

**REPORT ON PROCEEDINGS BEFORE**

**PUBLIC ACCOUNTABILITY COMMITTEE**

**IMPACT OF THE CBD AND SOUTH EAST LIGHT RAIL PROJECT**

**At Macquarie Room, Parliament House, Sydney on Wednesday, 3 October 2018**

**The Committee met at 9:30 am**

**CORRECTED**

**PRESENT**

Reverend the Hon. Fred Nile (Chair)

The Hon. Greg Donnelly

Ms Cate Faehrmann

The Hon. Courtney Houssos

The Hon. Trevor Khan

The Hon. Shayne Mallard

The Hon. Matthew Mason-Cox



**The CHAIR:** Welcome to the second public hearing of the Public Accountability Committee's inquiry into the impact of the CBD and South East Light Rail Project. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay respects to the elders past and present of the Eora nation and extend that respect to other Aborigines present. Today is the second of the three hearings we plan to hold for this inquiry. We will hear today from a panel of affected residents and a panel of affected business owners. We thank you for coming. We know it is not something you normally do, but we appreciate your cooperation in agreeing to be witnesses. We will also be hearing from Mr Mark Coxon, Managing Director of Alstom Transport Australia, and Mr Brian Brennan, Managing Director of Transdev Sydney.

Before we commence I will make some brief comments about the procedure for today's hearing. Today's hearing is open to the public and is being broadcast live via the Parliament's website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with the broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside their evidence at the hearing, so I urge witnesses to be careful about any comments they may make to the media or to others after completing their evidence, which is on oath, as such comments would not be protected by parliamentary privilege if another person decided to take an action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that witnesses could only answer if they had more time or with certain documents to hand. In these circumstances witnesses are advised that they can take the question on notice and provide an answer within 21 days of receiving the question from the secretariat. I remind everyone here today that the Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. I therefore request that witnesses focus on the issues raised by the inquiry terms of reference and avoid naming individuals unnecessarily.

Witnesses are advised that any messages should be delivered to Committee members through the Committee staff. To aid the audibility of this hearing I remind Committee members and witnesses to speak into the microphones. In addition, several seats have been reserved near the loudspeakers for persons in the public gallery who have hearing difficulties. Finally, I ask everyone to turn off their mobile phones or turn them to silent for the duration of the hearing.

**BIDDY OQUIST**, Affected resident, affirmed and examined

**DIANA ARGIRELLIS**, Affected resident, affirmed and examined

**ANDREW JORDAN**, Affected resident, affirmed and examined

**CAT WRIGHT**, Affected resident, affirmed and examined

**ANNETTE KEAY**, Affected resident, affirmed and examined

**The CHAIR:** I now welcome our first witnesses. Do any of the witnesses wish to make a brief opening statement?

**Ms KEAY:** I live with my family at Alison Road, Randwick. We are across the road from Randwick Racecourse and now also the light rail. Thanks for the opportunity to have my voice heard. I came here today to talk about finding livable solutions and have three suggestions for your consideration. Safer footpaths: The footpath out the front of our home is now dangerous. Cyclists ride at speed along the footpath directly at my front gate. Due to the gate opening onto the footpath there is very poor visibility. I have lost count of the times me or my children have almost been hit. It is not a council problem, the police do not police it, so whose responsibility is it and how can we make it safe again?

More residential parking: We lost the parking land at the front of our properties. Parking in the area is at a premium, with commuters, TAFE students and the motor mechanics business daily using the area. This is only going to get worse once the light rail is up and running and more commuters will access the day parking. More resident or timed parking would assist with this problem. Thirdly, just finish our section. We had a community garden out the front of our place and we were told in February to remove it or it will be destroyed. It is still not complete. Works continue all the time at all hours of the night. The footpath adjacent to the racecourse is not open. It would be great if these areas could be completed—they are 99.9 per cent complete. Finishing our section would greatly assist with making the area livable again. Thank you.

**The CHAIR:** Any other opening statements?

**Mr JORDAN:** Yes. I am an owner living in Zone 28 of the light rail in Kensington district. My property directly faces over the light rail construction in both directions and I have no rooms in my place that do not face over it. I purchased my property over 11 years ago and there were no plans for any development along Anzac Parade of this type. I want to speak most notably about all the breaches and the illegal activity that have been going on and conducted by the workers—the breaches of the contract that I have provided to yourselves in advance, and also the impact to the residents and the impacts to myself.

Personally I am a direct receiver, as per defined in the contract, and I am impacted on all levels of my life as I live less than 10 metres from the construction zone. In some cases they have been working 20 centimetres from my property. I have contacted the 1800 number in excess of 200 times to document all the breaches. I have sent emails to key people from Transport for NSW, who have been helpful and have responded to me, but it really has not achieved anything; it has just been lip service. My home has become unlivable due to the workers being allowed to work 120 hours a week. There are only 168 hours in a week and they have worked from Sunday night through to Tuesday afternoon non-stop for the last two months, which I can document and have proof to show you what they have been doing. This has led to excessive sleep deprivation due to the noise levels and breach of the contract conditions, which are very strict. Sleep deprivation is actually considered a form of torture. That is not a place I really want to go to.

The maximum noise level I have recorded is six times that allowable by the contract of 75 decibels. If people are not familiar, every 10 decibels is doubled—it goes up by a factor of two. The maximum noise level I have documented was 101 decibels in the beginning of July 2017. This was denied by the contractor. I raised it with my local member as well and he has been working for me as well, or trying to work, which has been helpful. We have to endure sustained noise levels of 75 decibels all night due to certain equipment that they use, which is in direct breach of the contract. My life has been endangered three times by the workers that I documented and called up. I am happy to go through these things with you. I have a whole lot of actions I would like to take place which we can discuss later if you like.

**Ms WRIGHT:** I cut my talk down a bit, so I would be happy to hand in what I have written in full.

**Document tabled.**

**Ms WRIGHT:** I am going to speak rapidly for time reasons. The work on the light rail has been going on too long and impacts me directly as I live exactly on the corner of Avoca Street and Cuthill Street. High Cross Park, which is on the opposite side of my residence on Cuthill Street has been ruined. Trees are gone. The park barely exists now. Car parking on the High Cross Park side of the road no longer exists due to barriers. I have had to deal with overnight works for well over two years. This means that light streams directly into my unit and into my bedroom which faces Cuthill Street making it appear like daylight during the sleeping hours. Sometimes the work shakes the building. At times I have workmen literally working only a few metres from my window and my bed.

For some reason ever since this work began my nearest bus stop has been removed both to and from the area and it was across the road from where the light rail terminus will be. I do not have a car so this impacts me and others that I have spoken to. My neighbour has a disability, so access to close public transport is very important, walking being the issue. She now struggles every morning and afternoon getting to and from work due to this loss of our closest bus stop. The closest bus stop is not only further away but its approach is a steep incline, difficult for people with a walking disability or who use a wheelchair. My housemates have cars and have to share off-street parking and when this is full they must park elsewhere. Next to the park on Cuthill Street was once an option, but no longer. I live at 221 Avoca Street, Randwick. This is an actual landmark of Randwick. People upon first viewing my residence always remark that they know this building already.

**Photograph tabled.**

**Ms WRIGHT:** I will hand this in as well. This is a lovely old building and an asset to Randwick. However, this was obviously not taken into account by the people working on the light rail. One weekend work took place right outside the unit's front door access on Avoca Street. After that weekend, upon not close inspection it was clearly evident that severe damage had been caused to the property. I have many photos which I will hand to you.

**Photographs tabled.**

**Ms WRIGHT:** This property is of the art deco period, so damage is unacceptable. Since this happened several months ago the damage has not been fixed and has deteriorated. The damage took place to the frontage of the property and to part of the art deco features. I have a whole box of this stuff, that is not all of it. This damage will have to be fixed and paid for by ALTRAC, hence more money must be thrown towards the light rail works. Perhaps those responsible for the damage, ALTRAC, will be sued. I have heard such rumblings. I lost my internet access for eight days. This is because during light rail digging in the ground the Telstra line was breached or broken so the phone line to my unit did not work. I was not compensated for this.

During this time I was compensated for one night. This being an overnight hotel stay of up to \$200. This was Sunday 22 April 2018. The reason I was given for this was that overnight work could only take place for two nights in a row, and then one night off, then two nights and so on. So, why have I received a notice in my letter box informing me that overnight works will take place from Sunday night through to Thursday morning, four nights in a row?

**Document tabled.**

**Ms WRIGHT:** Chaos is now considered normal in Randwick. High Street is perpetually in a state of roadworks. Pedestrian traffic is always being diverted making getting around a longer process. I refer again to those with disabilities. Those in wheelchairs or using crutches are a common sight due to the proximity to the hospitals.

Bus routes have been rerouted, which has caused public transport users much grief. The loss of the trees from the park opposite my windows and the significant decrease in size of High Cross Park has had a significant negative impact upon the aesthetics of the area. So far nothing good has come from these light rail works. I am happy, that is was happy, with our local bus system that takes us directly to all the convenient railway stations. So, I see no need for a light rail. If having a light rail is going to cause a loss in our regular bus services then I would rather we did without a light rail. All we need are more buses, more regular buses and more buses to different places. What I find utterly bizarre is that over \$2 billion is being invested into 24 kilometres of light rail work along a route already well serviced by buses.

This route includes Anzac Parade, which was fine as it was with a dedicated bus lane which took buses away from the rest of the traffic. Now buses compete with the rest of the traffic along a route that has been significantly reduced—less road causing more traffic chaos. Randwick has a good bus system as it is. However, more buses are needed to take people towards Leichhardt and Newtown and buses that take people towards the

west would be an improvement also. Boost the amount of buses in Sydney especially in the night and on the weekend and power them with sustainable energy. Whilst talking about public transport, let us keep what public transport we still have in public hands and not privatise it. I have seen notices on buses indicating the government is considering privatising our buses. Please do not.

This might be controversial, but I am going to say it: \$2.1 billion for the light rail project, this could have been spent on addressing homelessness in Sydney. Affordable housing could be built thus completely eliminating homelessness. Greater funding could be directed to currently operating drug and alcohol detox and rehabilitation centres so that patients can spend an appropriate amount of time clearing substances from their bodies, which takes around 14 days. Currently patients are only allowed to stay in a detox for five days. And so on. I will hand it in. Spend our public money where it is needed, such as homelessness. We could have solved it overnight with \$2.1 billion.

**Ms ARGIRELLIS:** Good morning. I am a resident of 32 Doncaster Avenue. We are a group of forgotten residents who are unique and different to the other affected residents along the light rail route. The Kensington stabling yard facility, which I refer to as my backyard, will be a 24-hour seven-day-a-week transport hub with no escape from the noise and bank of flood lights. This situation differs from other residents along the route who will receive some respite hours in the middle of the night when the light rail vehicles will cease to operate. Due to the noise associated with traffic on Doncaster Avenue my family and I have, until now, utilised our backyard to seek respite. However, we have now been driven inside our home because our backyard is constantly affected by noise, vibration, dust and an imposing concrete wall that radiates summer heat and glare.

When the stabling yard is operational we will be subjected to the sound of tram bells when entering and exiting the stabling yard, the running of aircon units on the vehicles and the activities of cleaning and maintenance crews. These noises will occur at all hours of the night, every night, forever more. My two young children are very light sleepers. We have already experienced numerous evenings where they have been woken with our home shaking and vibrating at 10.00 p.m., screaming and petrified as they are not aware of what the actual noise was. The acoustic wall which was designed to create a sound barrier between the stabling yard and our residential property is merely a partition and a barrier wall to date. A wall to keep residents and other civilians out. The wall has been completely ineffective due to the questionable and late design change of the yard after heavy rains resulted in the flooding of the stabling yard into Doncaster Avenue residents' homes and backyards.

To mitigate Transport for NSW and Acciona pushed through design changes without residents' consultation raising the stabling yard ground level by a height of two metres and rendering the acoustic wall useless. The new ground level has resulted in lights shining into our property from a height of 11 metres all night every night forever more. A dilapidation report was completed prior to the commencement of constructing the stabling yard, and I sincerely hope it is worth the paper it is written on and my property will be repaired once all construction works are finalised.

I fear for the structural damage that is occurring from all the vibrations our property has endured. The dust has been unbearable and is still an ongoing issue. Everything related to the construction of the stabling yard is having a knock-on effect for my family and I. There has never been a clear, concise construction plan of the stabling yard. It has been more of a work in progress construction. This refers to the initial meeting held with the community relations manager and where we are today. Our lives have been permanently changed. I cannot understand why our homes were never mitigated prior to the commencement of works. What was offered was a ridiculous unit to be installed on our wall to draw fresh air in, with locking up our windows, doors and vents.

The same mitigation was offered to the residents who live on the opposite side of the street and do not have the stabling yard in their backyards. Yet, along the other routes, there are residents who have been cherrypicked for soundproofing and air conditioning of their homes. Why are we being treated with indifference? Is there no duty of care for we residents? We have sought the assistance of local councillors. We have been promised planting of bamboo, but to today nothing has been planted. Our local mayor has also stated that there will be installation of blinds and double glazing on windows by an independent contractor at no cost to ourselves. Again, nothing has been done. I would like to have these emails tabled as well.

#### **Documents tabled.**

**Ms ARGIRELLIS:** I am pleading today for the Doncaster Avenue residents, for our welfare, to have the life we had prior to the commencement of construction. Please assist us with having our homes soundproofed, installation of blinds, installation of air conditioning and ventilation, and lastly, to ensure our homes have been repaired from all damage. Thank you for your time.

**Ms OQUIST:** My comments are as a Surry Hills resident and include what residents think of the whole suburb, rather than the direct damage that my fellow witnesses have spoken about. I have absolutely no doubt whatsoever that the local amenity of Surry Hills has been severely and negatively impacted by the construction of the light rail. I know this is not the time to argue for an additional stop at Wimbo Park—which was in the original plan which has been future proofed for a later inclusion—but it does make it all the more distressing for residents, especially in the western part of Surry Hills, that they have to put up with the devastation caused by the construction with no beneficial result for many, especially those less able, who will find the steep walk to the station located at Ward Park difficult or impossible.

We had understood that the construction process would be completed section by section. This has not happened. Just walk the light rail route along Devonshire Street through Surry Hills to witness devastation and ugliness caused by the removal of trees, and then the unanticipated excavation, followed by track construction, and you will see shops and businesses struggling to remain despite limited visibility and access. My favourite restaurants have gone, and I certainly no longer even think about taking a stroll along Devonshire Street to look and shop. The visual desecration in and around Devonshire Street and at the Olivia Gardens worksite cannot be dismissed lightly as being merely temporary. As residents, we did not realise that hitherto attractive streets of shops, businesses and homes—and this extends to streets adjoining Devonshire Street as well as that street itself—would be hidden behind ugly chain fencing with a mass of orange plastic and signage for such a long time.

I travel across Devonshire Street, either on foot or car, most days. The constantly changing routes are frustrating, time consuming and frequently dangerous because of the inability to gain a clear view of pedestrians, cyclists and oncoming traffic—and I can give specific examples of this. Something else that has been brought to my attention recently since my submission is the impact on children. Parents are reluctant to allow young children to walk on their own if the route includes any part of the construction zone. They have serious safety concerns about poorly constructed and constantly changing pedestrian pathways, and especially the fencing near a number of pedestrian crossings, which make the crossing much less visible to oncoming cars—something I often observe as a driver. This is really sad for children, who are having their first foray into independence delayed. The lack of section by section construction, unanticipated excavation work, the destruction of trees, the dangerous traffic situations, and especially the time added to the completion date, have without doubt considerably reduced the amenity and general attractiveness of our suburb over a long period. Our great concern is that this will take many years to be fully restored.

**The CHAIR:** We will commence with questions from the Labor members.

**The Hon. TREVOR KHAN:** How formal will we be? Is it about five minutes each?

**The CHAIR:** Fifteen minutes. I am also the Assistant President of the Parliament and I have been asked to welcome delegates to a national conference that is being held today in the theatrette one level below us. I will have to leave this hearing at approximately 10.15 a.m. and come back again. If you could accept my apologies. The Deputy Chair, the Hon. Matthew Mason-Cox, will take over when I leave.

**The Hon. GREG DONNELLY:** I commence on behalf of the Opposition. Thank you all for coming along. It is not easy to deal with these matters that are obviously very challenging and difficult for you, your families and the community. There are seven members on the Committee here and we will be sharing the questions around. Forgive me for not speaking to each person, but you will be asked questions by one member or another. I start with Ms Wright and your testimony, specifically the damage to property. Do you have the date or the window of dates when the damage to your house took place? If you do not have that with you—and this applies to all witnesses—you can take the question on notice.

**Ms WRIGHT:** I can give you that on notice. I did email the real estate agent about it, so it will be in the email.

**The Hon. GREG DONNELLY:** There is a record of that?

**Ms WRIGHT:** Yes.

**The Hon. GREG DONNELLY:** With respect to that specific damage to the property—and you were good enough to bring some physical evidence.

**Ms WRIGHT:** I have been collecting it as it falls off.

**The Hon. GREG DONNELLY:** I hope you were issued with a hard hat as part of the service.

**Ms WRIGHT:** What it was, just so you know—this photograph shows the feature wall that goes around there. It is that. All this has been broken up.

**The Hon. GREG DONNELLY:** We will be able to get a copy of that.

**The CHAIR:** You can table those photographs, so that they become part of your evidence.

**Photographs tabled.**

**The Hon. GREG DONNELLY:** Did it all happen over a restricted period of time, or did it happen over a long period of time?

**Ms WRIGHT:** It happened over one weekend, overnight works. It would have been from Friday night until the early hours of Monday morning, somewhere in that period.

**The Hon. GREG DONNELLY:** There was a window there. Beyond that specific damage that you referred to in your evidence, has there been other damage to the property, cracked walls inside, or other damage?

**Ms WRIGHT:** Not that I am aware of. It is mainly to that wall. They have scraped along it as well as the cracks. It is all evidence here anyway.

**The Hon. GREG DONNELLY:** Was the offer of the overnight accommodation in a hotel of up to \$200 for a single night?

**Ms WRIGHT:** Yes, it was just that one night.

**The Hon. GREG DONNELLY:** Was that over the weekend when this work was being done?

**Ms WRIGHT:** No. That was before this. This is when they were working in Cuthill Street. They did this damage when they were on Avoca Street, it is on the corner. I was told, like I said: Two nights in a row we could work overnight, but then we are restricted to having one off—and so on. And to speed the process up we are going to work three nights in a row. To compensate you, you are the building that will be impacted most, so we will offer you for the Sunday night up to \$200, you can stay in a hotel. Which I think most people in the block did not actually take up.

**The Hon. GREG DONNELLY:** I move now to Ms Argirellis. Thank you for your evidence as well. We have your submission No. 73 to the inquiry. Regarding the number of properties around the stabling yard that are directly impacted in the same way as your property, have those residents formed a group and you are working as a group per se? If there is, can you nominate that group and how many are involved? Can you give the Committee a bit of background?

**Ms ARGIRELLIS:** No, we have not formed a group. We are just a group of residents. We are not the Doncaster Action Group. I think that is how we are referred to by Acciona. That is not us. We are just residents who are sticking together and trying to fight for what we believe we are entitled to. We are not the Doncaster Action Group.

**The CHAIR:** Is there a group by that name?

**Ms ARGIRELLIS:** When we go to the meetings with Acciona, we have asked them numerous times to stop calling us that, because that is not who we are. Is there another group? It is definitely not us. We are houses from number 20 to apartment block 36. That is the cluster that is sticking together and then you have some other houses further along the route. Number 52 and number 56 would like to be a part of our cluster.

**The Hon. GREG DONNELLY:** I will not use that term Doncaster Action Group, but there is a set of people working together in a coordinated fashion sharing their experiences and trying to advocate?

**Ms ARGIRELLIS:** Yes.

**The Hon. GREG DONNELLY:** And there are other properties affected whose owners are watching on but not directly involved?

**Ms ARGIRELLIS:** Correct.

**The Hon. GREG DONNELLY:** With respect to your dealings with Acciona, the builder of light rail, have you been in meetings with them regularly to talk about your issues?

**Ms ARGIRELLIS:** The last meeting that we had, a lot of my neighbours stood up and walked out. They actually declared that they did not want to have any further meetings with Acciona because it is, like Andrew said, all lip service. All our requests fall on deaf ears. We are just handled. We are being handled, and nothing. We keep asking for our homes to be mitigated. We keep asking to be kept informed with what is going on, but it is



one lie after another. Like one of my neighbours says, "They handle us with the left while the right hand is doing something else."

**The Hon. GREG DONNELLY:** With respect to Transport for NSW, which is the Government body effectively overseeing this, have they been at any of these meetings?

**Ms ARGIRELLIS:** They have.

**The Hon. GREG DONNELLY:** Can you explain what their contribution has been?

**Ms ARGIRELLIS:** There is no contribution. That is where I learnt the sentence, "I will take that on notice." Sorry, I cannot believe how confident I have gotten in the last few minutes. Goodness, I was falling apart.

**The Hon. COURTNEY HOUSSOS:** You are doing very well.

**The Hon. GREG DONNELLY:** You are doing very well.

**Ms ARGIRELLIS:** We have a lot of minions. It is just amazing. We sit around a table like this in Moore Park and we are five, six residents, then Transdev, Acciona, Transport for NSW—there are so many of them. They try to intimidate, and they think we are going to go away, but we are not. Everything that we raise at these meetings, nothing gets done.

**The Hon. GREG DONNELLY:** Can I take you specifically to the issues: The last two sentences in your statement—

**Ms ARGIRELLIS:** The statement that I made?

**The Hon. GREG DONNELLY:** Yes. It sums it up very nicely what you and I presume the other residents feel are the appropriate mitigations and dare I use the word compensation for what is going on. Can you read that again, please.

**Ms ARGIRELLIS:** Where I ask, "Please assist us"?

**The Hon. GREG DONNELLY:** Yes.

**Ms ARGIRELLIS:** Please assist us with having our homes sound-proofed, installation of blinds, installation of air conditioning and ventilation and, lastly, to ensure our homes are repaired from all damages.

**The Hon. GREG DONNELLY:** With respect to the blinds, is that to help deal with the matter of the bright lights from the yards?

**Ms ARGIRELLIS:** Yes. I did not print any photos off, but I can submit—I do have things on my phone. The height of these lights, it is like you are at a football stadium. They are glaring all day, 24 hours. We have asked at the Moore Park meetings to have a shield put around the light, and "No, it is not necessary", and, "We are in the testing phase", and, "We will see if that is something that will need to be done down the track." We have had two events when they have come to test the light in my backyard from my bi-folds.

**The Hon. TREVOR KHAN:** Sorry?

**Ms ARGIRELLIS:** The bi-folds, my windows, the boundary of my property, to see what type of light is being reflected into the property. We have not received any sorts of reports or documentations of these testings, but we get told that they are within their guidelines and that—there is no mitigation, pretty much. There is nothing to be done for the Doncaster residents.

**The Hon. COURTNEY HOUSSOS:** Thank you very much to all of you for coming. I have a couple of questions of Ms Argirellis and the impact it has had on you. You said there was a mitigation wall that was built originally?

**Ms ARGIRELLIS:** The acoustic wall.

**The Hon. COURTNEY HOUSSOS:** Yes, the acoustic wall. I am sorry. Can you explain, was that built before?

**Ms ARGIRELLIS:** The acoustic wall was built to mitigate the sound that would occur in the stabling yard.

**The Hon. COURTNEY HOUSSOS:** Was that during construction or was that for afterwards?

**Ms ARGIRELLIS:** That is permanent. It is forever there that acoustic wall. The operation of the stabling yard—this wall was built to mitigate any possible noise that would come out from the stabling yard.

**The Hon. COURTNEY HOUSSOS:** After the construction of the wall, they then had to lift the floor—

**Ms ARGIRELLIS:** Their ground height on their side, yes.

**The Hon. COURTNEY HOUSSOS:** Of two metres.

**Ms ARGIRELLIS:** Of two metres.

**The Hon. COURTNEY HOUSSOS:** How high is the actual wall?

**Ms ARGIRELLIS:** The height of the wall is 5.2 metres.

**The Hon. COURTNEY HOUSSOS:** They lifted it up two metres?

**Ms ARGIRELLIS:** They did not lift the acoustic wall, no. They lifted their ground. Where they started work, they have had to lift that ground level by two metres. In actual fact, the way I picture it is the height of their ground level is the height of the roof of my shed.

**The Hon. COURTNEY HOUSSOS:** There has been no other—

**Ms ARGIRELLIS:** They cannot lift that acoustic wall. For them to build higher up on the acoustic wall, from what I have been told, the acoustic wall has to be set back further because then you have the shadowing, that effect of things.

**The Hon. TREVOR KHAN:** It is not on your boundary?

**Ms ARGIRELLIS:** No. The acoustic wall is meant to be, I believe, 4½ metres from my boundary line.

**The Hon. COURTNEY HOUSSOS:** What I am trying to get to, they built a wall, they had to lift it?

**Ms ARGIRELLIS:** They had to lift their ground height.

**The Hon. COURTNEY HOUSSOS:** They have been constantly changing this project over the course of it?

**Ms ARGIRELLIS:** Correct. That is exactly what it is.

**The Hon. COURTNEY HOUSSOS:** And you are the residents who are dealing with the impact of that each day? You and your two young children, your family?

