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GENERAL PURPOSE STANDING COMMITTEE No. 4

Thursday 16 September 2010

Examination of proposed expenditure for the portfolio areas

ROADS, WESTERN SYDNEY

The Committee met at 2.00 p.m.

MEMBERS

The Hon. J. A. Gardiner (Chair)

Ms C. Faerhmann
The Hon. T. J. Khan

The Hon. S. Moselmane
The Hon. P. G. Sharpe
The Hon. I. W. West

PRESENT

The Hon. D. L. Borger, *Minister for Roads, and Minister for Western Sydney*

Roads and Traffic Authority

Mr M. B Bushby, *Chief Executive,*

Mr P. M. Hesford, *Director, Finance and Corporate Services*

Mr M. Veysey, *Director, Network Services*

Dr R. F. S. Job, *Acting Director, NSW Centre for Road Safety*

Mr R. G. Higgins, *General Manager, Pacific Highway*

Transport NSW

Mr L. R. Wielinga, *Director General*

Communities NSW

Ms C. Mills, *Director General*

Sydney Olympic Park Authority

Mr A. Marsh, *Chief Executive Officer*

Mr N. Hubble, *General Manager, Commercial*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

Corrections should be marked on a photocopy of the proof and forwarded to:

**Budget Estimates secretariat
Room 812
Parliament House
Macquarie Street
SYDNEY NSW 2000**

CHAIR: Today the Committee will examine the proposed expenditure for the portfolios of Roads and Western Sydney. Before we commence I will make some comments about procedural matters. In accordance with the Legislative Council's guidelines for the broadcasting of proceedings, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. The guidelines for the broadcast of the proceedings are available on the table by the door. Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee clerks. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers while at the table. We would be pleased if everyone could turn off their mobile phones.

The Committee has agreed that the Roads portfolio will be examined from 2.00 p.m. until 5.00 p.m. and the Western Sydney portfolio will be examined from 5.00 p.m. until 6.00 p.m. The Legislative Council has resolved that answers to questions on notice must be provided within 21 days or as otherwise determined by the Committee. The Committee has not varied the 21-day time frame. Transcripts of the hearing will be available on the web from tomorrow morning. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

LESLIE ROBERT WIELINGA, Director General, Transport NSW, on former oath;

PAUL MICHAEL HESFORD, Director of Finance and Corporate Services, Roads and Traffic Authority;

MICHAEL BRUCE BUSHBY, Chief Executive, Roads and Traffic Authority;

MICHAEL VEYSEY, Director, Network Services, Roads and Traffic Authority;

RAYMOND FRANKLIN SOAMES JOB, Director, Centre for Road Safety, Roads and Traffic Authority; and

ROBERT GEORGE HIGGINS, General Manager, Pacific Highway, Roads and Traffic Authority, affirmed and examined;

CHAIR: I declare the proposed expenditure for the portfolios of Roads and Western Sydney open for determination. As there is no provision for a Minister to make an opening statement before the Committee commences questioning, we will begin with questions from the Opposition.

The Hon. TREVOR KHAN: Mr Bushby, you are aware of standard personnel appraisal techniques, are you, as part of your responsibilities?

Mr BUSHBY: As part of the organisation's administration we do have in place arrangements, especially in the Senior Executive Service, for managing performance agreements and reporting each year.

The Hon. TREVOR KHAN: And part of that assessment process, I take it, involves self-appraisal by those personnel of their own performance?

Mr BUSHBY: Part of the reporting arrangements is to look at how individuals have gone against their performance indicators that are built into their performance agreements, yes.

The Hon. TREVOR KHAN: In a sense, assessing a manager's capacity can in part be determined by their insight into their own performance. Would you agree with that?

Mr BUSHBY: There are many things that are taken into account when assessing performance, not only the individual, but how they lead their team, the group, and the production—the work that is actually achieved by the team and how the person has led their group, as well as their own activities, yes.

The Hon. TREVOR KHAN: You would agree with me that a person's insight into their own performance is an important criterion that the manager has to be able to demonstrate. You would agree with that, would you not?

Mr BUSHBY: I think that self-awareness is important for all of us, whether as a manager or as an individual in our day-to-day lives.

The Hon. TREVOR KHAN: On 13 April 2010 you were invited to prepare a report into the events of 12 April 2010 on the F3 Expressway, were you not?

Mr BUSHBY: I was.

The Hon. TREVOR KHAN: And on 13 April 2010, apparently that report, it having been prepared, was handed to, I take it, the then transport Minister, is that right?

Mr BUSHBY: The Minister for Transport and Roads' office received the report, correct.

The Hon. TREVOR KHAN: And it was read, as you would understand it, by, amongst others, the Premier of New South Wales?

Mr BUSHBY: I have no knowledge of who read the report after it was delivered to the Minister's office.

The Hon. TREVOR KHAN: It would seem that at least the Premier was prepared to apprise the public that the report that you had prepared on the F3 incident on 12 April 2010 was inadequate. You would agree with me on that?

Mr BUSHBY: My understanding is that comments along those lines were made. I cannot provide any advice as to where those comments came from, but I understand comments of that type were made.

The Hon. TREVOR KHAN: They were on the front page of the *Daily Telegraph* and the *Sydney Morning Herald*, so you would agree that it would seem the comment was made?

Mr BUSHBY: I believe the comment was made.

The Hon. TREVOR KHAN: Indeed, not only was the comment made but it led in due course—in fact, in a very short period of time—to you, on 13 April, having a bit of a sabbatical, is that right?

Mr BUSHBY: The situation that occurs in those circumstances can be one where there is a need to identify what has gone on in a particular set of circumstances. I think what we saw—and I think it is what you are alluding to Mr Khan—was that there needed to be a greater level of inquiry into what had actually occurred in relation to the incident on the F3. I think the circumstances that occurred over those couple of days was really about making sure there was a good understanding of what had occurred and what could be done in the future to improve the situation to ensure that sort of occurrence did not occur again.

The Hon. TREVOR KHAN: You were stood aside. I take it you were told that you were being stood aside because the report you had prepared was inadequate. That is what you were told, was it not?

Mr BUSHBY: Certainly the public comments were reported as being in relation to the report.

The Hon. TREVOR KHAN: Mr Bushby, I take it that you just did not find yourself locked out of your office. Somebody came to you and said, "Michael, you are being stood aside because your report is inadequate." That is what happened, is it not?

Mr BUSHBY: I had a discussion and those things have been documented. I had several discussions in relation to the F3 over a couple of days. Clearly the nature of those discussions has been documented and there is—sorry, it was clear I was to be stood aside while an inquiry was undertaken to be able to determine what needed to be done in future and what had happened at the time so these things would not occur again.

The Hon. TREVOR KHAN: Because, I take it, the view was expressed to you that the report that you had handed over on 13 April was inadequate. Is that not right?

Mr BUSHBY: The report that was put together—

The Hon. IAN WEST: These questions are rather leading.

The Hon. TREVOR KHAN: It is a standard technique of questioning that I am entitled to use.

Mr BUSHBY: Sorry, would you repeat the question?

The Hon. TREVOR KHAN: I am putting it to you that you were told you were being stood aside because the view was that the report you had prepared on 13 April 2010 was inadequate?

Mr BUSHBY: I was told I was being stood aside while an inquiry was being undertaken to determine what had occurred and how things could be improved in future.

The Hon. TREVOR KHAN: Can I conclude from that, notwithstanding what might have been in the media, you were not told you were being stood aside because the report was inadequate? It was simply just one of those things?

Mr BUSHBY: A report was put together and that is in the public domain as to what had occurred on the previous day. It was put together in a relatively short time frame. It included a lot of information that was available at the time. But clearly the investigation that needed to occur was going to be able to look much more

widely and talk to a lot more of the people who had been involved than we had been able to do in the relatively short time that we put the report together. Clearly the inquiry that was undertaken by Mr Moroney had the opportunity to look more widely and understand what had occurred in relation to the events on the day and also how to plan to improve things going forward.

The Hon. TREVOR KHAN: As of 13 April is it not the case that you were made the sacrificial lamb for this Government by being stood aside?

Mr BUSHBY: I think in lots of situations inquiries are required to identify what has occurred in a particular set of circumstances. I think this is one of those occasions where an inquiry was determined to be the best arrangement to determine what happened. I think what we saw was—

The Hon. TREVOR KHAN: I do not want to be rude but—

Mr BUSHBY: Can I answer the question?

The Hon. TREVOR KHAN: We are not talking about an inquiry. We talk about the actions taken against you in standing you aside.

Mr BUSHBY: If I could just finish my response to the question. An inquiry is often undertaken in circumstances where there is a significant issue. What we saw in this circumstance was that the inquiry was proposed and announced. It is not uncommon for somebody to be set aside while an inquiry is being undertaken. I think what we saw here was exactly that circumstance. I was stood aside and the inquiry was allowed to proceed.

The Hon. TREVOR KHAN: And you were stood aside, you would agree, on the basis of public disclosure that your report was inadequate?

Mr BUSHBY: Clearly there were reports that those comments were made and, as you have said, they were reported in the newspapers at the time.

The Hon. TREVOR KHAN: Alright, we will move on. Minister, can you confirm with respect to speed-measuring devices, speed cameras, there is a requirement for them to be inspected and certified every 12 months?

