

**Submission  
No 177**

## **INQUIRY INTO WINDSOR BRIDGE REPLACEMENT PROJECT**

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**Date received:** 27 January 2018

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## Submission to the Inquiry into the Windsor Bridge Replacement Project

by Elaine Lally

### Summary of points made and alignment to terms of reference

- Lack of accountability for project expenditure to date, and refusal or inability to provide information about how funds were spent (ToR 1b(vi))
- Lack of transparency and accountability in the archaeological investigation, and instead there is secrecy and heavy-handed exclusionary practices, contrary to RMS assurances and commitments in the project documentation (ToR 1b(iii))

### Project planning and procurement strategies and associated project costs (ToR 1b(vi))

Like many community members with an interest in the Windsor Bridge Replacement Project I was quite surprised to see that the 2017-2018 Budget Papers (Infrastructure Statement) indicated that the expenditure on the project to the end of June 2017 was \$26.453m. This seems like quite a lot of spending relative to the original project estimates and the progress to date.

I therefore downloaded the NSW Government Budget papers (Infrastructure Statement) for the financial years from 2011-2012 through to 2017-2018. The Budget Papers don't give actual spending explicitly, so I subtracted the sequential project-to-date amounts to arrive at a calculation of the actual spending in each financial year, so that it could be compared with the budget allocations (see table below).

	Spent to end	Budget	Actual
	of previous year	allocation	spending
Budget year	(\$000)	(\$000)	(\$000)
2011-12	2,318	2,050	2,382
2012-13	4,700	4,000	4,000
2013-14	8,700	32,000	6,200
2014-15	14,900	6,000	100
2015-16	15,000	500	393
2016-17	15,393	1,000	11,060
2017-18	26,453	7,000	

The figures in the first two columns come directly from the Budget Papers (Infrastructure Statement in each case). The 'actual' figure is calculated by subtracting the previous year's starting figure from the starting figure given in each year's budget.

I have to date been unable to access any explanation of the expenditure. I am currently awaiting the outcome of a GIPA information request, which may be

available in early February. Given that the Inquiry is required to investigate and report on the expenditure, performance and effectiveness of the WBRP, I hope that Portfolio Committee No.5 has more success than I have had in accessing this information.

I outline below my efforts to gain clarification on this expenditure from relevant bodies, as illustration of my contention that there is an unacceptable lack of accountability in expenditure of public funds on the Project to date.

On 6<sup>th</sup> September 2017 I made an enquiry to the WBRP Project team by email:

Dear WBRP project team,

I am seeking clarification on the budget allocations and spending to date on the Windsor Bridge Replacement Project. I was quite surprised to see that the 2017-2018 Budget Papers (Infrastructure Statement) indicated that the expenditure on the project to the end of June 2017 was \$26.453m. This seems like quite a lot of spending relative to the original project estimates and the progress to date.

I therefore downloaded the Budget papers (Infrastructure Statement) for the financial years since 2011-2012. The Budget Papers don't give actual spending explicitly, so I subtracted the sequential project-to-date amounts to arrive at a calculation of the actual spending in each financial year, so that it could be compared with the budget allocations (see table below).

I would be grateful for clarification on three matters:

- (1) a breakdown of the \$14.9m in expenditure prior to mid-2015, in terms of what it was spent on
- (2) a breakdown of the \$11.06m spending in 2016-17
- (3) what the \$7m allocated for 2017-18 will be spent on

I have taken these figures directly from the relevant budget papers so if there is any error in the table below I would be happy to be directed to the clarifying statements on this.

thank you,

Elaine Lally

On 26<sup>th</sup> September 2017 I received the following response from the WBRP Office:

Good afternoon Elaine,

Apologies for the delay in response, we only have a finite number of resources given we are no longer in an active consultation period.

Your enquiry has been passed on to the Project Manager for comment and I anticipate a response in the near future.

I have received no further response from the WBRP Office.

Given that I had already waited nearly three weeks for this response, I sent the same enquiry to Mr Perrottet's Hawkesbury Electorate Office on 26<sup>th</sup> September, and received the following reply from the Electorate Officer on 28<sup>th</sup> September:

Dear Elaine,

Thank you for emailing the office of the Hon. Dominic Perrottet MP, Member for Hawkesbury regarding the funding for Windsor Bridge.

Our office has been advised that the project has been allocated \$67 million. However upon RMS evaluation this figure could increase or decrease.

If you should wish to discuss this matter further please feel free to contact our office.

Later the same day I replied as follows:

Thank you for getting back to me. My question related to the funds that have already been spent, which amounted to \$26.453m to end of June 2017 according to the budget papers from 2011-12 onwards. If the total allocation is \$67m and the amount for the current budget year is \$7m, does this mean that the remainder of the works still to be completed should come in at around \$34m?

I received no response from the Hawkesbury Electorate Office.