**Ms ARGIRELLIS:** Yes.

**The Hon. COURTNEY HOUSSOS:** It is a devastating effect.

**Ms ARGIRELLIS:** I am happy to hand in photos, videos, if requested.

**The Hon. COURTNEY HOUSSOS:** We appreciate that. I want to go back to Mr Jordan. In your opening statement you said your life has been threatened on three separate occasions.

**Mr JORDAN:** Yes.

**The Hon. COURTNEY HOUSSOS:** Can you explain to us what happened?

**Mr JORDAN:** The first time I picked this up is I woke up in the middle of the night on 23 June 2017. I woke up after midnight and my home was full of diesel fumes. I found and photographed an offending portable light generator which was set up directly below my home with prevailing northerly wind blowing all the fumes from the diesel generator into the home. It took five phone calls between midnight and 1.00 a.m. to get the thing turned off.

**The Hon. COURTNEY HOUSSOS:** Who did you call?

**Mr JORDAN:** The 1800 number. I had to threaten to call the police for negligence on behalf of the workers before they responded.

**The Hon. COURTNEY HOUSSOS:** Mr Jordan, do you live by yourself?

**Mr JORDAN:** Yes. It is very dangerous.

**The Hon. COURTNEY HOUSSOS:** It is only that you happened to wake up and smell these fumes?

**Mr JORDAN:** Yes. I could very much smell it and, as far as I am aware, carbon monoxide is deadly. On a second occasion, I have documented and called the 1800 number, and the third occasion, repeatedly they blocked the fire exit to my building all night. It was completely barred so there was no fire egress whatsoever. I have taken documents and photographed the work that was constructed 10 centimetres from my building boundary, completely across the fire exit door. At the same time, I caught workers trespassing on my property, and that happened—the third event happened on 7 December 2017, and the first blocking of the fire exit happened about a month earlier when they were digging another trench along the footpath on Anzac Parade.

**Ms CATE FAEHRMANN:** In terms of the time, I will ask Ms Argirellis to continue the discussion around what you are requesting for the residents in relation to soundproofing, blind installation and sound installation which I understand. What has been your approach to ask Transport for NSW for it? Have you approached the Minister for Transport and Infrastructure Andrew Constance directly? Have you communicated with his office about that?

**Ms ARGIRELLIS:** One of my neighbours wrote numerous letters. She wrote a letter to Andrew Constance and different Ministers. We had one reply. I believe she also sent this same letter, which I can table as well, on 29 June 2017. She also sent the same letter to the Department of Planning which was the only one that replied.

**Ms CATE FAEHRMANN:** What date was that letter?

**Ms ARGIRELLIS:** The 29 June 2017.

**Ms CATE FAEHRMANN:** That was one letter to the transport Minister—

**Ms ARGIRELLIS:** Different Ministers. Discussing our experience, yes, and requesting what I stated earlier.

**Ms CATE FAEHRMANN:** In terms of information provided to the residents, what have you been told about which department is responsible? You said you have had conversations with council. Which body have been told you can speak to for getting mitigation devices, if you like, to soundproof and other things?

**Ms ARGIRELLIS:** We have also been speaking with Acciona. There is a community relations lady that handles the property side of things. We have been speaking with them. They have never, ever said to us "No" but they do not reply to our emails in which we are asking for our requests. The reason we have now gone to our local councillors is because they are the only ones that are trying to assist the residents and trying to get the ball rolling and, hopefully, something will come of it.

**Ms CATE FAEHRMANN:** In terms of compensation, I am not sure whether it would be the council that ultimately would provide the soundproofing et cetera. If Minister Constance was present, considering you have not been able to address the Minister for Transport and Infrastructure directly, what would you say as to what the Doncaster Avenue residents are now experiencing?

**Ms ARGIRELLIS:** Pretty much what I said earlier. We would love our homes to be mitigated. I honestly believe they should have been mitigated prior to any sort of construction. We are not against the project; we just want to have the same lifestyle, the life that we had prior to the commencement of the construction. We need our homes mitigated.

**Ms CATE FAEHRMANN:** It is extraordinary that you are going through this and it will finish at some point. Do you know when? You have got the stabling yards which will go on forever.

**Ms ARGIRELLIS:** Exactly. We were told it was a period of two years but I believe we have entered our third year.

**Ms CATE FAEHRMANN:** Mr Jordan, in your opening statement you mentioned some instances, one of which you have just referred to with the diesel fumes coming through your window. You referred to a number of breaches or illegal activity and to contacting the complaints line more than 200 times. How do you describe the response provided? I assume that is the complaints line of Transport for NSW?

**Mr JORDAN:** Yes, that is correct. I speak to a call centre. They then pass it on to the community representative for our area who then calls us back. I have given up asking them to call me back because they are dishonest. They openly lie and deny everything I am saying even though I have photographic evidence.

**Ms WRIGHT:** The 1800 number.

**Ms KEAY:** Yes, that is correct, the 1800 number.

**Ms CATE FAEHRMANN:** How does Transport for NSW monitor the situation? I am particularly interested in things like noise and vibrations. Does it provide independent monitors?

**Mr JORDAN:** No. According to the contract that I have got here, which you should all have copies of, there is meant to be continuous noise monitoring. That does not occur. There is a very strict clause in there that that maximum noise level is 75 decibels and if it is exceeded work shuts down.

**Ms CATE FAEHRMANN:** Have you asked for evidence of this independent noise monitoring and reporting?

**Mr JORDAN:** They came and set up a noise meter in my place for a week. It was very obvious they restricted the noise work that they were doing at the time to minimum noises so it did not breach the conditions of the contract. I have evidence, as I said, pictures and video of them clearly exceeding the noise levels and lots of other conditions within the contract. We have reported illegal activity by the workers breaking the law, trespassing, stealing residential utilities and threatening residents. I have got them on video threatening me, threatening to call the police when I am requesting to see their work authority which they had not given.

I am on the strata committee of my building and they are meant to provide written notification of any blockage to resident access. They do not do this. I was threatened by the foreman: "I'll call the police and have you arrested unless you get off our site." I was on my own private property at the time, and it is a video. They openly threaten residents. I have heard a story—this is all my firsthand experience—I was told they would call the police for a resident assaulting one of the workers, which was a lie. So they are making false statements to police.

**Ms CATE FAEHRMANN:** Can I check, when you are making these allegations about people, who are the workers? Who do they work for? What is the company? Is it Acciona?

**Mr JORDAN:** Yes. I have got them on video, yes.

**Ms CATE FAEHRMANN:** Have you had any response with which you have been satisfied when you have made these complaints?

**Mr JORDAN:** No. The one response I did get was: I was cold-called by one of the community representatives who said, "We've got a letter from the Minister which says we can do whatever we want." This contract is meaningless. That was very disturbing. That happened mid-December 2017 before the shutdown. That is very alarming if that is true. If it is not, that is another big question: Why are they saying these things, because their behaviour is consistent with, "We can do whatever we want and there is nothing the residents can do about it"? That is their attitude. They have contempt for us.

**Ms KEAY:** That is the sentiment that we have as well. We have given up on going to the consultations, the people in my area. We have given up on calling the 1800 number because nothing happens and you do not feel listened to. Going over the noise limits all the time happens all the time. I see my neighbours who have had about three hours' sleep and they are all at their wits' end and it is relentless. It just never ends.

**Ms WRIGHT:** That contempt—that is how I felt when I walked out of my house after that weekend and looked at all the damage. I thought, "This building stood here for maybe up to 100 years and overnight they damaged it." You can see where they have dragged machinery along the wall, let alone the cracks and the bits falling off it. I thought, "Where's the respect?"

**Mr JORDAN:** And with the qualification, the noise measurements that I have actually had, I bought a noise meter which Transport for NSW is aware of. I have brought it along today. I can record on video the noise levels that have been committed at 2.00, 3.00 or 4.00 a.m.—80 decibels. If you are not familiar, my neighbour over their weekend used their lawnmower for the first time. We got a bit of water; it is starting to grow. A lawnmower at the same distance makes 65 decibels. We are talking about 85 to 90 decibels after midnight when you are trying to sleep. That is four times-plus louder than a lawnmower and everyone knows how loud they are. I would have liked to have done a demonstration of just what is 75 and 85 decibels in this room right now but it would be dangerous to people, hearing that noise level. It is that bad.

**The Hon. MATTHEW MASON-COX:** Thank you very much for coming in. It has certainly been insightful for us as members of this Committee to understand firsthand what you have been experiencing. We really do appreciate that. I know it is harrowing at times as well. Mr Jordan, you mentioned in your presentation that there are some actions that you were keen to recommend to the Committee as a way forward. I was interested to understand those.

**Mr JORDAN:** I am happy to provide these in writing afterwards. I have got a couple of copies. I will just read through them. I did not think in the introduction there was time to cover that sort of stuff, so I thought we could deal with it later. Some of the investigations that have come out of this inquiry is that a lot of the facts about the light rail are just not true. The Minister at the time that the light rail was approved, I want them removed from their current position because of the negligence. This has got such a bad impact on so many people. This is a widespread group of people here and we are all saying the same thing, similar things, and feeling very strongly.

The next thing I want is I want the light rail project stripped of its critical infrastructure tag. This critical infrastructure tag was a Trojan horse to let the project get away with blue murder and not be held accountable for what it is and to work and not pay compensation to small businesses and residents. The other thing is the light rail has only got one-third the capacity of the buses in peak hour. This is something we all know. Why is this thing critical infrastructure to spend \$2 billion on for something that is not required? I really want the critical infrastructure tag stripped.

I want New South Wales transport to provide soundproofing on all residences impacted by the light rail construction. In the Australian Capital Territory I heard from my father, who lives down that way, the whole project was shut down while government departments had their offices soundproofed due to construction noises. That was a priority in the ACT for government departments only working during the day, not at night. We have to put up with this 24 hours a day. It is just unacceptable. I want all out-of-hours work ceased pending full inquest into the repeated breaches to the construction noise and vibration monitoring plan and installation of soundproofing for residents. End of story. No more out-of-hours work until that is investigated. They are meant to be working tonight, on my notifications. I currently get notifications from Transport for NSW personally because I have made that much noise. If I total the alternative accommodation I have been given or been allocated at \$200 a night, which would not get me any decent room in Sydney, I do not know where you can get \$200 a night at 30 minutes notice because they breach so many times—

**The Hon. MATTHEW MASON-COX:** How many times have you been offered accommodation?

**Mr JORDAN:** Hundreds. I have totalled \$30,000-plus in alternative accommodation since November last year. I have got it on text messages on my phone.

**Ms WRIGHT:** I was offered it once.

**The Hon. MATTHEW MASON-COX:** That you have taken or been offered?

**Mr JORDAN:** No, that I have been offered. I will not take it because it is substandard and admitting that I am willing to submit to this project. Plus I have to make calls to global locations at 11.00 p.m. and 8.00 in the morning to New York, Dallas and London to talk through work commitments. I am not doing that from a hotel room.

**The Hon. SHAYNE MALLARD:** Do other residents in your building get offered accommodation?

**Mr JORDAN:** I have seen the flyers given out. I do not know if they are getting given the same level as I do. Not all residents face on like I do to the work site. They have got a bit of offsetting. The next point is out-of-hours work only to recommence—I am not saying it stop forever—with full and independent noise monitoring at all times paid for by the contractor and work to shut down immediately if noise levels breach as per the existing contract. There is a clause in here which says that if you exceed 75 decibels work will cease immediately and they will look for alternative methods to do that.

**The Hon. TREVOR KHAN:** Are you able to identify the clause in the contract that you are relying on?

**Mr JORDAN:** Yes. I have got a table here just for out-of-hours work, this is on page 67 at table 26, for normal plus 25 decibels, which is 75 decibels, it says assess and reschedule or relocate identified significant noise generating construction activities. Plain and simple. It is not "if". That is quite clear about what it is. It is very factual. Limiting the work to 40 hours per week in residential areas. That is not asking a lot. They are working 120 hours a week. I have had to work 100 hours plus for work myself. That kills me. I have done that a few times and I am a zombie. Forty hours a week, they have to then pick and choose when they do it and be held accountable for it; not work from 9.00 p.m. Sunday straight through without a break until 6.00 p.m. Tuesday, then we get Tuesday off, they work Tuesday, Wednesday, have Wednesday night off, but that is actually in breach. The contract here says very clearly two nights respite, not one night respite. They are in direct breach of the respite for residents as well as outlined in this contract. Again, I will see if I can get that point quickly for you.

**Ms WRIGHT:** That has totally changed.

**Mr JORDAN:** No, this is the contract and I had it reconfirmed very recently by Randwick council. On page 44 in 5.6.1 under "Restriction of construction hours", it says it would be limited to two consecutive nights followed by two consecutive nights of respite—that is, no work—unless outlined in the out-of-hours protocol, which is section 12. It is very clear: two nights of no work. They turn up and they do light work, they do medium work, they do heavy work. It is very clear. They are in direct breach of their contracts and how they are working.

**Ms WRIGHT:** Why are they telling us now that they are working between 6.00 p.m. to 6.00 a.m. Sunday to Thursday?

**Mr JORDAN:** That is in breach of the contract.

**Ms KEAY:** But they are also very non-specific.

**The Hon. MATTHEW MASON-COX:** We might continue with your list, if we could.

**Mr JORDAN:** Yes, okay. Compensation to all direct residential receivers impacted by out-of-hours work breaches. I am thinking \$500 per night backdated. Who knows? Pre-existing owners allowed to sell and buy with no stamp duty for a 12-month duration after the light rail goes live. We are losing our money here. The Premier was quoted on the media saying her KPI for this project is increased property prices for residences. That is not going to happen to us, who are direct receivers living along the light rail line. Free travel for residents during construction period on Opal cards, which is easy to prove. We have to suffer this; why are we paying for transport? This has been inflicted on us by Transport for NSW with no care. There is a duty of care that this Government has for its residents. Transport for NSW is not seeing through with that. If they say, "No, we don't have a duty of care", that is even more troubling.

One last thing which has come out of the banking royal commission is we are having to pay council rates but I have been informed very clearly that Anzac Parade and all the light rail zone has been passed on to Transport for NSW and deemed transit ways, so it is outside the jurisdiction of Randwick council. So they are charging for no services. They are not coming and looking after stormwater, cleaning the roads, cleaning the footpaths. This is all Transport for NSW. The state of the footpaths and the roadway, I say it is unsafe at any speed, even for walking. If anyone has been around and had a look at the work sites, Kensington is a great example. It is no-man's-land. It is dreadful. We are having to pay council rates for no services which is, as per the banking inquiry, illegal. We want to be compensated for these council rates that we should not have to pay.

**The Hon. TREVOR KHAN:** Is that the last of your conditions?

**Mr JORDAN:** That is the last of my points, yes.

**The Hon. TREVOR KHAN:** Ms Argirellis, in your discussions with Acciona have they made any offers of, for instance, any sort of ventilation or the like?

**Ms ARGIRELLIS:** No. Acciona, their property team came in and they offered us—

**The Hon. TREVOR KHAN:** I do not want to be rude, but I just want to get some idea of time frames.

**Ms ARGIRELLIS:** It was just that unit on the wall. It had to run on our power, we had to close all our windows to draw in this fresh air. My house is built with those units to actually allow for circulation. The other thing that they had offered my home was something that you buy from Bunnings, you know that strip tape that you put around your door frame?

**The Hon. TREVOR KHAN:** Door sealing stuff.

**Ms ARGIRELLIS:** Yes, something like that.

**The Hon. TREVOR KHAN:** When was that?

**Ms ARGIRELLIS:** I will take that on notice. It came in a folder so I will get back to you with that.

**The Hon. TREVOR KHAN:** They gave, I take it, to you and other residents in Doncaster Street some sort of proposal as some sort of mitigation process?

**Ms ARGIRELLIS:** Yes. It came in a folder and I will be happy to share that.

**The Hon. TREVOR KHAN:** Was that given to all the residents in your collective; I am avoiding "group"?

**Ms ARGIRELLIS:** Yes. It was given, yes, to my neighbours and I, and it was given along the street as well.

**The Hon. TREVOR KHAN:** Was that given in the sense of "Take it and that's the end of it"?

**Ms ARGIRELLIS:** Pretty much.

**The Hon. TREVOR KHAN:** Or was it, "This is what we propose"?

**Ms ARGIRELLIS:** It is a proposal but we rejected the proposal but they have come back with nothing else.

**The Hon. TREVOR KHAN:** I am not being critical, because I am not living where you are, but I ask: Was there a problem in accepting what they were putting forward and then pressing for more?

**Ms ARGIRELLIS:** It did nothing. They were making us live like lab rats. Who has to live with their windows and doors closed and to have air drawn in from this unit? It was not going to happen. If I cannot offend anyone, it actually looks like a tampon dispenser on the wall, so no, I did not take it; my fellow residents did not take it but I do know other residents that did accept their proposal.

**The Hon. TREVOR KHAN:** You talked in terms of having these meetings around a table and the like. How many of those meetings with Acciona and the other parties have there been?

**Ms ARGIRELLIS:** Approximately 10, I would say.

**The Hon. TREVOR KHAN:** And those have been spaced over the last couple of years, have they?

**Ms ARGIRELLIS:** Yes.

**The Hon. TREVOR KHAN:** When was the last of those meetings?

**Ms ARGIRELLIS:** The last of those meetings—it happened this year; an approximate indication of date would be January 2018 but I can take that question on notice to give you an actual date.

**The Hon. TREVOR KHAN:** Again I am sorry to cut across you but I am alive to time too. Has there been any suggestion of further meetings, either called by you or called by them?

**Ms ARGIRELLIS:** Yes. So my neighbours and I are requesting another meeting because we are fed up. Number 22, her bathroom ceiling collapsed, I believe approximately two weeks ago. She was very lucky it missed her and this is now the final straw. We have had enough. They are trying to say that the damages that are occurring to our homes is not because of the project.

**The Hon. TREVOR KHAN:** All right. You have requested that meeting?

**Ms ARGIRELLIS:** Yes, we have requested the meeting via email.

**The Hon. TREVOR KHAN:** Approximately when?

**Ms ARGIRELLIS:** We are waiting for the relations manager to get back to us.

**The Hon. TREVOR KHAN:** You never know, you might find out in the next couple of days when that meeting will be.

**Ms ARGIRELLIS:** It is all on email. I will take that question on notice and I can provide the information.

**The Hon. TREVOR KHAN:** I am sorry to turn away from you, if you do not mind, but I will start with Ms Keay. Ms Keay, have you had meetings with Acciona?

**Ms KEAY:** Not as a collective of the people in our area. The neighbours and I went early on. I said this in our submission that it was pretty clear they were not really listening to us. The consultation had already happened and decisions had been made and there was not a lot to go on. We have had multiple liaison people come to us. They seem to come and go. I imagine it would be a stressful job.

**The Hon. TREVOR KHAN:** I am sure. Are those people employed by Acciona?

**Ms KEAY:** I think so.

**The Hon. TREVOR KHAN:** When would the last of those visits by liaison people have been?

**Ms KEAY:** We had one. They came around, knocked and said, "You have to remove your garden. We are going to destroy it." This is just an example of how we feel very disrespected. So we removed all the garden and asked people to take things as a new garden was coming soon. That was in February. They still have not done

anything about it. Two months later someone came, knocked on the door and said there are some works coming on. That would have been April and they could not believe that the garden had not been done, so they are not even communicating properly, so it is around then. As I said, I get those notifications in the mail and I do not read them because they are so non-specific. I think I need to get personal notification because—

**The Hon. TREVOR KHAN:** More phone calls?

**Ms KEAY:** Yes. It will happen for four days, it will happen from this intersection to this intersection. They have to give so much notice, I imagine, so it is weeks ahead. You really do not know what is happening. You just expect noise all the time.

**The Hon. MATTHEW MASON-COX:** Have you been given an indication of when it is going to stop, when they are going to finish?

**Ms KEAY:** No, from where I am I see can they have been riding up and down on the tram. As I said, it looks 99.9 per cent complete. I do not know why they do not remove the barricade and let us access the footpaths on the other side and then I would be trampled by cyclists.

**The Hon. TREVOR KHAN:** Well, the footpath is available beneath Doncaster Street, is it not?

**Ms KEAY:** I am on Allison Road.

**The Hon. TREVOR KHAN:** I accept that.

**Ms KEAY:** There is a footpath on the racecourse side that is sectioned off because it is the construction site.

**The Hon. TREVOR KHAN:** Right, but the other side?

**Ms KEAY:** On my side, that is available, yes.

**The Hon. GREG DONNELLY:** Ms Oquist, I ask you a couple of questions. In your submission on the second page there is reference to the reduction in parking spaces?

**Ms OQUIST:** Yes.

**The Hon. GREG DONNELLY:** You say that the reduction in parking spaces around the Olivia Gardens worksite and extended area contributed to the frustration of residents, visitors and parents of the 500-pupil Bourke Street Public School. To be clear, have those parking spaces now gone and will not return as a result of the works or is this a temporary situation?

**Ms OQUIST:** Some are temporary; some will obviously not return because I presume there will be no parking on Devonshire Street; they have gone for good. I understood that the workers were meant to park their cars actually on Olivia Gardens worksite but we do see quite a lot of high vis vest clad people parking their cars in the area so it is a bit of both—workers taking the parking spaces and parking spaces not being available.

**The Hon. GREG DONNELLY:** You refer in the next paragraph to the impact and permanent closure of popular and respected restaurants, cafes and businesses along Devonshire Street?

**Ms OQUIST:** Yes.

**The Hon. GREG DONNELLY:** We have received some evidence from some of those individuals and we may hear from one or more of them later this morning. To get hard information on this is very hard, from our point of view. We are struggling to find out precisely how many businesses have closed. Can you give us some sense of the closures? Are you saying if you walk along Devonshire Street now you see one or two closed or are you saying that there are quite a few closed?

**Ms OQUIST:** Well, our two favourite restaurants closed—The Book Kitchen—

**The Hon. GREG DONNELLY:** They are giving evidence.

**Ms OQUIST:** —and The Devonshire closed. If you walk all along Devonshire Street you can see that various places are just no longer there but I cannot name any others.

**The Hon. GREG DONNELLY:** As far as you know there have been some permanent closures?

**Ms OQUIST:** Yes, and shops too, I am sure.



**The CHAIR:** Thank you again for appearing at this inquiry and sharing the residents' point of view. We appreciate that. You mentioned already in your evidence some of the matters that concern you. You talked about damage that has occurred to some of the properties and the need for compensation. Have you had any sympathy from either the Government or the construction companies to provide that compensation?

**Ms ARGIRELLIS:** I will go first. I actually gave Acciona a call yesterday. I have a deck and we have shutters that roll up automatically on the side of the deck. Three-quarters of the way up on the wall, my shutter now scrapes. When I did realise this was happening, I contacted Acciona because I believe there has been movement to the deck and funnily enough I followed them up yesterday because my shared is being rebuilt because my shed was also damaged in 2016 and that is being rebuilt currently, so I was on the phone with Acciona regarding the shed. I raised the issue about my shutter and I received documentation yesterday to say that there has been no movement on the deck and that there is something wrong with my wall, that it has got a buckle in it and that is why now my shutter is scraping as it raises. It never used to scrape when it was installed. It was installed for a good year prior to the light rail stabling yard work commencement and, funny enough, everything that is happening, there is a pattern of damages on Doncaster Avenue.

**The CHAIR:** So the buckle could have been caused by the construction?

**Ms ARGIRELLIS:** Correct. I put together a Word document for local council to see all the cracks in our homes that we are suffering from the construction of the stabling yard and I can provide that information for you as well. But nothing, other than my shed personally and my neighbour's shed, is being fixed. They also did damage our boundary fence and they replaced that as well.

**The Hon. SHAYNE MALLARD:** So they are rebuilding the shed.

**Ms ARGIRELLIS:** They are currently rebuilding the shed.

**The Hon. SHAYNE MALLARD:** And your neighbour's shed.

**Ms ARGIRELLIS:** Yes.

**The CHAIR:** So is there still a need for compensation payment and, if so, what could that be?

**Ms ARGIRELLIS:** The rest of my damages are the cracks that are throughout our house and I am adamant that my shutter, the way it raises, it has been caused by them. So yes, there is still a need for some sort of repairs to be made.

**The Hon. MATTHEW MASON-COX:** And that is separate to soundproofing and other issues you raised earlier?

**Ms ARGIRELLIS:** Correct. That is exactly right.

**The CHAIR:** That is what I was going to ask you about next. You have had to put insulation in to reduce the noise?

**Ms ARGIRELLIS:** No, we are living with it. We are living with it in our backyard. I do not see why we as residents have to fork out the cost of that.

**The CHAIR:** Have you raised that issue with either the Government or the construction company?

**Ms ARGIRELLIS:** We continually raise the issue. We have written letters, as I said earlier, to different Ministers, we have raised the issue with our local council, we have raised the issue with Acciona. Nothing is being done. I did say earlier that I will table this email that came out from Randwick City Council stating that, "Mr Constance has directed Transport for NSW to deal with directly yourself"—being me—"and other affected residents to offer solutions such as installations of blinds, installation of double glazing on windows."