Mr DAVID BORGER: I would like to ask Dr Job, the Acting Director of the NSW Centre for Road Safety, to answer questions about the checking of those cameras.

Dr JOB: The devices are actually checked much more often than that. There are various methods of certification for the devices run by the Roads and Traffic Authority, and they are actually checked quite often. There are a series of checks, which may involve anything from a complete check of everything about the device. From the speed-measurement device that may be sitting on the road, for example, in the case of a fixed-speed camera, or maybe shooting a beam in some form of wave from a mobile-speed camera. In addition to checking that the camera itself is working accurately and in unison with the speed-detection device. So the checks may even occur on a monthly basis for some cameras. For the mobile-speed cameras, for example, they are checked by the operator each time they set the camera up at a new location.

The Hon. TREVOR KHAN: I understand that. As a matter of law, however, they are required, are they not, to be checked every 12 months and certified? That is one of the certificates that sometimes has to be produced in the local court, if I can remember what I used to do.

Dr JOB: That is correct. A certificate may be produced as a piece of evidence based on that regular check.

The Hon. TREVOR KHAN: What procedure have you got in place—perhaps I will address this question to the Minister and he will palm it off in the appropriate direction—to ensure that those certification checks as required by law are done every 12 months?

Mr DAVID BORGER: I will invite Dr Job to respond.

Dr JOB: They are done on the basis that they are required by law and they are done on the basis that we know they have to be done for the camera to be used. If the certificate is not available then the camera will not be used to enforce or infringe anyone.

The Hon. TREVOR KHAN: That is a somewhat circuitous argument; we do it because we know it has got to be done. If everything worked that way everything would be hunky-dory in life, but that does not happen. What auditing checks have you got in place to make sure the checks are done?

Dr JOB: I would have to take that on notice.

The Hon. TREVOR KHAN: With regard to the criteria for fixed-speed cameras, has the criteria for the location of fixed-speed cameras been published?

Dr JOB: Yes, it has.

The Hon. TREVOR KHAN: Where?

Dr JOB: It is on our website. It was a set of criteria agreed with the NRMA at the time and, in particular, it refers to a number of things I could outline to you.

The Hon. TREVOR KHAN: Go ahead.

Dr JOB: The cameras are set in locations that are crash black spots, so there are a number of significant crashes—that is, casualty crashes—required for a location to meet the criteria. In addition there must be an amount of speeding. So we know there is speeding occurring at the location as well as serious crashes occurring. There is another set of criteria that relates to distinct locations that could not otherwise reasonably be enforced by conventional means. A typical example of that would be a tunnel where it is not reasonable to expect the police to stand on the side of the road et cetera. There are locations chosen on that basis. Then there is a third set of criteria that relates specifically to protecting our children at school zones. So we have a series of cameras that exist in school zones. Again they are based on priority, where we select those on the basis of risk. That risk may be related to the number of vehicles, the number of children crossing the road.

The Hon. TREVOR KHAN: With regard to those criteria that are published, we go to the website and find half a dozen or so criteria. But in relation to the actual locations of the fixed speed cameras, is there an explanation as to how the fixed speed camera location meets those criteria?

Dr JOB: It exists. On numerous occasions we have been asked for those data by the public or the media and we provide those data for the fixed speed camera locations.

The Hon. TREVOR KHAN: But it is not on the website?

Dr JOB: Again, I will have to take that question on notice.

The Hon. TREVOR KHAN: If the fixed speed camera locations are not on the website, Minister, why do they not appear on the website?

Mr DAVID BORGER: Obviously we have taken the decision in relation to mobile speed cameras that the locations are transparent. They are worked out by the NRMA, police and the Centre for the Road Safety. I think it is a good idea to have the information out there with the public. I will certainly take that question on notice, but I think it is a good suggestion and we will certainly consider that.

The Hon. TREVOR KHAN: I will move on to the issue of fines and the timely delivery of a fine or infringement notice to members of the public. Do you keep data on the time frame between the offence and the date of service of the infringement notice?

Mr DAVID BORGER: The first point is that certainly in relation to digital mobile speed cameras we are very keen to ensure that fines are issued within a short time frame after someone has committed an offence. We want people to know what it is they have done wrong so they can think about their driving behaviour. The State Debt Recovery Office [SDRO] administers all fines in relation to the mobile speed cameras. That question would probably have to be put to the State Debt Recovery Office, which administers the fines operation.

Dr JOB: That is correct; they are issued by the SDRO. We have a very secure method of ensuring that an accurate trail of evidence is provided from us and from the digital cameras, be they fixed or mobile, to the SDRO. It then issues the fines on the basis of the evidence.

The Hon. TREVOR KHAN: On 9 September 2009 there was a New South Wales Government response road safety roundtable. Under 1.2, speed cameras, the relevant action was:

Continue to make sure notices are received within 5 to 7 working days from the date of the offence.

If essentially the Roads and Traffic Authority is doing one part of it and the State Debt Recovery Office is doing another part, who is actually responsible for ensuring that there is timely service of the infringement notice, or do we get—and I am trying to be as charitable as possible—a situation where one sector of the public service blames another sector of the public service for things not happening within a particular time frame?

Mr DAVID BORGER: We obviously work very closely with all other arms of government. We work closely with the State Debt Recovery Office. As I said earlier, certainly our intention is to ensure over time that there is the shortest possible space between an offence occurring and someone knowing about it. Obviously there may be occasions when there are issues or challenges to that process. But that is the aim we are attempting to meet. We do have a good working relationship with that other agency of government, and that is certainly our intention.

The Hon. TREVOR KHAN: There is an old saying about the road to heaven being paved with good intentions. I am asking who is responsible for ensuring that the action that notices are received within five to seven working days from the date of the offence is put in place?

Mr BUSHBY: I might make a comment on that. Clearly, the move to digital technology in relation to the cameras that are used for speed enforcement makes it much quicker to be able to process from the roadside through to an assessment of the photos and transmission to the SDRO for processing. During that process there is an adjudication where the photos are looked at and checked out as to whether it is valid. We do work, as the Minister said, very closely with the SDRO to make sure that the processes work very well and that our systems are in tune to be able to pass that information electronically in a secure way so that it can be processed by the SDRO at the earliest possible time. If there is a particular issue that you are aware of, Mr Khan, and you would like us to investigate it, I would be happy to receive your advice and look at any issue that may have come up or to your attention.

The Hon. TREVOR KHAN: Let me put it to you this way, Mr Bushby: Are you able to give us an indication as to how long it takes from the date of offence until the transmission of the material to the State Debt Recovery Office?

Mr BUSHBY: I would have to take that on notice. I would be happy to have a look at that information and provide that to you.

The Hon. TREVOR KHAN: Are we still operating any of the old film speed cameras?

Mr BUSHBY: No.

The Hon. TREVOR KHAN: They are all gone now.

Mr BUSHBY: I do not think we ever had film cameras. Ours have always been digital. It was only the police, I think, that had the wet film cameras.

The Hon. TREVOR KHAN: Would you be able to identify how long it is taking to get the date of the offence through to transmission to the State Debt Recovery Office?

Mr BUSHBY: Recognising that there are quite a few of these, so I would have to look at what statistical analysis we can give you to be able to give you an indication of that, yes.

Ms CATE FAEHRMANN: Minister, my first question is about Victoria Bridge in Penrith over the Nepean River. The bridge forms a bottleneck that adds significantly to traffic gridlock in Penrith. It was made

an issue during the Penrith by-election by both major parties. I understand that there has been a review. What has been the cost of the review and what have been the results of the review into the bridge?

Mr DAVID BORGER: I have been out to the bridge on a number of occasions. I know that cyclists, particularly in that Penrith area, pedestrians and people who use the river corridor on a recreational basis are very keen on ensuring there is that second safer link. There is another bridge—I think it is to the south of Victoria Bridge—that has a better connection, and they are wanting to improve this. We have made a commitment to the people of Penrith to look into all possible options for providing better cycle and pedestrian access across Victoria Bridge. I am pleased to report that that work is progressing well. Victoria Bridge is a beautiful bridge built in the 1860s originally, I think, as a railway bridge. It spans a very wide section of the Nepean River. It is listed on the Roads and Traffic Authority's heritage register and Penrith council's local environmental plan. We are undertaking investigations and preparing a concept design for a possible attachment of a shared pedestrian-cycle facility onto the upstream side of the bridge. These investigations will confirm the feasibility and possible limitations associated with attaching additional loads to the existing structure. It is anticipated that the concept design will be available mid to late October this year.

Ms CATE FAEHRMANN: The Federal infrastructure Minister announced during the Federal election campaign that the M5 East widening and the F3 to M2 link would be overseen by Infrastructure Australia. There was also an indication given that both projects would require significant private funding. What is the current projected breakup of funding for each project—that is, Federal money versus State money versus private money?

Mr DAVID BORGER: In general terms, obviously we welcome the commitments by the Federal Government during the election campaign to investment in the New South Wales transport system. We have welcomed the investment in the Hunter expressway, the Pacific Highway and the Parramatta to Epping rail link. In terms of the M5, obviously we welcome the involvement of the Federal Government. The proposed expansion of the M5 is part of a Federal- and State-funded \$15 million feasibility study into improvements to the M5 transport corridor that links the important destinations in that precinct. Sydney Airport, Port Botany and south-west Sydney are particularly important.

