRAHAM: They were recommended to me, and then I—

The Hon. DAMIEN TUDEHOPE: Have you got a copy of that new procedure? Is there a document which evidences this?

The Hon. JOHN GRAHAM: Yes.

The Hon. DAMIEN TUDEHOPE: Are you prepared to table that document?

The Hon. JOHN GRAHAM: I will just answer this in order.

The Hon. DAMIEN TUDEHOPE: No, no. I've got very limited time, Minister. Have you got a document which evidences this?

The Hon. JOHN GRAHAM: I will just say these were recommended to me, and I signed off in accordance with that recommendation.

The Hon. DAMIEN TUDEHOPE: But have you got a document which evidences the new manner in which you assess conflicts of interest?

The Hon. JOHN GRAHAM: Yes, I certainly do.

The Hon. DAMIEN TUDEHOPE: Would you table that document?

The Hon. JOHN GRAHAM: Yes, I would be happy to, as I have tabled the guidelines and as I have tabled a range of the approval paperwork for these documents.

**Answer**

I am advised:

The process for engaging with local MPs and Labor candidates to complete a declaration of any interests in nominated projects is at Attachment A.

**Question 13****Transcript page 32**

The CHAIR: I wanted to move to the Western Harbour Tunnel and Warringah Freeway upgrade project. I understand that a group called Cammeray Voices has written to you with huge concerns about the fact that Transport for NSW is not meeting the ministerial conditions that have been set for this project in relation to the way in which Transport for NSW is dealing with multiple—probably hundreds, if not more—complaints by the community. This is a condition for the approval. The requirement is to set up procedures and mechanisms for inquiries and complaints to be handled within 24 hours. The statistic in terms of how those complaints have been handled—only 69 per cent of them have

received an acknowledgment or response. Ultimately, one-third of complaints since September have been neither acknowledged nor responded to. They are not meeting their ministerial conditions. They wrote to you one month ago. What are you doing to ensure that Transport for NSW enforces those conditions?

The Hon. JOHN GRAHAM: I'm concerned about those figures. It's not good enough. I'm happy to refer to the secretary and the agency about what has been done in this area. I'm broadly aware that there has been some focus on this and there has been some attempt at improvement. But I'm happy to refer to the secretary.

The CHAIR: Were you aware of this letter? Plus a report that I've been sent—I understand the Opposition spokesperson has also been sent this. You were sent this probably more than one month ago. Have you been aware of the unacceptable performance by Transport for NSW with this project? You know how distressing it has been. The loss of huge numbers of trees—people have complaints about parking by project staff in side streets. It's not supposed to happen—dust, noise complaints being unanswered. Firstly, were you aware of this?

The Hon. JOHN GRAHAM: I'm certainly aware of the issue. I've certainly spoken to residents directly. I'll take on notice the specific letter. I think it'd be best if I give you a 110 per cent accurate response on the letter itself. But I'm certainly aware of the issue and it certainly is one of the things that I'm concerned about. I don't regard the figures you're outlining as acceptable.

### Answer

I am advised:

Community engagement is essential to the successful delivery of the project and complaints are taken seriously and handled as promptly as possible.

A response has been sent to the Member for Willoughby, Tim James, on behalf of Cammeray Voices.

Both the Western Harbour Tunnel & Warringah Freeway Upgrade's project teams take all enquiries and complaints seriously. The projects are committed to adhering to its Conditions of Approval.

All formal complaints and enquiries from residents received via the Western Harbour Tunnel and Warringah Freeway Upgrade project email address or 1800 number are quickly responded to as per the steps outlined in the Community Communications Strategy and are compliant with the Minister's Conditions of Approval. A complaints report is sent to Department of Planning, Housing and Infrastructure on a weekly basis to monitor compliance. Each project's communications plan sets out the complaints process as follows:

- Acknowledge receipt of any complaints **within two hours**.
- Endeavour to **resolve all complaints within 24 hours**.
- Where they can't respond within 24 hours, the response will be "**within 10 days**".

All emails sent to either project's email address receive an automated response to acknowledge receipt.

Some enquiries and complaints are complex and take longer to investigate or close out than 24 hours. Some complaints are received several times from a complainant and are grouped together as one complaint, as such each individual complaint isn't responded to.



Some ongoing complaints that cannot be resolved with the complainant or that have previously been responded to (i.e. the same complaint keeps being made by the same person) may be closed out. Some complaints are emailed directly to project team members as opposed to the centralised project email box, and they may not be acknowledged within 24 hours.

The projects continue to recommend stakeholders raise any complaints they may have directly with the Warringah Freeway Upgrade or Western Harbour Tunnel project teams via the complaints hotline or email inbox.

#### Question 14

##### Transcript page 35

The Hon. MARK BANASIAK: Can I quickly turn to drones, Minister? You made an announcement about us having up to 70 drones to monitor and bust traffic. What's the total cost of this drone program?

The Hon. JOHN GRAHAM: We can get you some details on the total cost.

#### Answer

I am advised:

Transport for NSW has approximately 70 drones, however, not all these drones are used to monitor traffic. The 70 drones are used for a variety of tasks including bridge inspections, surveying, asset inspections as well as used for incident response and special events. The drones for roads program is the dedicated program using drones for incident management, traffic monitoring and for the management of special events.

#### Question 15

##### Transcript page 38

The Hon. SUSAN CARTER: Minister, can I just quickly take you to the commitment that we find in the Creative Communities policy to build 180,000 public and affordable houses over the next five years. Can you confirm that this commitment is actually Government policy?

The Hon. JOHN GRAHAM: The Creative Communities policy refers to other commitments of the Government, so I can—

The Hon. SUSAN CARTER: Can you tell us where that housing commitment is found—where else in Government policy this commitment for 180,000 public and affordable housing is found?

The Hon. JOHN GRAHAM: Yes, I'd be very happy to take that on notice.

#### Answer

I am advised:

This figure refers to the NSW housing targets of 180,000 (as of December 2023).

#### Question 16

##### Transcript page 38

The Hon. NATALIE WARD: Back to Special Minister of State—just to leap there. Minister, just in terms of your assurance to the Chair that you'd like to give 110 per cent accurate answers—in that spirit, could you inform the Committee of the total number of DLOs, department liaison officers, in Government Ministers' offices?

The Hon. JOHN GRAHAM: I believe that would be a matter for the Premier, although I'm happy to be—

The Hon. NATALIE WARD: No, in your capacity as Special Minister of State.

The Hon. JOHN GRAHAM: I'll take that on notice and I'll see what's appropriate to provide in that capacity.

The Hon. NATALIE WARD: It should be a simple number across Government Ministers' offices. It should be a very clear number. Are your staff able to get that today?  
The Hon. JOHN GRAHAM: That's why I've simply taken it on notice.

**Answer**

I am advised:

The total number of Department Liaison Officers (DLOs) assigned to Ministerial offices as of 31 December 2023 was 110. Note this figure is sourced from Premier's Department records of DLO assignments, which have been submitted by employing home agencies to the Department in accordance with Premier's Department Circular C2021-07 Department Liaison Officers.

**Question 17****Transcript page 38**

What is the status of the northern beaches road network review currently underway?  
The Hon. JOHN GRAHAM: That is rolling out. It's as a result of the decisions that were made in relation to this. It's still ongoing, so I hope to be able to update the Committee and the public.  
The Hon. NATALIE WARD: When will it be complete?  
The Hon. JOHN GRAHAM: We can get that detail for you.

**Answer**

I am advised:

I refer to the response to Supplementary Question 90.

**Question 18****Transcript page 39**

The Hon. NATALIE WARD: You've assured the Committee of your commitment to road safety. The funding has been pulled from the Mona Vale Road West upgrade, which was underway. We'd like to know why the Government won't pursue that safety audit. In a question on notice asked by the local member, Rory Amon, the member for Pittwater, the Government confirmed that no safety audit would be undertaken. We would like to understand why that is. The community wants to know. You'll provide that to us, will you?  
The Hon. JOHN GRAHAM: Can I answer the question?  
The Hon. NATALIE WARD: Yes. Why will there be no safety audit?  
The Hon. JOHN GRAHAM: Thank you for the question. I am aware of the concerns. They have been raised with me, including by the member you've referred to. I think it is totally appropriate to take that question on notice and update the Committee.

**Answer**

I am advised:

The delivery of the Mona Vale Road West upgrade project was deferred for two years following the 2023 NSW Independent Strategic Infrastructure Review. Transport for NSW is continuing with the detailed design for Mona Vale Road West, to enable future delivery of the project.

The Mona Vale Road East project upgrades 3.2 kilometres of Mona Vale Road between Manor Road, Ingleside and Foley Street, Mona Vale is currently nearing completion and will improve safety with additional lanes, widened shoulders, a separated median and a heavy vehicle arrester bed. As part of the completion of the Mona Vale Road East project, a road safety audit will be undertaken of the new road conditions.

**Question 19****Transcript page 40**

The Hon. NATALIE WARD: You have provided the answer. It's not a partial quote; it's a full sentence: The majority of projects in the Urban Roads Fund are expected to be delivered within the \$770 million.