**The Hon. TREVOR KHAN:** That is the direction of the Minister, is it?

**Ms ARGIRELLIS:** Correct.

**Ms CATE FAEHRMANN:** When was that dated again, sorry?

**Ms ARGIRELLIS:** This email is dated 3 May 2018.

**The CHAIR:** Have you got to the stage of any costs that that would involve?

**Ms ARGIRELLIS:** No.

**The CHAIR:** And that the Government or the construction company would meet that?

**Ms ARGIRELLIS:** We have not done any sort of costing, no.

**The Hon. SHAYNE MALLARD:** But you are wanting more than that—that was your evidence before.

**Ms ARGIRELLIS:** Yes.

**The Hon. SHAYNE MALLARD:** What is it you are asking?

**The Hon. TREVOR KHAN:** Air conditioning.

**Ms ARGIRELLIS:** Yes, correct. We are asking to be treated the same. We believe that Surry Hills have been given some sort of mitigation and Doncaster Avenue residents have been given zero. We are wanting our home soundproofed, installation of blinds, installation of air conditioning and ventilation and, lastly, to ensure our homes are repaired for more damages.

**The Hon. SHAYNE MALLARD:** Reverse-cycle air conditioning?

**Ms ARGIRELLIS:** Yes.

**The Hon. GREG DONNELLY:** And that damage to be independently assessed as well?

**Ms ARGIRELLIS:** Yes.

**The Hon. GREG DONNELLY:** So you can be confident that a structural engineer, for example, goes and makes the assessment and that it is done properly?

**Ms ARGIRELLIS:** Yes, that is exactly right.

**The Hon. MATTHEW MASON-COX:** What has been the follow-up from the May email? What contact have you had since then, and with whom?

**Ms ARGIRELLIS:** The May email from Randwick City Council?

**The Hon. MATTHEW MASON-COX:** Yes.

**Ms ARGIRELLIS:** Nothing. We raised it with our local councillor and she is doing a great job. Actually, sorry, I do need to take a step back. She went up to council to pass a motion last week when Mr Jordan attended—

**Mr JORDAN:** Last Tuesday.

**Ms ARGIRELLIS:** —to have, I believe, a motion in relation to soundproofing. She is working very hard for the residents.

**Mr JORDAN:** That was off the back of commitments made to the mayor of Randwick by the Minister for Transport to provide soundproofing, noise barrier blocks of plants and bamboo, and a few other things which now I think they are denying they ever said this.

**Ms ARGIRELLIS:** I have got emails.

**The Hon. COURTNEY HOUSSOS:** Can I just ask one question of Ms Argirellis: You said that Surry Hills residents have received support for air conditioning. Are these residents who are affected by the construction?

**Ms ARGIRELLIS:** Correct.

**The Hon. COURTNEY HOUSSOS:** So you are saying that residents affected by the construction have received support but residents such as you, who have their houses lit up for 24 hours a day, are receiving no support from the Government?

**Ms ARGIRELLIS:** That is correct.

**The Hon. COURTNEY HOUSSOS:** And what are they doing to fix that?

**Ms ARGIRELLIS:** In relation to helping the Doncaster Avenue residents, there has been no commitment. There has been nothing.

**The Hon. COURTNEY HOUSSOS:** They have done nothing for the ongoing effects?

**Ms ARGIRELLIS:** They have done nothing, correct.

**The Hon. COURTNEY HOUSSOS:** They are lighting up your house like daylight 24 hours a day and this will continue even once the project is underway?

**Ms ARGIRELLIS:** Those lights will be on forever and a day; they are not going anywhere. It is 24 hours. We believe the last tram is coming in at 1.00 a.m., it will go in for maintenance, wash down, travel around the track and then be parked up behind our residence, and the first tram to pass at 4.00 a.m., if I am not mistaken.

**Mr JORDAN:** I can actually see the light pollution from my place and I live on Anzac Parade basically looking into Randwick Racecourse on Carlton Street.

**The Hon. COURTNEY HOUSSOS:** So the lights are on already?

**Ms ARGIRELLIS:** Yes.

**Mr JORDAN:** Yes. They have been on for 12 months—a long time.

**Ms ARGIRELLIS:** I have a video that I can also table if you like.

**The CHAIR:** Thank you very much for appearing before our inquiry, we appreciate it. Obviously there needs to be some efficiency between the construction companies and the Government to have a smooth pathway as to who you talk to to get positive results so you are not left up in the air, which is what seems to be happening. We are sorry that you are experiencing that discomfort; it should not be happening. We will now adjourn your evidence for further witnesses. If you have any questions on notice we will follow those up with the Government within the 21-day period. Thank you for coming and for airing your genuine grievances—we appreciate that.

**(The witnesses withdrew)**

**(Short adjournment)**

**AMELIA BIRCH**, The Book Kitchen, affirmed and examined

**ANGELA VITHOULKAS**, Vivo Cafe, sworn and examined

**MICHAEL NEUMAN**, Mondial Pink Diamond Atelier, affirmed and examined

**EMANUEL TZIRTZILAKIS**, Ouroboros Wholefoods Cafe, sworn and examined

**GREG TANNOS**, Optical Illusions, sworn and examined

**The CHAIR:** I welcome our next witnesses. We understand that some business owners may have received ex gratia payments due to the impacts of the central business district light rail. I ask witnesses to be cautious in disclosing details relating to legal proceedings that might be underway or details of such payments. Does anyone wish to make an opening statement?

**Mr TANNOS:** I am going to talk about one of the things that still stays in my mind. One of the first meetings we had with the business owners was at NIDA theatre in 2015. That was the first time we heard about light rail. That is the first time we found out about all the permanent blockages, the no right-hand turns, the damage it was going to cause to Kingsford and how much parking we were going to lose. One thing that does stay with me is Jeff Goodling, who was representing Transport for NSW. One of the things he did say to us when someone questioned him about overseas problems with the company and damage it caused to businesses, they said they had learnt from their mistakes and what they are going to do is work in stages, in and out, two or three months at a time with little disruption to businesses. Now I have had 2½ years so far in front of me.

He also did say to me, to the group, which is pretty disturbing, "As a group of businesses what you should be doing is getting together and approaching the bank to arrange a better rate of finance to put you through the difficult time you are going to face." This is what I am hearing the first time. That stayed with me pretty much forever. I knew from there it was always going to be downhill. I walked out of a place where I have got a business and it has been pretty successful and these people are telling me you are going to suffer—I know you are going to suffer—but get together as a group and organise a cheaper rate of finance to put you through this difficult time. That is pretty disturbing. Another person I want to mention is John Brady.

**The CHAIR:** Who gave you that advice?

**Mr TANNOS:** That was Jeff Goodling. I believe he was Canadian or American. He was trying to talk pretty talk about what this light rail was all going to be about.

**The CHAIR:** Who did he represent?

**Mr TANNOS:** I can see on this paper it is Transport for NSW. One other person who I really have to talk about is John Brady, also Transport for NSW. He was at a lot of these other meetings that we were to attend. He is a person that made me not want to attend any more of these meetings even though I was asked to by the chamber of commerce. My word for him is that he was a standover man. He was the one that put us all down—all of us. When we had big concerns, and there were big concerns with businesses at this stage as it was going on, he was the one that would always say things to shut us down every single time. You would walk out of the meeting angry and upset knowing that you got nowhere. They said the meetings were to listen to us, and they did not listen to us.

I can go on with lots of other things about the area of Kingsford, ripping up the footpath and the damage. I get depressed going to work all the time. I am on medication now. I started about a month ago. I did not want to do it, but I am at that stage. One other thing, a friend of mine that I have brought up a few times: He has been in Kingsford as long as me. He is a mechanic. He has lost a considerable part of his business. He has gone backwards. He is suffering from severe depression. I saw him today and said, "We have to catch up. Let's go out Friday for dinner. We have to talk about this." I know he has not been at work for a long time. He said, "If I'm still alive." I have told these people a few times this guy has talked about this quite a few times. This is just one example of what is happening around us.

**The CHAIR:** That man that you said was very unhelpful or aggressively unhelpful, what is his name?

**Mr TANNOS:** John Brady.

**The CHAIR:** Did he have a position?

**Mr TANNOS:** He was representing Transport for NSW. He always seemed to be the person in charge of the meeting.

**The CHAIR:** Was he the negotiator or something, was he?

**Ms VITHOULKAS:** He was head of communications for the project, for transport. He no longer works there.

**The CHAIR:** He no longer works for them?

**Ms VITHOULKAS:** Correct.

**The CHAIR:** Do you think he resigned or has been sacked?

**Ms VITHOULKAS:** No comment.

**The CHAIR:** He does not sound like he was a very successful negotiator.

**Ms VITHOULKAS:** He used to work for the NRL.

**The Hon. SHAYNE MALLARD:** Can I clarify the year?

**The CHAIR:** What year?

**Mr TANNOS:** 2015 and then going on to some of the meetings in 2016.

**The CHAIR:** Are there any other brief statements? I do not want to interrupt you because you will give your evidence in a moment.

**Mr TZIRTZILAKIS:** Thank you for giving me the opportunity to talk today. I have nothing written. I have not prepared anything. I would like to say that we are on the brink of financial ruin. We are in a strategic position where my business is. Unfortunately, because of that, there is a lot of work going on outside my cafe. The only way you can see that I operate a business there is by looking at the advertising on the awning. My business is surrounded by different noise-suppressing materials because there is a major pit in place, which has been opened several times over. We call it the Grand Canyon, such is the depth of that pit. Also, it is a major storage location for products and equipment outside my business.

It is heartbreaking to step out of your business and see all your former customers elsewhere, and I do not blame them. My wife and I, we had a dream. It is gone. I have gone back to my normal position as a logistics manager working at Port Botany now. We are in a position that, if it were not for Angela Vithoulkas and her staff with some rental support, we would have closed our doors a long time ago. We are heavily indebted. Banks will not give us money because of the fact that we are 70 per cent down. We have closed numerous days of operating because such is the pollution, both to the eye, to the ear, everything.

It is a circus. It really is a circus. I am not an engineer, so I cannot comment on the works that are happening there. However, the way it has been operated and run, you see numerous people just come and go, particularly engineers, come and go. It is one problem after the other, and it is so frustrating because we do what we can. We are patient. My oldest son has his Higher School Certificate [HSC] this year. It is causing such a strain that I do not think he will be able to perform to his full capacity because it is having a detrimental affect on the health and wellbeing of our family. I am borderline checking into a psychiatric facility, St John of God Burwood Hospital, because it is so depressing. I am looking at resigning from my career because of the fact that it is posing such stress, anxiety and depression on me that I am on every medication there is. I do not smoke. I do not drink. That is all I have to say.

**The CHAIR:** Thank you. The Committee appreciates you coming in today. Are there any other opening statements? We will ask you questions and you can make responses to the questions.

**Mr NEUMAN:** I would like to begin by acknowledging the traditional owners of the land on which we meet today, the Gadigal people of the Eora nation, and pay my respects to the elders past and present.

**The CHAIR:** I did do that at the beginning of the hearing.

**Mr NEUMAN:** I was not here then, sorry. We have a jewellery business in the Queen Victoria Building on the main George Street level. We have been established there for 25 years. I would like to make it as clear as possible to the Committee to try to visualise the traffic on George Street and how that has been affected since the beginning of the light rail. Businesses such as ours are used to the free flow of traffic, particularly from the quay up towards the centre of the city, and perhaps even further through. That has all been stopped. It is a real impediment to people, particularly tourists who come to our city, many of whom stay down at the quay, and businesses such as ourselves just see that lack of foot traffic. It makes it very difficult. We have seen a significant

downturn in our turnover during the period, and we keep going because we have a lease. We have a business we do not want to give up, but it makes it much more difficult to trade. I am happy to answer questions.

**Ms BIRCH:** Thank you for allowing me to have a voice here today. I am the owner of The Book Kitchen, ex-owner of The Book Kitchen, a restaurant in Surry Hills which was operating for 12 years. I owned it with my husband for the last eight years. We were a successful institution in Surry Hills. Cafes do not last 12 years if they are not. We served more than 1,000 customers every week. Our turnover was in excess of \$1 million. We employed 12 to 20 staff members at any one time. We were a major part of the business community and the local community and had a lot of ties all over.

The meeting, and Mr Tannos mentioned that we had a similar meeting in Surry Hills at the Medina Apartments in 2015 where Jeff Goodling, the project director at the time for Transport for NSW, told a very full room of business owners, probably 100 people were there, that we should go to Bali for six months during construction. I think all of our jaws dropped at that point. Firstly, due to the severe oversight of what a stupid comment like that means to a group of business owners—I do not need to go into that, I am sure. But also, incredibly, that he assumed that the project would take six months. There are so many layers of irony there. I was told two weeks prior to the works starting in front of me that the works were starting in front of me and that hoardings would be going up 2½ metres from my door. The hoardings are 2½ to three metres high, and nobody could see us from the street, from driving down Devonshire Street. My friends, people who are close to me, would say, "I drove past. Why are you closed?" I said, "We are not closed. You just cannot see that we are open." The first week that the hoardings went up, our revenue dropped 40 per cent—in the first week. At the time, I was told that we would lose all of our outdoor seating, which constituted approximately 35 per cent of our seating capacity, which is a huge amount of potential revenue to lose from a lack of space in a densely populated area.

We closed six weeks later. We called the liquidators and closed. Our landlords were not interested in working with us, as I had been trying to do constructively with them, and we were forced to liquidate our company six weeks later. After firing, sadly, 12 to 15 staff members after two weeks and my husband and I running the business ourselves we decided it was not in our interests and, frankly, we were trading insolvent. The project put us in an incredibly difficult financial and emotional position, which left us with no opportunity to recover any loss or damage. We moved in with my parents. I still live with them. My husband and I have now separated. It takes a toll, not just financially, not just physically, but emotionally and the wear and tear is—there are no words. You know what I am trying to say.

My husband has suffered depression from this. We bought this business with money that was given to him that he had invested wisely from his father who passed away when he was 13. There is a huge sentimental loss as well for him. Every single day someone stops me on the street, literally every single day, and says, "We miss you. What has happened?" This is so disgusting and disruptive and what was once a beautiful vibrant dynamic local community—I am talking about Surry Hills—is lost and will never be recovered. So the impact is not just on me, my staff, my suppliers, which are all vital in our economic ecosystem, but also to the local community who needs institutions like this in this day and age.

**The CHAIR:** Is it possible in round terms to state what your economic loss would be in total? Maybe you have not added it up?

**Ms BIRCH:** It is really difficult. It is difficult because it relies on data—it is up and down. I would say \$500,000.

**The CHAIR:** Thank you again for coming to our inquiry. I appreciate you sharing that and the human cost, not just financial cost.

**Ms VITHOULKAS:** I would like to make a statement, please. On 24 August 2018 my family business, Vivo Café, on the corner of King and George streets closed after 17 years. That is apparently the marker in which part of my light rail journey may or may not end, but it started some years ago. The perspective I want to bring here this morning is the fact that as a civic leader, a councillor with the city of Sydney, I was able to be involved with this project at a very early stage in multiple ways, not just as a business owner in the city, but as a councillor and as a resident in the city. I attended a lot of the official meetings that were handed out so generously by Transport for NSW, inviting all the major stakeholders in the city, the big end of town—all the major hotels, all the major groups, the major real estate players. In that room of probably 40 or 50 or so, at an inaugural meeting when they invited people from Acciona, their designers, engineers and architects from overseas to share the wonderful, wonderful pictures of all the other projects that they had all around the world, I was the lone business voice in the room.

I remember sitting in this room in this meeting that was hosted by Patricia Forsythe from the Sydney Business Chamber. It was supposed to bring all the stakeholders together to have the opportunity to let them know what we expected from the project. Many people were upset about when this project was going to start. It was chosen to start around Christmastime. In the retail world in the city, that is obviously a bad time to pick. Nevertheless, it went ahead. We also had the opportunity to ask the architect and the engineer some questions. I was the only person in the room who asked if he could explain to us what effect this project had on businesses everywhere else around the world. I asked him, "When you have started a project somewhere else and have gone into construction mode down very busy areas"—although please note that no major city around the world has had light rail as Sydney has down a major economic spine of its city—I was shocked by his answer. I said to him, "What effect does it have?" He said to me, "Disaster. It is disastrous for all the businesses around the light rail construction. They suffer for years. But eventually, eventually," he said, "things come good."

This was not my first experience on the disaster impact because I did my homework. I went to all the meetings, I asked all the questions. I flew up to the Gold Coast off my own bat to speak to businesses on the Gold Coast who had been through years of torture with light rail construction to ask them what their experiences were. This was before the project started. It was already discussed. The contracts were rushed and signed, but nothing had started as yet. I went to get all the evidence. Something, apparently, that Transport for NSW neglected to do. Those businesses, on average, 40 per cent closed and did not recover even when the light rail was finished. Many of them suffered complete and utter total losses. No compensation was offered them. They had some marketing activities, and it has gone down in the history of light rail as another disastrous project.

Now, our Government was meant to learn from all of these things. It was meant to be a lesson and they assured us that construction would not happen for anymore than six to nine months in any one section of the light rail. No business should put up with six or nine months of losses. I would ask the members of the Committee to consider that if you were not paid for six to nine months how you would feel. What would you feel when your government that is meant to take care of you and safeguard you says, "It should only take six to nine months. Do not worry if the impact is tough. There will be light at the end of the tunnel because it is short-term pain for long-term gain"? If you were not paid for six to nine months, what cold comfort would those words give you?

In my role as councillor, I was able to read all of the documentation, which I did. I was able to attend all of the meetings, which I did. While this project moved forward and construction started, on 4 October 2015 the traffic and the bus stops were taken away from George Street, and the death toll sounded. It all began in zones 4 and 5. Some 1,200 days later, it is still going on, so the six to nine months in any one zone was not just a lie, it was not just a miscalculation, it was not just poor management on the project. Even if you have only renovated a bathroom at home you know from the beginning how that project is going to go. We are talking about a billion-dollar project in the hands of a State Government and a global construction company which would have known pretty quickly a couple of months into the project that it was not going to be six to nine months in any one zone and yet, absolutely no mitigation was taken.

I asked for better barricades. I asked for better signage. I tried very hard from day one to do everything as a civil leader should—repeated meetings with stakeholders, repeated meetings with Transport for NSW, repeated meetings with Acciona and everything done in a very civil official way, not in the glare of media. The then transport Minister, Gladys Berejiklian, visited my shop on two occasions one-on-one to assure me and my family that this construction was not being taken lightly, to assure me and my family that they would do everything to mitigate for the businesses, but it would be such a great project that at the end would be fabulous.

On the second visit when she came to see me I voiced even more concern because I was not getting any information as to what was going to happen to mitigate. Marketing activities, and we are going to need more of that. Good signage, yes, but show me the signage. None of that was looked at. Instead when this project began and impacts were noted we were repeatedly told there would be absolutely no compensation and no mitigation. I did wear my official civic leader hat. I said, "Put up traffic cameras. Put up and document the foot traffic. Ask people for their financials before the project starts. Do everything the right way. Tick all the right boxes and give all these people hope that as a government you will be aware of what is going on." None of that was adhered to.

For years we were told there was no problem and I was driven to undertake a role that humiliated me and my family, only to give a voice to the thousands who have suffered by the impact of light rail at the expense of my family, my own family and that of my business. I started to fight louder and harder just to be heard. You have several business owners here in front of you but we are just a small sample of what we have gone through. I assure you when you close your business after 17 years you start taking out fridges, pack up all the glassware, your awards for Business of the Year, Outstanding Entrepreneur of the Year and Telstra Businesswoman of the Year. You pack them up in a box after 17 years when you have listened to government tell you that there is nothing and

it will all be fine at the end of the tunnel. When you listen to residents who put up with noise 24 hours a day, when you hear about families that have split, people who are about to check into a psychiatric institution or are on medication, or have been in business for a quarter of a century, we cannot fight a natural disaster called Transport for NSW that has written us off and put us in a garbage heap. That is the respect that the business community has found in Sydney. I am sorry to speak so strongly.

**The CHAIR:** I thank you for what you have been doing on behalf of the residents.

**The Hon. COURTNEY HOUSSOS:** I begin by thanking all of you for coming here today. The Committee can see the incredible toll that it has taken on you and on your families. The Committee really appreciates you coming to share your story which is of incredible value to the Committee. We can see that there is a broad range of businesses that are represented across the entire light rail route. We can see that you have suffered as a result of the light rail project, and that has been exacerbated by this Government's failure to support you as the project was delayed. Many of you have noted the effect this has had on your mental health. I ask all of you: Were you ever offered support from the New South Wales Government to address those concerns?

**Mr TANNOS:** At a much later stage. I think it was the meeting we had here, was it not, with the Minister for transport at the time.

**The Hon. COURTNEY HOUSSOS:** When was that?

**Mr TANNOS:** A few months ago.

**The Hon. COURTNEY HOUSSOS:** This year?

**Mr TANNOS:** This year, yes, when they said that they were going to look into better ways of compensation. I think it was rental assistance and also we can look at mental health, take that into consideration. Take into consideration accounting fees—words. Words do not help you.

**The Hon. COURTNEY HOUSSOS:** Have you seen any of that support?

**Mr TANNOS:** It is up to me to go. They are not telling me to go to someone. It is just me to go and for myself to pay. I have tried to put it off for a long time but it does affect me. I see people around me who are affected worse. I thought I would be a lot stronger for it, but it does—I have trouble sleeping. I have a twitch that I get sometimes, sitting in the car, a twitch because there are things in your head and you just sort of ...

**The Hon. COURTNEY HOUSSOS:** Mr Tzirtzilakis, I am sorry to hear you were on the verge of checking into a psychiatric hospital. Would you like to share your experiences with us? Have you been offered support from the New South Wales Government?

**Mr TZIRTZILAKIS:** Two weeks ago this Friday I rang Angela to speak to the transport Minister to come and visit my business to see for himself the damage. By me telling you the consequences of light rail you will not believe it unless you come and see it. I had two people come as representatives. Michelle and Damien Ottaviano came to speak to me. Michelle said, "We can look into maybe getting you some psychological help." I said, "Look, I think it is best if we stay with my medical professionals. They have got my history and what I have been going through." Other than that, as Mr Tannos said, we were offered our accounting fees to be reimbursed but other than that is all we have been offered.

**The Hon. COURTNEY HOUSSOS:** Mr Neuman, you have not expressed any concerns about that?

**Mr NEUMAN:** I have not expressed any psychological impact.

**Ms VITHOULKAS:** Just anger.

**The Hon. COURTNEY HOUSSOS:** Councillor Vithoulkas?

**Ms VITHOULKAS:** No, I have not sought any professional help. It is very difficult when you are in a family business and you have many hats to wear and supporting a lot of other people to even begin to allow myself, I thought, the luxury of breaking down. Since closing the business I have curled up in a foetal position at various times of the day trying to cope with it. I am very lucky that we have all been a great source of support to each other. It is a rare group of virus that we all suffer from and unfortunately we completely understand each other. It is the single most humiliating time that any of us have ever gone through to achieve the level of failure that we all feel in our professional lives. It cannot be calculated or communicated adequately.

**The Hon. COURTNEY HOUSSOS:** Why do you feel a level of failure?

**Ms VITHOULKAS:** I am a fighter.



**The Hon. COURTNEY HOUSSOS:** We can see that.

**Ms VITHOULKAS:** Anyone who knows me knows I do not give up. When this was coming up with light rail my brother and I sat down and we said, "There will be construction. How are we going to deal with this?" This is back in 2015. "We're not just going to let this all happen. What are we going to do?" We changed our business model. We spent almost \$100,000 on a capital investment on the outside of our store. Some of you may not know where the Vivo Cafe was. It is a dead carcass skeleton at the moment. We had a huge outdoor area. We spent money to put in a garden to make it look beautiful because we assumed that, with the construction route on George Street that it would look like a haven; somewhere for people to get away and something inviting on George Street.

We did not just roll over and let it happen. We did everything in our professional capacity, 30 years as business owners in the CBD. I mean, I won Business of the Year. I beat the hub of BridgeClimb and Greater Union Cinemas and 9,000 other entrants. I know how to run a business. That should never have been in question. I did everything within my arsenal to fight what was coming and I could not overcome it. That is my failure that professionally, after 30 years of being the main earner in my family, I am now not. I have never been unemployed and now I am.

**The Hon. COURTNEY HOUSSOS:** Councillor Vithoulkas, I do not think anyone would see you as a failure. That may be what other panel members are feeling but it is certainly not the way you should view yourselves. This has been an external set of circumstances foisted on you and there is no doubt that the way that you have all coped has been incredibly admirable. I thank you for providing your positions today. Ms Birch, I just wanted to ask you again about mental health. You talked about your husband and the effect that it has had on him. Were either of you ever offered any support?

**Ms BIRCH:** No. I think that unfortunately there is still a level of stigma around mental health in Australia, and especially in our society. I think that is what stops a lot of people from seeking professional help when they should be, possibly pre-emptively. I have been seeing a psychologist since we left, so it is 18 months now, regularly, because I struggle, like Angela Vithoulkas, with feeling like a failure, with feeling like I am not the person that I should be or could be. It is about identity and about having achieved and reached one's potential and then being stripped of that ability again. It has made me a stronger person for it, for which I am glad, yet I would not wish this on anybody because it is demoralising. The same way that Angela feels, I feel.