We have allocated \$5 million in 2010-11 to further develop the project. The Government recently altered the proposed route for the M5 East by improving the linkages to the key economic hubs of Sydney the airport and Port Botany. We removed the prospect of the roadway intersecting and destroying the Tempe Reserve. The news was well received by local residents and the local members of Parliament, including the Deputy Premier. The alternate route is being refined and a submission reflecting the revised corridor is being prepared for consideration by Infrastructure Australia.

We have been upfront with the community on this project. It is currently beyond the 10-year funding guarantee of the Metropolitan Transport Plan, but it could be brought forward if additional Federal funding became available. The current estimated cost for the M5 East expansion is about \$4.5 billion. In relation to the support from the Federal Government, we will work with the Federal Government but it is important to note that no source of funding or funding model has been agreed to. We will work with the Federal Government in terms of the funding mix, but obviously some proportion of State and Federal funds would be needed, and the possibility of private financing is also being considered. There really is nothing further until we work through those issues.

Ms CATE FAEHRMANN: Just turning to the M2 upgrade, where is the planning approval at for that?

Mr DAVID BORGER: My understanding is that a submissions report has been prepared. There are more than 800 submissions on that as part of the public exhibition that went for approximately two months. The widening is obviously a priority. We have reached an in-principle agreement to develop, design and prepare an environmental assessment for the M2 widening project. It is a \$550 million project. It is good news for the 17,000 bus commuters and more than 100,000 motorists who use the M2 every workday. The upgrade will include widening the tunnel in both directions as well as new on and off ramps at Windsor Road, Christie Road and Herring Road. It means that commuters will see a reduction in peak hour congestion and new access points to the fast-growing business and residential centres, particularly Macquarie Park.

The environmental assessment for the project was displayed for public comment between 19 May and 21 June 2010. More than 900 submissions were received to the environmental assessment and the issues raised range from operational, traffic and public transport, to pedestrian and cyclists' safety, impacts on bushland and

habitats, operational noise and construction noise. The Roads and Traffic Authority is currently preparing a submissions report that provides a response to all of those issues that were raised during the public exhibition. It draws attention to the section in the environmental assessment where issues are assessed and measures identified to manage impacts. The submissions report has been submitted to the Department of Planning and it is on the Department of Planning's website for public viewing.

Following project approval by the Minister for Planning, construction work could start by the end of the year and would take about two years to complete. The project is obviously good news for the economy of New South Wales. There would be an additional 800 jobs and 2,400 indirect jobs created through the life of the project. The speed limit could be lifted then to 100 kilometres an hour and access from the orbital to Windsor Road and to Macquarie Park would be greatly improved. One of the other key benefits would be that cyclists would get a better run as the emergency breakdown lane between Lane Cove Road and Beecroft Road would be reinstated.

Ms CATE FAEHRMANN: I understand there is a small section of the M2 now with bus lanes. Will the length of dedicated bus lanes on the M2 be increased as a result of this project?

Mr BUSHBY: My understanding is that the configuration is changing. The layout is identified in the proposal document that was received from Hills Motorway. There is a change in layout to the point where we are putting in more transitways rather than busways. So I think you will find that rather than just looking at busways you need to look at the combination of high-occupancy vehicle provisions—both bus and transitway arrangements.

Ms CATE FAEHRMANN: What is the involvement of Transurban in the design of the project?

Mr BUSHBY: Hills Motorway is a fully owned subsidiary of Transurban.

Ms CATE FAEHRMANN: Is there any agreement between the Government and Transurban or Hills Motorway in relation to the project in terms of clauses that restrict increasing bus services or additional bus lanes?

Mr BUSHBY: That sounds a very specific question. I do not believe so but I would like to take that question on notice to have that confirmed.

Ms CATE FAEHRMANN: Minister, is it your view that the M2 upgrade will result in reduced congestion in the long run or will it encourage more private vehicle use?

Mr DAVID BORGER: Obviously when there are improvements made to any transport network that is an encouraging thing for people who use that network. So additional people would obviously use any transport network where there is an improvement. But we certainly believe that the facts show that congestion will improve. I understand that there is an alternate opposite view to that, which has been floating around. I would welcome a copy of that report. We do not have that report. That report has not been released. There may be information in that report that we could have a look at. We would be happy to do that if we were furnished with a copy of that alternate report.

Ms CATE FAEHRMANN: What are the current tolling arrangements for commuter bus services using the M2?

Mr BUSHBY: My understanding is that the toll for the M2 for heavy vehicles applies to the buses. I would probably need to confirm that for you.

Mr DAVID BORGER: The M2 tolling charge for trucks is \$14.20 each way.

Ms CATE FAEHRMANN: And there will not be any changes to the toll after the upgrade? Are there expected to be any changes in tolling after the upgrade is complete?

Mr BUSHBY: That, I think, is in the public domain already. Part of the negotiation will involve additional facilities with ramps and so on that need to be provided for and there will be additional tolling points as far as that is concerned. Part of the commercial deal will be looking at toll levels and their duration.

CHAIR: Minister, with respect to the M4 East, which of course has been muted but never pursued by numerous figures and Ministers over many years and Labor governments, including Ministers Scully and Daley under the aegis of Premiers Iemma and Rees, can you advise the Committee whether you have made any request of the Roads and Traffic Authority to provide updates on the M4 East project, for example, in the form of current costing estimates or impact statements and the like, since you became the Minister?

Mr DAVID BORGER: In terms of the M4 motorway, obviously that is an item that we have been very clear about in saying that it is a priority. Should we be able to negotiate additional funds from the Commonwealth or other sources it is a project that we would like to bring forward. To complete an extension of the M4 would complete the missing link between the current M4 and the Sydney central business district and provide improved access to the airport and to Port Botany. The Metropolitan Transport Plan connecting the city of cities identifies the M4 East extension as a project currently beyond our 10-year funding guarantee. Whilst the Federal Government has earmarked \$300 million to the project for the planning of future work as part of the Nation Building Program 2009-2014, no funds were allocated to the project in the 2010-11 Federal budget. Although broad options have been developed, a detailed preferred option for extending the M4 has not yet been identified.

CHAIR: So the answer is yes you have been briefed from time to time on the project?

Mr DAVID BORGER: Yes.

CHAIR: Does that also apply to the Premier?

Mr DAVID BORGER: Presumably. It is an important project. It is one of those projects that we have sought additional Commonwealth Government funding for. It is a project that we have both taken a keen interest in. I invite Les Weilinga, who has an overarching role now as the head of Transport NSW and the person responsible for pulling together those submissions to Infrastructure Australia and the Commonwealth Government negotiations, to comment on the M4 project.

Mr WIELINGA: After the release of the Metropolitan Transport Plan in February the Commonwealth Government requested us to prepare a fresh Infrastructure Australia submission. That submission included eight projects: a northern Sydney rail freight corridor; a container freight improvement strategy to improve freight in Sydney; the North West rail; The Hills district line; the M5 East expansion; the Parramatta to Epping rail link; the F3 to M2 link; the M4 extension; capacity improvements; and expansion of the metropolitan commuter rail network. Several discussions were held with the Government while that work was being considered. As the Minister said, the M4 extension project was part of those considerations.

CHAIR: So there have been ongoing discussions with the Commonwealth Government about the project?

Mr WIELINGA: The interaction has been with Infrastructure Australia rather than the Commonwealth agency.

CHAIR: How recently?

Mr WIELINGA: There have been numerous interactions between staff in Transport NSW and officers at Infrastructure Australia. I attended a briefing session in August with Infrastructure Australia at which submissions were discussed in general terms, but there was no specific interaction about them. They are still evaluating them and we expect a response in the near future.

CHAIR: Before Christmas?

Mr WIELINGA: I expect so.

CHAIR: Does that tie in with the revelation that \$364 million has been allocated in the forward estimates for this project?

Mr WIELINGA: The Minister mentioned that the current five-year Nation Building Program allocates \$300 million. As each budget year is done, the Commonwealth Government nominates what is to be spent in the current year. No money has been allocated for work on the project this year.

CHAIR: Are you waiting for the discussions with Infrastructure Australia to clarify that?

Mr WIELINGA: That is the forum or process to deal with the Infrastructure Australia submission. As I said, we are waiting for that feedback.

CHAIR: Would it be too cynical of me to suggest that that is all meant to come together in time for a desperately needed State election commitment?

Mr DAVID BORGER: Yes, that would be far too cynical.

The Hon. TREVOR KHAN: But would it be accurate?

CHAIR: We will see. The timing of any announcement will be very interesting. Is it true that if the expansion of the M5 corridor goes ahead it will improve travel times and that people will be probably worse off if that does not happen? Do you agree with former Minister Campbell's statement about the Tempe tunnel section of the expansion project that the road location shown in the feasibility study was only one suggestion and that the Tempe tunnel was the best option available?

Mr DAVID BORGER: The M5 comprises two sections and there are separate widening projects. We are in negotiations with the owners of the concession for the M5 South-West. We are working with them to expand that part of the motorway from two to three lanes from King Georges Road to Camden Valley Way. With regard to the M5 East expansion and the widening project, I am very much of the view that the Tempe Reserve option is unacceptable. I think there are better options in terms of transport efficiencies and minimising the negative externalities of that project on the local community. That view has been widely accepted and I support it.