I'm just trying to understand. Given your answer—you would have prepared for that today surely, knowing that we would follow up to say, "What projects won't be delivered under that fund?"

The Hon. JOHN GRAHAM: I'd be happy to take on notice that further detail about the Urban Roads Fund

The Hon. NATALIE WARD: You don't know that either. Are you aware of the 23 projects that will be delivered from the Urban Roads Fund?

The Hon. JOHN GRAHAM: Yes, I've signed off on the Urban Roads Fund, so I am broadly aware of that.

The Hon. NATALIE WARD: At the last session I asked for a breakdown from Ms Mares and she said, "Yes, I'll give you a breakdown." In the answer back a breakdown was not provided. I'd like to understand if we can have a breakdown now in answer to our questions of those 23 projects.

The Hon. JOHN GRAHAM: I think it's reasonable to expect that you'd know what projects were in the Urban Roads Fund. Much of that detail is set out in the budget, but I'm happy to—I think it is appropriate that we take on notice and provide you the list of projects that are in the Urban Roads Fund.

**Answer**

I am advised:

I refer to Tabled Document 1 submitted to the Committee in the hearing.

**Question 20****Transcript page 41**

The Hon. NATALIE WARD: With respect, it's not. That is why we're having to ask the question. May I ask Ms Mares: Are you aware of the 23 projects?

TRUDI MARES: Thank you for the question. We can bring that list back this afternoon.

The Hon. NATALIE WARD: That would be very helpful, because all of the projects, Minister, are not listed in the budget. That's just not correct and not truthful within the funding profile for the projects. We'd appreciate that breakdown.

The Hon. JOHN GRAHAM: I've made these two observations: that much of this information is available in the budget, and the Urban Roads Fund is set out in the usual level of detail. But I've made this point: All of the detail is required in order to present the budget, so it's certainly sitting there in the budget framework.

The Hon. NATALIE WARD: We'll have to agree to disagree, which is why we asked you the question last time.

The Hon. JOHN GRAHAM: Let's agree to agree, though. I think it would be totally appropriate this afternoon for you to be provided with that information in the afternoon session.

The Hon. NATALIE WARD: All right. And it would be helpful this afternoon to understand the funding amount. Can we get an assurance that that will be provided to this Committee this afternoon, the funding amount for each of those projects?

TRUDI MARES: We'll bring what we can. We'll check.

**Answer**

I am advised:

I refer to Tabled Document 1 submitted to the Committee in the hearing.

**Question 21****Transcript page 41**

The Hon. NATALIE WARD: I'm sure you are, which is why I'm sure you are very keen to assist. Minister, at the last election you committed \$180 million to widen Heathcote Road. At the last estimates session it was confirmed there is not \$180 million in the forward estimates. When do you expect to have a contract awarded to meet your commitment?

The Hon. JOHN GRAHAM: We've made a commitment. It's a very important one. There's significant community concern about that Heathcote Road work.

The Hon. NATALIE WARD: When will you have the contract?

The Hon. JOHN GRAHAM: It is a very constrained corridor.

The Hon. NATALIE WARD: I know. I've been there.

The Hon. JOHN GRAHAM: I'll have to take on notice the precise timing for the contract—not unreasonably.

**Answer**

I am advised:

A Strategic Business Case has been completed. Any construction contract would not be confirmed until the project has been through a Final Business Case.

**Question 22****Transcript page 45**

The Hon. MARK BANASIAK: I might just join with my colleague in turning to the Creative Communities policy. It's a great piece of creative writing.

The Hon. NATALIE WARD: That's from a teacher.

The Hon. MARK BANASIAK: I will turn to the section from you, Minister. It states: Research reveals that the creative industries are growing at nearly twice the rate of the general economy in Australia. That's obviously your words. Where did you get that data from?

The Hon. JOHN GRAHAM: We can get you the specific references, but that's lower than it is in the UK, where creative industries are growing at up to five times the rate of growth of the rest of the general economy. This is a well-worn path for growth. For Sydney, you are talking about a significant slice of our workforce. You are talking about 9 or 10 per cent of our workforce, depending on what you measure, and it could be growing. That's the goal of the policy.

**Answer**

I am advised:

This data came from a report produced by A New Approach, titled 'Australia's Cultural and Creative Economy: A 21st Century Guide'. The report indicates that the Australian cultural and creative industries had higher multipliers compared with other Australian industries, with total output, value-added and employment multipliers higher than the equivalent values for other Australian industries.

**Question 23****Transcript page 46**

The Hon. NATALIE WARD: Road safety: Following the increase in the road toll in New South Wales, which we've talked about, is it still a priority for the Minns Government's commitment to legislate an independent victims commissioner for road crime?

The Hon. JOHN GRAHAM: That is not a matter that sits in my portfolio. It's certainly a matter I've got some interest in. But you'd be best referring that to the Minister responsible.

The Hon. NATALIE WARD: But surely given the road toll and given your commitment prior to the

election—you said that this is something that your Government would do and you committed to doing that—  
 surely that's something that you would be pushing along?  
 The Hon. JOHN GRAHAM: That's why those commitments were made—  
 The Hon. NATALIE WARD: Who is responsible, then?  
 The Hon. JOHN GRAHAM: —and I'd expect to see them delivered. I don't want to mislead you, so we might take that on notice, but I'm not the responsible Minister. We'll come back to you.

### Answer

I am advised:

This is a matter for the Attorney General.

### Question 24

#### Transcript page 50

KATE BOYD: I think there might be a bit of confusion about what was produced under the SO 52 and what was tabled voluntarily by the Minister in the House. The document you're referring to, following the last budget estimates hearing, the Minister at the next opportunity went into the House and tabled it, I think, or wrote to the Clerk.  
 The Hon. DAMIEN TUDEHOPE: In the House, do you say?  
 KATE BOYD: Yes. It's available online and it has been since November. I think that's the cause of confusion here. It's not—  
 The Hon. DAMIEN TUDEHOPE: So it hasn't been produced to the Clerk; it was produced in the House—is that what you're telling us, Ms Boyd?  
 KATE BOYD: No, I can't recall whether it was produced—like, tabled on the floor of the Parliament—  
 or whether we wrote to the Clerk for it to be tabled.  
 The Hon. DAMIEN TUDEHOPE: I think the Minister's evidence was that he in fact wrote to the Clerk and provided a copy.  
 KATE BOYD: It's publicly available, in any event, so we can send you the link or provide that to you.  
 The Hon. DAMIEN TUDEHOPE: I would be very happy if you would send me the link. Just in relation to that program, between 6 September and 28 September did you continue to assess applications pursuant to the small commitments allocation?  
 ALISON MORGAN: Yes.  
 The Hon. DAMIEN TUDEHOPE: Potentially that was unlawful. Do you agree?  
 ALISON MORGAN: The guidelines had been approved, which made it very clear that that was a non-competitive, one-off ad hoc grant program, and the guidelines didn't change—  
 The Hon. DAMIEN TUDEHOPE: But there was no document—  
 ALISON MORGAN: —so we assessed them.  
 The Hon. DAMIEN TUDEHOPE: But the 6.1.5 documentation wasn't in place, was it?  
 ALISON MORGAN: There were significant elements of that that had been included in the approval, for the guidelines.  
 The Hon. DAMIEN TUDEHOPE: I'm not quibbling with you in your interpretation of potential other documents, but the actual documentation which is required to be produced wasn't in place, was it?

ALISON MORGAN: It was in place before the Minister approved any projects.  
 The Hon. DAMIEN TUDEHOPE: But while you were assessing them, it wasn't in place, was it?  
 ALISON MORGAN: Correct.  
 The Hon. DAMIEN TUDEHOPE: Just for my benefit, and since I don't have access to the document that Ms Boyd has just told me is available, what risks did you identify?  
 ALISON MORGAN: What risks did we identify? We outlined how we would approve achieving value for money. I'd have to go through this in more detail. It would be better for us to make it available to you, certainly.  
 The Hon. DAMIEN TUDEHOPE: Thank you.

### Answer

I am advised:

On 10 November 2023, the Deputy Secretary, General Counsel of The Cabinet Office wrote to the Clerk of the Parliaments on behalf of the Special Minister of State enclosing a copy of the document. The document is publicly available on the NSW Parliament website at:  
<https://www.parliament.nsw.gov.au/lcdocs/other/18736/Documents%20provided%20by%20The%20Cabinet%20Office%20regarding%20the%20Local%20Small%20Commitments%20Allocation%20Program,%20received%2010%20November%202023.pdf>

### Question 25

#### Transcript page 53

The Hon. DAMIEN TUDEHOPE: You are aware of the suggestion that the projects in relation to Castle Hill and Kellyville were not election commitments. Have you made any inquiries since being made aware of that as to whether they were election commitments?  
 ALISON MORGAN: No.  
 The Hon. DAMIEN TUDEHOPE: Do you think you should? That's a term of the making of the grants, is it not?  
 ALISON MORGAN: If the Premier's office have advised us that they are election commitments, then we have accepted that they are election commitments.  
 The Hon. DAMIEN TUDEHOPE: If they are included on that list and they weren't election commitments, it may well be the case that they have been falsely included in that list as being election commitments in circumstances where they were not, and you would not know and you would not query it.  
 ALISON MORGAN: As we have no involvement in the original collation of the list of election commitments or the making of election commitments, that is a question that we would refer back to the Premier's office.  
 The Hon. DAMIEN TUDEHOPE: Now that you've heard it both in my questions today to the Minister and to you, and o the Premier, is it your view that you should, in fact, refer it back to the Premier's office for clarification? To the Premier, is it your view that you should, in fact, refer it back to the Premier's office for clarification?