**The Hon. COURTNEY HOUSSOS:** We can see the devastating effects that it has had upon all of you. Again, I thank you for sharing that today. I just have one more question before I pass to my colleague. We have very limited time, so I am sorry I have to rush this a little bit. We heard from Transport for NSW. They tried to tell us that foot traffic had actually increased around George Street after the project. I am happy if anyone of you—

**Ms BIRCH:** As compared with before it started or during construction?

**The Hon. COURTNEY HOUSSOS:** That is right.

**The Hon. TREVOR KHAN:** This was with regard to George Street. Make it quite clear.

**The Hon. COURTNEY HOUSSOS:** This was George Street during construction.

**Mr NEUMAN:** We are witnesses day in, day out to the diminution of foot traffic. I do not know where they are getting their figures, how they are counting them. It could be they are counting the people in high-vis and helmets who are working on the project. I am not here to be cynical, but I cannot see it at all on either side because our building, QVB, is bordered by York Street and George Street. There certainly has not been any visible increase to my knowledge and I have been there for a long time.

**Ms VITHOULKAS:** I asked about that comment some time ago because this was brought up at some of the business reference group meetings. I said, "How are you calculating the foot traffic being up on George Street?" I was told that the public toilets in the QVB have seen an increase in traffic and that is what they are basing their numbers on. Every time that toilet door swings open in the QVB it is a click and that is one of the ways that they have calculated the increase in foot traffic on George Street, because they are busy dummies. The other way is that they are isolated counting. Along with council, there are two counts a year. They are done at a set time. It is an isolated event and then they just make that assumption. I am assuming that there was a count at some point on a corner.

I asked more probing questions, "Exactly where were you standing when this was done", because I know how that approach is when council does counts, "Was it at lunchtime? Was it in a particular peak time? Were you standing out the front of a station?" That is how they calculated the supposed increase of foot traffic on George

Street. I have only had a business on George Street for 17 years. I bear witness to the every single day of it and it did not increase because my business was going down every single day. According to the Australian Bureau of Statistics and their numbers, I was on the corner of an intersection where there were 40,000 to 50,000 people crossing that intersection per hour in peak time morning and afternoon and that vanished. So I would question that data and those numbers.

**Ms BIRCH:** Can I add to that quickly, because I think it is a really theoretical thing to measure, foot traffic. Are all of those people frequenting businesses more? Are they going in? Are they spending more? Is that being measured? Because that is actually what we are talking about here. We are not talking about people who are walking past because they cannot get through somewhere else. We are talking about whether they are actually creating to the economic viability of the area.

**Mr NEUMAN:** It is counterintuitive because people have been avoiding the city like a plague since George Street has been effectively closed. There is no way it can be real.

**The Hon. GREG DONNELLY:** At the last hearing with government representatives I asked the NSW Small Business Commissioner a series of questions about her role, when she commenced her role, what it involved and a whole range of related matters. From your point of view, were you aware that there was a person in the position of the NSW Small Business Commissioner who had a primary role, as we understand it, in working with and liaising with small business over matters light rail? If the answer is yes, can you please describe your experience in dealing with the Small Business Commissioner?

**Ms VITHOULKAS:** I might take that one, if that is okay. Thank you very much. As I mentioned earlier in my opening statement, I did go through all the correct processes as a civic leader to highlight what was going on with light rail and my first port of call was the Small Business Commissioner. I did sit down and have several meetings with her. One meeting in particular was with the Small Business Commissioner and Coordinator General Marg Prendergast and highlighting some of our concerns. I eventually did convince the Small Business Commissioner to host a meeting and gather all the small businesses together and hear their stories because consistently in the media we were being told that no-one was complaining, that it was only just me complaining. I did ask for a meeting to be hosted in her offices and for her to run the meeting.

**The Hon. GREG DONNELLY:** Who was saying to you, "You're the only one complaining"?

**Ms VITHOULKAS:** Minister Constance has said that to me several times and he had said that in media comments specifically mentioning my name. I asked the Small Business Commissioner to host a meeting. She did. We put out two meetings. One was a Monday morning at 7.30 and one was for a Tuesday afternoon at 5.30 or 6.00. The first meeting was held. There was standing room only in the Small Business Commissioner's offices. More than, I think, 80 small businesses communicated their story. Transport for NSW was represented there. Unfortunately, the small business owners got very heated, made lots of comments. Transport for NSW was incredibly uncomfortable at that meeting. The next day, Tuesday, at about 10.00 in the morning—

**The Hon. GREG DONNELLY:** With respect to the comments, what were they so offended about? Was it the way in which it was said or specific points that were being raised? Why was offence taken?

**Ms VITHOULKAS:** The small businesses were asking Transport about what they were going to do about the construction that was happening around their business, that they were losing business, that there was dust, that there was noise, what were they going to do about it. Transport consistently told these small businesses, "Well, this is just part of the project and we understand what you're going through but there is nothing that we can do." That was not well received by the small businesses. At about 10.00 the next day, on Tuesday morning, the Small Business Commissioner visited my business, Vivo, to tell me that that night's meeting had been cancelled in her offices.

**The Hon. GREG DONNELLY:** There was a second meeting scheduled?

**Ms VITHOULKAS:** Yes, I did one in the morning and one in the afternoon for the businesses to have the opportunity to come at whichever time suited them. She said that meeting would be cancelled. I said why and she said the Minister did not want a meeting in public space for a bunch of small businesses to come together and have a go at Transport. So the meeting was cancelled without notice to small businesses.

**The Hon. GREG DONNELLY:** She said that the Minister had instructed her—

**Ms VITHOULKAS:** The Minister had instructed her, yes.

**The Hon. GREG DONNELLY:** —to cancel the meeting because basically he did not want the bad publicity?

**Ms VITHOULKAS:** The negative feedback from the small businesses. There was no publicity. I would just like to say again that I did approach this in a very low-key way. I did not invite media. It was not a circus. It was a closed room. These small businesses were just coming together to communicate with the Small Business Commissioner, who is there as an advocate for small business. I was handing it over. I was not there to be the media spokesperson for light rail. When she told me the meeting was cancelled of course I became upset. I said, "Well, how am I supposed to get a hold of these people who are expecting to have the opportunity to communicate with you and have you fight for them?" She said, "Why don't you have it in your shop?"

I said, "Fine". We planted people outside the MLC Centre to redirect traffic. We did have the meeting at the store. More than 100 businesses came that night as well; it was a full house. Again more stories were recorded of these small businesses and what they were going through. It is my understanding that of the 100 or so stories that were recorded over the two days none were presented to the Minister so the saga continued for quite some time that no-one was complaining, just me.

**The Hon. COURTNEY HOUSSOS:** Why do you say that none of them was communicated?

**Ms VITHOULKAS:** The evidence of that is that there was a freedom of information, a Government Information (Public Access) Act [GIPA] request put in and it was obvious that the Small Business Commissioner had not forwarded any of the information to the Minister's office stating, "Here are all the stories of these small businesses and what they were going through".

**The Hon. COURTNEY HOUSSOS:** Were they the same 100 businesses at each meeting?

**Ms VITHOULKAS:** No.

**The Hon. COURTNEY HOUSSOS:** So two separate meetings and two separate lots of people?

**Ms VITHOULKAS:** Yes.

**Ms CATE FAEHRMANN:** I just missed the date of that meeting.

**Ms VITHOULKAS:** They were in 2017, in June.

**The Hon. GREG DONNELLY:** May I pose this question: We have a group of people here today, a representative group of small business men and business women impacted in a most grievous way by this project. I am trying to grasp the number of small businesses along the rail alignment from Circular Quay to Kensington to Randwick. How does one grasp the size of that in terms of the numbers of small businesses impacted? I find it very hard to comprehend what that might be and I cannot seem to get any guidance. When I probed the Small Business Commissioner when she was giving evidence about maintaining records of people, it always seems to be a little vague. Is there any idea or do you think there is any way in which there can be a discernment or a way of working out how many, even approximately, small businesses might be impacted?

**Ms VITHOULKAS:** From impact we know—and excuse me when I say "we know" because this has been my full-time job for the last few years of collating the data in speaking to all the businesses, something I expected other government departments to do—there are 1,500 small businesses documented, according to Transport for NSW information, that are directly on the light rail route. What that does not take into account are the businesses that are upstairs on the light rail route or the businesses in the streets surrounding the light rail route. We know from the businesses that have been affected by the impact of light rail that they are also upstairs, that they are also inside buildings, that they are also downstairs, they are very much parallel to any of the light rail construction zones—

**The Hon. GREG DONNELLY:** So this could be dentists, lawyers, counsellors and people like that?

**Ms VITHOULKAS:** Correct.

**The Hon. GREG DONNELLY:** When things are closed off it affects all the local economies much more than just who is in front of the light rail construction. It has a flow-on effect so you are quite correct in saying it is very difficult to grasp the concept of how many businesses are impacted and affected because the criteria as set out by Transport the NSW is unless you are exactly in front of it you are not impacted.

**The Hon. GREG DONNELLY:** That is Mr Neuman's issue, is it not? I will jump to Mr Neuman, if you do not mind, because I thought it was excruciating evidence in your statement about the discussion you had to have over the definition of being adjacent to it. Dealing with Transport for NSW in submitting the figures to Ernst and Young, you said, "We later received notification that our claim had been rejected for the following reason: '... specifically that your place of business is not situated along the alignment and in close proximity to and impacted by construction activity.'"

**Mr NEUMAN:** Yes.

**The Hon. GREG DONNELLY:** What was your response when you received that?

**Mr NEUMAN:** I think you have a copy of what I said. Well, I had no response. My response was giving this submission. It is laughable to think that you can have a business in the Queen Victoria Building whose address is 455 George Street, and have the light rail construction going along George Street right in front of the Queen Victoria Building, and for them to suggest that our business is not adjacent to it—it just does not make sense. Not only that, people come up George Street, when they could come up George Street and flow through and around, as Ms Vithoulkas pointed out, it is not just immediately in front. I think what they were trying to get at is if you are not on the footpath—

**The Hon. GREG DONNELLY:** Or you have your doors open to the public on George Street?

**Mr NEUMAN:** That is right. I think that is what they were using as a criteria.

**Ms VITHOULKAS:** That is their definition.

**Mr NEUMAN:** Yes.

**The CHAIR:** We will move on to The Greens.

**Ms CATE FAEHRMANN:** Mr Neuman, back to your response. Are you comfortable quantifying your drop in turnover? I do not think it has been quantified here but are you comfortable doing that for the Committee? It is okay if you are not?

**Mr NEUMAN:** I would rather not.

**Ms CATE FAEHRMANN:** Sure. That is fine.

**Mr NEUMAN:** Percentage-wise it is over 40 per cent.

**The Hon. TREVOR KHAN:** You can take it on notice.

**Ms CATE FAEHRMANN:** If you are not comfortable doing it; we have had a lot of businesses obviously that have but—

**The Hon. MATTHEW MASON-COX:** As a percentage it is around 40 per cent, is that what you are saying?

**Mr NEUMAN:** Yes, around about 40 per cent.

**Ms CATE FAEHRMANN:** Okay, sorry, I missed that at the beginning. Thank you. Ms Birch, thank you for your compelling testimony. In the six weeks between when the light rail commenced and essentially you shut your business, what communication did you have with Transport for NSW and/or Acciona during that time?

**Ms BIRCH:** Very little and it was very specific about ins and outs. There was no talk of impact or mitigation at all. I remember vividly a conversation with a member of Transport for NSW about signage because we did not get our signs for five weeks after the project started. They were run-of-the-mill squares with the words "The Book Kitchen" and a sweet picture of a coffee cup behind it—no branding. They did not show up for five weeks and at that point they were placed on the inside of the hoarding not the outside because in one zone a sign had fallen off and hit someone and so that then gets applied to everywhere else.

**Ms CATE FAEHRMANN:** Did you communicate with Transport for NSW that your business was going to close as result of the light rail construction?

**Ms BIRCH:** Yes.

**Ms CATE FAEHRMANN:** Who did you speak to?

**Ms BIRCH:** I spoke to John Brady at the time. We changed our whole business model. We changed it when we heard the project was starting and then we changed it again.

**Ms CATE FAEHRMANN:** What does that mean? Is that reducing staff, reducing hours?

**Ms BIRCH:** No. We changed the model. We moved to a more night-time focused operation in 2016.

**The Hon. TREVOR KHAN:** And that was before?

**Ms BIRCH:** That was before. That was prior to construction starting at large capital expenditure. We then changed it again when we realised we would be losing our outside seating. That was quite important for us because we were on a side of the road that people wanted to sit at. The sun was there in the morning in winter. It was part of our identity. We changed the business model in order to stay alive. That involved reducing our staff. That is putting it nicely, isn't it? We rented our kitchen out and we rented our seating space out as a co-working space. I spoke to John Brady and said, "Hey. I've got a really good idea because we're not going to survive this unless we all work together. How about Transport for NSW pays for 100 co-working spaces in The Book Kitchen for all of your contractors?" It was a suggestion.

**The Hon. TREVOR KHAN:** What does that mean? What is a co-working space?

**Ms BIRCH:** It is where freelancers and small-business operators who do not need to be tied to a desk can move intermittently with all of the spoils of business needs—with wi-fi, printing, a blackboard and a like-minded business community to surround themselves with.

**The Hon. GREG DONNELLY:** And nice coffee?

**Ms BIRCH:** And nice coffee, that is right.

**Ms CATE FAEHRMANN:** I assume they did not take that up?

**Ms BIRCH:** He totally fobbed that off.

**Ms CATE FAEHRMANN:** What about the businesses around you on Devonshire Street? How close are you to Mr Tzirtzilakis, to Ms Birch?

**Ms BIRCH:** We are about 200 metres, I would say.

**Mr TZIRTZILAKIS:** Two hundred to 250; something like that.

**Ms BIRCH:** The opposite end of Devonshire Street.

**Ms CATE FAEHRMANN:** So the businesses immediately around you, Ms Birch—

**The Hon. TREVOR KHAN:** So you are at the top end, are you?

**Ms BIRCH:** Bourke Street.

**Ms CATE FAEHRMANN:** —I assume were experiencing similar impacts?

**Ms BIRCH:** We were in a unique situation: firstly, because of the nature of our business; secondly, because there was no-one around us—we had the Bourke Street Bakery across from us, and then adjacent to them is a warehouse-style building with offices and the Q Store building and Salmon Bros. So we were isolated, definitely. Also, the style of business operation that we had was reliant on people wanting to enjoy the immediate surroundings and not having dust and noise in their face.

**Ms VITHOULKAS:** If I could just add, because I have spoken and consistently speak to so many businesses—I cannot name names, but those businesses around her did get affected; they just did not want to publicly come out because saving your business reputation is sometimes all you have got left.

**Ms CATE FAEHRMANN:** I am also interested in knowing exactly when, if you can remember, the first time you were informed that significant delays would occur? Was it during the first, say, nine months? Some of you I know in each zone were given six months, seven months, eight months, whatever. Were you told within that time frame that there were going to be delays beyond that? Can I start with you, Mr Tannos?

**Mr TANNOS:** No, never told. I remember quite a few times complaining just about the barriers from my shop going all the way down for a few hundred metres just being used as a dumping ground, no construction work, and that lasted for eight, nine, 10 months. Nothing had started, it was just a drive in, drop off, just materials dumping. I tried to talk to these people—I think John Brody at one of the meetings—and that got ignored; I sent a few emails out to, I cannot even think of the person it was, that got ignored; and then it got to the stage where I was sending emails to media to say, "Look, can you please listen to us? This is what is happening here." I have just got a dumping ground basically in Kingsford with no work starting and here I am being told, "We are going to be in and out for a few months at a time. There are stages in it, for the first eight, nine, 10 months." It is just that nobody said to me there are going to be delays on anything.

All of us knew what was happening, all of us knew there were delays going all the way through it, but it only really got mentioned, I think, when Angela started finally getting us all heard. I just thought, "Thankfully

someone is finally listening to us." That was really the first time because they had to say something then because the media attention was coming there and all of a sudden they are saying, "Yes, we know there is trouble with it." That was really the first admission.

**Ms CATE FAEHRMANN:** It was more around mid-2017, which is when you had your meeting, Councillor.

**Mr TANNOS:** Yes. We all knew it was going on, we all knew there were delays, we all knew there was a problem.

**Ms VITHOULKAS:** Two years into the project there was official media acknowledgement that there were some zones experiencing some delays, I believe was the way it was put, and then eventually with the criteria of the small business assistance, the clarification was that those small businesses who had experienced delays—not impact, delays—would be eligible for small business assistance.

**Ms CATE FAEHRMANN:** So formal requests for compensation before that time, before mid-June 2017, back to you, Ms Birch, in terms of compensation, did you formally approach Transport for NSW in any way in relation to compensation for your closed business?

**Ms BIRCH:** Not at that stage formally, not because we did not want to, it was because there was not an avenue to be heard at that point.

**Ms VITHOULKAS:** They were adamant that there would be no compensation.

**Ms BIRCH:** That is what we had heard.

**Ms CATE FAEHRMANN:** Can I just finish that question with the other witnesses, just to hear particularly before June, July 2017 whether there were any requests from any of the businesses for compensation before it hit the media in a big way?

**Mr TZIRTZILAKIS:** I had known Angela around that time and I had approached Angela and Transport for NSW, which I think was situated across the road from the book cafe—I think that is where their office was, and still is—and they told us there was no compensation whatsoever.

**Ms CATE FAEHRMANN:** You did request it?

**Mr TZIRTZILAKIS:** Yes, I did.

**Mr NEUMAN:** We did not request anything until we heard through Angela. I have to say at this point, so it gets said, that Angela has done an amazing job because at some point in time after the road had been cut off and the bus routes had been taken away and so on we had been experiencing this downgrade in business and foot traffic and turnover. I got an email at some stage from Angela saying, "Do you have problems with the light rail?" or words to that effect, and I emailed her back and I did not have a response within a week and then I sent her off a nasty email saying, "You typical politician," blah, blah, blah, and she got on the phone to me straightaway and said, "No, I'm not," and that was the start of learning a little bit more about what the possibilities were. But we were not aware of any possibility for compensation.

**Ms VITHOULKAS:** At each business reference group meeting, because I was the small business representative on that business reference group, I constantly asked for compensation. It will not be reflected in the minutes because the minutes are not detailed. I was constantly being told by the business reference group, Transport for NSW representatives and the chair that I was disruptive, that I was asking for things that were beyond the scope, that how dare I, there is nothing wrong, the construction project was going along great. At every business reference group meeting that I attended over the years it has only been the last two where Acciona has been thrown under a bus and blamed for everything that is going on. In the first years of the meetings it was a "we", and then suddenly it was a "them". I constantly asked—in fact, I made a note when we first started that at the business reference group meetings when I brought up the issue of compensation for the small businesses I was told that "Yes, we expect some of these businesses to close. We expect that, don't worry. Others will open."

**The Hon. COURTNEY HOUSSOS:** Can you explain what the business reference group is?

**Ms VITHOULKAS:** There were two groups set up: one is the community representative groups where they have asked people from different communities around the light rail route that are residents to represent themselves, and then there is Transport for NSW as part of their—

**Ms BIRCH:** Consultation process.

**Ms VITHOULKAS:** Yes, consultation—we use that word lightly—and the DA conditions required these committees to be set up. They are supposed to be forums where we can have our voices heard. The business reference group is made up of the big stakeholders and, of course, the token small business owner in this. The big stakeholders were always too scared to speak in case they were misrepresented or their associations or their organisations. I would say shame on them for never having the guts to speak up and represent the members that they supposedly represent. I was never shy about speaking up because I was scared and I did represent small businesses and we were not getting anywhere, and they said to me, "Sure, some of the shops will close but others will open after." So I guess others will open after.

**The CHAIR:** Thank you again for participating in the inquiry. Just following up that point of yours, when they say businesses would close, obviously the question then was: what compensation do they get? They have just lost their livelihood and apparently there was no provision for compensation.

**Ms VITHOULKAS:** We were always told categorically that compensation would never be entertained. In my early meetings with the Minister I did say that there should be some groundwork put in, a cap of some kind, and the ability for us to report and put forward evidence of what we were suffering. Anyway, all of that was ignored. When you sit across from people, when you sit across from a small business owner in Devonshire Street—and I am not going to use George Street as an example, we are apparently big fish; let us use the true small businesses—when you sit across from an owner with his pregnant wife next to him and they say to you, "I can't feed my family anymore. I am ashamed as a man that I cannot feed my family and I have a baby coming," and you look at them and I say, "What can I do to help you?" They say, "I'm losing my business. I can't open my shop anymore and the Government says no compensation. What can you do to help me?" That is what has motivated two years of my life—to help those people.

Fast forward to two weeks ago when my brother held his newborn baby son in his hands a month after we closed our business, and he looked at me and said, "How do I feed my family?" So I would say that had compensation, true compensation, been available to these small businesses—who we acknowledge are the backbone of this economy and the engine room of New South Wales—before we were in dire straits, some of us may have survived.

Those who have survived would not be in debt that they can never get out of, would have been able to keep staff employed and would have been able to pay their rent and their mortgages. This is not just a matter of revenue downturns; these are businesses who have had to draw down on mortgages, find money from friends, put stuff on credit cards they never thought they would do, beg, borrow and steal funds just to turn the lights on and the key of a business because they are committed to years of a lease that they cannot get out of. These people have had their backs up against a wall about to jump off a cliff. That is the world we have lived in and been told categorically for years there will be no compensation. We have been forced to seek other avenues. This was not what we wanted. We wanted a sensible good approach so we would still be here after construction.

**Ms BIRCH:** May I add to that and say that we as a small business community are small business owners and operators. We are not politicians, we are not lawyers, accountants; we are a barista, a chef, a jeweller, a waitress. We have been lucky to have Angela because she knows the other side. We could not be here today potentially because of the fact that up until this point we are a disparate community of people struggling to just do our jobs, just pay our bills. We do not have the time, energy, the ability even to know where to go, what to do, who to fight. We want to believe the lies, because why would we not? We are operating our own businesses to an exemplary standard, as we are held to account for by the government. A lot of people have expressed thanks to Angela but we are lucky to have her because it has allowed us to get this far.

**Mr NEUMAN:** To give us a voice.

**Mr TANNOS:** Yes.

**Ms BIRCH:** Apologies.

**The Hon. COURTNEY HOUSSOS:** Do not apologise.

**The CHAIR:** Some of you made the comment that the Minister often questioned how much damage has been done to the businesses, but apparently he never attended any of those meetings?

**Ms VITHOULKAS:** That is correct. He was invited and he never attended.

**The CHAIR:** You are certain of that: You were there and you never, ever saw him?

**Ms VITHOULKAS:** Correct.

**The CHAIR:** It must have been disappointing that he was giving his version which did not fit the facts as you knew them.

**Ms VITHOULKAS:** None of us here are anarchists in any way. We are your typical small business owner and we genuinely reached out time and time again for help from government and, being in government myself, even if it is only local, I have a deep and profound respect for government and the government process, and I still will. What I question is when there is a true problem, and here there is a true problem—whether it is the construction process falling apart, whether it is poor management, whichever way you look at it there is a problem. Surely what we are questioning is: What would it have cost the government to help? What would it have cost the government to set a good leadership standard? This is not private enterprise where you have road developers going crazy, which I experience in council all the time with complete disregard for small business—this is our Government, sir.

Surely helping us should not be a matter of ego. And that is what it came down to. There was this bravado and ego coming out in the media all the time from Government: There is not a problem. Sure, there might be one or two. We expect a bit of delay. We know there is a couple of problems. Short-term pain; long-term gain. This was what we were being fed as an economic community who supports the viability of everyone around us, employs people, keeps our stakeholders in business and we were told, no. Denial, sir, that there existed impact on our business. Then there was a small concession that some of you might be impacted from the delay. From day one we have been impacted. From day one we have communicated. From day one we reached out and begged, begged for help. We have been humiliated. We have been demeaned. We have been abandoned and ignored but we have not given up.

**Mr NEUMAN:** Keep in mind, with respect, this is not a project that any of us asked for. This is something that was delivered to us without our wishes. We were all going about our business trying to do business, feed our families, do the thing we know what we are doing.

**The CHAIR:** Was there a survey of "Do you want a light rail?"

**Mr NEUMAN:** No.

**Ms VITHOULKAS:** No, sir, they monkey came. No. We are business owners who are used to facing adversity in our businesses and when you do hit a challenge or a wall you sit down and you plan through it. Perhaps if there had been more small business owners involved in the construction project it might have happened faster.

**Ms BIRCH:** It would have been done already.

**Ms VITHOULKAS:** And there would be mitigation. Yes, because we work around the clock. So, when I was asking initially when so much funds were directed to the communications part of this project and the communications team and I said, "Why is not some of that funds directed to compensation for small businesses?" Marketing, true marketing projects that would help us. Matching grants, just as local government does, where we would have had ideas to help our own business, where we could collaborate with government. There was no consultation on that, no sitting down with us to say, "How can we help you?" We know what our businesses needed. We were never asked, but we were told there was nothing wrong.

**The CHAIR:** While you are speaking I keep comparing your situation with the farmers in the drought and the rapid response that has been accruing there. Maybe still not adequate.