In November 2009 the Government announced a proposal to expand the capacity of 32 kilometres of the M5 motorway. It is the main freight, commercial and passenger route between the Sydney Airport and the south-west. This proposal includes the expansion of the M5 East between Sydney Airport and King Georges Road and the widening of the M5 West between King Georges and Camden Valley Way. The upgrade is a private sector proposal received from the motorway owner-operator, Interlink Roads. About 87,000 vehicles use that section of the motorway each day. Freight transport in Sydney is predicted to increase significantly as a result of the expansion of Port Botany and the widening of the M5 South-West is therefore a Government priority. The Government believes that the Tempe Reserve option for the M5 widening is not acceptable and that there are better options.

CHAIR: Are you saying that the feasibility study got it wrong?

Mr DAVID BORGER: We obviously need to look at alternative routes and options when major projects are worked up by engineers and designers and the Roads and Traffic Authority in consultation with the community. That is the process we have been pursuing. We have excluded an option that we believed was suboptimal, particularly for the local community.

CHAIR: Do you know whether Mr Campbell had meetings with the Tempe community about that project?

Mr DAVID BORGER: No, I do not know.

CHAIR: Did you have any meetings with them?

Mr DAVID BORGER: No, not that I am aware of.

CHAIR: I now refer you to August 2010, after the campaign by groups in Tempe that were very unhappy about the prospect of the tunnel. That coincided with the federal election campaign, did it not?

Mr DAVID BORGER: We went through the public exhibition and feedback process and the community made it clear that the Tempe Reserve was a valued piece of open space and that there were unacceptable negative externalities associated with the proposal. On that basis, and given the strength of the

submissions from the community, the Government and I took the view that it was not an acceptable route and that there were alternatives. We are exploring those alternatives.

Mr BUSHBY: One of the things that the Roads and Traffic Authority does very well with major projects is interact with the community. Authority representatives met with the local communities many times about this project and they received a strong message about the Tempe Reserve. The announcement made clearly acknowledged that the reserve is an area that should not be considered. We are still looking at alternative routes to improve the situation on the M5 East.

CHAIR: Given that the Roads and Traffic Authority is primarily responsible for working out the route, why did Mr Albanese announce the dumping of the Tempe tunnel?

Mr DAVID BORGER: Mr Albanese is the Commonwealth Minister and we have a close relationship with the Commonwealth Government in seeking funding support for our programs and projects. He is entitled to make announcements if he wishes. I understand we also made an announcement about that route option being cancelled.

Mr BUSHBY: It should be remembered that the proposed expansion of the M5 is part of the \$15-million feasibility study being jointly funded by the Commonwealth and State governments. The Commonwealth Government is one of the funders of the proposal, so it is not unreasonable, as the Minister said, that both governments would make an announcement.

CHAIR: The location would also have played a part: it was very close to his heart.

The Hon. TREVOR KHAN: Or his seat. Is it correct that six mobile speed cameras have been rolled out?

Mr DAVID BORGER: There are six regions within New South Wales and those locations that have the greatest potential to reduce death and injury have been identified, and a list of specific locations has been worked up, as I said earlier, through the NRMA, the Centre for Road Safety and the Police.

The Hon. TREVOR KHAN: I was asking about the number of cameras/vehicles that are out there. There are six, is that right?

Mr DAVID BORGER: Yes.

The Hon. TREVOR KHAN: How many are intended to be rolled out, or is this it?

Mr DAVID BORGER: Something we have said publicly on many occasions is that the intention behind this program is to use life-saving technology to get our road toll down in New South Wales. Unfortunately, our road toll has spiked in New South Wales. That is unacceptable, particularly when we know there is something we can do about it. Unfortunately, the death toll increased between 2008 and 2009 by 83. Our intention is to ensure a similar number of hours are available in New South Wales as has been successfully employed in Victoria.

Dr JOB: Yes, that is correct. At the moment we have six cameras. The intention is to gradually increase that. We know these programs work. The program in Victoria and the program of mobile speed cameras in Queensland both delivered in excess of a 25 per cent reduction in casualties—that is, injuries and fatalities—and we expect to get similar gains here with a program of that size. To answer your question—

The Hon. TREVOR KHAN: What is a program of that size?

Dr JOB: We are basing it on the variable that it is the same number of hours per 10,000 drivers per month. A program of that size, to equal 9,300 hours of operation in Victoria—which is the very successful model we have adopted—is 12,200 hours of operation per month in New South Wales. The plan is to gradually increase to that number of hours so that by July 2011 we have that number of hours. To give a clear answer to your question, the plan is not to deliver a set number of cameras or vehicles, it is to deliver a set number of hours of operation, and that is 12,200 per month.

The Hon. TREVOR KHAN: You must have done a calculation that works out how many cameras that is.

Mr DAVID BORGER: My understanding is that the arrangement is on the basis of the hours provided, so that is irrelevant to our considerations. Our considerations are how we can ensure the program delivers safety benefits to the maximum amount possible. How can we reduce our road toll in New South Wales? How can we deploy life-saving technology at a rate that is similar to another jurisdiction that has had a 25 per cent reduction in road trauma since these cameras have been in place?

The Hon. TREVOR KHAN: Minister, I hear what you say but you are obviously having discussions with Redflex about how they meet a target of 12,200 by July next year, and they must have told you that is going to need X number of cameras and X number of operators. What is the number of cameras and the number of operators that will be rolled out by July next year?

Mr DAVID BORGER: We have been very clear and transparent in the number of hours—I think that figure has been out in the public domain for some time—but I will take your question on notice and provide additional information.

The Hon. TREVOR KHAN: Minister, you have come here knowing that we were going to ask about speed cameras.

Dr JOB: Mr Khan, can I just clarify? We disagree with the premise of your question. It is not the case that we are simply talking to Redflex. Redflex had the initial contract for the supply of six cameras. It will then go out to another legitimate, probative-appropriate public tender process and Redflex or some other company may win the contract to supply 12,200 hours. The reason we have not worked out how many cameras that could be is that it is not determined. One company may supply us a very good quote by using fewer cameras and operating for 20 hours a day. Another may consider it more efficient to have twice as many cameras operating 12 hours a day. That calculation has not been done, quite deliberately, so that we do not have an expectation of how it will be delivered. We will choose the best value for money of the public's resource when we set this up. We will conduct a proper, probative-appropriate process in the public tender in order to determine who will operate that program.

The reason we are doing it that way is that it allows us several things. It allows us a gradual introduction of the program to the community. That means we can give more warning. That is why we went out with a major public education campaign before the cameras even started. That is why when the cameras started, for the first month or more they issued warning letters only, and that is why it is a gradual ramp up so we can warn the community more and more. Our aim is to get people into the habit of sticking to the speed limit rather than to catch them. If we got everyone to stick to the speed limit, if everyone in New South Wales stopped speeding, based on the 2009 data we would save more than 200 lives in New South Wales each year. That is an extremely worthwhile aim. We know from the data that these programs work. We are simply introducing it with full warning to the community in the hope of changing the habit of speeding.

The Hon. TREVOR KHAN: How many hours did you say was the target number of hours in Victoria?

Dr JOB: The target number of hours in Victoria now is 9,300.

The Hon. TREVOR KHAN: How many cameras are operating in Victoria?

Dr JOB: I do not have that information. We would have to take that on notice.

The Hon. TREVOR KHAN: You are modelling a program based on another State and you do not know how many cameras it is operating?

Mr DAVID BORGER: We know how many hours are in effect and we know how many lives have been saved after the implementation of the life-saving technology in Victoria. They are the critically important issues around designing a program to save lives on the road.

The Hon. TREVOR KHAN: Minister, I understand that. I understand what you are saying, but one of the themes in this round of budget estimates has been your Government's transparency. You must have an idea

as to the number of cameras in Victoria and the number of cameras you anticipate will be rolled out in New South Wales.

Mr DAVID BORGER: We have been very transparent, as I said, from day one. We support life-saving technology. The Coalition has had four positions: It was in favour; it was against; it lied about it; and now it is in favour again. It wants the technology; it will not exclude it if it were to win government next year but it is happy to undermine life-saving technology in the program.

The Hon. TREVOR KHAN: Again I ask you a question—rather than trying to deflect—how many cameras do you anticipate rolling out in New South Wales? You must have an idea as to what you are talking about?

Mr DAVID BORGER: I think I have already answered. I am happy to take the specific question on notice. We have provided the number of hours. We have been very upfront about that and if we can provide additional information on that, we will.

CHAIR: You will?

Mr DAVID BORGER: Correct, yes.

Ms CATE FAEHRMANN: Minister, just back to the M2 upgrade. I am interested to know whether there were any performance indicators around increasing bus services and bus patronage on the M2?

Mr BUSHBY: Just to clarify the question, you are asking whether the contract with Hills Motorway has a performance indicator in relation to the bus?

Ms CATE FAEHRMANN: Yes.

Mr BUSHBY: I will have to take the question on notice because that means going back and checking the legal documents. It is probably worth noting the growth in the use of buses out of the north-west that we are seeing at the moment. I think the natural growth out of that area is already reflected in the usage. But I will have to have the document checked to see whether there is a performance indicator that you have referred to.

Mr DAVID BORGER: One of the challenges was negotiating with the owner of the concessional period, the tollway, as the original contract was signed by the government of the day and the company that had the concession. The original contract was signed by Bruce Baird when Nick Greiner or John Fahey was Premier and his adviser was Barry O'Farrell. To some extent we are constrained within the dimensions of that original contract.