**Answer**

I am advised:

The finalised list of election commitments was provided to the Local Small Commitments Program Office by the Premier's Office on 28 July 2023.

The Local Small Commitments Program Office did not play a role in the creation of the list of election commitments.

**Question 26****Transcript page 54**

The Hon. SUSAN CARTER: Just to continue with the grants theme—but I think my questions are probably to Ms Collins from Sound NSW. I'm just curious, Ms Collins, the one-off grants to both the Gadigal Information Service Aboriginal Corporation and the Sydney Fringe Incorporated—was it the Minister who approved the risk mitigation strategies and the reasons, or was it somebody that the Minister delegated?

EMILY COLLINS: The advice was provided in a brief to the Minister's office and that brief was approved by the Minister's office.

The Hon. SUSAN CARTER: So the Minister signed off on those?

EMILY COLLINS: Yes, I believe so.

The Hon. SUSAN CARTER: Can you provide us with copies of the documentation provided pursuant to 6.1.5 of the New South Wales Grants Administration Guide?

EMILY COLLINS: Yes, I can on notice.

**Answer**

I am advised:

Funding for Gadigal Information Services was approved by the Minister on 8 January 2024. The briefing note is at **Attachment A**.

Funding was approved by the Chief Executive, Create NSW on 23 November 2023 as strategic funding through Arts and Cultural Funding Program.

**Question 27****Transcript page 54**

The Hon. SUSAN CARTER: Sorry, I'm not querying the event. I'm just wondering why it was a one-off process that was necessary.

EMILY COLLINS: Sure. So Sound NSW at the moment has this funding for one year, so we provided support to the festival to do the broadcast because it was of urgent need and we considered it to be of significant benefit to First Nations artists and community across the State and that the festival needed support.

The Hon. SUSAN CARTER: The Sydney Fringe—where did the funded performances occur?

EMILY COLLINS: The Sydney Fringe had multiple sites across the city.

The Hon. SUSAN CARTER: How much was spent for performances in Penrith?

EMILY COLLINS: I will have to come back to you with detail on the breakdown of that.

The Hon. SUSAN CARTER: If you could provide a breakdown of the locations and the LGAs—

EMILY COLLINS: Yes, we've got funding acquittals on that.

**Answer**

I am advised:

The list of 2023 Sydney Fringe Festival events and the Local Government Area within which each event occurred is at **Attachment B**.

**Question 28****Transcript page 56**

Ms ABIGAIL BOYD: In the last estimates, I think that's when we heard about the hydraulic line at the Castle Hill storehouse that needed to be repaired.

LISA HAVILAH: Yes.

Ms ABIGAIL BOYD: How much did that cost to repair or to replace and who pays for that?

LISA HAVILAH: That's part of the overall project cost. That issue has now been resolved and we're preparing to open the new Castle Hill building on 23 and 24 March, so we've got a big weekend of family celebrations. I might refer the cost of that to Annette Pitman.

ANNETTE PITMAN: I don't have the specific cost in front of me. However, that's been all taken care of out of the original project budget of \$44 million.

Ms ABIGAIL BOYD: Okay. So that's a Create NSW cost or a museum cost?

ANNETTE PITMAN: Create NSW manages the budget for the program, and that was dealt with within the cost.

Ms ABIGAIL BOYD: Are you able to come back on notice with how much that costs?

ANNETTE PITMAN: The specific cost? Yes.

### Answer

I am advised:

In finalising the building commissioning process, it became evident that an upgrade would be required to the main campus sprinkler and hydrant system which the new building connects into. Based on advice from NSW Public Works, \$385,000 was allocated from the project's contingency budget to undertake these upgrades. These works are now complete.

### Question 29

#### Transcript page 56

Ms ABIGAIL BOYD: It's been reported that there's no drain in the hazard shower, meaning that hazardous materials will collect on the floor and staff will be forced to stand in them. Is that correct?

LISA HAVILAH: I would have to take that detail on notice, but I'm very happy to provide you an update.

Ms ABIGAIL BOYD: And, if it is correct, how it will be rectified would be useful.

LISA HAVILAH: Of course.

### Answer

I am advised:

The Hazard Shower has been designed without a drain to enable sampling of hazardous substances to aid medical treatment and to prevent any hazardous chemicals entering the drainage system. To ensure staff continue to be kept safe, bunding is provided as a performance solution.

The design and performance solution for the Hazard Shower building were developed and approved through consultation with Powerhouse Conservation staff. The Hazard Shower has also passed a recent independent Risk Assessment, which has been provided to the Powerhouse WHS Committee and the PSA.

### Question 30

#### Transcript page 56

Ms ABIGAIL BOYD: If you could find out if the staff who were working with the objects were consulted about that.

LISA HAVILAH: They absolutely were.

Ms ABIGAIL BOYD: If you could perhaps come back on what the decision-making was around that.

LISA HAVILAH: Yes.

### Answer

I am advised:

See answer to previous question on p56.

### Question 31

#### Transcript page 57

Ms ABIGAIL BOYD: Okay. Just coming back to the Powerhouse in the little bit of time I have left, did the museum specifically pay for any of the sprinkler works at Castle Hill? I understand there was some issue with the sprinklers.

ANNETTE PITMAN: Not to my knowledge. There was an issue with the sprinkler main and the fire main. Basically, the capacity for that main line that fed the multitude of buildings there didn't have the capacity for the inclusion of the new building as well.

Ms ABIGAIL BOYD: Sorry, did the contractor pay for the faulty work or did the museum have to pick up the—

ANNETTE PITMAN: Again, I've taken that on notice and will provide you with—obviously, whenever anything like this occurs, you consider the cause. If it was a mistake on the builder's part, then there are negotiations to that effect. If not, then it would be something that the project pays for. I'm taking that on notice.

### Answer

I am advised:

The works required to upgrade the sprinkler and fire mains were additional to the builder's scope and not as a result of faulty work on the part of the builder. The Powerhouse Museum did not pay for any of these works, they were paid for by the project budget.

### Question 32

#### Transcript page 58

The CHAIR: In terms of costs to festival operators, is there anything that is markedly different in New South Wales, compared to Victoria, Queensland and other States, that the Government can do something about?

EMILY COLLINS: Yes. The festival operators were able to share that, particularly for a national touring festival, there are differences in costs for operators in different States, specifically around issues for policing and health. They were able to identify the increased costs for New South Wales.

The CHAIR: Yes. Is it fair to say that that's largely the expense differential? I'm not saying that's the only reason that it's becoming very expensive for festivals to operate, but is that the largest differential between festivals operating in New South Wales and the rest of the country?

EMILY COLLINS: I think it's one of a few factors, another being audiences. Anecdotally, from festival operators I've heard that it is actually sometimes harder to sell tickets in New South Wales as well. When you're looking at potentially increased costs and reduced income, it makes it extra difficult to work here.

The CHAIR: You also mentioned NSW Health. What are the differences in price or what they're charging in terms of "user pays"? What are the differences—I assume you mean medical.

EMILY COLLINS: Yes.

The CHAIR: Or is there more than that?

EMILY COLLINS: No, no. My understanding is that it's medical. I didn't ask for the breakdown from the operators, and I would have to refer to NSW Health for detail on those costs.

### Answer

I am advised:

Costs associated with 'user pays' medical services are the responsibility of NSW Health and should be referred to the Minister for Health.

**Question 33**  
**Transcript page 59**

I wanted to turn to questions about St Peters interchange. I'm not sure who I direct this to. I understand that there have been contractors or a single contractor employed or used by Transport for NSW to monitor pollution at St Peters interchange. This is contracted by Transport for NSW, not by the EPA, between January 2020 and January 2024. Who are those contractors?

JOSH MURRAY: Yes, we do ongoing monitoring as part of the Transport oversight of that project.

The CHAIR: And the contractors are? Who can answer that? Ms Drover, is it?

CAMILLA DROVER: Yes, if I can just explain. You would be aware that St Peters interchange was

an operating landfill site—a garbage tip—before WestConnex took it over and acquired the entity.

The CHAIR: Yes.

CAMILLA DROVER: It was used for the construction of two parts of WestConnex—initially, the M8

motorway. WestConnex was responsible for the delivery of the M8, and they employed their contractor. That contractor had responsibility for the site during their construction works. You would recollect that the M8 opened in July 2020. Part of that site was returned to WestConnex after construction, and part of it is now in the care of Transport. Another part of the St Peters interchange was also then used for construction of the M4-M8 motorway. Again, WestConnex was responsible for that, and they had their own subcontractor.