**Ms VITHOULKAS:** You are right, had there been a rapid response we would not have suffered to this degree, because part of the government criteria is defining loss. For us as small business owners it is thousands of days where your revenue has dropped anywhere—and I know the data—between 10- and 90 per cent from day one. You drop 10 per cent and you are insolvent; you drop 20 or 30 and you are living on a wing and a prayer; you drop 50, 60 or 70 per cent and God only knows how you are opening your door every day. Regardless of the uplift of this project we will never get that back.

**The CHAIR:** Thank you again for coming and giving us evidence because you were and I hope you will still be the heart and soul of Sydney, to keep the city of Sydney alive and of benefit to all the people who live in Sydney. Thank you for sharing your story. We hope through our inquiry we can bring justice and fairness even at this late stage.

**The Hon. TREVOR KHAN:** Mr Neuman, do you know if foot traffic figures are done for the Queen Victoria Building?



**Mr NEUMAN:** I am aware that occasionally when there is a certain promotion going on in the QVB you see people with clickers at either Market Street end or the Druitt Street end. Typically that happens sometimes around Christmas.

**The Hon. TREVOR KHAN:** It is a common approach in terms of the large landlords in shopping centres and the like that they do traffic figures for their various enterprises.

**Mr NEUMAN:** Yes.

**The Hon. TREVOR KHAN:** In terms of the QVB building, in terms of getting effective traffic figures you are not only looking at both ends of the QVB building, although there are other entries along the way, you have entry from the basement from Town Hall Station, is that right?

**Mr NEUMAN:** Exactly, that is right. I do not normally go down there, unless I catch a train or something.

**The Hon. TREVOR KHAN:** It is a unique building in terms of the number of entrances.

**Ms VITHOULKAS:** Where you can avoid George Street altogether and go underneath.

**The Hon. TREVOR KHAN:** I am not suggesting that. If I go to the QVB I wind my way through the city underground sometimes.

**Ms VITHOULKAS:** Correct.

**The Hon. TREVOR KHAN:** I get very lost.

**Ms VITHOULKAS:** And that is how you avoid construction.

**The Hon. TREVOR KHAN:** Sure. One of the things that interests me is that if the Transport for NSW figures are correct in terms of foot traffic, could it be that your store is affected because of the nature of the foot traffic that is occurring in George Street, that you are not getting the tourist traffic that you were previously getting?

**Mr NEUMAN:** No, I would not think so. I think what Ms Vithoulkas was perhaps alluding to is if somebody is claiming there is an increase in foot traffic, it is possibly because more people are forced down through the QVB, through the nether regions of the QVB, in order to try to avoid the construction. But no, in terms of traffic to our store, which translates to business, that has obviously been impacted by people not wanting to come into our part of the city, the guts of the city, because it is so difficult to find parking, it is so difficult. Bus routes were just cancelled or redirected. In my business in particular, let us say, a significant portion of our business is from either international or interstate travellers.

**The Hon. TREVOR KHAN:** You remember, I asked you about the nature of the foot traffic.

**Mr NEUMAN:** A lot of those type of people tend to stay down at The Rocks end or quay end of town. Once upon a time they would have just caught a cab up, or they would have perhaps walked up, or they would have caught a bus up. Those things are far more difficult. You cannot catch a bus up, obviously. You cannot catch a cab up. You could theoretically walk up if you wanted to zigzag between the construction.

**The Hon. TREVOR KHAN:** We are not at odds, Mr Neuman, in that regard.

**Mr NEUMAN:** No, I am trying to answer your question. Those are the type of people who are not coming through.

**The Hon. TREVOR KHAN:** Ms Birch, do I take it that the time you closed your business coincided with the capacity to terminate your lease?

**Ms BIRCH:** It did not. I had \$100,000 liability that I had to walk away from.

**The Hon. TREVOR KHAN:** You had to continue to pay for it?

**Ms BIRCH:** No, I liquidated in order to keep my head above water.

**The Hon. TREVOR KHAN:** I will not ask personal details beyond that. I wondered if the timing of it related to a drop in business—

**Ms BIRCH:** It did not.

**The Hon. TREVOR KHAN:** —and the end of your lease?

**Ms BIRCH:** It came because our landlord was tempted, considering terminating our lease due to us being two weeks late in our rent, for the first time in eight years.

**The Hon. TREVOR KHAN:** That was the trigger for you?

**Ms BIRCH:** Yes.

**The Hon. TREVOR KHAN:** Again, I am not being critical.

**Ms BIRCH:** No, I am not sensing that.

**Mr TANNOS:** Before we finish, can I—

**The Hon. TREVOR KHAN:** We are far from finished.

**Mr TANNOS:** I am at the other side of this, the Kingsford side. Has anybody walked around the streets of Kingsford?

**The Hon. TREVOR KHAN:** Yes, I have.

**Mr TANNOS:** You have walked the footpaths?

**The Hon. TREVOR KHAN:** Yes.

**Mr TANNOS:** You have seen the footpaths? I do not understand—and I brought this up quite a few times. I am losing a lot of my older patients who used to travel to get there—difficult to find access into streets, difficult to walk the footpaths. I survive with the students because they live in the area, with contact lenses and whatever. I survive with that. It used to be a paver would be lifted, and the council would have liability. They would go and fix that paver. Who is responsible for the mess now? I was told three to four months—the footpaths, going to work on that. That is six months. It has to be at least another year to go, from what I can see of it. It is just digging up, patching up holes in the place, holes tilted, tilted into the road, dips, every part of it. You have seen that, is that right?

**The Hon. TREVOR KHAN:** Yes.

**Mr TANNOS:** That is good, because that is what I always say to someone, "Can you please just come and walk the streets, just walk? Go through the area and just walk."

**The Hon. TREVOR KHAN:** Can I assure you of this: I do not walk down your end, but when I go to university, I walk back from the University of New South Wales into town, because I am crazy and old. I have seen the footpaths. You do not have to convince me there. Mr Tzirtzilakis, when you spoke previously, about assistance that you had been paid, you referred to your accounting fees being paid, is that right?

**Mr TZIRTZILAKIS:** It was offered to me for the first time by Michelle.

**The Hon. TREVOR KHAN:** Michelle is from the Minister's office?

**Mr TZIRTZILAKIS:** Yes.

**Ms VITHOULKAS:** Yes. That is reimbursement for the accounting fees for putting in the application.

**The Hon. TREVOR KHAN:** Yes, thank you, Ms Vithoukcas, I understand that.

**Ms VITHOULKAS:** Not ongoing accounting fees.

**The Hon. TREVOR KHAN:** Thank you, Ms Vithoukcas.

**Ms VITHOULKAS:** You are welcome.

**The Hon. TREVOR KHAN:** You referred to that, is that right?

**Mr TZIRTZILAKIS:** Yes, that is right.

**The Hon. TREVOR KHAN:** It is the case that you received some ex gratia payments as well, is that right?

**Mr TZIRTZILAKIS:** We got some rental assistance.

**The Hon. TREVOR KHAN:** I think they are described as ex gratia payments, however it is calculated, is that right?

**Mr TZIRTZILAKIS:** Yes.

**The Hon. TREVOR KHAN:** Mr Tannos, you have received some ex gratia payments as well?

**Mr TANNOS:** I have, yes.

**The Hon. TREVOR KHAN:** I am not going to go into amounts. You accessed it once, or more than once?

**Mr TANNOS:** Twice.

**The Hon. TREVOR KHAN:** Mr Tzirtzilakis?

**Mr TZIRTZILAKIS:** Three times.

**The Hon. TREVOR KHAN:** And Ms Vithoukas?

**Ms VITHOULKAS:** Twice.

**Ms BIRCH:** Never.

**The Hon. TREVOR KHAN:** I know that: I was not going to ask you.

**Mr NEUMAN:** And never, because obviously we are not on George Street.

**The Hon. TREVOR KHAN:** I am not arguing. You, in a sense—and I am not being in any way critical—dropped out before the scheme came into existence. I was not avoiding you; I knew that you were not involved in that. That scheme is ongoing at the present time, for at least two of you. Not Ms Vithoukas, I suppose?

**Mr TZIRTZILAKIS:** Yes, correct.

**Mr TANNOS:** Yes.

**The Hon. TREVOR KHAN:** Has that scheme, at least in some way, ameliorated some of the problems that you have had?

**Mr TZIRTZILAKIS:** We are not making money. I am paying my bills because I work outside of my work. I work at Port Botany now.

**The Hon. TREVOR KHAN:** Yes. I heard your evidence.

**Mr TZIRTZILAKIS:** We are paying our bills. The business is not making a cent. We are just covering the wages, and the rent is being—obviously, we are getting assistance from the Government, Transport. That is it. If it was not for that, we would have shut down January, February.

**The Hon. TREVOR KHAN:** Mr Tannos?

**Mr TANNOS:** For me, it has been helping. I keep on asking myself: Why do I apologise when I say that I have not suffered as much as other businesses? And then I keep on going: Why do I keep on apologising? Because it is hurting me.

**The Hon. TREVOR KHAN:** I am not asking you to apologise either.

**Mr TANNOS:** Yes, but that is what I keep on saying, "I'm sorry—I'm not really as affected as much as you, or Jack down the road." But it is hurting me. It is hurting me. It is affecting my health. I go to work every day and I see what is out there. I am not happy. I do not want to come to work. I am nervous coming to my own business. Should I be nervous coming to my own business?

**The Hon. TREVOR KHAN:** Ms Vithoukas, are you aware of any time that the council of the City of Sydney has provided ex gratia payments around construction sites that they have been involved in?

**Ms VITHOULKAS:** To my knowledge the council of the City of Sydney has done nothing to assist the small businesses, with the exception that I have repeatedly asked for some of the outdoor dining fees to be waived on some of the businesses at Surry Hills, which they have done, after quite a bit of negotiating and facilitating. Other than that, no.

**The Hon. TREVOR KHAN:** I am not trying to shift responsibility onto the council of the City of Sydney.

**Ms VITHOULKAS:** I completely agree. The council has had a role to play here.

**The Hon. TREVOR KHAN:** It has not implemented any sort of scheme on other projects either. This is, in a sense, a unique ex gratia scheme that has been introduced by the State Government, you would agree?

**Ms VITHOULKAS:** I am not aware of other—let me rephrase that. There are other State significant infrastructure projects happening in New South Wales where there are other ex gratia payments being made. I am not across the detail of it, but this is not entirely unique, other than the Government has clearly been forced into a situation of acknowledging that there is a problem, and this was the fastest way of dealing with it. And all of us—and I think there are 70 or 80 businesses out of the thousands that have met a part of that criteria—are very grateful for that small business assistance.

**The Hon. TREVOR KHAN:** Again, I am not asking for that concession either.

**Ms VITHOULKAS:** But we are very grateful for getting it. But again, like Mr Tannos, I do not want to have to apologise and say, "Sorry, thanks for giving me something." But, by the way, I do not want to feel like I am saying, "Please, sir, give me more." It is a matter of our businesses have suffered.

**The Hon. TREVOR KHAN:** Ms Withoukcas, again, I am not asking for that concession out of you. Genuinely, I am not. How often can you seek the ex gratia payments, and is the scheme working in that regard?

**Mr TZIRTZILAKIS:** It is keeping our doors open.

**The Hon. TREVOR KHAN:** I accept that. In respect of the mechanics of it, can you go every month or every quarter?

**Mr TZIRTZILAKIS:** Every three months, yes. To be fair, sir, my wife looks after the running of the business ever since I have left the business.

**The Hon. TREVOR KHAN:** Very wise.

**Mr TZIRTZILAKIS:** I think it is every three months.

**Mr TANNOS:** At that meeting we had here, we were told by Mr Constance that they would stay with us until the end of the development—the end of construction, I should say. I do not know how often you can put in. If it is every three months, I was not aware of that. I just thought an email would come out and say, "You can have another go."

**The Hon. TREVOR KHAN:** There is another reason for being here: In terms of talking to each other, you might find out something in that regard. At least you and Emanuel have some direct line of communication to Michelle in the Minister's office, is that right?

**Mr TZIRTZILAKIS:** I rang up Angela. I was desperate at the time because my mental wellbeing was shot.

**The Hon. TREVOR KHAN:** I am not being critical.

**Mr TZIRTZILAKIS:** Of course, I understand, sir. I spoke to Angela. I got a phone call from Michelle, asking what were the reasons for—I wanted to speak to Mr Constance. I wanted him to come and see for himself the nature of the works outside my business. They said he could not come, he was very busy, which I acknowledge. She informed me that herself and Damien Ottaviano would come. I knew Damien from previous times, but I never knew Michelle. Then they came a week and a half later, on a Friday, and we sat in my cafe and had a bit of a chat.

**The Hon. TREVOR KHAN:** Greg, have you had any experience with her or Damien?

**Mr TANNOS:** Damien. He is with the accounting firm, is that right?

**Ms VITHOULKAS:** He is the light rail assistant representative for the Minister.

**Mr TANNOS:** I do not know Michelle.

**The Hon. MATTHEW MASON-COX:** Thank you all for coming. I wanted to get to the heart of the financial assistance. Let us not call it compensation because clearly it is not compensation. It is financial assistance on an ex gratia basis. It is a rental rebate, so to speak. That is how it has been put to the Committee, with some assistance for accounting costs in formulating the statements that need to go to Government to verify the impact on your business. Can I understand your views about the adequacy of that? That is certainly in the key terms of reference for this inquiry. In a perfect world, what do you think should be the way in which the assistance is calculated relating to your personal experience?

**Mr TANNOS:** The first compensation was quite a bit smaller. After this meeting here, there was talk about it being a bit more generous, helping with mental health and whatever else, so it was—the next payment was a bit more. How do you judge my business with the customers that I lose that go somewhere else? When the

thing finishes, I do not get these people back, the people I have had for years. They have gone somewhere else because they cannot come to my shop. I am an optical business. They will go somewhere else, then they will be their customer forever. My scale should be always a bit like that. When it started, it just went here and went like that and a bit like that. I get my customers—my recalls from the university students because they have a four-year turnaround. I have always got that going with my shop, but I am losing my regular clients that used to travel to get there, the older people, the older customers. The compensation, how does it work for me because I should be going up here? No, it does not help me. I am thinking what happens when it finishes, because I have lost these people.

**The Hon. MATTHEW MASON-COX:** Part of the challenge from our perspective is how do we frame something that could work for you, or indeed in the future for an infrastructure project that has extended delays? There is a reasonable acknowledgement that there is always going to be some imposition on businesses where you put some sort of infrastructure project in play. The question is, when that gets beyond what is perhaps expected or it being communicated, what is an appropriate way of compensating or providing assistance to businesses that have been affected in the way that your business has been affected?

**Mr TANNOS:** I talked to this BizConnect and someone who works in the Parliament here. One of my ideas was trying to promote my business with the university. However, that was going to cost money. It was going to cost a fair bit to try to promote through there. They said there is no compensation as far as offering—for me to outlay \$5,000, \$6,000 or \$7,000 to get students aware of my shop, get them into there, there was no compensation for that. I cannot afford to put that money in to promote my business. I would have thought assistance like that in my business, if I need to get more people in—is that the question you asked me—a bit more help so far as promoting to get other people into my shop.

**The Hon. MATTHEW MASON-COX:** What should be the model in respect of financial assistance from Government for what you have gone through? Should it be a rental rebate? Should it be looking at the value diminution in your business? Should it be based on your turnover? Should it be looking at a threshold issue?

**Mr TANNOS:** It should be based on the losses. For example, Jack, the mechanic down the road, he has lost about 40 or 50 per cent of his business. He is suffering from severe depression. I had to push him to put in some compensation for a claim. He has got some rental assistance. It does not help him with the losses, not at all. It is a little bit of a breather, but he has got massive losses. I think it should have been more of, "How much have you lost? What more can we do to help you out?" The rental part is going to help. This is just one business. Every week is a loss. The rent is there, but there is still a loss. He is paying his workers. Each individual business should be looking at what losses have you got. Rent is one thing, but how much are you losing? I do not know how you can ever formulate—how do you formulate it? How do you calculate it?

**Ms VITHOULKAS:** I might jump in. The recognition is that businesses have a goodwill and that is clearly what is eaten away, apart from their profitability and their investment loss and their long-term objectives in their business. A model should include the initial assistance, which would be rental assistance, because that is one of the key overheads in a business that would be affected immediately, and that would also assist the owner of the properties. You have two people losing here—whoever is the business and the property owner. They are two people involved in this negative relationship. This was a business model that I had spoken about with the Minister early on. Had there been a 30 per cent contribution for rental assistance from the beginning for people on the construction light rail route, that would have mitigated immediately the debt on any business. If there is a delay and there needs to be a threshold of acknowledgement of six to nine months in any project, then after that there should be an assessment immediately of the economic loss that the business has suffered.

The economic loss that a business has suffered obviously would need to be defined and clearly we start to get into tricky areas here, but that loss is the goodwill. There is the profitability and there is, of course, the fact that we lose time in a business. Each day that passes, we can never get that back from our leases. I brought this up originally with the small business Minister to have the Retail Leases Act reviewed and have State significant infrastructure inserted into it for us to get back that time so that we can continue trading after disruption. If you face a year or two of disruption off your lease, that could be a 25 per cent or 50 per cent investment loss on the goodwill of your business lease as well. There are so many factors to consider, I understand, but there are great minds in this building that could put themselves to it.

**The Hon. SHAYNE MALLARD:** Thank you for coming in. I have great empathy for what you are going through, having owned small businesses in retail and hospitality. I have divested from them, but my partner has a cafe and a clubs and things. I know there are ups and downs in cash flows and GST and using credit cards to make ends meet.

**The Hon. TREVOR KHAN:** He would be pleased to know you are disclosing this.

**The Hon. SHAYNE MALLARD:** That is why I was there. I really feel for what you are going through. I want you to look after your mental health. It has really touched me that that is concerning you. I want to ask a question about the role of landlords. Angela might want to answer this, but I would like to hear from others. Have landlords come to the party? The Government has given a contribution which, I assume, has indirectly gone to landlords. I do not think it went straight into the bank account of landlords?

**Ms VITHOULKAS:** No.

**The Hon. SHAYNE MALLARD:** It went straight to your business accounts. Have any other landlords come to the party?

**Mr TZIRTZILAKIS:** I have a very good relationship with my landlord. We have not received any discounts or anything as such. However, we keep him closely informed as to what is going on with the project. We are open about everything. We do not hide nothing and at the same time he has come to the party in the sense of sometimes we have not been able to pay our rent on time and he has been flexible in that respect. But other than we have not received any discount or anything as such.

**The Hon. SHAYNE MALLARD:** He wants you to be there after the light rail is finished, because it will be a good business again because it was a good business.

**Mr TZIRTZILAKIS:** Correct, it was a very good and viable business.

**The Hon. SHAYNE MALLARD:** Mr Wright, you do not have to go into specifics but just generally speaking.

**Mr TANNOS:** Basically when I started finding it a little bit hard when the lease was due for renewal I did sort of talk about having the rent reduced. But in actual fact they made me get a three-month bank guarantee which is your own money that goes into the bank.

**The Hon. SHAYNE MALLARD:** I know. It triggered your landlord to force you to put down a guarantee which is terrible news.

**Mr TANNOS:** Yes.

**The Hon. SHAYNE MALLARD:** Ms Birch?

**Ms BIRCH:** I notified my landlord very early on that this would be a significant project and that we would need to work together and we would struggle to survive without a mutual understanding of moving forward. He ignored that and has continued to ignore that. I think it is also really interesting to note that the premises of The Book Kitchen is vacant and has been for 18 months.

**The Hon. SHAYNE MALLARD:** Yes, I saw that. Ms Vithoulkas, your landlord is redeveloping the site so you were not in a position to renew your lease. Is that right? Investor is redeveloping the site?

**Ms VITHOULKAS:** My previous landlord was Brookfield Investor. They are redeveloping. That was not a decision that I was made aware of till this year. We were unable to pay our rent as of 2015 and had to draw on savings in a big way to be able to pay the rent because rents in the city can range anywhere between \$30,000 and \$80,000 a month. That is a lot of coffee. And being able to meet those obligations when you do have a bank guarantee, and if you are two weeks late with your rent you can be locked out or more. The financial risk to any small business is huge. That is why, hence, I would ask for the Retail Leases Act to have a review.

**The Hon. SHAYNE MALLARD:** It will build a new five-storey retail and commercial podium to utilise the under-utilised forecourt which is where your cafe was? Is that what they are talking about?

**Ms VITHOULKAS:** I have not paid a lot of attention to that while I was ripping out the fridges of the shop, but I am happy to look at the development application [DA] if you have got it there.

**The Hon. SHAYNE MALLARD:** This is an article in 2018. I thought you might have been aware of it.

**Ms VITHOULKAS:** I am not across it. I am aware that the site is being redeveloped now.

**The Hon. SHAYNE MALLARD:** Did you see the DA at council?

**Ms VITHOULKAS:** It does not come to me at council any more. I am sure you are aware that the independent hearing and assessment panel is installed.

**The Hon. SHAYNE MALLARD:** That is right. That was a good move.

**Ms VITHOULKAS:** So DAs are no longer considered my area, but thank you for bringing that up. Being a former councillor I am sure you are aware of your limitation.

**The CHAIR:** Thank you for sharing your stories about not only the financial costs but also the powerful mental and physical costs that you have been and continue to experience.

**(The witnesses withdrew)**

**(Luncheon adjournment)**

**MARK COXON**, Managing Director, Alstom Transport Australia and New Zealand, affirmed and examined

**The CHAIR:** Would you like to start by making a brief opening statement?

**Mr COXON:** By way of introduction, I am responsible for Alstom's activities in Australia and New Zealand. I have been in that position since the middle of 2015. Prior to that I was based in Zurich in Switzerland working for Alstom as well, being the power generation business. With regards to the Sydney light rail project, I would just like to confirm Alstom's commitment to the project. I think we have been committed to the project from the beginning. We remain committed on the project to deliver it to the best of our abilities. I am happy to be here to help you with your inquiry.

**The CHAIR:** I suppose one of the obvious questions is: Have you been involved with any light rail projects before you came to Australia?

**Mr COXON:** No, this is the first light rail project I have been involved in.

**The CHAIR:** You have been?

**Mr COXON:** This is the first one. I have a lot of correspondence and dialogue with colleagues in Paris in our head office who are experts in light rail projects and they come and visit Sydney quite regularly, but for myself personally this is the first light rail project I have been involved in, yes.

**The CHAIR:** Thank you for appearing before our inquiry. We appreciate your cooperation.

**The Hon. GREG DONNELLY:** In a few sentences could you state the company's involvement in the CBD and South East Light Rail Project here in New South Wales as clearly and precisely as you can?

**Mr COXON:** Yes. This project was set up as what I would call a classical public-private partnership [PPP] structure. As you are probably aware, there is a contract deed between Transport for NSW and ALTRAC. ALTRAC has a D and C contract, or design and construct contract, with a consortium. Within that consortium it is a split scope consortium. Alstom is about 30 per cent of that consortium. We supply the vehicles, the light rail vehicles. We supply substations, communications equipment, signalling equipment and the overhead wire system as well as the APS, the ground supply system, in the centre of the city. We are in, as I say, a split scope consortium with Acciona, who is our civil partner for the project. We are also involved in the project as a maintenance subcontractor to Transdev, who have the operations and maintenance. So we will have the responsibility for the maintenance of the vehicles and the infrastructure throughout the life of the project.

**The Hon. GREG DONNELLY:** Do you mean over the contract life that Transdev has for the operation of the light rail?

**Mr COXON:** Correct, yes.

**The Hon. GREG DONNELLY:** Looking at the configuration of the light rail itself and the Citadis XO5, on the company's website I am looking at a spec table. You are probably familiar with it. The Citadis has a configuration of a 20 nominal metre variation or a 30 or a 40. On the right-hand side there is a picture of the 30 metre configuration. What is going to be the configuration of the sets running here in Sydney?

**Mr COXON:** The configuration is a 33 metre length light rail vehicle and they will be coupled together into two vehicles, so in total it will be about 66 metres.

**The Hon. GREG DONNELLY:** With respect to the 66 metre configuration, which is essentially the coupling of two together, are there any other cities in the world that operate with that configuration?

**Mr COXON:** Yes, we have the capability to operate in multiple units in approximately 15 other cities. Of the Citadis product we have sold around 2,500 of those around the world. One in four low-floor trams is in fact a Citadis tram around the world in more than 50 cities. Coming back to your question, approximately 15 can operate in a coupled mode. Those cities include Paris, Madrid and Barcelona.

**The Hon. GREG DONNELLY:** When you say "can", they do not necessarily but they can.

**Mr COXON:** They can. Some of them are permanently coupled and others are separated but the system is designed so that they can be coupled to operate.



**The Hon. GREG DONNELLY:** With respect to getting the definitions correct, do you call it one set with two component parts or how do you describe it? I am trying to get to what is going to be the maximum passenger capacity of the two coupled trains.

**Mr COXON:** The capacity of the two coupled, which is based on four people per square metre standing, is of 450 people per coupled unit. So 225 per unit and then in a coupled mode it would be 450.