Ms CATE FAEHRMANN: One of the benefits of the M2 upgrade is the reduction in congestion during morning and afternoon peak periods. Whereabouts are you expecting the reduction in congestion?

Mr BUSHBY: The nature of the upgrade is to widen and provide a third lane through both directions for most of the length, certainly east of Windsor Road. What we are seeing is a lot of use along the corridor, and so by providing additional ramps at Windsor Road and to access the Macquarie Centre, we will be able to ensure that we have greater flows through the length of the section, which is fairly narrow at the moment. But it serves the whole corridor, and so we end up with people being able to get on and off at different points along the freeway—and clearly the Macquarie Centre is becoming a major destination for users of the M2.

Ms CATE FAEHRMANN: Ultimately the M2 upgrade, though, will encourage greater private vehicle use; that is right, is it not?

Mr BUSHBY: It will allow for an increase in capacity through that corridor, but with the transitways that I talked about earlier, that will give benefits to multiple occupant vehicles, including the bus services on that corridor.

Ms CATE FAEHRMANN: Do you have any numbers in terms of how many more cars you are expecting to use the M2 as a result of the upgrade?

Mr BUSHBY: There would be, but I do not have those with me. In fact, that is part of the modelling for the proposal and I would expect that it was part of the environmental assessment. But I would have to take that on notice and get back to you with some figures.

Ms CATE FAEHRMANN: I have a couple of questions relating to Lawson shops. How much will be spent on the demolition of the remaining highway shops in Lawson and how much will be spent on construction of the service lane in Lawson?

Mr BUSHBY: That is quite a detailed question. While we can talk about Lawson and the Great Western Highway upgrade, the detail of the cost of the shops, demolition and the construction of the particular component of the infrastructure you are talking about we would need to take on notice.

The Hon. TREVOR KHAN: I return to the issue of Redflex. There has been some discussion with regard to infringement notices issued from the mobile speed cameras operated by Redflex. You are aware that where an infringement notice is issued, the opportunity exists for the motorist to seek to have the matter proceed by way of summons and proved in court?

Mr DAVID BORGER: Correct.

The Hon. TREVOR KHAN: An issue can arise as to the accuracy of the speed camera that is being used to identify the alleged infringement. You are aware of that?

Mr DAVID BORGER: Sure. In a general sense, as I understand it, if fines are issued, there is a challenge process. People are entitled to challenge that process. There are opportunities to prove otherwise if they believe that the fine was issued in the wrong way. We are model litigants, and in the design of this program it was very clear that we did not want to be issuing fines to people unless we were absolutely certain that they had broken the law, had sped above the speed limit and was risking life in one of those locations where there is a high accident black spot or a high accident count. In a general sense, the way we have designed this is to ensure that we minimise opportunities for people to challenge a process. If people want to challenge it, they can; they are entitled to do that. But we are model litigants and we try and make sure wherever possible that we are only issuing a fine when we are absolutely certain someone has done the wrong thing.

The Hon. TREVOR KHAN: I will not challenge at the moment the model litigant phraseology, but does that model litigant terminology extend to a private company operating under a contract that has been issued by your ministry?

Mr DAVID BORGER: There is a challenge process.

Dr JOB: Yes, it does. We have heard much of this in the media—that there are so many operators and they would not appear in court. That is not so. There is no impediment to those operators appearing in court as a witness if called in fact by either side. So we do expect, in the event of such challenge and in the event of such a requirement, that the operators would be available to appear in court. I emphasise to you that these cameras have been set up on the most rigorous basis to ensure their accuracy. They are checked on a very regular basis—nothing like annually; much more regularly than that. In fact, there is a process each operator must go through each time they set up in a new location to ensure that they have got it set up for accuracy. Further, the single camera actually has two completely independent speed measurement devices attached to it on each of the mobile speed camera vans. That means that we have one device checking the other at every single point of capturing the evidence. It is actually a duplicated process to ensure that accuracy, and as well there is a very regular set of checks.

The Hon. TREVOR KHAN: Do I take it that the model litigant phraseology has been used by you, Minister, with regard to, in essence, the operation of speed cameras generally in New South Wales, whether they be fixed or mobile?

Mr DAVID BORGER: We need to make sure that we do the right thing and that we are only issuing fines when we are certain that someone has broken the law.

The Hon. TREVOR KHAN: That would not be something that has been like a blinding flash of light that has only impacted upon you. Do I take it you would say that has been an approach taken by your Government for some time under various Premiers who have been there over recent years?

Mr DAVID BORGER: It is always the intention to make sure that, when a program like this is designed, we are absolutely certain and convinced that if someone has done the wrong thing and broken the law that is the only time we are issuing some sort of infringement notice. We want to make sure that we do not issue infringements to people who have not done the wrong thing.

The Hon. TREVOR KHAN: What I am putting to you is that your model litigant characterisation is not a blinding flash of recent times; I take it that it has been a longstanding policy of your Government?

Mr DAVID BORGER: Sure.

The Hon. TREVOR KHAN: That model litigant approach means that you do not issue infringement notices, from what you said, unless you are absolutely certain they are justified?

Mr DAVID BORGER: Correct.

The Hon. TREVOR KHAN: Can you explain why under an FOI issued for the period July 2007 to May 2010 indicates that there have been some 18,944 fines repaid—that is, infringement notices that have been cancelled?

Mr DAVID BORGER: The only thing that has come out of the story that was reported in the media is that speed cameras have been highly accurate. All RTA speed cameras are tested before they are installed and are regularly retested as part of their maintenance. Rigorous testing, maintenance and certification procedures used in New South Wales ensure that fixed speed cameras continue to operate accurately and reliably. All RTA fixed digital speed cameras are calibrated every 12 months and tested at least every 30 days as required by law.

The Hon. TREVOR KHAN: Minister, 5,279 infringement notices were cancelled in respect of King Georges Road, Beverly Hills. Can you explain to me how 5,279 infringement notices can be cancelled if the speed cameras are as accurate as you say?

Mr DAVID BORGER: My understanding, in a general sense, with regard the proportion of fines issued, is that the number of fines that we have agreed perhaps should not have been issued for some reason is an absolute minimum. I will ask Dr Job to elaborate on that.

Dr JOB: Yes, Mr Khan, I believe there are two reasons why we may occasionally see infringement notices being withdrawn or repaid.

The Hon. TREVOR KHAN: It is 5,279 occasional occasions?

Dr JOB: Yes, it is.

The Hon. TREVOR KHAN: That is on King Georges Road alone.

Dr JOB: And those two are, first of all, very occasionally—and it is very occasional when you consider the number of speed cameras and speed camera infringements. We find, for example, one lane out of three on a speed camera is not working accurately and when we discover that, we will then stop that operating and we will withdraw or reverse any occasion where someone has been infringed by that camera in that location since it was last tested and found to be working accurately. That is one way in which they have been withdrawn.

The other way in which they had been withdrawn has been as a show of good faith to the community. We have had occasions where people have been infringed in work zones where they felt that they did not get appropriate and sufficient warning that a 40 kilometre or 60 kilometre or other work zone speed was operating, and so those fines were repaid to people, even though in fact they had broken the law and had been speeding above the 40 kilometre or 60 kilometre work zone in force at that time. Those were actually occasions where the people were guilty of those infringements but as a show of faith that we were not chasing revenue but actually aiming to ensure we got good road safety gains, those fines were repaid under those circumstances.

Mr DAVID BORGER: Can I also say that in relation to the issue at King George's Road, Beverly Hills, in 2007, that was due to inadequate signage at the site and it had nothing to do with the operation of the speed camera.

The Hon. TREVOR KHAN: I take it from your earlier comments though, you were saying that infringement notices were not issued unless they were justified. Do we not have 18,944 occasions when on review you have worked out that the infringement notice was not justified?

Mr DAVID BORGER: My understanding is that in relation to faulty cameras, of those 18,000 or 19,000 fines, less than 5 per cent relate to camera issues and only four cameras were found to have been faulty.

The Hon. TREVOR KHAN: We will take that as half an answer. If we go back to mobile speed cameras, how many hours do you anticipate each camera operating for your 12,000-odd hours?

Dr JOB: Again, we have not made a determination on that. We will review the submissions we receive when we go out to public tender, and it will be open to the operators, who will offer us a contract to deliver us 12,200 hours, as to how many cameras operating for how many hours they use. They may be able to capture efficiencies with large numbers of hours per camera or large numbers of cameras. We will leave it to them to ensure that we get the best available, most efficient use of the public resources when we issue that contract.

The Hon. TREVOR KHAN: Is it not the case that in the Victorian context they are averaging some 310 hours per camera, and that that would mean what you are looking at is rolling out, if my maths is about right, some 40 cameras in New South Wales by July of next year?

Dr JOB: Mr Khan, it is still not the case that we have made such a calculation.

The Hon. TREVOR KHAN: If I can do it in my head, it is not that hard for you—

Dr JOB: That does not mean that would be the best offer we get from the private sector. Someone may come to us with a different number of cameras operating for many more hours and operating 24/7, using less cameras. There is no use me speculating about how many cameras they may use to give us that number of hours. We will review the submissions we receive and choose the best one for our purposes to deliver road safety.

The Hon. TREVOR KHAN: So it could be 40 or more?

Dr JOB: I do not know how many it will be. There is no use me speculating on it.

The Hon. TREVOR KHAN: Minister, do you want to have a bit of a speculation?