With time, the site has been used for various construction activities. Both those projects obviously are

finished and are open to traffic. Some of those areas remain operational motorway, particularly the areas

underneath the viaducts at the St Peters interchange. Those areas are well vegetated, as you say, and they'll never be publicly accessible because they're part of the areas where the motorway runs. There are some other areas, residual areas that, with time, we're hoping to hand back for community use. There have been a range of remediation works that have occurred at the St Peters interchange. Most of those works were delivered by the construction contractors, either for the M8 or the M4-M8. But for the areas that are now handed back in the care of Transport for NSW, we are undertaking some ongoing monitoring. We pay for that and we engage consultants that do that. We are undertaking ongoing methane monitoring. That's in line with the EPA environmental licence for the site and that will continue. We mentioned earlier that we're still working with both Inner West Council and the City of Sydney in terms of design solutions that they would like for the park. When the design solution is confirmed, it will inform whether any further remediation works are required to support the preferred design and use of that area of parkland. But, in the interim, we continue to comply with our EPL, as we call it—the environmental protection licence—for the site, which does include ongoing investigation, monitoring and reporting of results. I have asked today whether we've had any recent exceedences but I haven't heard back from the project team. I'm happy to provide that on notice, if there are any.

**Answer**

I am advised:

The following contractors were engaged by Transport for NSW for matters relating to the St Peters Interchange:

- WSP Consulting (from 2019)
- EMM Consulting (from 2019)

- Terra Sana Consultants (from 2019).

Transport for NSW also works closely with the NSW Department of Planning, Housing and Infrastructure's Waste Assets Management Corporation, which also engages consultants and contractors at the site.

With regard to methane monitoring, Transport for NSW undertakes methane emissions testing at St Peters Interchange for a number of reasons. Transport for NSW routinely collects and reports methane and leachate testing results on its website, to adhere to its Environmental Protection Licence and the site's Landscape Closure Management Plan. This data can be found on the Transport for NSW website:

<https://www.transport.nsw.gov.au/operations/roads-and-waterways/environment-and-heritage/environmental-compliance/environment>

Transport for NSW also undertakes testing at the request of the Project's independent site auditor and to ensure the safety of workers on the Sydney Gateway project, with any exceedances reported to the NSW Environment Protection Authority.

The location and extent of these exceedances can't be predicted with certainty. As such, the Environmental Protection Licence and Landscape Closure Management Plan prescribe a range of management actions to minimise any associated impacts.

Transport for NSW emphasises that methane emissions exceeding predicted levels are common in the years following a landfill's closure and remediation.

#### Question 34

#### Transcript page 60

The Hon. NATALIE WARD: I've got really limited time. It is number 15, widening Richmond Road

between Elara Boulevard and Heritage Road, yes. So, no funding in the budget for that—

BRENDA HOANG: There is \$19 million in this year's budget.

The Hon. NATALIE WARD: So \$19 million for that project. Is that planning funding?

BRENDA HOANG: Yes, it is planning for the time being.

The Hon. NATALIE WARD: Will that complete all of the planning for that project? Is that sufficient

to complete all the planning?

CAMILLA DROVER: My advice is that we'll be going out for delivery tenders in the second half of

this year.

The Hon. NATALIE WARD: Delivery tender in the second half of this year. So that's—

CAMILLA DROVER: Which will obviously be in the next financial year.

The Hon. NATALIE WARD: This year there is \$19 million. Is that over the four years?

CAMILLA DROVER: No, that's just for this year, 2023-24.

The Hon. NATALIE WARD: That will complete the planning and it will go out. How much is in over the four-year period for that project?

The Hon. NATALIE WARD: That will complete the planning and it will go out. How much is in over

the four-year period for that project?

CAMILLA DROVER: Unfortunately I don't have that with me. I just have this year's.

The Hon. NATALIE WARD: Can someone get that for us today? It's a budget estimates question.

CAMILLA DROVER: We will take that on notice.

#### Answer

I am advised:

This information is publicly available

[https://www.budget.nsw.gov.au/sites/default/files/2023-09/2023-24\\_01\\_Budget-Paper-No-3-Infrastructure-Statement\\_infrastructure-statement.pdf](https://www.budget.nsw.gov.au/sites/default/files/2023-09/2023-24_01_Budget-Paper-No-3-Infrastructure-Statement_infrastructure-statement.pdf) p58 | 2-30.

### Question 35

#### Transcript page 63

Number 12, the traffic study

for intersection of Sunnyholt and Old Windsor Road?

BRENDA HOANG: At the moment, there is zero in the budget papers. However, we are looking at the

costing for that before we allocate anything to that particular election commitment.

The Hon. NATALIE WARD: That's an election commitment that at the present time has zero allocated

to it. When you say you're looking at it, how long? When will you have an answer on that?

There's no allocation at this point?

BRENDA HOANG: I'll have to take that on notice.

### Answer

I am advised:

The traffic study will be completed as part of the Memorial Avenue Program and is funded from its budget.

### Question 36

#### Transcript page 64

The Hon. NATALIE WARD: How many of those projects out of the 770 have enough for delivery in

the next four years? Clearly not number 12, because it's got zero allocated. But of any of those, can we get delivery of those projects?

BRENDA HOANG: I would like to take that on notice. Some of these are fully funded, but with

others—as Ms Mares said earlier—we need to do some more work in terms of the scoping and the planning and development before we can finalise the cost to deliver that particular election commitment.

The Hon. NATALIE WARD: Which one can be delivered in the next four years?

BRENDA HOANG: Again, I'll have to take that on notice.

The Hon. NATALIE WARD: Of the 23 projects, Ms Mares, Ms Hoang, you can't identify one project

in that fund? It's not a trick question; they're sheer numbers. What can be delivered in the next four years, of these projects?

TRUDI MARES: We'll take it on notice, Ms Ward.

The Hon. NATALIE WARD: So the election commitments that were made to deliver these projects

essentially, am I to understand, cannot necessarily be delivered in the next four years, even with some having, as you say, a fully funded allocation?

BRENDA HOANG: I think we just said we'll take it on notice, simply because we just need to go

through what needs to be done before we can actually determine when they would start.

The Hon. NATALIE WARD: Okay. This is budget estimates. I'm not trying to have a go, but these are

questions that are squarely within expenditure. Can you take on notice, then, for each of those projects what will be delivered within that funding in the next four years, specifically an itemised—

BRENDA HOANG: Happy to.



The Hon. NATALIE WARD: Thank you very much. Can you identify any of those projects that will get to contract award stage in the next 12 months? I think we had one that was close to it, but which of those projects will be at contract award stage?  
 BRENDA HOANG: I'll have to defer to Ms Drover.  
 CAMILLA DROVER: Given there are so many, I am happy to take that on notice and bring back which ones will be in contract award, or at least tender, this year.

**Answer**

I am advised:

From the 24 commitments, in this term of Government:

- Nine commitments will commence or complete delivery
- Five commitments are Council projects and grants will be provided to council
- Seven commitments will complete planning and/or a specific committed scope
- Three commitments are in the early phase of development and subject to planning and design.

Ceasing clearways between Kyeemagh and Sans Souci was also a commitment under the Urban Roads Fund and is now complete.

**Question 37****Transcript page 65**

The Hon. NATALIE WARD: Richmond Road is a \$100 million project but there's not \$100 million in

the budget for that project. It just can't be delivered, can it?

BRENDA HOANG: Well, we've got 113.4 million over the forwards, unless we're talking about a

different Richmond Road. This is the one between Townson Road and the M7?

The Hon. NATALIE WARD: No. This is Richmond Road, \$100 million between Elara Boulevard

and Heritage Road—a \$100 million election commitment which doesn't seem to be able to be capable of delivery. Okay, I'll put it this way: Will it require more funding?

TRUDI MARES: There is Federal funding.

The Hon. NATALIE WARD: Will it require more funding for completion?

TRUDI MARES: We've taken those questions on notice to make sure we give the Committee the correct information.

**Answer**

I am advised:

The project has sufficient funding allocated for delivery.

**Question 38****Transcript page 65**

Can I ask it this way, then: Are you confident within the envelope of the \$770 million that the majority of these projects can be delivered?

TRUDI MARES: We would like to check. Some are council delivery and some are State delivery. We

will respond to that on notice.

The Hon. NATALIE WARD: So we have a fund, we don't know what can be delivered, we don't know

when and we are going to take it on notice.

TRUDI MARES: We just want to give you the most accurate information.

The Hon. NATALIE WARD: I do ask that the information that is provided is in respect of each of the

projects and what is actually allocated and whether there is confidence of delivery of that project, understanding

that projects do cost money for planning and for delivery. Clearly, it seems to me that these will require more

funding. Is there a project that you are confident can be delivered within this envelope?

TRUDI MARES: We'll take it on notice, Ms Ward.

### Answer

I am advised:

I refer to the response to Question on Notice 36.