**The Hon. GREG DONNELLY:** With that four, can you describe what that figure means?

**Mr COXON:** The four people?

**The Hon. GREG DONNELLY:** Just describe what that means.

**Mr COXON:** On the vehicle itself there are seating areas and there are standing areas. Typically on a light rail vehicle, because the journeys are quite short, people often elect to stand. Therefore, to maximise capacity you have a standing environment and you have a seated environment. Just over, I think, 20 per cent of the capacity is seated. The rest of that is standing. Then it is designed on the basis of—

**The Hon. GREG DONNELLY:** If you take the 450 max, 20 per cent of that would be seating, and that would work it up to the 450 which would be the standing?

**Mr COXON:** It is approximately more than 100 seats in that 450. Over 20 per cent is seated; about 100 seats.

**The Hon. GREG DONNELLY:** Let us talk in those terms, because it is going to be run as a coupled unit. The 450 is effectively a maximum capacity which would have all the seats occupied?

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** With respect to the standing component, that would be the company specified amount per square metre?

**Mr COXON:** Yes.

**The Hon. TREVOR KHAN:** Is it company specified or is it a standard?

**Mr COXON:** No, you can increase capacity. We have basically addressed a tender specification that required 9,000 people per hour per direction and we felt that was the best solution and the customer, in this case ALTRAC and the Government, selected that solution. It can increase. We have cities around the world where we will go to six people per square metre but it was felt I think in Australia that would be too cramped and the four is the right configuration.

**The Hon. GREG DONNELLY:** That four per square metre effectively is a flexible figure in that it is ultimately one that the Government said it would be comfortable with in terms of what it wanted with this project? There were discussions over the possible numbers per square metre?

**Mr COXON:** I was not here at the time. I understand that was what our proposal was, which was the Citadis to run in a dual configuration with 450 people maximum capacity on that basis. I understood that was accepted as the winning tender. I was not here at the time.

**The Hon. GREG DONNELLY:** How many spaces will there be available for wheelchairs on the set?

**Mr COXON:** I am sorry—I do not have that detail to hand. I will have to take that on notice, and I will come back to you. There is an area for wheelchairs. I just do not know the precise number of wheelchairs that can fit in it.

**The Hon. GREG DONNELLY:** Are there specific seating provisions for people with a physical disability or the elderly or is it a case that all seats are essentially universal and you grab what you can get?

**Mr COXON:** Yes, I believe there are specific areas for disabled access and seating capability.

**The CHAIR:** We are happy for you to take questions on notice if you need to have access to other documents and papers.

**Mr COXON:** Okay. Thank you, Chair.

**The CHAIR:** You have 21 days to give us the answer.

**Mr COXON:** Thank you, Chair. I will take that question on notice with respect to the disability capabilities of the tram as well.

**The Hon. GREG DONNELLY:** That is fine. With respect to the links, the 66 metres, what is the difference—if there is one—in the noise generated by the operation of the light rail? Obviously if you had it in a single configuration of 33 metres it would produce a noise of some volume. If you double that, how is that calculated? Is it able to be calculated and compared to a single set?

**Mr COXON:** Yes. We have a noise model. We have to operate the light rail vehicles within the constraints set by the project and by the Department of Planning and Environment, and that is a noise guarantee. With respect to the noise differential between whether it is running a single or coupled version, I would have to take that question on notice.

**The Hon. GREG DONNELLY:** Are you saying with respect to the double configuration it falls below or is no higher than what is the maximum provided for under the appropriate regulations?

**Mr COXON:** Yes. Under the noise guarantees we have given under the project, yes.

**The Hon. GREG DONNELLY:** With respect to the fully loaded 66-metre Citadis, with its passengers and anything it might be carrying and the actual total weight, if I give you questions on notice can they be answered? All those calculations presumably are available and have been done?

**Mr COXON:** Sorry, you would like to know—

**The Hon. GREG DONNELLY:** The weights of the unladen and the laden?

**Mr COXON:** Oh, yes, okay. I will take those on notice. I can provide that information. If I understand clearly, you would like to know what the weight of the unloaded vehicle is and the loaded vehicle?

**The Hon. GREG DONNELLY:** Yes.

**Mr COXON:** At full capacity?

**The Hon. GREG DONNELLY:** Yes, at full capacity.

**Mr COXON:** At full capacity. Okay, I will take that on notice.

**The Hon. TREVOR KHAN:** That would be a standard sort of thing that is done in all these exercises, would it not?

**Mr COXON:** Yes, that is part of the calculation.

**The Hon. TREVOR KHAN:** You are not going to be calculating for us?

**Mr COXON:** That is right—no, no. I just do not have that information available with me today but clearly when we designed the system and the power requirements for the system we have taken into account the traction system, the weight of the vehicle loaded.

**The Hon. TREVOR KHAN:** Sure.

**The CHAIR:** You will take that question on notice?

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** Going back to the four persons per square metre standing, are you aware of comparisons against similar calculations but producing different outcomes for trains and buses in New South Wales?

**Mr COXON:** No, I am not familiar with the comparison.

**The Hon. GREG DONNELLY:** The discussion around that was all before your time?

**Mr COXON:** Yes, in terms of the selection between a light rail or a bus solution, yes. I am aware of the fact that a coupled Citadis with a 450 capacity is equivalent to approximately nine buses and I think the project itself takes off the road or avoids the use of over-200 buses. That is my understanding.

**The Hon. GREG DONNELLY:** Who provided those figures to you?

**Mr COXON:** That is our assessment of the bus calculations for the coupled units.

**The Hon. GREG DONNELLY:** You did your own calculations about buses taken off the roads?

**Mr COXON:** In terms of equivalent capacity of the X05 in a coupled mode, we have made our own calculations but I think the 200 figure was one referred to by the Government.

**The Hon. GREG DONNELLY:** What is your figure?

**Mr COXON:** It is the same. We do not have a different figure.

**The Hon. GREG DONNELLY:** So you just relied on the Government's calculations?

**Mr COXON:** I think we validated the Government's calculation.

**The Hon. GREG DONNELLY:** How would you have done that?

**Mr COXON:** We have our own experts who can compare our light rail vehicles to buses. As I mentioned, I was not here at the time so it is difficult to give you a lot of history of that analysis. What we did do is clearly we responded to the tender, which was a light rail tender but anything else done was particularly involved in the calculations of whether or not buses or light rail vehicles was the right solution. We are aware, though, that this light rail solution, this project, is part of an integrated transport solution for Sydney. It is not just a standalone project.

**The Hon. GREG DONNELLY:** Is the Citadis X05 able to run on the existing inner west light rail?

**Mr COXON:** Technically it can run. The wheel rail interface allows it to run on the inner west light rail tracks. In fact, we have to run on the inner west light rail to get to the heavy maintenance depot at Lilyfield. In terms of using it for operating a revenue service, there are infrastructure upgrades which would be required.

**The Hon. TREVOR KHAN:** The platforms are too short on that stretch?

**Mr COXON:** Platforms, power, signalling systems and the Aviles location system is different to the current vehicle system.

**The Hon. TREVOR KHAN:** The what?

**Mr COXON:** The location system.

**The Hon. GREG DONNELLY:** When you say "technically", the rail can be used to move it across from point A to point B but on an operational basis to carry passengers it is not able to do so without modification?

**Mr COXON:** Not immediately without modification to the infrastructure, correct.

**The Hon. COURTNEY HOUSSOS:** Is that modification to the trams or is that without modification to the—

**Mr COXON:** To the infrastructure, so this would be the platform, the power supply and maybe the signalling systems on that line.

**The Hon. COURTNEY HOUSSOS:** On the inner west line?

**Mr COXON:** Correct. As I mentioned, the vehicles have to go on to the inner west rail line to go to the main depot.

**The Hon. COURTNEY HOUSSOS:** Would that require upgrades on the inner west line along that particular part in terms of power?

**Mr COXON:** There are some upgrades. I am not familiar with all the details. I can take that on notice to give you the information if there are any upgrades required. I do not think they are substantial and if they are, they are already part of the project scope.

**The Hon. GREG DONNELLY:** Say that again?

**Mr COXON:** As I say, if there are any upgrades required, it would be part of our project scope already.

**The Hon. GREG DONNELLY:** I do not understand what that means.

**Mr COXON:** As part of our project we have to be able to move the vehicles from the line of the main CSELR line or the depot to the heavy maintenance depot.

**The Hon. GREG DONNELLY:** Oh, yes.

**Mr COXON:** If, in having to do that, there are any updates required on that small section of the inner west light rail, I understand that would be part of our overall project.

**The Hon. GREG DONNELLY:** But not with respect to the stations; you would not be intending to do that.

**Mr COXON:** Not in respect to the stations and not operating in commercial service.

**The Hon. GREG DONNELLY:** With respect to the Citadis X05, what is the steepest incline that a fully loaded set could mount?

**Mr COXON:** Much steeper than they are currently. I think it is around six or eight degrees. I will take the point on notice if I can, because I cannot be 100 per cent sure, but it is much steeper than the gradients we have.

**The Hon. GREG DONNELLY:** With respect to all the gradients it will face on the route from Circular Quay to Kensington and Circular Quay to Randwick, it will be able to deal with all of those without difficulty?

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** With respect to the commissioning of the sets, is there a requirement to commission it across the full length of both the two arms, from Circular Quay to Randwick and Circular Quay to Kensington as opposed to just doing individual commissioning by precincts?

**Mr COXON:** Yes. Our testing and commissioning program is built on individual zones so we have the Randwick zone, the Surry Hills zone, the City zone—

**The Hon. GREG DONNELLY:** There are a total of five zones or precincts?

**Mr COXON:** Yes, and then we have the Kingsford leg as well. We will test and commission each of those zones individually, both from the sub-systems to the full part of the line test and then we will do a full line testing of the entire line in what you have described.

**The Hon. GREG DONNELLY:** What is the timetable for doing each of the five precincts and, finally, the full configuration of the five precincts running concurrently?

**Mr COXON:** It is approximately 12 months from the start of the first zone of commissioning.

**The Hon. GREG DONNELLY:** Has that commenced?

**Mr COXON:** That is scheduled to start at the beginning of next year.

**The Hon. GREG DONNELLY:** Just to be clear, the start of the commissioning of the first precinct commences early next year.

**Mr COXON:** Correct.

**The Hon. GREG DONNELLY:** And how long does each precinct take to commission?

**Mr COXON:** Approximately, depending on potential issues, four to six months.

**The Hon. GREG DONNELLY:** Is that four to six months each one added together or you do one and you start to do one before another one completes?

**Mr COXON:** No, we do them concurrently. This is one of the actions we are taking to try to mitigate some of the delays to do the concurrent testing and commissioning of those zones. But what is necessary though, because of the way the alignment works, we have to first test and commission the Randwick zone so we can get the vehicles in and out of the stable, and then the Surry Hills zone before can test and commission the city.

**The Hon. GREG DONNELLY:** When do you expect to start the commissioning of all of them concurrently together?

**Mr COXON:** I would have to take that on notice in terms of the final leg of the zone. I think it is after the middle of 2019. The last leg at the moment planned will be the Kingsford leg. That one I will have to take it on notice when we are planning to start that. I cannot recall.

**The Hon. GREG DONNELLY:** When you will be starting the commissioning of the full length for both Circular Quay to Randwick and Circular Quay to Kensington? Are you taking that on notice?

**Mr COXON:** Yes.

**The Hon. COURTNEY HOUSSOS:** During the commissioning process do you require the hoarding on the barricades or something to be up?

**Mr COXON:** No. When a zone moves into a testing and commissioning it moves away from being a construction site, so we do not want hoardings and barriers when we start the testing and commissioning. We do not want to be in a process of any more construction or any more installation in that zone. It purely comes under all the rules and regulations of a testing and commissioning team. So we do not have hoardings.

**The Hon. COURTNEY HOUSSOS:** But there are no protective barriers or anything up?

**Mr COXON:** No. The process of testing and commissioning is first making sure that people are aware for the public safety campaign. We work with the Government to ensure people are aware of the infrastructure and the energisation of the line, then we start the night-time testing—typically police escorted—of the vehicles, then we move to day-time testing and commissioning. What we are trying to do is make the public familiar with having the vehicles moving at slow speed at first so that when we move into revenue service it is not a surprise to them. So it is a progressive process of making people aware of the vehicles.

**The CHAIR:** We will move on to The Greens.

**Ms CATE FAEHRMANN:** You mentioned before that the calculation was that the light rail in peak hour would take 200 buses off the road.

**Mr COXON:** That is my understanding, yes.

**Ms CATE FAEHRMANN:** What type of buses were they? How many people fitted in those buses during peak hour?

**Mr COXON:** I do not have it in my calculations. As I mentioned before, Alstom's involvement was responding to a tender for a light rail. We were not involved in the assessment and the business case of looking at buses versus light rail.

**The CHAIR:** That decision was made before you got involved with the company.

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** No, that is not true. That was not part of what the requirement was. You were tendering for a job, not to be involved in the discussions around the specificity of the details of what would be in the configuration.

**Mr COXON:** I was not there at the time, but my understanding was we were tendering based on the specification, which was for a light rail project. We were not tendering for a bus or a light rail project. At that point in time it was determined already that it would be a light rail project and we were answering that request.

**The CHAIR:** The Government had made that decision prior to—

**Mr COXON:** That is absolutely right. That is my understanding: The decision was already made prior to the tender being released that they would proceed with a light rail project. I understood, looking at the history, that there was a business case performed, that that decision was made and we responded to that tender. We were not involved in any comparison of other forms of public transport, as Alstom.

**Ms CATE FAEHRMANN:** But you did say in terms of taking 200 buses off the road with the light rail. I think you were saying 20 or 15 in each direction in peak hour, the 450? You said that there were 450 people probably. Is that correct?

**Mr COXON:** Yes, 450 people is the capacity of the Citadis and a coupled configuration.

**Ms CATE FAEHRMANN:** That is with four people standing per square metre.

**Mr COXON:** That is my understanding, correct.

**Ms CATE FAEHRMANN:** That is not crush capacity, though. Is that correct? You said you could fit more people in.

**Mr COXON:** You can, yes. It has the potential to go to six people per square metre.

**Ms CATE FAEHRMANN:** And that would probably be defined as crush capacity. Is that correct?

**Mr COXON:** I do not think we have a definition for that. It may be defined as something but we do not call that crush capacity; we call it six people per square metre.

**The Hon. GREG DONNELLY:** Can you get up to eight if you really try?

**Mr COXON:** It depends how much space you may have—overhead space.

**The Hon. COURTNEY HOUSSOS:** Which cities in the world do operate at six per square metre?

**Mr COXON:** I would have to take that on notice. They can—I do not know which ones do. All the trams have the capability to operate to six people per square metre. I do not know how many of them have been designed for six people per square metre, if that is your question.

**The Hon. COURTNEY HOUSSOS:** My question was: You referred to other places around the world that operate where there are six persons per square metre.

**Mr COXON:** I said that you can increase the capacity to six people per square metre.

**The Hon. SHAYNE MALLARD:** But to be clear, what you are supplying is for four—that is the specification.

**Mr COXON:** That is the specification, yes, but the space is a space, a square metre is a square metre. If more people want to—

**The Hon. TREVOR KHAN:** It is a fairly universal size, a square metre.

**Mr COXON:** A square metre, yes.

**The Hon. COURTNEY HOUSSOS:** But could you provide us on notice if there is anywhere around the world where they do operate as standard six people—

**Mr COXON:** As a standard capacity basis, yes, I will take that on notice.

**The Hon. TREVOR KHAN:** Alstom supplies, I think you called them, trams in Melbourne. Is that right?

**Mr COXON:** That is right, yes. We have the Citadis vehicle on the Melbourne network and also on the Adelaide network.

**The Hon. TREVOR KHAN:** And there are some 40-odd that you have supplied down there. Is that the case?

**Mr COXON:** Correct.

**The Hon. TREVOR KHAN:** In terms of your calculation of passengers for your Melbourne ones, do you know if that is done on four people per square metre standing?

**Mr COXON:** I do not know what the specification was of those trams at the time that they were purchased and we do not operate that network, so I also do not know what they are currently designed for.

**The Hon. TREVOR KHAN:** You are purely supplying the vehicles.

**Mr COXON:** We have supplied the vehicles, yes. We do not operate and we do not maintain those vehicles.

**The Hon. TREVOR KHAN:** Indeed, you have supplied train sets down in Melbourne as well. Is that right?

**Mr COXON:** Yes, we manufacture the X'Trapolis unit down in Melbourne for the suburban network and we built that in our factory in Ballarat and we supplied that and we have supplied over 100 trains, now six-car trains, to the Melbourne network.

**The Hon. TREVOR KHAN:** In terms of your company structure, are you a subsidiary of Siemens?

**Mr COXON:** No, Alstom is a separately listed company on the French Stock Exchange and we operate globally as a separate company. We have something in the region of 32,000 people; our sales are over €8 billion a year. I think maybe you are asking the question about Siemens because last September the company did announce the intent to merge the Siemens mobility business with Alstom. That is a process that is undergoing at the moment and it is in the process with various competition authorities to get the approvals to proceed with the transaction. Today we operate as two completely separate companies.

**The Hon. TREVOR KHAN:** At the present time, in the Australian context, you have got some 500-odd employees. Is that right?

**Mr COXON:** Yes, we have slightly more than 400 employees today in Australia.

**The Hon. TREVOR KHAN:** Do I take it in the context of the work that you are doing on this project, that involves your own employees and subcontractors as well?

**Mr COXON:** That is correct. For the installation work we bring in subcontractors, for the design and testing and commissioning we use our own people, and that is typically headed by our experts coming from overseas, typically France.

**The Hon. TREVOR KHAN:** In terms of the work that you are doing, where are you up to in each of the precincts?

**Mr COXON:** The way the project was originally scheduled was that the civil works would be completed and after the civil works we would go into an installation phase and then we would go into a testing and commissioning phase. What we have done to mitigate some of the delays is to concurrently now start our installation phase during the process work when the civil works are being completed. We can do that until the completion of the civil works and the installation and then, as I mentioned earlier, we would move to a testing and commissioning phase, and we would no longer be a construction or installation site.

We are at the stage now we have installed equipment in the depots, we have work going on at Alison Road, we have works on the Randwick line. The Randwick line is the priority at the moment because that is the first zone that will enter testing and commissioning in January of next year. That is where we are with the works. Everything is purchased, we have designed the equipment, we have purchased the equipment and our installation teams are ready to install the equipment and as and when we get access to the various zones we will be installing all of our equipment.

**The Hon. TREVOR KHAN:** On Alison Road and into a bit of Anzac Parade around the corner there you have been running light rail vehicles backwards and forwards?

**Mr COXON:** That is right, yes.

**The Hon. TREVOR KHAN:** What differentiates what you are doing there in terms of running those vehicles up and down that section of line from commissioning?

**Mr COXON:** That is exactly what we have done. We have taken the Randwick line, which was the entire Randwick line, and we have split it into two—what we call R1 and R2. Until R2 is finished we are starting the testing and commissioning of the R1 line. It is about 1½ kilometres. As and when the rest of that line is finished, the civil work and the installation of our equipment, we will continue all of the testing and commissioning along that line. That will be an extension of that line.

**The Hon. GREG DONNELLY:** When you say Randwick, we are talking about zones 20 to 26?

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** You are working on half?

**Mr COXON:** Yes, 21, 22 and then 23, 24, 25, 26 is the second leg.

**The Hon. TREVOR KHAN:** That stretch along Anzac Parade through the tunnel underneath Anzac Parade and down essentially to the start of Devonshire Street, how long off is that? That looks to have a bit of work to be done.

**Mr COXON:** You are into zone S, which is the Surry Hills zone effectively, that will start testing and commissioning in the second quarter of next year. The first one is Randwick line through to the very end of the terminus and then we will start the Surry Hills line at that point in time and that will allow us to extend to the city by the middle of 2019.

**The CHAIR:** Could you table a timetable for the completion dates for each of those sections?

**Mr COXON:** Yes, I will take that on notice.

**The Hon. TREVOR KHAN:** In terms of any of the delays that have occurred to this point—and there is no argument there has been—I take it that is related to the civil works not to what you are doing or have done?

**Mr COXON:** Correct. What has happened is the delay in the civil works has moved the time period in which we have to form our works.

**The Hon. TREVOR KHAN:** You are the victim of Acciona works?

**Mr COXON:** The consequence of the delay in the civil works has delayed ourselves. Having said that I would like to make the point we have taken steps to try to mitigate it like I mentioned, through the concurrency of the installation, reducing as much as we can the testing and commissioning phase.

**The Hon. TREVOR KHAN:** I am not being critical in any way.

**The Hon. COURTNEY HOUSSOS:** You said the trains are running on the Randwick line at the moment?

**The Hon. GREG DONNELLY:** Half of it.

**Mr COXON:** Yes.

**The Hon. COURTNEY HOUSSOS:** That is not testing and commissioning?

**Mr COXON:** Yes, it is. That is testing and commissioning of the trams and the system itself along that line. We have started.

**The Hon. COURTNEY HOUSSOS:** You said that will start at the start of next year?

**Mr COXON:** No, that is the full line. That is when we get the full line including zones 24, 25 and 26. That is the full line that we will test, that has all of the systems, the full energisation, all of the signalling, all of the stops, that is the full Randwick line, zone R, yes.

**The CHAIR:** What is the deadline for that completion date?

**Mr COXON:** We will start the middle of next year.

**The CHAIR:** When is it concluded?

**Mr COXON:** It should conclude the middle of next year. I am happy to take that on notice as part of the commissioning program you asked for.

**The CHAIR:** You seem to be a long way from the middle of next year with the amount of work that needs to be done.

**Mr COXON:** On the Randwick line?

**The CHAIR:** On all the lines?

**Mr COXON:** I am not talking about all the lines, no. I thought the question was with respect to the Randwick line.

**The CHAIR:** No, the whole line.

**Mr COXON:** The whole line, that would be certainly at the end of 2019 if not the start of 2020.

**The Hon. GREG DONNELLY:** Is that being optimistic?

**Mr COXON:** That is based on our current program today. But we do know there is particularly a risk on the Kingsford leg.

**The Hon. GREG DONNELLY:** What is the basis of the risk on the Kingsford line?

**Mr COXON:** We have identified approximately a two month risk due to the Kingsford line.

**The Hon. GREG DONNELLY:** What is the cause of that risk?

**Mr COXON:** Again, this is due to the civil delays. In particular the utility relocations on that line. We are working today to mitigate that delay as a design and construct [D and C] contract.

**The Hon. TREVOR KHAN:** Again by compressing?

**Mr COXON:** Yes, compressing where we can the testing and commissioning, compressing the installation and then trying to accelerate any of the utility diversions required. This time it is not the underground utility diversions, it is the overhead, because we have to put up the overhead wire.

**The CHAIR:** Was there any agreement for penalties to be paid by your company if the delays are longer than what the government would be expecting in normal conditions?

**Mr COXON:** In terms of the details of the contract that is confidential, that is commercial in confidence. I think it is fair to say for the purposes of your inquiry this is a standard public-private partnership [PPP] project,



and in a standard PPP project if a D and C contractor is delayed they will pay penalties and that delay is due to the D and C contractor themselves then there will be penalties paid for the delays.

**The CHAIR:** That is part of the contract and that is confidential?

**Mr COXON:** The details of that is confidential. It is design and construct and then we complete the full line testing and we hand it over to the operation and maintenance team.

**The Hon. COURTNEY HOUSSOS:** Of which you are also part?

**Mr COXON:** As subcontractor for the maintenance of the vehicles and the infrastructure, yes.

**The CHAIR:** Earlier today we heard from residents in those areas and small business owners who are having a difficult time and they raised some practical problems which may or may not involve you. I will ask to see what the answer is. Some of the residents were very upset by the bright lights as part of the construction, so the workers can work during the night.

**The Hon. TREVOR KHAN:** The issue was in the stabling area.

**The CHAIR:** Why the bright lights?

**The Hon. GREG DONNELLY:** The security in the stabling yards?

**Mr COXON:** The Randwick stabling yards, if I understand correctly. There is lighting. That is not in our scope. The lighting is not in our scope, that is in our civil partner's scope. I understand there has been some issues with the lighting that is required. I think it is fair to say in terms of Randwick where we have the stabling yard and light maintenance in a residential area, and the heavy maintenance which is a more noisy operation is in Rozelle which is a more industrial area. I am certainly aware that there has been issues for residents for lighting and noise in the Randwick zone. The noise related to the bell when the vehicle starts to move. There is a bell that sounds for safety precaution reasons when a vehicle is under motion. There has been issues raised about that by local residents and we have taken that up through ALTRAC to respond to those concerns. We have a night bell and a day bell to minimise the noise.

**The Hon. TREVOR KHAN:** What is the difference between a night bell and day bell?

**Mr COXON:** The day bell is louder than the night bell. We are working with the department of planning and environment and they have built constraints with respect to lighting and with respect to noise in that area and we will comply with those requirements.

**The Hon. SHAYNE MALLARD:** You will be taking over the maintenance facility once the civil works are finished, is that right?

**Mr COXON:** Yes.

**The Hon. SHAYNE MALLARD:** The complaints at the moment are not to you they are directed to the civil contractor?

**Mr COXON:** The noise of the bell of the vehicles was directed to Alstom and we responded to that through ALTRAC.

**The Hon. SHAYNE MALLARD:** In the future ongoing management of the facility, complaints about noise, light spill, once it is transferred to your organisation as a maintenance operator and no longer a construction site, you will tend to those issues?