Mr DAVID BORGER: Madam Chair, I think the answer has been given. The program is designed around the number of hours that are required to save people from dying unnecessarily through speeding. That is what this program is about. It is supported, I think, by The Nationals and Liberal Party, because they have not said they would withdraw this program if they were to win government. We know that an additional 80 people unnecessarily died on our roads when the road toll increased. This program is designed around suppressing speed limits across the entire network. It is lifesaving technology. It is supported by those people who want to see the road toll go down.

The Hon. TREVOR KHAN: If it is 40 cameras, how will they be divided across six regions in New South Wales? Have you got any idea about that?

The Hon. PENNY SHARPE: This question has been asked at least five different ways and has been answered at length.

Mr DAVID BORGER: How many cameras would the Coalition have?

The Hon. PENNY SHARPE: Surely you have more questions that you would like to ask the Minister?

The Hon. SHAOQUETT MOSELMANE: And we know you are a lawyer.

The Hon. TREVOR KHAN: I do not know if that helps any of us. Can we just move on to some aerial enforcement issues. I am correct, am I not, that in December 2009 the Government announced a fixed-wing police aircraft would be used for aerial patrols, particularly on the Hume Highway, the M4 and F3?

Mr DAVID BORGER: Madam Chair, at the moment I am the Minister for Roads, not the Minister for Police, and that is a question that should rightfully be put to the Minister for Police. We do not have information on police programs such as the fixed-wing program.

The Hon. TREVOR KHAN: Your department is not providing any funding in regards to this process?

Dr JOB: We have provided support in that we first identified locations where we have a significant crash history, such that we would make road safety gains from enforcement. We also surveyed and mapped out 500 metre locations and marked the road so that—

The Hon. TREVOR KHAN: So you have had some involvement in the process?

Dr JOB: We do not have involvement in the operation of the plane. We had involvement in terms of setting it up so it was possible for the police to operate the plane.

The Hon. TREVOR KHAN: Are you getting reports back on when the planes are operating—the plane?

Dr JOB: When the program started I got reports back on the first several operations. I have not had reports back since then. We just wanted to ensure that it was operating and that the lines we had placed were working effectively for police for their purpose. They reported that they were and that they were successfully issuing infringements from the program.

The Hon. TREVOR KHAN: Just so this part is clear: Is your department providing any of the funding that is involved in this exercise?

Dr JOB: Not to my knowledge.

The Hon. TREVOR KHAN: Not to anyone's knowledge?

Mr DAVID BORGER: You might want to ask the Minister for Police about how the program operates, rather than the Minister for Roads. We do not operate the program.

The Hon. TREVOR KHAN: I am asking about funding, Minister. Is your department providing any funding?

Mr DAVID BORGER: I think you have heard that. I am advised no.

CHAIR: Since we have Mr Higgins here, can I ask you about the Sexton Hill upgrade? Specifically, can you give us the total cost to date of the sound proofing of the properties affected on that part of the highway?

Mr HIGGINS: I do not have that specific detail in terms of sound proofing, but are they the ones that have been done in the past as part of the program some years ago or the ones that are being done as part of the project now?

CHAIR: The current ones.

Mr HIGGINS: In terms of the current ones, we are still at the stage of preparing a noise report, which we have to do to assess the design and the nature of the noise levels. From there we actually sit down and work through what type of noise treatment we are providing, whether it be an SMA special low noise surface on the road, noise walls and their shape and what they look like, and in addition to that there is architectural treatment. So we are not in a position to provide the costs of that at the moment.

CHAIR: So you do not have any idea yet of what it might cost the department?

Mr HIGGINS: We have an estimate within our overall budget for the project. I do not have that with me now, but I could get it.

CHAIR: I would appreciate that. In terms of the overall project, the Sexton Hill upgrade, can you

advise if it is on budget thus far as far as you know?

Mr HIGGINS: We have got an announced budget of \$359 million to complete the program. It is still early days, but all indications are that yes, we will meet that budget.

CHAIR: With respect to the trouble spots below, the Kirkwood link road issue, can you tell the Committee what, if any, plans the State Government has to finish off the improvements in traffic flow that were made?

Mr HIGGINS: Kirkwood Road is part of what we call the lower Tweed master plan that we worked with Tweed Shire Council to develop. That goes from Barney's Point Bridge right through to Chinderah bypass. Stage 1 of that was Chinderah bypass; stage 2 is the Banora Point upgrade. Then there are a series of further stages to upgrade that full length of highway then to six lanes. We worked very closely with Tweed Shire Council, because there is not only the highway and upgrading that to six lanes, but it is also the interactions going on with the local community, how they move from one side of the highway to the other, how they gain access to the highway.

Kirkwood Road forms part of it, but it has a joint role between us and Tweed Shire Council, and so we have identified when that needs to be done as part of the lower Tweed master plan. There have been a number of residents and businesses up there that have asked if we can bring forward the Kirkwood Road interchange. In terms of that, in terms of the discussions we have had between Tweed Shire and us, the completion of the full of interchange we do not see as needed until some time in the future.

CHAIR: Some time in the future?

Mr HIGGINS: Our modelling is indicating somewhere roundabout 2020—somewhere roundabout there—that it is actually required. During the construction of Banora Point some members of the community and businesses have asked us if parts of it can be brought forward in terms of that. What we have been doing is working with Tweed Shire Council to see if we can come to some arrangement to at least put part of the interchange in place but it is not, as such, as part of the Banora Point upgrade process.

CHAIR: But there might be some light at the end of the tunnel, so to speak?

Mr HIGGINS: As I have said, with the council we are trying to see if we can find a way through for them to try to provide assistance, but mindful that our objective here is the Banora Point upgrade project because it will provide significant benefits to not only the highway users but also the local communities. As you know, there is a set of traffic signals on that part of the highway, that is the last set of traffic signals between Brisbane and at Ballina, and we are building the Ballina bypass. There have been a number of serious accidents up there so we are trying to improve the alignment. Banora Point has some real specific objectives to achieve, and we see then that it is part of this overall master plan for the lower Tweed that Kirkwood Road would follow sometime in the future. But, as I said earlier, we are looking at simply bringing parts of it forward.

The Hon. TREVOR KHAN: I do not want to labour the point because it seems to irritate people, but there is no figure that you can point to in terms of the number of speed cameras?

Mr DAVID BORGER: Can I say this? We have already provided answers about the design of the program. The program is based on life-saving technology being applied to reduce the road toll, and obviously that is the way we have devised the program. The contracts are based around the number of hours needed to suppress the road toll across the network—

The Hon. TREVOR KHAN: The number is 12,200.

Mr DAVID BORGER: But I do acknowledge that there have been requests from the community for additional speed cameras. I note that Steve Cansdell is requesting additional cameras on the northern approach to the Pacific Highway. In the Grafton *Daily Examiner* he is suggesting there should be an additional two speed cameras up there. That is a suggestion that could be considered—

The Hon. TREVOR KHAN: The question related to the number of speed cameras.

Mr DAVID BORGER: Sure. I am just making the point that The Nationals and the Liberal Party have been calling for additional cameras. I note that Ray Williams out at Hawkesbury rang me up while I was talking on Radio 2GB and asked for an additional camera, and that could be taken into consideration. I am happy to ask the Centre for Road Safety if it could consider the requests for additional speed cameras by the Liberal and National parties.

The Hon. TREVOR KHAN: Apart from that, on 29 March 2010 did the former Minister for Roads not issue a media release in which, in part, he said, "... by July 2011 this will increase to 12,200 per month (with around 35 to 40 cameras across the State)"?

Mr DAVID BORGER: We have already acknowledged that the design of the program is around the number of camera hours, consistent with what is in place in other States, to suppress the road trauma. I think we answered that on a number of occasions. What we are interested in is making sure that—

The Hon. TREVOR KHAN: The former Minister was prepared to nominate a range of 35 to 40 cameras. Why are you so reticent about doing what David Campbell was prepared to do?

Mr DAVID BORGER: Because we will not speculate on something. When we have information we are prepared to provide that information.

The Hon. TREVOR KHAN: He was prepared to be upfront.

Mr DAVID BORGER: The critical thing is that this program is based around saving lives in all of the six regions in New South Wales. The cameras are located in places like those nominated by Steve Cansdell and the member for Hawkesbury. The number of hours is the critical piece of public policy for the community that we have been very transparent about from day one.

CHAIR: Minister that concludes the Roads section of this hearing. I thank you and your departmental officers for assisting the Committee in this inquiry.

(The witnesses withdrew)

[Short adjournment]

ALAN MARCH, Chief Executive Officer, Sydney Olympic Park Authority, and

NICK HUBBLE, General Manager, Commercial, Sydney Olympic Park Authority, sworn and examined:

CAROL MILLS, Director General, Communities NSW, on former oath:

CHAIR: I declare the proposed expenditure for the portfolio of Western Sydney open for examination. Minister, my questions in relation to western Sydney are mainly about roads. In relation to the replacement of the Windsor Bridge, can you advise the Committee when construction will commence on that bridge?

Mr DAVID BORGER: Thank you for the question, Madam Chair. The Windsor Bridge is one of the oldest concrete bridges in the country. It obviously does need replacement. That is something that is acknowledged by the New South Wales Government. The bridge has had a series of options released to the community for comment. One of them involved a ring road around the edge of Windsor and another involved changing the alignment of the existing diagonal cut through the historic square. We have announced \$25 million to replace the existing bridge. We are committed to this project. This funding is still available and the Roads and Traffic Authority is committed to the project.