### Question 39

#### Transcript page 66

The CHAIR: Have we had koala signs on Appin Road for some time, though?

TRUDI MARES: I think we've got some VMSs where there are construction works in place. Mr Carlon may know if we've got permanent signage there. To answer your question, it was considered as part of the upgrade, and we've got three other sections we're still looking at.

The CHAIR: Okay. I will come back to that in a second. Mr Carlon, I think I have seen those koala

signs on Appin Road two years ago—or am I mistaken?

BERNARD CARLON: My understanding is that there is permanent signage. We could get back to you

on the scope of how many there are and where they are located.

The CHAIR: Just to be clear, those koala signs have been there for some time?

BERNARD CARLON: I would have to take that on notice and get back to you on how long they have

been in position, the big signage.

### Answer

I am advised:

To influence driver behaviour, Transport for NSW has worked with the Department of Climate Change, Energy, the Environment and Water to install variable message signs during koala breeding season (September 2023 to February 2024) when we know koalas are most active.

There are two formal static signs that were installed by Transport for NSW (then Roads and Maritime Service southern region) in 2015. The northbound sign is located in Gilead, about 3.6km north of the Brian Road intersection. The southbound sign is located in St Helens Park at the roundabout with Kellerman Drive and Copperfield Drive.

There are three informal static signs which have not been installed by a government entity based on their designs and specs. All three signs are southbound and located around the Beulah Biobank corridor. It is unknown when they were installed but they have been up since at least October 2023.

**Question 40****Transcript page 67**

The CHAIR: But you're obviously aware that speed plays a huge factor in deaths of people but also

deaths of wildlife. So why did the department not agree, for example, to reduce the speed limit there from 100 kilometres to 80?

TRUDI MARES: I would have to look at the exact details of the assessment, but my understanding was

that with all of the measures—and you just mentioned the underpasses; exclusion fencing and koala grids—it was seen as being the correct level of intervention without the speed zone reduction. I just want to check if we have done—I believe there's one section where we have implemented a reduction that we spoke about last time as well.

The CHAIR: If you could get back to me about that when you can, that would be good.

In relation to the underpasses that I understand will be built at some point in time, I am being told that, of course, hundreds of trees are going to be planted, but that there's also potentially 12 months when connectivity between koala habitat—I am assuming from one side to the other—will be cut off for up to 12 months. Are you aware of that?

TRUDI MARES: No, I don't know that there would be connectivity cut off. No, I'm not aware of that.

I would have to check. I haven't had any discussion about that.

The CHAIR: Okay. If you could get back to me about that.

**Answer**

I am advised:

Between St. Helens Park and Appin there is a posted speed limit of 80 km/h on Appin Road for a length of about 8km.

Transport for NSW has reviewed the speed limit for Appin Road. As this is a rural road with a single lane in each direction with a small number of driveways and only one connecting road (Brian Road), the speed limit has been appropriately set and speed zoning is consistent with the NSW Speed Zoning Standard.

Within the 8km section, there will be road work speed limit reduction for about 2km at a time to enable the work under Appin Road Upgrade, which includes construction of koala fencing and two koala underpasses.

To influence driver behaviour, Transport for NSW has worked with the Department of Climate Change, Energy, the Environment and Water to install variable message signs during koala breeding season (September to February) when we know koalas are most active.

Transport for NSW is committed to reducing koala vehicle strikes along Appin Road through installing fauna fencing and a third koala underpass south of the Appin Road Upgrade project.

**Question 41****Transcript page 67**

The CHAIR: I think we might have gone through this, but if you could take on notice who the koala

experts and ecologists are that you worked with to get that advice?

TRUDI MARES: Yes, certainly.

The CHAIR: I'll go back to the speed limit. There are different speed limits. There will be a different

speed limit on the four-lane dual highway, of course. Appin Road is currently 80 kilometres per hour, the part of Appin Road that is particularly terrible for koalas. I understand that that particular stretch of Appin Road, we've had people advocating for at least a 70 per cent reduction, if not more than that, for some time. Just in terms of the history of that, has Transport for NSW undertaken a study or research into those optimal speeds and considered the requests by the community, which I think were submitted to you some time ago?

TRUDI MARES: Yes, it has. I will have to take the detail on notice,

### Answer

I am advised:

Advice was received from environmental experts, including Ecologists specialising in Koala Ecology with several years of experience.

The underpass option limits impacts to the koala habitat and biobank site and, has been designed to maximise connectivity.

Between St. Helens Park and Appin there is a posted speed limit of 80 km/h on Appin Road for a length of about 8km. As this is a rural road with a single lane in each direction with a small number of driveways and only one connecting road (Brian Road), speed zoning is consistent with the NSW Speed Zoning Standard.

Within the 8km section, there will be road work speed limit reduction for about 2km at a time to enable the work under Appin Road Upgrade, which includes construction of koala fencing and two koala underpasses.

### Question 42

#### Transcript page 68

The CHAIR: I will go back to St Peters interchange. I understand that environment contractors hired by Transport for NSW—this is in their May 2022 monitoring, which you said, I think, Ms Drover, but not the detail—reported methane at 99 per cent, with carbon dioxide at 11 per cent in gas monitoring at one of the wells that they were monitoring in May 2022. I've heard that it's not possible for methane to be above 70 per cent in a landfill. Are you aware of that anomaly, firstly?

CAMILLA DROVER: I'm not aware of that anomaly if it was in 2022, but I'm happy to take it on

notice and get some information. Obviously, if there are any exceedences, we need to address them.

The CHAIR: I have questions in relation to that for you to take on notice, as well. What action did

Transport for NSW take when you were made aware of that anomaly? Was this raised with the EPA, or did the EPA raise it with you?

CAMILLA DROVER: Yes, I'm happy to take it on notice, particularly where it was, at the St Peters

interchange—whether that was a site that had been handed back to us or whether it was a site that was still the subject of, say, the M4-M5 Link construction sites. I'd have to take that on notice.

The CHAIR: I've also been advised that—well, this is on your website, actually—on the Transport

for NSW website, environmental consultants lost the December leachate sample before delivering it to the

laboratory. Is that correct?

CAMILLA DROVER: I'm not aware of that incident but, again, I'm happy to investigate.

The CHAIR: I also understand that they failed to resample, that it was lost. This is from the website.

It was lost and they failed to resample. So Transport for NSW didn't require them to resample?

CAMILLA DROVER: As I said, I'm not familiar with this particular incident, but I'm very happy to

go away and get enough information to answer. If there has been any noncompliance et cetera, I'm happy to address it.

### Answer

I am advised:

Transport for NSW and the independent site auditor are aware of a false reading of 99 percent methane and 28 percent carbon dioxide from a monitoring well at St Peters Interchange recorded during the March 2022 monitoring event. It was determined at the time that this false reading was an anomaly and the findings have not been repeated in subsequent testing.

While the site auditor is satisfied the reading is not valid, Transport for NSW has reported the reading as collected on the day and is on the reporting website, which can be viewed on the Transport for NSW website: <https://www.transport.nsw.gov.au/operations/roads-and-waterways/environment-and-heritage/environmental-compliance/environment>

Transport for NSW advises that the leachate sample from December 2022 was misplaced between collection and formal laboratory testing. Testing from the quarterly periods prior to and following December 2022 showed the leachate quality was generally within accepted parameters.

### Question 43

#### Transcript page 68

The CHAIR: Does "public reporting" mean publicly reporting pollution monitoring results? Is that what you mean?

CAMILLA DROVER: I am aware that we do put on the website some of the results of the monitoring and testing.

The CHAIR: Do you put all of the results on there?

CAMILLA DROVER: I would just have to go away and check the extent.

The CHAIR: Why wouldn't all of the results be on the website? You're here—

CAMILLA DROVER: I agree; it's a good proposition. I'm happy to go away and check. We have air

quality monitoring on there, both inside the tunnels and external to the tunnels. There is a high degree of information available. I'll just have to go and confirm the exact extent of monitoring that is provided on the website.

The CHAIR: The conditions of the EPL 4627 licence, part of that is to undertake annual monitoring—

that's required—as well as to publish the monitoring results. Correct?

CAMILLA DROVER: Yes, that's my understanding.

The CHAIR: Does the licence specify "only publish these particular pollution samples"?

CAMILLA DROVER: I'm not across that level of detail, but I'm very happy to take on notice the extent

of—

The CHAIR: If somebody here could look, or one of your people behind you, at the EPL. I could do it.

I can do it when the Opposition has 20 minutes, if you like, and then I'll come back to you, because clearly the

EPL specifies to publish the pollution results. I can tell you right now, Ms Drover, I am pretty sure that that EPL

does not specify "just publish these results". For example, there are no monitoring results of the leachate and groundwater monitoring requirements that have ever been published by Transport for NSW for the St Peter's landfill interchange. Are you aware of that?

CAMILLA DROVER: I'm not aware of that, and that's why I have taken it on notice to confirm exactly

what is publicly available. If there is any disconnect between what we should be doing, we will absolutely address it.

The CHAIR: Is it standard, if there is a requirement to publish results, that Transport for NSW

handpicks particular results and not others?