**Mr COXON:** We will attend to those issues. That would be under the operations of the maintenance contract and Transdev is leading that operation and maintenance contract. We will be working with Transdev if there are any issues to resolve those issues for the residents.

**The Hon. SHAYNE MALLARD:** It would be in your interests to get the civil contractor to get it fixed before you take it over?

**Mr COXON:** Of course.

**The CHAIR:** I know you have to have safety measures in place, but some of the shopkeepers felt that the barricades were excessive and some of the businesses have almost gone out of business because everyone thinks the business is closed. Customers do not see any operation near the shop, so they are not going there anymore, but the business is open. Has there been any consideration as to whether the barricades are absolutely necessary or whether they could be smaller?

**Mr COXON:** The barricades today are there for the construction for the civil works. As those construction works finish we will move in, as we are concurrently, for the installation of our equipment. Those barricades will then come down and we will have what we call discrete hoardings for the installation, which will be much smaller areas, but we will protect where we have to install our equipment. I think when we move to the more installation phase there will be a visual reduction. So the barricades will come down, there will be a lot less noise because it is no longer being constructed, we are installing, and as well there will be no dust, the environmental side will be cleaner. I think it will be much better for the businesses once we move into the full installation phase in those areas.

**The CHAIR:** From your point of view, the barricades are a safety measure?

**Mr COXON:** They are a safety measure for whilst the project is under construction, while our civil partner is constructing those areas.

**The CHAIR:** To protect workers, or pedestrians, or both?

**Mr COXON:** I think it is probably both. It is more to protect pedestrians moving into a civil zone.

**The Hon. GREG DONNELLY:** Returning to the specification sheet, the four per square metre figure is run across the 20 nominal, 30 nominal and the 60 nominal versions. That appears to be what is on your specification sheet as the standard. An example of going beyond that, to say five, or a real squeeze of six—I am trying to understand—the company markets its light rail with the four, but presumably in some jurisdictions they are running them with more than four per square metre, it might be five or six. That is a decision that is taken by that jurisdiction, is that what you are saying? Is this four a recommended maximum? I am not trying to play with words, but you build these to specifications, you say four per square metre, but in some jurisdictions they go to five or six. That is their choice and you are not going to say no, the contract is the contract, you will sell them the light rail technology. That would put it at odds with the four, would it not, but that is something they decided to do as a jurisdiction?

**Mr COXON:** That is up to the customer, yes. If they want to put more people in, if people find that acceptable, yes.

**The Hon. SHAYNE MALLARD:** It is an identical carriage?

**Mr COXON:** Yes, it is the same vehicle. I do not know, if you go to Melbourne, particularly if you go to the special events that they have there, the Formula 1, you will find it is a pretty close environment and they are probably more at the higher end of capacity. That is not something—we design for a number of people per hour per direction with a certain amount per capacity per vehicle, which is the 450.

**The Hon. GREG DONNELLY:** With the 450, with respect to the count on that, how does the unit know it is reaching capacity? In other words, that there are 450 people on board? Is there some counting that is being done to record that it is approaching full, which is the 450, which includes 20 per cent seating and 80 per cent standing? Is that being monitored, or is it a case of people just stacks on, get in, and if it looks like it is pretty full, people will not get on?

**Mr COXON:** I think when you are in those situations this is really where the operator of the system will put in measures to monitor the number of people in the carriages, and they may have people on the platforms. I am not really in a position to explain how the operator will manage an over capacity situation. I think that is more of a question for the operator.

**The Hon. GREG DONNELLY:** I am not trying to trick you. Obviously running out to the university there will be peak times for students going out and coming back. One would imagine it could be quite packed at certain times. If the operator pushes, so to speak, more than the 450 on, that is a matter for the operator, is it, it has nothing to do with you?

**Mr COXON:** That is right. We are not involved in the project in that scope. We are not there. We are not monitoring the uses of the system.

**The Hon. TREVOR KHAN:** The students just want to get on the bus. They are not too worried if it is full.

**The Hon. GREG DONNELLY:** I am trying to grasp whether or not counting is being done. People may walk through and break a light so that there is an automatic count, so someone can see it is nearly packed.

**Mr COXON:** I do not think there is that level of technology. On metro systems today you can get that level of technology when they go through the platform screen doors where there is technology to identify the number of people passing. But on a light rail vehicle there is not that level of technology.

**The Hon. GREG DONNELLY:** How many doors on each side of the double configuration? If you are not sure, take it on notice.

**Mr COXON:** I will take it on notice. I can tell you they are all double doors. I cannot recall whether there are three or four on the side. We have a few vehicles at the Randwick depot and we can confirm that.

**The Hon. COURTNEY HOUSSOS:** I understand that there will be 15 services operating each hour in each direction, is that correct? Do you have any role in the operation?

**Mr COXON:** No, that is the operator who operates and decides the number of services.

**The Hon. COURTNEY HOUSSOS:** Around the world where you do operate the systems, how many normally operate in each direction each hour?

**Mr COXON:** That depends on the requirements of the system. I think this project is similar to other projects around the world. I am happy to take that on notice and give you a comparison of the headways of different systems which we have designed around the world.

**The Hon. COURTNEY HOUSSOS:** To get an idea of how many operate in each direction at each time on average.

**The Hon. TREVOR KHAN:** That will depend on the length of the sets and a whole variety of factors, will it not?

**Mr COXON:** Exactly, yes. The question I think is more the headway, what is the time distance between each of the trams and maybe how this project compares to those.

**The Hon. COURTNEY HOUSSOS:** I would be particularly interested in where the two have been coupled up, or can be coupled up, where they are operating and what is the distance between the two. I have noted that you are supplying the overhead wiring for the trams but there is a length of the track that will not have overhead wiring, is that correct?

**Mr COXON:** That is correct, 1.6 kilometres from Circular Quay to—

**The Hon. COURTNEY HOUSSOS:** Do your trams that are coupled together operate anywhere else without overhead wires?

**Mr COXON:** Yes. Our trams, we have about 245 of the Citadis trams operating on what we call the alimentation par le sol [APS], which is the catenary free, the wire free. We have had that technology for 10 years. It is very much proven. It is authorised by lots of safety authorities across the world. In fact, I think we have something in the region of 30 million kilometres already travelled on that system.

**The Hon. TREVOR KHAN:** We spoke about the stabling yards in Randwick. I take it that your role will be essentially working for Transdev once commissioning is complete. Is that right?

**Mr COXON:** Correct.

**The Hon. TREVOR KHAN:** Will Transdev be in charge and operating the stabling yard?

**Mr COXON:** Correct.

**The Hon. TREVOR KHAN:** You will have some of your employees doing specific maintenance there or at the other yards, is that correct?

**Mr COXON:** That is right, correct.

**The Hon. TREVOR KHAN:** Do you have an understanding now as to what work is going to happen at the Randwick stabling yards, as opposed to the heavy maintenance yards?

**Mr COXON:** Yes. The light maintenance will take place at the Randwick depot, so the cleaning and inspections will take place at the Randwick depot. And the heavy maintenance, for example the wheel grinding as the wheels start to wear down, that will take place at Rozelle, Lilyfield, the heavy maintenance depot.

**The Hon. TREVOR KHAN:** What is light maintenance?

**Mr COXON:** The cleaning, the inspections, the electrical inspection. I am happy to take that on notice to give you a definitive description of the light and heavy maintenance.

**The Hon. TREVOR KHAN:** Will that go on not only during the day but also at night?

**Mr COXON:** I am not sure today. I will take that on notice. I am not clear of what the exact maintenance plan is, as to whether or not there will be a night shift to do that maintenance as well. You mean in both locations?

**The Hon. TREVOR KHAN:** Yes. Really, I do not care about Lilyfield, to be honest.

**The Hon. GREG DONNELLY:** Shame.

**The Hon. TREVOR KHAN:** I do not mean it in that sense, but it is a heavy maintenance yard, is it not?

**Mr COXON:** Yes, that is right.

**The Hon. TREVOR KHAN:** I take it is designed and in an area where that is suitable?

**Mr COXON:** Yes.

**The Hon. TREVOR KHAN:** Clearly, from what we have heard from some of the residents, this stabling yard backs on to residential accommodation, so it is of interest to all members of this Committee to know what you are going to be doing there in the middle of the night.

**Mr COXON:** Yes. I think it will be minimal but I will come back with the details on that.

**The CHAIR:** You can take that on notice.

**The Hon. COURTNEY HOUSSOS:** You noted that residents had raised the issue of the tram bells. What other issues have residents raised with you?

**Mr COXON:** With respect to the Alstom scope, that is the only one I am aware of.

**The Hon. COURTNEY HOUSSOS:** They have not raised any other issues?

**Mr COXON:** That is right. That is my understanding.

**The Hon. TREVOR KHAN:** Was it raised with them, or was it raised with Transport for NSW or Acciona and then transmitted to you?

**Mr COXON:** I will take it on notice to know the exact communication process. My understanding is that it was raised with ALTRAC, and they referred it to us and then we resolved it with ALTRAC and Transport for NSW.

**The Hon. COURTNEY HOUSSOS:** What processes have you put in place to engage with the residents on an ongoing basis once it is up and running, given that you will be operating maintenance?

**Mr COXON:** That will be under the responsibility of the operator and maintainer. We will fit into that, in the same way today we fit under the ALTRAC system for communications under the D and C contractor. ALTRAC will have that responsibility for the operation and maintenance as well. We will fit into that.

**The Hon. TREVOR KHAN:** So Transdev?

**Mr COXON:** Yes. You will have ALTRAC. Then you will have Transdev and then Alstom as part of the operation and maintenance. That will continue under the ALTRAC umbrella. ALTRAC today have this complaints management process along with Transport for NSW, who I understand have a 24/7 hotline for complaints. I understand that will continue with ALTRAC, not only through to construction but through the operation and maintenance period.

**The Hon. COURTNEY HOUSSOS:** Can I respectfully suggest you may want to make some inquiries about how effective that could be given the testimony we heard this morning?

**Mr COXON:** Okay.

**The Hon. COURTNEY HOUSSOS:** That has not been particularly effective. Given you will be operating the maintenance in such close proximity to residents, it would be useful to know that you were being slightly more responsive than ALTRAC or the other providers have been to the concerns that residents have been raising.

**Mr COXON:** I will take your point on board.

**The Hon. COURTNEY HOUSSOS:** If we learn anything from what these residents have been going through, it is that communication needs to be much better and much more responsive. If we can ensure that once this operation is underway they are being heard, that is perhaps one positive thing to come out of this inquiry.

**Mr COXON:** Okay.

**The Hon. GREG DONNELLY:** With respect to the contractual arrangements in place, through the Chair we asked Transport for NSW to provide us with a diagram of how it all fits together.

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** It has got all the major entities and how they link together and how they cooperate to bring this project to completion.

**The CHAIR:** Do you want to show him the diagram?

**Mr COXON:** I am familiar with the structure.

**The Hon. GREG DONNELLY:** With respect to the contractual arrangement that Alstom has with everybody else, are those contracts finalised and settled so there are no loose ends, so to speak, or are we in a situation where even at this stage of this project there are questions of scope still being discussed and debated between yourself and some of the other key entities in this contract?

**Mr COXON:** In respect of the scope, that is clear.

**The Hon. GREG DONNELLY:** Is there anything that is unclear?

**Mr COXON:** Well, we have ongoing commercial negotiations with all the parties.

**The Hon. GREG DONNELLY:** That is in regard to?

**The Hon. TREVOR KHAN:** Who is paying what.

**Mr COXON:** Yes.

**The Hon. GREG DONNELLY:** Would you like to elucidate? What do you mean who is paying what? I do not understand that answer.

**The CHAIR:** Mr Khan said that.

**The Hon. GREG DONNELLY:** I am saying I do not understand the answer.

**Mr COXON:** That is commercial-in-confidence, the status of our discussions within the contracts that we have.

**The Hon. TREVOR KHAN:** The question is who pays for the variations, et cetera.

**Mr COXON:** The variations in the scope, the impact of the time, particularly on Alstom.

**The Hon. SHAYNE MALLARD:** They are all fairly standard with infrastructure projects.

**Mr COXON:** Yes. There are mechanisms within the contract that deal with that.

**The Hon. GREG DONNELLY:** Are further variations anticipated between now and when this project is completed?

**Mr COXON:** We do not believe so. We think the scope, as I mentioned, is fixed now. We want to get on and execute our scope as quickly as we can. We are not expecting more variations, but we do not know. The customer has the ability to vary—

**The Hon. GREG DONNELLY:** You do not know what you do not know.

**Mr COXON:** We do not know.

**The Hon. SHAYNE MALLARD:** Can I clarify, my limited engagement in infrastructure projects from local government is that there is always negotiation in the process between contractors and the commissioner about variations. Is that your experience in infrastructure projects?

**Mr COXON:** Absolutely. It is absolutely normal to have variations in any infrastructure project. Absolutely normal. There are mechanisms in the contract to deal with that and then you implement those mechanisms.

**The Hon. SHAYNE MALLARD:** Thank you.

**The Hon. COURTNEY HOUSSOS:** How many variations have you had thus far?

**Mr COXON:** The number of variations impacting the Alstom scope is relatively small.

**The Hon. COURTNEY HOUSSOS:** With respect, that did not answer my question. How many?

**Mr COXON:** I am sorry, that is commercial-in-confidence. I cannot give you details of the variations.

**The Hon. COURTNEY HOUSSOS:** Your role is essentially to provide the—

**The Hon. TREVOR KHAN:** The wires.

**Mr COXON:** It is slightly more technical than that. Yes, it is substations, communication systems, signalling systems, light rail vehicles in addition to the wires.

**The Hon. COURTNEY HOUSSOS:** You indicated that the civil works largely has to be completed before you can do your work?

**Mr COXON:** That is right, yes.

**The Hon. COURTNEY HOUSSOS:** At what point were you told that there was going to be a delay in the civil works?

**Mr COXON:** I think throughout the project it has been a dynamic planning process, so as utility works were found, as scope variations were included, there is a process of, shall we say, iteration of the planning and then see how we mitigate that. We work with our civil partner to see continually how we mitigate potential delays on the civil side. I would say probably the middle of last year we started—the utility works impacts, particularly within the city, were stable. We knew those. Well, the civil works company told us what they were, and the scope variations were pretty fixed by around the middle of last year, so middle to September last year is when we really understood the full impact of the delays of the civil works.

**The CHAIR:** Was that mostly George Street?

**Mr COXON:** Mostly George Street with respect to the utility works, yes.

**The Hon. COURTNEY HOUSSOS:** You said you have employees who come from overseas to do the testing component, but you have local subcontractors to do the installation work. When did you engage those subcontractors?

**Mr COXON:** We have been in discussions with those contractors since the beginning of the contract.

**The Hon. COURTNEY HOUSSOS:** When was that?

**Mr COXON:** The contract started in February 2015.

**The Hon. COURTNEY HOUSSOS:** You signed contracts with them?

**Mr COXON:** I would not say we signed contracts, but we were discussing already then with installation contractors.

**The Hon. COURTNEY HOUSSOS:** When did they begin their work?

**Mr COXON:** When installation started. I would have to take on notice the specific details of when the contractors started their work, the precise timing.

**The Hon. COURTNEY HOUSSOS:** I would be interested to know when they signed on, when they began their work and if there was any delay to the work they were doing.

**Mr COXON:** Okay.

**The CHAIR:** Thank you again for appearing. As you know, the Committee has resolved that answers to questions taken on notice be returned within 21 days once you have received the questions from the secretariat. The 21 days start ticking once you get questions back from us. Are you quite clear which questions we regard as being on notice?

**Mr COXON:** Yes.

**The CHAIR:** Thank you very much for attending the hearing and answering our questions. We appreciate that. All the best with the project. We all look forward to travelling on the railway.

**(The witness withdrew)**

**BRIAN BRENNAN**, Managing Director, Transdev Sydney, sworn and examined

**The CHAIR:** Do you want to make an opening statement?

**Mr BRENNAN:** Yes, I do. Thank you for the opportunity to appear before the Committee. Transdev welcomes the opportunity to provide our input to your deliberations. Transdev is the proud operator of many different forms of public transport in 20 countries around the globe. We operate 25 light rail networks across four Continents. To give you an idea of the current state of light rail around the world, our estimate is that there are 400 light rails operating globally with approximately 250 projects either in design or construction.

I would like to outline the role that Transdev plays in the delivery of public transport in Sydney and what role it will be playing in the operation of a CBD and South East Light Rail project. Transdev has been a part of Sydney's public transport system for two decade. We work closely with Transport for NSW to deliver bus, ferry, light rail and on-demand services across Sydney. We are contracted by Transport for NSW through Altrack to operate Sydney's existing light rail system. This has been operated by Transdev since 1997. The Sydney light rail provides a safe, reliable, comfortable and environmentally friendly transport option for almost 10 million customer journeys per year.

I have been managing director of the inner west light rail since 2015. I came to this role with Transdev after 13 years in various roles with Transdev's Dublin light rail system. I commenced there in 2003 as production manager, became general manager in 2006 and became managing director there in 2008. Transdev is also a partner in the Altrack light rail consortium and I would just like to take a moment to outline our role in that consortium.

Acciona is responsible for the design and construction of the new light rail network. Mark Coxon who spoke earlier from Alstom Transport Australia is responsible for supply and delivery of the new light rail vehicles, systems testing commissioning and also Alstom is currently sub-contracted to Transdev both for the inner west light rail and will be for the CBD and South East Light Rail for maintenance of the infrastructure. Transdev will be the operator of the light rail vehicles once the design and construction of the project has been completed and is handed over to Transdev.

Our role in the current construction stage is quite limited and involves design review and other mobilisation activities, including testing commissioning activities for the light rail vehicles. I am genuinely not trying to pass the buck here, but I just want the Committee to know that if it has detailed questions about the construction phase of the project, I am probably not the most appropriate person to direct them to. We have currently five team members working with the main project team to ensure its safety, operational and customer needs are represented during this design and construction phase of the project. We have also got four experienced drivers from the inner west light rail working with Alstom on the commissioning of the light rail vehicles.

While these numbers will ramp up as the opening of the CBD and South East projects draws closer, as I said here today our role is important but somewhat limited in the overall context of the project today. Our current focus, and mine and my very engaged and committed team is the ongoing delivery of excellent services on the existing inner west light rail network. Our customer satisfaction consistently achieves over 90 per cent and our safety performance has been consistently strong.

That said, Transdev has been involved in many major light rail projects around the world in recent years and I can categorically state they have been truly transformative to cities in which they have been built. But there is no getting around the fact that there is significant disturbance and real inconvenience while construction is underway. You would not be a human being if you were not moved by the testimony today. I did watch it by streaming and it is regrettable the level of disturbance. It was genuine. It was real and it has been very challenging for people.

Light rail systems are safe, give greater capacity, are more reliable and more environmentally friendly. The opening of these networks also fosters growth around the rail corridor. There is also improved urban amenities, revitalised areas, commercial opportunities and better pedestrian outcomes. I truly believe, as someone who has been involved in light rail since 2003 that light rail is the right answer to the public transport challenges of Sydney. I look forward to your questions.

**The Hon. COURTNEY HOUSSOS:** The operating contract for Sydney light rail runs until 2034. Is that correct?

**Mr BRENNAN:** That is correct.



**The Hon. COURTNEY HOUSSOS:** If it is completed in 2019, it is a 15-year operating contract. Is that correct?

**Mr BRENNAN:** That is correct.

**The Hon. COURTNEY HOUSSOS:** I refer to page 18 of report of the Auditor-General into the light rail project. There is a table of changes reflected in the December 2014 updated economic appraisal. The table states that operating costs of the Sydney light rail blew out from \$34.9 million to \$62.5 million per year. Is that correct?

**Mr BRENNAN:** I would have to take that on notice. I am not disputing the Auditor-General but I do not have that detail in front of me.

**The Hon. COURTNEY HOUSSOS:** I am happy to provide you with a copy of the relevant page if that is useful.

**Mr BRENNAN:** Sure. The other thing I would say is I joined the project in 2015 so I was not actually part of the bid in that final financial close.

**The Hon. COURTNEY HOUSSOS:** Assuming that the Auditor-General is correct, that is an increase in the cost of \$27.6 million per year. Over the 15-year life of the contract that is an increase of \$414 million. It is going from \$534 million to now \$938 million. Why was there an 80 per cent increase in the operating costs?

**Mr BRENNAN:** I would have to take it on notice. This report I am familiar with through the media with some of the detail, but I have not gone through it in any detail.

**The Hon. COURTNEY HOUSSOS:** Do you know there was a significant increase in the operating costs of the project from the initial commission in 2012 to 2014?

**Mr BRENNAN:** I am not sure what basis the difference is from and I will have to take it on notice.

**The CHAIR:** Were you questioned by the Auditor-General personally?

**Mr BRENNAN:** I was not.

**The Hon. COURTNEY HOUSSOS:** Do you understand that there was an increase in the operating costs?

**Mr BRENNAN:** From the bid perspective, I was not aware that there was a significant increase at that time but I was not here at that time. I got the figures when I arrived and they were already settled. They have not changed since then.

**The Hon. COURTNEY HOUSSOS:** Do you know that there was a significant increase?

**Mr BRENNAN:** No, I am not.

**The Hon. SHAYNE MALLARD:** Point of order: I wonder where is this going. I refer to the terms of reference. This is not an inquiry into the light rail system of which this gentleman is the managing director but it is about the construction of the CBD and South East Light Rail.

**The Hon. COURTNEY HOUSSOS:** That is exactly what my questions relate to. There is an Auditor-General's report into this project. The Auditor-General came—

**The Hon. SHAYNE MALLARD:** I thought your questions were about the performance of the inner west light rail.

**The Hon. COURTNEY HOUSSOS:** No.

**The Hon. SHAYNE MALLARD:** I withdraw my point of order. People make mistakes occasionally.

**The Hon. COURTNEY HOUSSOS:** I will be sure to take some time with yours as well. Mr Brennan, you took on notice that there was an increase. What were the reasons for that significant increase? Do you acknowledge that an 80 per cent increase in operating costs is significant?

**Mr BRENNAN:** It is, but I do not know what the initial basis was and what it is compared to.

**The Hon. COURTNEY HOUSSOS:** I want to know why it increased so much.

**Mr BRENNAN:** I am very happy to take that on notice.

**The Hon. COURTNEY HOUSSOS:** How long will it take to travel from Circular Quay to the end of the Randwick line and the end of the Kingsford line when it is completed?

**Mr BRENNAN:** That modelling is still being completed and it will be something between 34 and 38 minutes, and that has been well publicised. But at the moment it will depend on junction optimisation and also how the final discussions go in terms of signal priority. It is important to note that the tram is only part of the network, that is, cars et cetera and all the other requirements. So it is junction optimisation and it is not settled at this point.

**The Hon. COURTNEY HOUSSOS:** I will unpack two of those terms you have used. What is junction optimisation?

**Mr BRENNAN:** It means that we heard earlier about 450 capacity of the tram and what we would hope, as the operators of the tramway, is that if x number of cars come off the road and a reduction in the number of buses that are being used that we will get greater priority at the junctions.

**The Hon. COURTNEY HOUSSOS:** What is signal priority? Does that mean whether the trams will have priority over cars?

**Mr BRENNAN:** Yes, one of the features of the CBD and South East Light Rail which the inner west light rail does not have is the opportunity for advanced loops and, indeed, for it to not stop. There is great opportunity there to traverse the junctions with a 67-metre tram in a very efficient way and carry a lot of passengers into the CBD.

**The Hon. COURTNEY HOUSSOS:** You said there is an opportunity to traverse a junction?

**Mr BRENNAN:** Yes. There has been some media speculation about the fact that a 67-metre tram will actually clog the road junctions. But we feel as an operator that if we were carrying a 40, a 50 or a 67 metre it is only a matter of a number of other seconds that it would take to get through the junction.

**The Hon. COURTNEY HOUSSOS:** At these intersections who decides whether the light rail vehicles will have priority? Has that been decided yet?

**Mr BRENNAN:** No, it has not.

**The Hon. COURTNEY HOUSSOS:** Who will make that decision?

**Mr BRENNAN:** Ultimately it will be in combination with Roads and Maritime Services.

**The Hon. COURTNEY HOUSSOS:** They will decide who is controlling the traffic lights?

**Mr BRENNAN:** They ultimately control the traffic lights.

**The Hon. COURTNEY HOUSSOS:** So they will make the decision about whether you have the priority or whether cars have the priority?

**Mr BRENNAN:** I am sure in liaison with government, et cetera.

**The Hon. COURTNEY HOUSSOS:** That is part of the modelling that will be between 34 and 38 minutes. Is that correct?

**Mr BRENNAN:** Correct.

**The Hon. COURTNEY HOUSSOS:** If you get priority and you do get the traffic signalling that you want, do you expect that it will be 34 minutes?

**Mr BRENNAN:** I could not say at this time. That is pure speculation.

**The Hon. COURTNEY HOUSSOS:** You have not been guaranteed priority yet at the intersections?

**Mr BRENNAN:** No.

**The Hon. COURTNEY HOUSSOS:** How many trams are you expecting to run into the city every hour?

**Mr BRENNAN:** If we reach 6,750 passengers per hour per direction we would have 21 to 22 trams in service with three spares. So that effectively would use 50 of the 60 that have been purchased.