The investigations that we have had take into consideration 138 submissions that we have received from the community. We are currently looking at the options that the community has presented to us and working our way through options in terms of a replacement bridge. Reports in 2003 showed that while the bridge is safe, given its age, the community would be better served by a new bridge with lower maintenance costs. The most recent report conducted in 2006 confirmed that the bridge is safe to use. Around 15,000 vehicles cross Windsor Bridge every day. We are working as quickly as possible to finalise the investigations into the Windsor Bridge project.

Obviously one of the challenges with Windsor is that it is a Macquarie town; it is an historic town. It has many Georgian and heritage-listed properties and streetscapes. I think Thompson Square is in the vicinity. So whatever we do, we have to tread very lightly regarding the heritage impact on Windsor. Equally, there is no doubt that the current bridge is beyond its lifespan. It has done very well to serve the community for that time. We are working through the submissions that the community has provided. I am happy to take on notice the question as to when the bridge will be completed. Within those issues of heritage, efficiency, productivity and congestion, we are working through options and we will go back to the community once we have finalised that consideration.

CHAIR: When will construction commence?

Mr DAVID BORGER: The construction will take place after we have finalised an option, after we have done the detailed design work, after we have gone out to tender and all those sorts of issues. At this stage we have had public exhibition of a number of concepts. We have had feedback on those concepts. We have had feedback from businesses, from the Heritage Council of New South Wales, from local heritage groups and from many members of the community. We are in the process now of whittling through those options and refining a proposal that will balance the needs with the need to preserve the heritage landscape of Windsor.

CHAIR: Does the \$25 million that has been allocated represent the total cost?

Mr DAVID BORGER: That is the money that has been set aside. That is the money that has been announced to replace the existing bridge. We are committed to this project, and that funding is still available.

CHAIR: Minister, have you received representations on that project from Mr Aquilina, the member for Riverstone, or Mr Shearan, the member for Londonderry?

Mr DAVID BORGER: Yes, I have received messages of support in discussions and conversations supporting a bridge being completed there. In fact, I have been out and visited the site. I have had a look at the square, had a look at the historic buildings and the existing bridge and I fully understand the need for a replacement and the need for respecting, conserving and enhancing the built environment of Windsor.

CHAIR: In relation to the North Richmond bridge can you tell us how much money has been allocated to investigating the options for the upgrade of that bridge?

Mr DAVID BORGER: I will take that on notice.

CHAIR: Can you tell us if there are any actual plans to upgrade the bridge and what the estimated cost of the project would be and the completion date?

Mr DAVID BORGER: I will take that on notice too and provide that information.

CHAIR: Has the Roads and Traffic Authority, to the best of your knowledge, taken any community consultation about traffic congestion in and around North Richmond?

Mr DAVID BORGER: Again, I will take that on notice.

CHAIR: Have you received representations from Mr Shearan in relation to that project? If so, what was the general tenor of those representations?

Mr DAVID BORGER: Yes, I have. In fact, I was taken on a magical mystery tour of the electorate of Mr Shearan one afternoon. He drove me around in his own car and spent a good four hours showing me roads projects that need to be resolved, fixed, augmented, enhanced, improved. He was a very, very strong advocate for roads being resolved and improved in his electorate.

The Hon. TREVOR KHAN: What commitments did you give him?

Mr DAVID BORGER: I obviously gave him the commitment that we would work on all the projects that he presented, and particularly on the Windsor bridge issue.

CHAIR: In relation to Picton Road can you explain why there is no line item in the 2010-11 infrastructure statement referring to Picton Road upgrades?

Mr DAVID BORGER: I have indicated that \$30 million of roadwork improvements and upgrades will take place along Picton Road. I have glimpsed the south-west of Sydney and the Illawarra, I have been down that road. Unfortunately, a number of people have died in road accidents very recently on that road and our thoughts go out to the families that have been involved in those terrible accidents. But the program that we are embarking on now looks at doing things like increasing the amount of wire rope barriers along that stretch of road. This is really life-saving technology that prevents or limits head-on collisions. The wire rope acts as a virtual elastic band that can sort of gently push the car back onto its own road and prevent it from heading into oncoming traffic. There is a lot of that type of work that is going to be happening on Picton Road. But I am happy to take the rest of the question on notice and provide you with a more detailed answer.

CHAIR: If you could provide a breakdown of the funding sources for that \$25 million or \$30 million that you mentioned for that project?

Mr DAVID BORGER: Yes. I just want to update that last answer. Forty-one million dollars is available, of which \$3.7 million is from the Federal Government and the remainder from the New South Wales Government.

CHAIR: That was my next question. At the completion of those upgrades are you able to tell us how many additional kilometres of Picton Road will be dual carriageway?

Mr DAVID BORGER: I am happy to take that on notice.

CHAIR: Likewise, how many additional kilometres of Picton Road would be divided roadway?

Mr DAVID BORGER: I am happy to answer that. We did have the RTA officers here and I would have been able to give more substantive detailed responses to those questions, but in the absence of that information I will take it on notice.

CHAIR: You mentioned a few minutes ago the tragedies on that road. Are you able to tell the Committee how many fatal accidents have been recorded on Picton Road since the year 2000?

Mr DAVID BORGER: I do not have that specific information on me at the moment. Again, we had all the personnel from the RTA here just a moment ago and we could have provided that detailed information. But I will take that on notice.

CHAIR: While they are doing that, could they also provide on notice how many accidents involving an injury have been recorded on Picton Road in the same period?

Mr DAVID BORGER: Yes.

CHAIR: Also, for the years 2000-2010 can you provide an annual breakdown of the total vehicle movements on that road?

Mr DAVID BORGER: Yes.

CHAIR: And the same for total truck movements along that road in the same time span?

Mr DAVID BORGER: Yes.

CHAIR: In relation to the Riverstone rail overpass, we have noted that planning funds have been allocated in successive budgets from 2007-08 to the latest budget. Can you tell the Committee what exactly has been done by way of planning work for that project over those four years?

Mr DAVID BORGER: I am advised that the Department of Planning has recently engaged a professional service contractor, Arup Pty Ltd, to investigate and report on railway crossing options at Riverstone. The study will assess options in consultation with Blacktown City Council. I am further advised that this work will be undertaken with a view to supporting the release of land as part of the North West Growth Centre, to addressing urban design requirements for the Riverstone town centre, to providing for the duplication of the Richmond line from Schofields to Vineyard and to balancing the overall benefits and costs involved in delivering the outcome.

This is obviously a complex issue that involves various government agencies. I have a level crossing in my electorate. It is very difficult when they are adjacent to town centres because their geometry is such that they can have an enormous impact if they are lifted above the road. It is important that we achieve the best outcome for the growing north-west community. I am satisfied that we are working towards that. It is anticipated that a preferred option will be identified towards the end of the year, following which the environmental assessment process can commence.

CHAIR: Is the complexity of the project the reason that the planning has taken four years so far?

Mr DAVID BORGER: As I said, the Government is committed to this project, but it is not a simple issue. Railway crossings in the centre of towns always cause difficulties. It is important that we get the right result. It is not helpful when individuals helicopter in and declare that they have a solution without applying intellectual rigour. We want to ensure that proper engineering professionals provide us with confident proposals so that we can resolve the congestion. We are committed to finding the right result.

CHAIR: You said that the preferred option would be available. Do you have an estimated completion date?

Mr DAVID BORGER: It is anticipated that the preferred option will be identified towards the end the year, following which an environmental assessment can be commenced. A number of stages need to be completed. A tender process must be followed and funds allocated. I cannot provide a completion date at this stage.

CHAIR: What is the estimated total cost?

Mr DAVID BORGER: That will be available after the preferred option is identified.

CHAIR: Have you received any representations from Mr Aquilina on this project? If so, what was the character of those representations?

Mr DAVID BORGER: Yes, I have spoken to him. He has been an excellent local member in advocating the need for a resolution to the conflict between the railway crossing and the road.

CHAIR: When will the Stanhope Parkway be opened to traffic?

Mr DAVID BORGER: I will take that question on notice.

CHAIR: Why has the road remained block off despite the fact that it was completed last year?

Mr DAVID BORGER: I am happy to take that question on notice. However, I remind the Committee that officers from the Roads and Traffic Authority have only just left. They could have stayed and provided this information and I would have been happy for that to happen.

CHAIR: I refer to the roads funding breakdown for the Mulgoa electorate. How will the \$140,000 that has been allocated to maintain local road networks be split up between the Penrith and Liverpool local government areas?

Mr DAVID BORGER: Mulgoa is obviously in western Sydney, which is one of the fastest growing regions in the State. This Government has a good track record of investing in the road network to support all motorists who travel into and out of that area every day. I am advised that between July 1999 and June 2009 more than \$4.2 billion was invested in western Sydney roads. Funding for additional ramps onto the M4 in Mulgoa is included in the Roads budget. I will take the question on notice and provide a more detailed response. I do not have a breakdown of the figures for all of the lower House electorates at my fingertips.

CHAIR: I appreciate that. How much funding was provided to councils in the Mulgoa electorate to maintain local road networks in 2006-07, 2007-08, 2008-09 and 2009-10?

Mr DAVID BORGER: I will take that question on notice and provide a detailed response.