CAMILLA DROVER: Not in my experience but, as I said, I have taken that away to confirm because

we absolutely want to be transparent with any results that we have.

The CHAIR: If you are breaching conditions of your licence, what happens then? Do you just correct

it after being—I don't want to say caught out, but it's almost a bit like that. Do you just correct it?

CAMILLA DROVER: I think that would depend on the nature of the breach but, as I said, I'll take it

away because I'm just not familiar with that level of detail. We have taken it on notice.

## Answer

I am advised:

Transport for NSW is obliged to collect, analyse, and publish monitoring data in accordance with its Environment Protection Licence, which is administered by the NSW Environment Protection Authority. These include, but are not limited to, quarterly and annual data on landfill gas emissions, leachate, groundwater, and surface water quality. The Licence and its requirements can be viewed on the NSW Environmental Protection Authority's website.

Transport for NSW acknowledges a small number of instances in which it has been unable to report in line with the Licence obligations. These have been reported to the NSW Environmental Protection Authority as non-compliances. This includes an instance where a round of samples was lost and other instances where testing wells couldn't be monitored due to construction activities. In addition, Transport for NSW acknowledges that some annual monitoring data is not currently on the website, and it is in the process of reviewing this data gap to ensure all available monitoring data is publicly available.

Transport for NSW is in the process of engaging an external environmental consultant to undertake an audit of its monitoring processes. While this is a requirement under the Environment Protection Licence, Transport for NSW has brought forward the audit to ensure Transport for NSW's processes are leading to the most effective monitoring, analysis, and reporting outcomes.



**Question 44****Transcript page 70**

The Hon. SUSAN CARTER: Sound NSW—if you could think about while you're coming up—I'm interested in the live venue accelerator workshops. I wonder whether you can tell me how many expressions of interest were received?

EMILY COLLINS: I might have to refer you to my colleague Michael Rodrigues, who's running that program.

The Hon. SUSAN CARTER: Okay. I understood that was Sound NSW.

The CHAIR: That's the night-time economy.

EMILY COLLINS: There are two programs as part of the umbrella for Venues Unlocked.

The Hon. SUSAN CARTER: Thank you. Who has carriage of the contemporary music budget? I believe there's \$103 million available.

The CHAIR: Maybe we'll go Mr Rodrigues, because you're here now.

MICHAEL RODRIGUES: I think your question was in respect to the live music venue—

The Hon. SUSAN CARTER: Live venue accelerator workshops.

MICHAEL RODRIGUES: Yes, correct. Apologies for a little bit of confusion. We are working with Sound NSW on delivery of—

The Hon. SUSAN CARTER: No, no—just happy to get the answer. Thank you.

MICHAEL RODRIGUES: That has 24 participants in it currently. There were 25.

The Hon. SUSAN CARTER: How many expressions of interest were received?

MICHAEL RODRIGUES: In terms of applications, I may need to take that on notice. But there were 25 places in the accelerator.

The Hon. SUSAN CARTER: And what's the cost per participant?

MICHAEL RODRIGUES: I might need to take that on notice as well.

**Answer**

I am advised:

The Live Performance Venue Accelerator Program received 45 applications from NSW venues. Of the applications received, 25 venues were approved for the program through a competitive assessment process.

The total cost of the Accelerator (six-week capacity building program) per venue is approximately \$13,255. 49 individuals have participated in the program (which equates to approximately \$6,763 per participant).

**Question 45****Transcript page 74**

The Hon. SUSAN CARTER: Thank you for being here. Congratulations on the extra \$12 million, although we found out that that's one offer, not recurrent. I understand that you've got a change management plan because you are needing to separate from some staff because of funding issues?

MICHAEL BRAND: Correct. We have a change management plan in place. That is, partly, we are undergoing a small realignment after the first year of operations and also addressing the budget issue.

The Hon. SUSAN CARTER: As well as the 10 permanent roles and the 21.5 FTE roles that won't be filled, how many workers on temporary contracts and how many casuals will be affected by the gallery's change management program?

MICHAEL BRAND: I'll have to take that particular number on notice.

**Answer**

I am advised:

Casual workers are not impacted by the Change Management Plan. There was a reduction of 0.5 full-time equivalent positions occupied by a staff member on a temporary contract. That person will be offered casual work as and when available.

**Question 46**  
**Transcript page 74**

The Hon. NATALIE WARD: Mr Murray, or whoever is dealing with Rozelle mulch—I know we've

dealt with these but I want to add a couple of questions. On what day did the member of the community email Transport concerning their finding of asbestos in mulch?

JOSH MURRAY: Yes, thank you for the question. That was 2 January.

The Hon. NATALIE WARD: When were you informed, Mr Murray?

JOSH MURRAY: I was informed the following week; let me just check the exact date. I was informed

on the morning of the ninth that we were investigating a discovery that had come to our attention the day before, formally.

The Hon. NATALIE WARD: So 2 January, the email comes through. You were informed on the

morning of 9 January that you're investigating?

JOSH MURRAY: Yes.

The Hon. NATALIE WARD: Who informed you of that?

JOSH MURRAY: It was the acting deputy secretary.

The Hon. NATALIE WARD: Who is that?

JOSH MURRAY: It's Peta Gamon.

The Hon. NATALIE WARD: Can you walk me through the reporting lines between the person that's

responsible for that email address through to you?

JOSH MURRAY: Yes. As we covered at the time, the important thing to note is that we do apologise

for the time taken between the member of the community coming forward and making and following up on their original call and that being escalated. We also have to remember that it was the first week of the new year. The project teams around Rozelle interchange and parklands were taking some well-deserved rest time, but the office was staffed and the email should have been picked up. Unfortunately, due to human factors, it wasn't assessed properly at the time and it didn't make its way to the proper people.

The Hon. NATALIE WARD: I understand all of that. You've said that publicly. Thank you for that.

Back to my question, can you talk me through the reporting lines between the person responsible for that email address through to you?

JOSH MURRAY: I'd have to check exactly who that came through.

**Answer**

I am advised:

Transport for NSW advises the Community Engagement team in Greater Sydney has responsibility for monitoring project inboxes. The reporting line is through that team in the Community and Place Branch through the Executive Director to the Deputy Secretary Greater Sydney and to the Secretary.

**Question 47**  
**Transcript page 75**

The Hon. NATALIE WARD: From the time that that email came through the project team, what was

the line of communication? Where did that go from the recipient of that email through to you? Talk me through the steps there.

JOSH MURRAY: I'd have to check exactly how many hands that passed through at the time. Certainly

it was notified to me within a very short period of time of it being notified that we had initially missed this public comment but that we were on with it and obviously, because it was asbestos, it was escalated through to the secretary.

The Hon. NATALIE WARD: How many people have access to that email inbox?

JOSH MURRAY: I'd have to take that on notice. It's a project inbox that was being staffed at the time on the project related to the parklands.

### Answer

I am advised:

As the email was received during the Christmas shutdown period, there was one Transport for NSW employee who had access to the inbox. It is standard practice across NSW Government for minimal staff to be available over the shutdown period to receive and action any urgent emails or phone calls.

On 8 January 2024, staff returned to work following the Christmas shutdown period. The member of the Transport for NSW project team took immediate action when they saw the initial email that had been sent on 2 January 2024.

The Project team notified senior management through their reporting lines to the Acting Deputy Secretary on 8 January 2024.

The Secretary was notified by the Acting Deputy Secretary on 9 January 2024.

### Question 48

#### Transcript page 75

JOSH MURRAY: Yes, my advice is the email was received, it was read and it was forwarded on, but it wasn't forwarded to the right place. It was almost, "This is for someone else to deal with." Because of the understanding of the email at the time, it then made its way back to that project team who, upon second receipt of it, realised that this was something that they needed to deal with and, as a result, they initiated the protocols. That's my advice.

The Hon. NATALIE WARD: It wasn't satisfactorily dealt with in the first place. How many people

saw that email before action was taken on it?

JOSH MURRAY: Again, I'd have to take the exact number on notice.

### Answer

I am advised:

The email was received on 2 January 2024 during the Christmas shutdown period. As the email was received during the Christmas shutdown period, there was one Transport for NSW employee accessing the inbox, as all other staff was on leave. It is standard practice across NSW Government for minimal staff to be available over the shutdown period to receive and action any urgent emails or phone calls.

On Monday 8 January 2024, staff returned to work following the Christmas shutdown period. A member of the Transport for NSW project team took immediate action when they saw the initial email that had been sent on 2 January 2024.

### Question 49

#### Transcript page 77

The CHAIR: St Peters interchange is what I've been talking about the whole time.

TRUDI MARES: Just clarifying. I can check what engagement we have had, but we have regular engagement with Inner West Council. I'll get specifics related to St Peters for you.

The CHAIR: Is Inner West Council satisfied with the engagement by Transport for NSW on the St Peters interchange, would you say?

TRUDI MARES: I have met with Inner West Council on a range of matters, as have some of my colleagues—not specifically on St Peters, though, so I would like to check that if I could.

