



JOINT SELECT COMMITTEE ON THE CROSS CITY TUNNEL

21 December 2005

The Hon Carl Scully  
Minister for Police, and Minister for Utilities  
Legislative Assembly  
Level 36, Governor Macquarie Tower  
1 Farrer Place  
Sydney NSW 2000

Dear Mr Scully

**Inquiry into the Cross City Tunnel**

As you may be aware, the Joint Select Committee on the Cross City Tunnel was established by resolution of the Legislative Council on 15 November 2005 (Minutes 128, Item 14, page 1720) and by the Legislative Assembly on 16 November 2005 (Votes and Proceedings No 158, Item 28, page 1765).

The terms of reference for the Inquiry include:

- 1(e) the communication and accountability mechanisms between the RTA and Government, including the Premier, other Ministers or their staff and the former Premier or former Ministers or their staff,

The Committee has resolved to hold hearings on 1,2 and 3 February 2006, and is able to hear evidence from you at a time of your convenience on the morning of either Thursday 2 February 2006 or Friday 3 February 2006.

The location of the hearing is the Jubilee Room at Parliament House, and the proposed duration of your appearance is one hour.

At the beginning of your evidence you will be given the option of making an opening statement, which should be succinct and relevant to the Inquiry. The Chair and members of the Committee will then ask you questions. To assist your preparation for your appearance, indicative questions will be sent to you before the hearing.

Please telephone the Secretariat on (02) 9230 3554 if you have any queries about this invitation, and to confirm your availability for either Thursday 2 February 2006 or Friday 3 February 2006.

Further information about the Inquiry can be found on the Committee's website at [www.parliament.nsw.gov.au/crosscitytunnel](http://www.parliament.nsw.gov.au/crosscitytunnel).

Yours sincerely

**Revd Fred Nile MLC**  
Chairman

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Minister for Police  
Minister for Utilities  
Leader of the House

22 DEC 2005

Revd Fred Nile MLC  
Chairman  
Joint Select Committee on the Cross City Tunnel  
Parliament of New South Wales  
Macquarie Street  
SYDNEY NSW 2000

Dear Revd Nile

I refer to your letter of 21 December 2005 in relation to the Cross City Tunnel Committee Inquiry.

I note the Inquiry's invitation for me to attend and give evidence at the public hearing dates scheduled for early February 2006.

As a Minister there are of course regular opportunities for me, along with each of my Ministerial colleagues, to be questioned on a regular basis by other parliamentarians during parliamentary Question Times.

Therefore, I will not be able to attend and give evidence to the Committee's public hearing.

Should you wish to discuss this matter with me further please do not hesitate to call me.

Yours sincerely

CARL SCULLY MP  
Minister for Police  
Minister for Utilities



24 January 2006

The Hon Carl Scully MP  
Minister for Police, and Minister for Utilities  
Level 36, Governor Macquarie Tower  
1 Farrer Place  
Sydney NSW 2000

Dear Mr Scully

### **Inquiry into the Cross City Tunnel**

As you are aware, the Joint Select Committee on the Cross City Tunnel is undertaking an inquiry into the Cross City Tunnel. On 21 December 2005 the Committee invited you to provide evidence to the inquiry. I note your response to the Committee secretariat dated 22 December 2005 in which you indicated that you are unavailable to attend the Committee's public hearings.

The terms of reference for the inquiry are attached and include:

- 1(e) the communication and accountability mechanisms between the RTA and Government, including the Premier, other Ministers or their staff and the former Premier or former Ministers or their staff,

You will note that the terms of reference specifically mentions the Premier and other Ministers or staff as well as the former Premier and other former Ministers or their staff. The former Premier and Treasurer have accepted the Committee's invitation to provide evidence to the inquiry and appeared at a public hearing on 6 December 2005.

At a deliberative meeting today, the Committee resolved to reissue its invitation to you to appear before the inquiry, in order to fully examine the terms of reference for the inquiry.

As the Committee is due to report on terms of reference 1(a) to 1(e) by Tuesday 28 February 2006, could your office please contact the secretariat regarding your availability as soon as possible. The Committee Director, Ms Rachel Simpson, can be contacted on 9230 3554 if you have any further questions. Thank you for considering my invitation.

Yours sincerely

A handwritten signature in cursive script that reads 'Fred Nile'.

Revd the Hon Fred Nile MLC  
**Committee Chairman**



2 February 2006

The Hon Carl Scully  
Minister for Police, and Minister for Utilities  
Legislative Assembly  
Level 36, Governor Macquarie Tower  
1 Farrer Place  
Sydney NSW 2000

Dear Minister

### Inquiry into the Cross City Tunnel

I refer to your letter in response to the Committee's re-issued invitation to give evidence to the Committee at their hearings on 1,2 and 3 February 2006, in which you again declined to attend.

For the inquiry to continue towards a satisfactory outcome, the committee believes that the participation of yourself and other Ministers is essential. As you may be aware, the non-appearance of the Premier and Ministers before the Committee has led to suggestions that other members of the Committee may seek my replacement as Chair. Were this to happen, the matter could only be resolved by resolution of the Houses. This could lead a Legislative Council General Purpose Standing Committee to commence its own inquiry into aspects of the Cross City Tunnel.

To enable the Joint Committee to properly address its terms of reference, at a deliberative meeting held on the 1 February 2006, the Committee resolved to seek answers to a number of questions that relate to the inquiry. Given the tight reporting timeframes for the inquiry, it would be appreciated if the answers to the questions could be provided to the Committee by **Friday, 10 February 2006**.

These questions should not be seen as in any way diminishing the desire of members of the Committee to have you give evidence in person at a Committee hearing to answer these and other matters. Should you and/or other Ministers be willing to appear, these questions will be put at the hearing. Witnesses appearing before the Committee to date have generally appeared for up to one hour, with an opportunity to make a brief opening statement prior to the commencement of questions from Committee members.

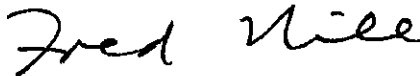
The questions are:

- 1) Who has the responsibility for announcing changes to major infrastructure projects, including changes to toll levels where the project is a toll motorway?
- 2) When you were Minister for Roads, did you consider other funding alternatives such as shadow tolling for road projects?

- 3) Were you aware of the extent to which the Project Deed for the Cross City Tunnel required changes to roads in the area surrounding the tunnel?
- 4) What was the rationale for these road changes?
- 5) Given that the project changed substantially from the time it received Budget Committee on Cabinet approval, why did you not seek further approval from them before entering the Supplementary Environmental Impact Statement process?
- 6) As Roads Minister, were you mindful of the errors that had been made in the development of the M2?
- 7) As Roads Minister, how did you ensure that the RTA was accountable to Government?
- 8) Do you believe that the Cross City Tunnel will bring long term benefits to Sydney?
- 9) Do you believe that new motorways have an important role to play in the Sydney road network?

Further information about the Inquiry can be found on the Committee's website at [www.parliament.nsw.gov.au/crosscitytunnel](http://www.parliament.nsw.gov.au/crosscitytunnel). If you or your staff have any queries about issues raised in this letter, please telephone the Committee Director, Ms Rachel Simpson on (02) 9230 3554.

Yours sincerely



**Revd Fred Nile MLC**  
Chairman