CHAIR: The Penrith and Liverpool councils have been designated as growth centre councils. What are the projections for additional funding for councils in the Mulgoa electorate to maintain local road networks in 2011-12 through to 2014-15?

Mr DAVID BORGER: I will take that question on notice. I am not sure whether the forward estimates extend to 2014 in terms of local grants for road funding.

CHAIR: I appreciate that.

The Hon. PENNY SHARPE: Was that about western Sydney or roads?

CHAIR: It was about the roads in western Sydney.

The Hon. PENNY SHARPE: We just released the officers who could have answered those questions.

The Hon. TREVOR KHAN: When was the last report on the Western Sydney Arts Strategy prepared?

Ms MILLS: I do not have my arts folder with me, so I will take that question on notice. However, I can provide a general answer.

The Hon. TREVOR KHAN: Please do.

Ms MILLS: The Western Sydney Arts Strategy has been in place for a number of years. We have had a strong focus on infrastructure development in Penrith, at the Casula Powerhouse in Liverpool, at the Campbelltown City Bicentennial Gallery and so on. We have expended more than \$35 million in capital funding over the life of the strategy. A review undertaken several years ago at the mid-point of the strategy found that it was producing the expected results. Designated funds continue to be made available under the strategy each year to further encourage the development of both infrastructure and performing arts companies in western Sydney. I am happy to provide the details of the spend.

The Hon. TREVOR KHAN: How much is in the budget for the Western Sydney Arts Strategy?

Ms MILLS: I do not have the relevant papers with me, so I will take the question on notice. I assure the Committee that there is a minimum designated figure. That is allocated to western Sydney specifically, but it also benefits a number of companies which perform in western Sydney but which are not based there. A significant amount is spent on arts output in western Sydney each year.

The Hon. TREVOR KHAN: I would have asked that question yesterday, but I could not get past the first question.

Ms MILLS: The current year's funding allocation is approximately \$4 million for western Sydney for 30 specific arts and cultural organisations. That will deliver more than 60 individual projects.

The Hon. TREVOR KHAN: I understand there is a website for western Sydney and that it contains an arts page. I believe that it has not been updated since 3 February 2009. Why is that?

Ms MILLS: We are reviewing that website, in addition to the Arts New South Wales website.

The Hon. TREVOR KHAN: We will not talk about that one today.

Ms MILLS: One of the challenges of website development is to ensure that sufficient resources are available for maintenance. Under instructions from the Minister, we have reviewed the manner in which we are maintaining that website and putting in place new strategies so that by the end of this year it will be a more helpful resource for the people of western Sydney.

The Hon. TREVOR KHAN: I am not quite sure it falls within your area of responsibility, but are you able to indicate what extra funding has been allocated to Nepean High School to allow it to perform as a specialist creative arts and performing arts high school?

Mr DAVID BORGER: I do not have a figure on that but I thought it was an excellent decision of the Government to establish additional performing arts high schools in western Sydney. The western Sydney region has about two million people, one in 10 of the national population, and western Sydney residents are every bit as creative and passionate about getting involved and talented as anyone else. That was a great policy initiative, as was the suggestion that Northmead High School be upgraded in its status as a performing arts high school.

Ms CATE FAEHRMANN: What are you doing to tackle the air pollution problem in western Sydney?

Mr DAVID BORGER: I am happy to take that question on notice. Air quality is obviously an issue that cuts across many government departments. Certainly in the public transport realm, three railway corridors are under construction as we speak, including the South West Rail Link, the Richmond line duplication and soon we hope to see the Epping to Parramatta rail link under construction. Obviously those important public transport initiatives have an impact on air quality. As I understand it, though, the particulate matter has reduced over many years because of environmental standards in vehicles. I recently met with the environmental section of the Roads and Traffic Authority. I was very keen to interrogate the issue of air quality, particularly at the M4 motorway, which is the longest viaduct in the country and which also borders my electorate. Many local residents have had concerns over the years. They inform me that air quality adjacent to major roadways has improved over the past decade, but I will take the detail of that question on notice.

Ms CATE FAEHRMANN: With your portfolio of Roads do you also have a say in the pollution policy?

Mr DAVID BORGER: Obviously the Roads portfolio is responsible for controlling the network, the signalling and so on. One of the initiatives we have taken in the past few years, which I think is a good leap forward, is our involvement with the bus network, and rapid bus corridors and bus transitways in Sydney, in particular. One of the things we do within the Roads and Traffic Authority is that engineers are involved in designing the public transport information and priority system, which is the green light corridor with a computer fixed in each public bus now. That technology is important because it has the ability to reduce congestion on the road. On roads like Victoria Road 45 per cent of people on workday trips are bus users, so it is important that we

are engaged in that area. Obviously the Liverpool to Parramatta rapid busway and the Rouse Hill to Parramatta busway transport initiatives are playing some role in reducing the number of cars on the road over time.

Ms CATE FAEHRMANN: Do you have a say, though, as Minister for Roads, and Minister for Western Sydney on the Government's air pollution policy? Are you directly involved in that? I would think you should be, if you are not.

Mr DAVID BORGER: I am sure the roads Minister and the Roads and Traffic Authority have had an involvement and engagement for some time in relation to those issues. I am happy to get some detailed responses to you on that.

Ms CATE FAEHRMANN: Are you lobbying within Cabinet to bring forward public transport infrastructure projects that would benefit the people of western Sydney, such as the North West Rail Link?

Mr DAVID BORGER: Obviously I am an advocate for public transport and I have regular discussions with other Cabinet members who are equally supportive of public transport. Our fully funded 10-year Metropolitan Transport Plan has a record spend on public transport initiatives. As I said earlier, there are three major public transport rail corridors under construction in New South Wales: the South West Rail Link, the Richmond line duplication, and the tramway in the inner city.

Equally, I think the Epping to Parramatta rail line will have a great impact, particularly because of its ability to get people from the south-west, from Liverpool and Campbelltown—which, unfortunately, has not had the same commercial office jobs growth as some other centres in Sydney. It will be good to connect via public transport, possibly with an interchange at Parramatta, to job centres like Parramatta, North Ryde, Macquarie Park and Sydney Olympic Park—where the big pathology laboratories and information technology firms are. That is something I am very supportive of and speak about regularly with my counterpart the transport Minister.

Ms CATE FAEHRMANN: What discussions have you had regarding the preservation of the Cumberland Plain woodlands since you have taken on the responsibility of Western Sydney?

Mr DAVID BORGER: I cannot recall specific meetings about the Cumberland Plain woodlands. I meet with the local Parramatta Climate Action Network on a regular basis, but that is probably more in my capacity as local member of Parliament.

Ms CATE FAEHRMANN: Have you been following the western Sydney parklands?

Mr DAVID BORGER: Absolutely, yes.

Ms CATE FAEHRMANN: Has the New South Wales Government undertaken any study of the significance of the amenity value placed on the Cumberland Plain woodlands by local communities in western Sydney?

Mr DAVID BORGER: I am not certain whether a study has been made to determine the amenity value of the woodlands, but I am happy to investigate that and provide the Committee with a detailed response. I might just say that we have, as a government, been amalgamating and augmenting western Sydney parklands for some time now. The process has been in place since the early 1970s to acquire private lands within the parkland corridor. We spent about \$400 million acquiring land in the parklands. About 93 per cent of that has been brought back into public ownership and there is a process for securing the remaining 7 per cent. It is an ongoing commitment of the Government. The Land and Property Management Authority acquires land as landowners approach the Government for acquisition and/or acquisitions are made under the conditions of the Just Terms Act. When the properties are acquired they are vested with the trust—the Western Sydney Parklands Trust—to manage and develop. By way of example, earlier this year a further 25 land parcels covering 66 hectares were acquired by the Land and Property Management Authority and invested with the trust. When the acquisition process is concluded, the 5,280 hectare corridor will be the biggest urban parkland in Australia.

Ms CATE FAEHRMANN: Given the impact of the Penrith local environmental plan, have you had any discussions with the planning Minister on the impacts of that local environmental plan on the Cumberland Plain woodlands?

Mr DAVID BORGER: I have to admit I am not aware of the Penrith local environmental plan and its impacts on the Cumberland Plain. But I will make myself acquainted and find out what is happening there.

Ms CATE FAEHRMANN: Does the Government have a regional strategy for western Sydney?

Mr DAVID BORGER: We have a number of important strategies for western Sydney. We have a western Sydney arts policy. We have a number of subregional plans that the planning Minister is responsible for implementing, and those subregional strategies are trying to strengthen the role of the city centres. The regional river cities are taking a greater load in terms of urban renewal, providing for more jobs and high-end jobs, and also more residential housing. I think those strategies are absolutely critical in making western Sydney a better place to live and are reversing the talent drain of people who leave there from time to time.

Those strategies are influencing all the other strategies of government, including the Roads portfolio. For example, we have a cycleways strategy, policy and budget, which is part of the Metropolitan Transport Plan. One particular focus is a program around the regional river cities, strengthening the connections of Liverpool, Penrith and Parramatta, particularly on those river corridors. We are laying pathways along those corridors as we speak. That is an example of how the subregional planning context influences each of the agencies of government.

CHAIR: That brings to a conclusion this part of the hearing. I thank you, Minister, for your assistance today, and I thank your officers.

(The witnesses withdrew)

The Committee proceeded to deliberate.