The CHAIR: What I'm hearing is that despite requests from the Inner West Council in relation to getting this urgent briefing that I was just talking about—plus reports that Transport for NSW has not responded to those—they're not supplying the information as requested by Inner West Council. What's the reason for that?

TRUDI MARES: I understand the question. I'll endeavour to get some information for you now.

### Answer

I am advised:

Transport for NSW's senior management and technical officers meet regularly with Inner West Council to discuss and manage ongoing matters involving both organisations. Previous discussions relating to St Peters Interchange have considered the site's future development and management arrangements.

Transport for NSW will contact Inner West Council to arrange a briefing on the former landfill at St Peters Interchange.

### Question 50

#### Transcript page 78

I also understand there was a licence variation in May 2021. The EPL you're referring to was varied by the EPA. Do you understand that that's the case?

CAMILLA DROVER: It may well have been. Sometime we amend the management strategies that we're putting in place to manage the problem. We undertake monitoring depending on what we find. We continue with the approach. Sometimes we need to change the approach, and that would necessitate a change to the EPL. Occasionally there are—I wouldn't call it a breach. But, for example, I can see here that we didn't test from one particular well. That was because the construction of the gateway project, for example, meant that we couldn't test from that well. There's another example I can see where there was an equipment failure for the testing of one particular well, so that's noted. If there is any material breach of the EPL, we are required to report that to the EPA, and we do. Sometimes breaches do not become apparent until later and they are then later reported, when they become apparent, to the EPA. We have an ongoing commitment and responsibility to manage that site and that's why, with time, sometimes our approaches do change.

The CHAIR: With that variation that you are aware of, in May 2021, of the EPL—

CAMILLA DROVER: I'm not aware of that specific change. I'm happy to take that on notice and get the exact nature and detail of it. But I'm aware that, with time, we sometimes do. And sometimes we undertake additional monitoring.

The CHAIR: Yes, thank you, Ms Drover. Under that amendment in May 2022, the EPA varied the

licence to include a voluntary environmental audit—it's interesting it's voluntary, frankly—and the completion of two pollution studies. This is what I was referring to before. The first pollution study required the licensee to undertake a revised hazardous ground gases risk assessment and submit a report to the EPA by 30 September 2021. Transport for NSW was required to do that. It has been delayed and delayed a number of times, I understand. It's a requirement of the licence—the variation of the licence. But it's a requirement—two pollution studies. Why do they keep being delayed and extended?

CAMILLA DROVER: I don't know in that instance but I'm very happy to take that on notice and find out why there is a delay and whether that delay still persists. I'm not familiar with that particular matter.

### Answer

I am advised:

The NSW Environmental Protection Agency varied the Project's Environmental Protection License in May 2021 as Transport for NSW had not formally requested a reporting extension on its submission of a Hazardous Ground Gases Risk Assessment, although there had been verbal and email communication between the Environmental Protection Agency regarding this matter.

The delay was created by a reliance on data held by third parties, including the WestConnex construction contractor and its subcontractors. There were a number of delays as Transport for NSW negotiated to obtain this data which was necessary to meet reporting requirements under the Project's Environmental Protection License.

Transport for NSW provided the Environmental Protection Agency with a draft response, which had been endorsed by the independent site auditor, and requested an extension to address gaps with the third-party data.

The matter was closed out by the Environmental Protection Agency in May 2022 with no further action as it was satisfied that the delays were outside of Transport for NSW's control and that it was actively managing the site in accordance with the recommendations of the Hazardous Ground Gases Risk Assessment.

Transport for NSW has continued to meet its deadlines and requirements under the Project's Environmental Protection License, including any further licence variations negotiated with the Environmental Protection Agency.

To date, Transport for NSW has implemented most of the recommended measures to improve the overall management of landfill gases on the site.

Those remaining are still being delivered in consultation with the independent site auditor and the Environmental Protection Agency, in accordance with timeframes prescribed by the Environmental Protection License.

### Question 51

#### Transcript page 80

The CHAIR: In terms of formula, then, what does it take for a festival to get off this subject festival list?

CAROLINE LAMB: There are a number of festivals that have previously been characterised as subject and are now no longer subject. In the last six months we've characterised most festivals as not being subject, and I think that that's largely due to the

fact that we now have a number of festival organisers with a very strong track record of harm minimisation at their events.

The CHAIR: So in terms of what it takes, you're saying a couple have come off the list?

CAROLINE LAMB: Yes.

The CHAIR: Have any gone on the list in that time?

CAROLINE LAMB: I'd have to take that one on notice, but I think, as a generalisation, there are far more—I know there are far fewer festivals that are characterised in the last 12 months as subject, by comparison with the previous 12 months.

## Answer

I am advised:

Music festivals are assessed on a case-by-case basis depending on the characteristics of the event, such as time of year and location, that may change from year to year. This occurs each time a festival organiser notifies the regulator of its intention to hold an event, unless the organiser advises that they wish the festival to remain subject when it is next held. Therefore, a festival classed as 'subject' last year will not necessarily be 'subject' this year, and vice versa.

A change in characteristics relevant to the assessment of risk to patrons is the usual basis for festival status to change. For example, event duration, event and organiser history, event location, proximity to major hospitals, expected patronage, target patron demographic and music type, and typical weather conditions are all relevant considerations.

In May 2023, 40 festivals that had been previously declared subject festivals had the opportunity to apply to ILGA for that subject status to be considered.

- 16 applications were submitted
- 2 previously subject festivals were determined 'not subject'
- 9 remained 'subject'
- 5 festivals advised that their festival would not be held again and ILGA therefore determined they were no longer considered subject.

Of the upcoming music festivals to be held in the 2024 calendar year, 25 events have been considered subject and 36 have been determined not subject.

There are five festivals pending determination at submission stage at 20 March 2024.



**Question 52**  
**Transcript page 81**

The Hon. NATALIE WARD: It does seem that there are some ongoing concerns about how that's being handled.

TRUDI MARES: There's a process in place.

The Hon. NATALIE WARD: What oversight is there for the complaints-handling process?

TRUDI MARES: It's managed through the project and community teams. Assessing that, if there were any significant gaps, there would be escalations and that would be dealt with. As I mentioned, we haven't seen an escalation of that particular matter. We did want to check the stats that you provided.

The Hon. NATALIE WARD: I don't mean to interrupt you, but I think we're escalating it now.

TRUDI MARES: Yes. We haven't before today. For the statistics around the response rate and things, we'll check those against what we've provided to DPHI.

The Hon. NATALIE WARD: That would be helpful.

**Answer**

I am advised:

Community engagement is essential to the successful delivery of the project and complaints are taken seriously and handled as promptly as possible.

All formal complaints and enquiries from residents received via the Western Harbour Tunnel and Warringah Freeway Upgrade project email address or 1800 number are quickly responded to as per the steps outlined in the Community Communications Strategy and are compliant with the Minister's Conditions of Approval.

Some complaints are received several times from a complainant and are grouped together as one complaint. Although complaints may be managed appropriately and resolved, the complainant may not agree with the outcome.

The projects continue to recommend stakeholders raise any complaints they may have directly with the Warringah Freeway Upgrade or Western Harbour Tunnel project teams via the complaints hotline or email inbox.

The projects prepare weekly complaints reports to monitor any trends and identify opportunities for improvements. These reports are then shared with the Department of Planning, Housing and Infrastructure.

**Question 53**  
**Transcript page 83**

Why did the Government delay the start of that project?

CAMILLA DROVER: I wouldn't categorise it as delaying the start. We obviously needed the REF.

That obviously did generate some commentary in the community, so we took our time to respond to that community feedback. The REF was then determined, and then that allowed us to get on with those various elements. You'd be aware it's a complex bit of Sydney.

The Hon. NATALIE WARD: Yes.

CAMILLA DROVER: It's right on the edge of the CBD; there is not much space. We need to program

those works so that we balance the need to improve the capacity and resilience of that network whilst actually keeping it flowing as an operational network.

The Hon. NATALIE WARD: I believe the REF said that it would begin in the second quarter of 2023.

We're well beyond that. When will the whole thing be delivered?

CAMILLA DROVER: When will the whole thing be completed?

The Hon. NATALIE WARD: Yes.

CAMILLA DROVER: As I said, the Allen Street works are fairly straightforward, but they'll just be

subject to those utilities being moved. We've got to wait for the fish markets for Pymont Bridge Road, and then we're just finalising how quickly we can proceed with the Fig Street ramp because, as I said, it's, in part, a function of the activities at the ICC. But we have commenced the property acquisition. That is now funded, and that's probably the other thing I need to confirm: All those elements are now funded and we're proceeding as soon as we can.

The Hon. NATALIE WARD: I understand the elements of the project and the complexity of it and

acknowledge that. Given it all went to the REF as one project, when will it be complete?

CAMILLA DROVER: I'd need to take that on notice and just look at that for all elements. I don't have

an exact date for the Fig Street on-ramp.

The Hon. NATALIE WARD: If you could take on notice when that will be complete or anticipated,

the entire thing, given it went as one bundle to the REF, that would be helpful.