Following these negative responses I investigated using the process for accessing the information through the GIPA arrangements. On 25<sup>th</sup> October I made an 'informal information request' to Treasury (on the grounds that the figures were published in the Budget Papers) and received a reply on 26<sup>th</sup> October stating that the information is not held by Treasury and that the information 'may be held by RMS. I was advised to make an informal information request through Transport NSW.

I did as suggested and sent the same enquiry to the Transport NSW email address but received no reply.

After waiting for some weeks I decided to pursue the GIPA formal request pathway and submitted an application on 2<sup>nd</sup> January 2018. The following is the form in which I phrased a GIPA request to Transport NSW on 2<sup>nd</sup> January 2018:

I request a breakdown of spending to date on the Windsor Bridge Replacement Project. The Budget papers (Infrastructure Statement) from 2011-2012 onwards give the following statements of expenditure at the end of each year:

- (1) the 2011-2012 Budget paper gives spending to the end of the previous year as \$2.318m, ie. this was the amount spent prior to the end of June 2011
- (2) 2012-2013 Budget, previous year total \$4.7m, i.e. \$2.382m was spent during 2011-2012
- (3) 2013-2014 Budget, previous year total \$8.7m, i.e. \$4m spent during 2012-2013
- (4) 2014-2015 Budget, previous year total \$14.9m, i.e. \$6.2m spent during 2013-2014
- (5) 2015-2016 Budget, previous year total \$15m, i.e. \$.1m spent during 2014-2015
- (6) 2016-2017 Budget, previous year total \$15.393m, i.e. \$.393m spent during 2015-2016
- (7) 2017-2018 Budget, previous year total \$26.453m, i.e. \$11.06m spent during 2016-2017

I request a breakdown of what the funds were spent on in each financial year.

On 19 January 2018 I received a request for the due date for the application decision to be extended to 7 February, which is unfortunately (or conveniently,

depending on perspective) too late for the information to be included in a submission to the Upper House Inquiry.

This correspondence trail is relevant to the Inquiry's terms of reference relating to project costs and expenditures, but I believe it is also evidence for the atmosphere of secrecy and lack of accountability for the use of public funds in the Project as a whole. As a taxpayer and community resident I find it unacceptable that the government's published Budget papers contain figures that it is so difficult to obtain an explanation for.

The 2012 EIS documentation bases its Cost Benefit Ratio calculations justifying the project on the base capital expenditure of the project being \$46.36m in 2012 dollars. The government's own Budget Papers indicate that expenditure on the project was already over 10% of this figure (\$4.7m) by mid-2012. Given that there is such a heavy reliance in the project justification on the preferred option's 'value for money', I very much hope that the Upper House Inquiry will be able to bring some illumination to bear on the project expenditure and projected costs.

I hope that Portfolio Committee No.5 is more successful in its efforts to access information on project expenditure and costs.

### **Lack of transparency and accountability in the archaeological investigation**

The second point I would like to make in this submission also relates to the lack of transparency and accountability in the conduct of the Windsor Bridge Replacement Project.

In the Submissions Response and Preferred Infrastructure Report (2013), the following detail is given about how the archeological investigation will be carried out:

*An interpretation plan will be prepared for the archaeological investigation program with the involvement of heritage stakeholders. It will consider a range of commonly used interpretation methods, including:*

- *Static explanatory signage erected at points around the work perimeter.*
- *Archaeological 'explainers' to interact with interested community members.*
- *Information sheets available as handouts and internet downloads.*
- *Scheduled open days when the archaeological site can be visited.*
- *A web-log that documents the progress of the dig.*
- *Time-lapse photography, video and other documentary research.*
- *Changing 'what's on' display in the Museum to alert visitors to the range of interpretation opportunities and the latest discoveries.*
- *Identification of any archaeological evidence to be retained in situ for permanent interpretation purposes.*

- *Talks by specialists on artefact topics." (Submissions Response and Preferred Infrastructure Report 2013 p.120)*

Instead the archeological investigation has been shrouded in secrecy. Security fencing with opaque coverings surrounds the dig site, with cameras and additional security measures that prevent interested members of the community from gathering any information about the progress of the dig. One photograph of the brick barrel drains uncovered on 16 January was published by the RMS on the project website. The level of interest and response experienced by those who shared this photograph via social media is unprecedented and demonstrates the extraordinary extent of public interest (locally, state-wide, nationally and internationally) in the heritage assets of Windsor being uncovered through this flawed project. A copy of this impressive photograph is below.



Source: <http://www.rms.nsw.gov.au/images/projects/sydney-west/windsor-bridge-replacement/windsor-bridge-brick-barrel-drain.jpg>

In addition, the archaeological salvage work is not being undertaken with the agreed level of care and attention to optimal preservation of the historical record. Instead of hand-digging, earthmoving equipment is being used, and local observers have observed and documented damage and destruction of precious materials.