CAMILLA DROVER: Yes.

### Answer

I am advised:

I refer to the response to Supplementary question 213.

### Question 54

#### Transcript page 85

The CHAIR: Mr Barakat, I want to ask some questions about the Vibrancy Reforms that came in on 12 December. I'm particularly interested in the number of venues that have applied to take particular things up. I understand with the Sunday trading there was the change but then every individual venue still had to apply if they wished to trade earlier or later. Is that correct?

TAREK BARAKAT: That's right. Sunday trading traditionally finished at 10.00 p.m. That has now been extended—to align with other days of the week—to midnight. That's up to individuals, so it's not mandatory. Obviously individual venues will make that decision based on their own circumstances and then they'll apply to us and the authority to seek that extension. If you're after an exact number, I don't have that with me, but I'm very happy to take on notice how many have applied for that extension.

The CHAIR: Yes, I was going to ask the exact number but, maybe generally, has there been strong interest in that?

### Answer

I am advised:

As at 12 March 2024, there have been eight applications received to extend trading hours after 10pm on a Sunday since the Vibrancy Bill was passed.

**Question 55**  
**Transcript page 87**

The CHAIR: Going back to Powerhouse Museum, Ms Havilah, I wanted to turn to the issue of artistic associate, which, I understand, are full- or part-time paid contractors with Powerhouse Museum. How many

artistic associates have been hired for Powerhouse Museum?

LISA HAVILAH: I can get that figure for you straightaway. I just don't have it on the top of my head, but we do have a program of artistic associates, which we've just now widened out to be a program that works across both the applied arts and the applied sciences. We currently have an EOI out for that program.

The CHAIR: So there are quite a few? You'll get back to me about that.

LISA HAVILAH: I'll get back to you. There are less than 10.

The CHAIR: I'm also keen to know what the conditions of their employment are in terms of part time or full time, what the contracts are and what are their payment bands or daily earnings. I understand there's a salary scale for employees and these are artistic associates. That would all be very useful.

LISA HAVILAH: Yes, no problem.

**Answer**

I am advised:

The Powerhouse recently undertook an expression of interest process for its Associates, applications closed on 15 March 2024. Associates will be in residence over a 12-month period to develop and deliver a project that contributes to the Powerhouse renewal and the future of contemporary museum practice. Associates will have access to Powerhouse facilities, including workspaces, the Powerhouse Collection, Research Library and Archives, while working alongside museum staff and collaborators.

Current Powerhouse Artistic Associates were also engaged through an open and competitive public expression of interest process. Submissions were evaluated by an evaluation committee and assessed against set criteria. Engagements are for one year, with an option to extend for a further year on no more than two occasions subject to requirements.

Six Artistic Associates are currently contracted as independent contractors and are paid monthly. Expenditure on Artistic Associates for the period 1 July 2023 – 28 February 2024 is \$418,791

**Question 56**  
**Transcript page 88**

The CHAIR: So then, when you're talking about education programs, and everything that you said, are the residents paid for that work?

LISA HAVILAH: No, it's work in lieu of that subsidy. It's work in lieu and each one is individually negotiated depending on their expertise and the work they do.

The CHAIR: Are some of them paid for it on top of any negotiated reductions in their subsidy?

LISA HAVILAH: No, not that I'm aware of, but I can take that on notice.

**Answer**

I am advised:

The Powerhouse residency program currently engages with practitioners from across the applied arts and sciences. Supporting industry is part of the museum's legislated purpose; offering an ongoing residency to practitioners is one of the ways the Powerhouse does this. In return for subsidised spaces, a key criterion for the selection of residents is their proposed contribution to the Powerhouse Program, which may include talks, workshops,

learning, digital, or other engagements. The Powerhouse Creative Industries Residency Program does not provide any funding or grants to participants.

**Question 57****Transcript page 89**

The CHAIR: What are they required to do in terms of the efficiency savings?

ELIZABETH MILDWATER: It just changes their budget. It just reduces their budget level. That's it.

The CHAIR: Yes, I'm just asking for more specifics. By what—is it a percentage? Is it a figure?

ELIZABETH MILDWATER: I think they're actually figures. We could take that on notice and get back to you. I haven't calculated as to whether they're specific percentages. I think they're just figures applied, but we could get back to you with that.

**Answer**

I am advised:

Future budget allocations and efficiency savings will be subject to the standard budget process. The efficiency savings applied to the three institutions in the 2023/24 budget are below.

Agency	2023-24 (\$'000)
Art Gallery of New South Wales	(2,417)
Australian Museum	(1,670)
Museum of Applied Arts and Sciences (MAAS)	(2,773)

There were also savings applied to these institutions in prior budget periods which affect the 2023-24 budgets. Efficiency savings for agencies and departments are part of the standard budget processes.

**Question 58****Transcript page 89**

The Hon. NATALIE WARD: My question is to Create NSW and Ms Pitman, just pivoting to Arts.

Just in relation to the Create NSW arts advisory panels—I just wanted to ask about those—how many chairpersons of the various Create NSW arts advisory panels were not reappointed by the Minister?

ANNETTE PITMAN: Just to clarify, I think you're talking about the Artform Advisory Board groups. Is that correct? There are 10 art form boards—

The Hon. NATALIE WARD: The Create NSW arts advisory panels.

ANNETTE PITMAN: We haven't got anything that is specifically called that. We have 10 Artform boards. Each of those Artform boards is charged with reviewing applications for funding that relate to a particular art form. We have renewed some of the memberships on

those boards in the last year. I don't have the specific information that you've asked, but we can take that on notice.

The Hon. NATALIE WARD: Could you? You're quite right—the Artform advisory panels. I think they were, at some point, called advisory panels. Specifically, how many chairpersons of those various boards were not reappointed by the Minister? Did the Minister personally inform these distinguished volunteers or personally write to them to thank those not reappointed for their service, years of volunteering and the work they've done?

ANNETTE PITMAN: I do believe there were letters that were sent to people who were retiring off of those boards to thank them, but I can confirm that on notice.

### Answer

I am advised:

The Chairpersons of six of the ten Artform Advisory Boards were not re-appointed in September 2023. Each of the retiring Chairpersons had completed two terms of two years. The Chairpersons and other retiring members of the Artform Advisory Boards were informed and thanked for their service by Create NSW.

### Question 59

#### Transcript page 90

The Hon. SUSAN CARTER: Ms Mildwater, if I could go back to the efficiency savings and the efficiency dividends. As I understand it, some institutions had an efficiency dividend applied. Others also had efficiency savings applied. Is the expectation that if those savings can't be found, they will go out to philanthropists to make up the shortfall?

ELIZABETH MILDWATER: You would probably need to ask the Government the question of what the expectation was. From a portfolio perspective, our expectation is to work within our budgets. There are various ways of doing that.

The Hon. SUSAN CARTER: If savings are applied year on year on year, what happens to the budgets?

ELIZABETH MILDWATER: The other process that we have now instituted with some of the institution is a bit of an audit. So we're working with the Art Gallery to have a look at the baseline budget. It might mean that it needs to be reset.

The CHAIR: I have got a figure of cutbacks to the arts and culture budget of \$200 million over four years. Is that roughly what has been—

ELIZABETH MILDWATER: I'd have to take that on notice.

The CHAIR: In the ballpark?

ELIZABETH MILDWATER: I'd have to take it on notice. I don't want to guess. I'll get the exact figure for you.

### Answer

I am advised:

The budget papers include detailed information on budgeted expenses, revenue and capital expenditure. This includes detailed financial statements for individual agencies as well as for government as a whole. The budget papers also outline the financial impact of measures in the budget on individual portfolios as well as for government as a whole.

### Question 60

#### Transcript page 90

The CHAIR: Fair enough. I'll go to something completely different now, which is a question about—it

might be a bit too specific for everybody—the New Line Road through Cherrybrook into Dural. I understand that joint funding for the feasibility study was announced at 10 million each by the Federal and State Coalition back in April 2019. That has been undertaken, I understand, that feasibility study. Is that you, Ms Drover?

CAMILLA DROVER: If it's in the planning phase—

TRUDI MARES: Yes, I think it's in planning. I'm just seeing if I've got anything. It's not one I prepared.

The CHAIR: The question is, that has been undertaken—the investigation. You're saying that the

\$20 million went to Planning to undertake that study, or was it Transport for NSW?

TRUDI MARES: It has been a while since I've looked at that one. From memory, yes, we undertook

planning studies to investigate beginnings of a strategic business case option.

The CHAIR: Where is that up to? Just to be clear, The Greens probably don't support it in some parts

because of the blue gum high forest impact, but I'm just curious in terms of where that is up to.

TRUDI MARES: I don't believe it has been prioritised in our current budget process or in our portfolio.

I will clarify that and check for you.

The Hon. NATALIE WARD: Has the feasibility been completed?

TRUDI MARES: Let me take that on notice.

**Answer**

I am advised:

The Infrastructure Review found the project should be deferred. The 2023-24 NSW State Budget confirmed the project is deferred for two years.