**The Hon. COURTNEY HOUSSOS:** Sorry?

**Mr BRENNAN:** Twenty-one to 22 trams with three spares. You would mobilise 21 vehicles that morning.

**The Hon. GREG DONNELLY:** That is the pairs linked?

**Mr BRENNAN:** Absolutely, the coupled set.

**The Hon. COURTNEY HOUSSOS:** Which is 66 or 67 metres long?

**Mr BRENNAN:** Correct.

**The Hon. COURTNEY HOUSSOS:** What is going to happen on the intersections that are shorter than 66 metres?

**Mr BRENNAN:** Sorry?

**The Hon. COURTNEY HOUSSOS:** We received testimony from a number of residents during our last hearing who said that there are intersections in the city that are shorter than 66 metres. What is going to happen there?

**Mr BRENNAN:** The priority will be given there to ensure that we do not clog up those road junctions.

**The Hon. COURTNEY HOUSSOS:** Have you got that guarantee yet?

**Mr BRENNAN:** We have not got that guarantee but there is an understanding in our discussions that it is about optimising the tramway to move significant numbers of people and to keep the city moving.

**The CHAIR:** That gets back to the purpose of the whole operation, does it not, of the light rail?

**Mr BRENNAN:** Indeed. Unreliable journey times and traffic congestion.

**The Hon. COURTNEY HOUSSOS:** Do you know how many intersections the trams will have to cross in making their journeys into the city each day?

**Mr BRENNAN:** Fifty-five.

**The Hon. COURTNEY HOUSSOS:** Will they have to stop at all of those intersections?

**Mr BRENNAN:** Sorry, I obviously did not make it clear. At the moment we do not have determination on what we will be doing at each junction. We are working through that process at the moment with RMS.

**The Hon. COURTNEY HOUSSOS:** When will that be completed?

**Mr BRENNAN:** It will take a matter of months, as it does in any light rail project.

**The Hon. COURTNEY HOUSSOS:** When you say "months", is that months from now because the process is under way?

**Mr BRENNAN:** The process is under way. Obviously, like any process, when you go through the first set they are more complicated, et cetera. People get more used to it and then the routine sets in.

**The Hon. COURTNEY HOUSSOS:** Let us use an intersection like Market Street and George Street. A light rail vehicle will cross that intersection how many times in an hour?

**Mr BRENNAN:** I would have to take that on notice. I have not done that calculation.

**The Hon. COURTNEY HOUSSOS:** Can you tell me what it is going to be in both directions?

**Mr BRENNAN:** Absolutely, no problem.

**The Hon. COURTNEY HOUSSOS:** How long will traffic have to be stopped for a light rail vehicle to travel through an intersection?

**Mr BRENNAN:** That is all part of the discussion that is ongoing at the moment. Obviously we have to consider that there may be pedestrian flows that will be required, et cetera.

**The Hon. COURTNEY HOUSSOS:** Can you tell us without pedestrian flows, just purely if it is operating, how long the 66-metre long vehicle will take to go through each of the intersections?

**Mr BRENNAN:** If it is optimised it will be well under 30 seconds.

**The Hon. COURTNEY HOUSSOS:** What are the factors that mean that it could not be under 30 seconds?

**Mr BRENNAN:** It would be predicated on the fact of an advanced loop or not. That is, do we come to a full stop or are we coming from a standing start or are we moving through the junction?

**The Hon. COURTNEY HOUSSOS:** But you said also if there is pedestrian traffic that might delay things.

**Mr BRENNAN:** No, pedestrian requirements in terms of the sequencing. At the end of the day, we are one group. We have then got cars, we have then got pedestrians, so everyone needs to be accommodated within a junction.

**The Hon. COURTNEY HOUSSOS:** I totally agree with that. Obviously, you have to ensure that the light rail vehicle is safely stopped before pedestrians start. You also need to stop the pedestrians to allow the light rail plenty of time to start. How long does an intersection have to be closed on average to allow the light rail to cross?

**Mr BRENNAN:** I do not have that detail at the moment.

**The Hon. COURTNEY HOUSSOS:** You do not have that detail with you, or that is still being determined?

**Mr BRENNAN:** That is still being determined because all the junctions have different variables within them. They are called personalities for a reason, because each junction is different.

**The Hon. COURTNEY HOUSSOS:** You call each intersection a personality?

**Mr BRENNAN:** Personalities are part of the traffic management system.

**The CHAIR:** They have different traits.

**The Hon. COURTNEY HOUSSOS:** I can appreciate that. So there are 55 personalities. You are saying that you can cross them in under 30 seconds. You are running 21 trams per hour.

**Mr BRENNAN:** That is 21 to 22 in the network.

**The Hon. COURTNEY HOUSSOS:** But the Government has told us that there will be 15 services operating in each direction each hour.

**Mr BRENNAN:** That sounds about right.

**The Hon. COURTNEY HOUSSOS:** Those 15 services that are operating each hour, if they can cross an intersection in under 30 seconds that means you are going to need less than 15 minutes an hour for those intersections to be closed. Is that right?

**Mr BRENNAN:** If it is fully optimised, that is correct. No, sorry, your calculation—you said 15?

**The Hon. COURTNEY HOUSSOS:** I said there are 15 services. You said you can do it in under 30 seconds. I am giving you a minute. I am saying 15 minutes.

**Mr BRENNAN:** But we have also got 55 junctions.

**The Hon. COURTNEY HOUSSOS:** I am trying to get a sense of how many minutes traffic is going to be stopped at each of these intersections—but in particular major ones like South Dowling Street—each hour for these light rail vehicles that are at the longer end of the spectrum, you would concede.

**Mr BRENNAN:** They are, but not unprecedented by any means either.

**The Hon. COURTNEY HOUSSOS:** That is fine, but they are going to be long and somewhat unwieldy to operate.

**Mr BRENNAN:** I would not accept that. Also, as I tried to illustrate, it is only a number of other seconds when a tram is on the move.

**The Hon. TREVOR KHAN:** You just don't like trams, do you?

**The Hon. COURTNEY HOUSSOS:** I do not think they are the best solution for this corridor, can I say. Did you have any input into the four people per square metre calculation for the maximum capacity?

**Mr BRENNAN:** Transdev did not; however, in my experience in Dublin that was also the calculation that was used.

**The Hon. COURTNEY HOUSSOS:** What is the current passenger capacity that operates on the buses that you operate?

**Mr BRENNAN:** I do not know. I will take it on notice.

**The Hon. COURTNEY HOUSSOS:** I am told that it would be 2.6. Is that correct? Would that sound about right?

**Mr BRENNAN:** I am sorry, I just said I do not know.

**The Hon. COURTNEY HOUSSOS:** You do not have any idea?

**Mr BRENNAN:** I do not run the buses.

**The CHAIR:** You can take it on notice.

**The Hon. COURTNEY HOUSSOS:** You said that you operate buses, ferries and light rail.

**Mr BRENNAN:** Transdev do. We have 5,600 employees in Transdev Australasia. I do not run the buses.

**The Hon. COURTNEY HOUSSOS:** You do not have anything to do with the buses in New South Wales?

**Mr BRENNAN:** I do not. I am the chief officer for light rail.

**The Hon. COURTNEY HOUSSOS:** If you can take on notice what the current operating capacity is for your buses on your network in Sydney that would be very useful.

**Mr BRENNAN:** Yes.

**The Hon. COURTNEY HOUSSOS:** Has your company ever operated a tram at 66 or 67 metres?

**Mr BRENNAN:** We have.

**The Hon. COURTNEY HOUSSOS:** In what cities elsewhere in the world do you do that?

**Mr BRENNAN:** When we had the contract we were doing in Rabat Salé, also in Casablanca and also in Jerusalem.

**The Hon. COURTNEY HOUSSOS:** Can you say the first one for me again?

**Mr BRENNAN:** Rabat Salé in Morocco. My pronunciation may be out. And in Casablanca and in Jerusalem. There may be more but those are the three that I am aware of as part of my research.

**The Hon. COURTNEY HOUSSOS:** Are there any lessons to be learnt from them operating at 67 metres in those cities?

**Mr BRENNAN:** Well, I think we have a return on experience certainly and we will be looking at different things such as cameras, but I think the other point I would make is trams have been developed a lot more now as well since some of those started. What I mean by that is the quality of the cameras and the ability for drivers to operate them is far improved.

**The Hon. COURTNEY HOUSSOS:** When do you expect that you will have the final traffic modelling done?

**Mr BRENNAN:** I do not have a date at this time. There is work ongoing all the time. RMS and ALTRAC and all the other partners are meeting regularly to progress this.

**The Hon. COURTNEY HOUSSOS:** But you do not have a time frame in mind? When are you expecting to begin operating the trams?

**Mr BRENNAN:** For instance, R1 and R2, the combined route that we talked about in Randwick, we will need to get agreement on those prior to moving through. It will happen incrementally, like we talked about the precincts earlier.

**The Hon. COURTNEY HOUSSOS:** Does the traffic modelling need to be done to commence your testing and commissioning?

**Mr BRENNAN:** For R1 and R2 the plan is that we will have it completed by then for just that section.

**The Hon. COURTNEY HOUSSOS:** You have a date but, by the time testing and commissioning will begin, you need to know what the traffic modelling is going to look like?

**Mr BRENNAN:** Just in that particular defined area for those number of junctions, not the entire system.

**The Hon. COURTNEY HOUSSOS:** I appreciate that, but I am saying that you cannot begin testing and commissioning in a zone until you know what the traffic modelling is going to be for that zone?

**Mr BRENNAN:** No, not true. You can. You just will not be able to optimise the way that you do it.

**The Hon. COURTNEY HOUSSOS:** Would you expect that the traffic modelling will be completed before you begin the testing and commissioning in the city?

**Mr BRENNAN:** Yes, I would.

**The CHAIR:** We will move on to The Greens representative, Ms Cate Faehrmann.

**Ms CATE FAEHRMANN:** Mr Brennan, when did you say you would expect to begin operating the light rail. I am sorry—I just missed that date. Was there a date that you said you could begin to operate them? What are you working towards?

**Mr BRENNAN:** We are working currently to the first quarter in 2020.

**Ms CATE FAEHRMANN:** So March 2020. Have you seen a revised construction schedule?

**Mr BRENNAN:** Revised from what date?

**Ms CATE FAEHRMANN:** Since 2014?

**Mr BRENNAN:** I have.

**Ms CATE FAEHRMANN:** Would you be able to table that construction schedule?

**Mr BRENNAN:** It is not my schedule. Maybe that question would be better directed to ALTRAC.

**Ms CATE FAEHRMANN:** I do not think it has been released, actually. I think quite a few people have been wanting to see it, including residents and businesses. Going back to the journey time, you are saying 34 minutes and possibly up to 38 minutes, is that correct?

**Mr BRENNAN:** Broadly speaking, yes.

**Ms CATE FAEHRMANN:** So 34 minutes was the estimated journey time in what year?

**Mr BRENNAN:** Well, anything from about, say, 2013 probably to 2014 broadly.

**Ms CATE FAEHRMANN:** Then it was put up to 38 minutes a year later, is that correct?

**Mr BRENNAN:** The sequencing I am not sure of. If I can take it on notice and come back?

**Ms CATE FAEHRMANN:** Is there a reason why four years later lots of people have been asking questions about the revised journey time? I understand people have put in Government Information (Public Access) Act requests, freedom of information requests, to try to get this revised journey time but to no effect. Have you seen a revised journey time—for some reason it is commercial in confidence—updated from 2015?

**Mr BRENNAN:** I have not seen a full revised journey time. What I can say is there has been continuous modelling done to reflect some of the changes that happen as the project has developed.

**Ms CATE FAEHRMANN:** Has that modelling looked at the revised journey time and made an impact on the 34 and 38 minutes? Has it changed the 38 minutes?

**Mr BRENNAN:** Until we see what the signal priority is at junctions we do not know.

**Ms CATE FAEHRMANN:** How did you know to estimate in 2014-15 then?

**Mr BRENNAN:** There are models that you can use and you put inputs of what you think is credible and real and then you obviously have to get to reality.

**The CHAIR:** And that is all done on computers, obviously?

**Mr BRENNAN:** Yes, simulated exercises, Chair.

**Ms CATE FAEHRMANN:** I understand that there is a document that was retrieved under freedom of information laws, which is the document produced by GTA Consultants called Sydney CBD and South East Light Rail and State Transport Modelling Assessment. Are you familiar with that document?

**Mr BRENNAN:** I am aware of the document, yes.

**Ms CATE FAEHRMANN:** It is a 756-page report and only 157 pages of this report were released. Do you think contained within that 756-page report there may be some information which gives an updated possible journey time?

**Mr BRENNAN:** I am sure there are some assumptions in there that gives some credence to possible journey times but it is one of many models that have been done.

**Ms CATE FAEHRMANN:** This is one of many models that have been done. So you possibly have seen other journey times. Have you seen anywhere since the release to the public of 2015 that consultants and people who are now undertaking modelling are suggesting that the journey time could be greater than 38 minutes?

**Mr BRENNAN:** I have not seen that at this stage, no.

**The CHAIR:** Do you think it is possible that it could be increased to that figure?

**Mr BRENNAN:** Depending on the signal priority, that will determine the run time. There will obviously be dwell time at stops as well, patronage loading, et cetera, but the key factor in terms of how you minimise or how you optimise a system is a priority that is given at junctions.

**Ms CATE FAEHRMANN:** The taxpayers of New South Wales are investing \$2.1 billion into this project. We have had the Auditor-General potentially suggest that this project will not increase capacity. We have looked at the fact that it possibly will not replace the hundreds of buses. Even though we have heard a figure of 200 buses we also know quite a few buses will have to supplement the light rail. Surely at some point before the light rail starts operating in March 2020, if it starts operating in March 2020, the public will hear what the revised journey travel time is. Do you have an estimate of when the public will be able to find out what that revised journey time will be? A date?

**Mr BRENNAN:** Transdev are not in the lead on that. We will be guided by the other partners in the consortium.

**Ms CATE FAEHRMANN:** Is it Transdev that provides that information in terms of journey time?

**Mr BRENNAN:** No, it will not be.

**Ms CATE FAEHRMANN:** Who does that?

**Mr BRENNAN:** That will be done through the design and construction contract.

**Ms CATE FAEHRMANN:** Given all of the questions around intersections and everything that you are seeing with this project, do you feel confident that your light rail trains will go from the CBD to, say, Kingsford in 38 minutes?

**Mr BRENNAN:** At the moment I do not know what the actual journey time is. We will optimise that. We are working with all the partners to ensure that it is as quick as it can possibly be but also we have got to be cognisant of other road users. It is not just the light rail on its own and pathway. We have 55 road junctions to get through.

**Ms CATE FAEHRMANN:** Yes, but it is up to 38 minutes, though. Is that correct?

**Mr BRENNAN:** Yes.

**Ms CATE FAEHRMANN:** So you are still standing by that today before this Committee?

**Mr BRENNAN:** We are, yes.

**Ms CATE FAEHRMANN:** That is all for now, Chair.

**The Hon. MATTHEW MASON-COX:** Can I ask you about optimisation, Mr Brennan? When you say it needs to be optimised, I think you were suggesting—and I wanted to clarify this—that you can work each of those 55 junctions and coordinate all the traffic lights or the other traffic flows so that when a tram arrives, it can basically go through as a priority. Is that what you are saying in terms of optimisation?

**Mr BRENNAN:** Correct, with utilisation of the advance loops that are part of this system.

**The Hon. MATTHEW MASON-COX:** Can you just explain that to me?

**Mr BRENNAN:** Sure. On the approach to the junction, the effects of the junction recognise that a tram is on approach and then takes the necessary action to ensure that it can go through the junction.

**The Hon. MATTHEW MASON-COX:** And that is coordinated with pedestrians as well?

**Mr BRENNAN:** Absolutely.

**The Hon. MATTHEW MASON-COX:** So it is quite a logistical exercise to sort through all of that but that is well-worn technology presumably?

**Mr BRENNAN:** Very much so.

**The Hon. SHAYNE MALLARD:** In your opening statement you referred to an estimated 400 light rail networks operating globally.

**Mr BRENNAN:** Yes.

**The Hon. SHAYNE MALLARD:** And you estimate a further 250 are under construction?

**Mr BRENNAN:** That is correct.

**The Hon. SHAYNE MALLARD:** You made the statement that light rail is the answer to public transport challenges for the modern city and Sydney. With your experience and that of your company, do you want to elaborate on that?

**Mr BRENNAN:** Sure. If I look at the inner west light rail with the Lilyfield extension, you look at a 250 per cent growth in passengers and the fact that there are 5,200 developments currently and ongoing within less than a kilometre between Lilyfield and Dulwich Hill and Transport for NSW have put on additional services. We have got eight minutes now under peak; it was 12, then it was 10 and now it is eight and other opportunities have been looked at as well as to how to further improve that service.

People genuinely love light rail when it comes. There were many infrastructure projects in the time that I was fortunate enough to be in Dublin involved with the Luas light rail system, and it was the infrastructure project that got 98 per cent satisfaction from the public within five years of opening. Since then there have been three further extensions built, and now parts of Dublin want to know why they do not have it. Light rail is the mode of choice; people like travelling on it and the type of safety features that are on it et cetera, the fact that you have a 24/7 control room and the urban regeneration that I have seen. If I look at even the number of planning applications that are coming in on the CBD and South East Light Rail, it is phenomenal and people are responding to it. The other comment I would make, and it was a comment I got from hospitals when I was working in Dublin was that they found it much easier to recruit staff because they had a reliable service and people really appreciated it from both a work option but also reliability point.

**The Hon. SHAYNE MALLARD:** In a cityscape context over cities for people and the pedestrian relationship with the light rail, is that one of the attractions of it compared to buses?

**Mr BRENNAN:** I was not here that long before the buses moved off George Street and obviously there is a huge construction project going on, but if we can fast forward to, say, 2022 and look at the potential vision in terms of the cafe culture, the boulevard that will be there and also the streetscape will be mature, the amount of nightlife that will happen around there, there are some great opportunities. Light rail works.

**The Hon. SHAYNE MALLARD:** Have you seen that overseas?

**Mr BRENNAN:** I have indeed, not just in Dublin; I have seen it in Barcelona, I have seen it in Montpellier, I have seen it in Le Havre, right across.

**The Hon. SHAYNE MALLARD:** You have talked about the growth along the corridor in Lilyfield and you say you are seeing it happen on George Street—

**Mr BRENNAN:** We have seen that with the number of applications and the type of requests that are coming in from developers, yes.

**The Hon. SHAYNE MALLARD:** Has there been assessed any sort of monetary value on that yet?

**Mr BRENNAN:** The only monetary value I have seen was something from Transport for NSW and I think just on the CBD and South East Light Rail it was over \$5 billion.



**The Hon. TREVOR KHAN:** You have spoken about the benefit, say, on George Street. If we look at the other arm, and that is out to Kingsford and the like, is there any difference in terms of the operation of the sets in that area as opposed to in George Street? It seems to me quite different environments in which you are operating the sets.

**Mr BRENNAN:** Very different environments, that is true, but no, they will be operating in the same way. If you think about special events, say leaving from Central to Moore Park, for instance, there will be a two-minute service and we anticipate at least one of those every week. That is going to move significant numbers of people as required to major events in those regions. From the point of view of Kingsford and Randwick, there is going to be a four-minute service, even off-peak, which will give people great opportunities to use the light rail and to traverse between Kingsford, Randwick and the CBD.

**The Hon. TREVOR KHAN:** In terms of moving the university students who, say, come into Central, that again will be at a minimum of a four-minute service. Is that the effect?

**Mr BRENNAN:** It is eight minutes on both of the branches and four minutes on the trunk. So effectively from Moore Park to Circular Quay is a four-minute service between seven in the morning to seven in the evening, and then it is eight minutes from Moore Park to Kingsford and Moore Park to Randwick.

**The Hon. TREVOR KHAN:** Will those services simply be, in a sense, an on-demand service as opposed to a timetable? They will just run with a specified distance between each set? Would that be the way that it will run?

**Mr BRENNAN:** Correct, yes. They will be based on headways.

**The Hon. TREVOR KHAN:** In terms of the priority given at lights, and I am thinking, for instance, if we go along Alison Road there are various lights at Doncaster Avenue and further up the hill, would you anticipate that they would be controlled in the same way that you are talking about in terms of giving priority to the tram, or is that issue of priority more in terms of George Street than in those, I will call them, semi-suburban areas?

**Mr BRENNAN:** Each junction is as important as each other and we will be looking to get the same priority treatment at each junction because at the end of the day if you get a significant delay, whether it is in the CBD or whether it is at Randwick, you have got an impact on your journey time. The reality is that there will be compromise, and that is how light rail systems are introduced into cities, where you will not necessarily get priority at all junctions because there will be requirements for the road et cetera, and indeed buses.

**The Hon. TREVOR KHAN:** So in terms of the estimates that are done—we have spoken of 34 or 38 minutes—is there a capacity to speed up or slow down the sets as they are travelling on? Again, I am thinking in areas such as along Anzac Parade there where the capacity for speed may be greater than, say, along Devonshire Street and the like.

**Mr BRENNAN:** It will be a headway-based service, so there could be a situation where a controller would get in touch with a tram and just ask them to hold for one minute et cetera, et cetera. But that would be normal and typical of today and, indeed, of any light rail operation.

**The Hon. TREVOR KHAN:** That is a hold in terms of hold at a stop?

**Mr BRENNAN:** Indeed. The other real positive benefit of light rail is the whole accessibility piece as well, the fact that people who are mobility impaired the stops have been designed with that absolute—as are Alstom Citadis trams as well—roll-on, roll-off service.

**The CHAIR:** That is because of its low level.

**Mr BRENNAN:** Its low level but also the way that the stops have been designed and accessibility has been taken into account in all cases.

**The Hon. TREVOR KHAN:** Mr Coxon was asked questions—and I am not being in any way critical of Mr Donnelly with regards to this—how do you know how many people you have got on your set at any one time? Is it controlled?

**Mr BRENNAN:** If you go to Central station, for instance, at the moment we would have staff at various times of the day, and at certain times of the day obviously there is peak capacity, and that is a reality whether it is on a bus, a train or a light rail system.

**The Hon. GREG DONNELLY:** So that is 450 people on a set? That is what we got from the previous witness.

**Mr BRENNAN:** Yes, that is fine, but obviously at the moment we are operating a different tram—it is just under 200 is the number for the CAF vehicle that we have in the inner west light rail. So effectively what will happen in that scenario is that the staff will make a judgement and obviously they will know another tram is coming quite soon behind and they will just let that one go because it is far more efficient as well that there is some level of capacity left for the next stop as well because otherwise you just have delay after delay after delay.

**The Hon. TREVOR KHAN:** So you cannot jam it all up at the first station because then everyone is waiting at the stations further along the line. Is that what you are saying?

**Mr BRENNAN:** Indeed, yes—just in the peak of the peak.

**The Hon. SHAYNE MALLARD:** It will be all on apps as well. Yours is already on an app.

**Mr BRENNAN:** Yes. Technology and the app development et cetera will really help and, indeed, the ability as well for the passenger information displays to give an indication to people where is the best place to board et cetera, et cetera.

**The Hon. TREVOR KHAN:** You have already in part answered this, but taking you to an interchange that Ms Houssos and I had when she was asking you some questions, you have come across as an enthusiast for light rail as the option; she is not, by her own admission.

**The Hon. COURTNEY HOUSSOS:** For this route.

**The Hon. TREVOR KHAN:** Sorry, for this route. Why do you think this is the answer as opposed to other alternatives, which I assume are buses?

**Mr BRENNAN:** The pedestrian zone of the one kilometre that we are going to have in the CBD, but also just the ability to move the capacity that you can move. Notwithstanding whether buses stay, go, complement et cetera, the opportunity with light rail is for complementary as well; it is not about light rail in isolation. Some of the estimates that were done and the numbers were coming for what would be needed for light rail and, indeed, for Sydney, there has been a population explosion since some of those estimates have been done. It is about complementary service; it is not about light rail on its own. To be able to move 450 people, a four-minute headway, take people out of cars and ultimately reduce the level of congestion on the road, that is why I think light rail is the answer.

**The Hon. TREVOR KHAN:** Do you have any insight into why there has been such an explosion in patronage on the inner west line? Is it people transferring from cars and buses on to light rail or more people living there? What is the reason for this dramatic increase in usage?

**Mr BRENNAN:** Every couple of months we do a meet the manager on the inner west light rail and the anecdotal feedback we get—it is not scientific—is that people are leaving their cars. There is a significant growth in terms of the population boom as well. It is a combination of the two. What is definite is that people are definitely leaving their cars when potentially going into entertainment precincts in the evening such as the ICC and that type of area.

**The Hon. TREVOR KHAN:** The growth in the morning cannot be put down to going to entertainment quarters. It is only what I read in the paper.

**Mr BRENNAN:** Sure.

**The Hon. TREVOR KHAN:** They are chockers in the morning.

**Mr BRENNAN:** I live on the light rail line at Taverners Hill.

**The Hon. TREVOR KHAN:** It is more than anecdotal.

**Mr BRENNAN:** I take it every day, in and out. What I would say to that is that anecdotally at the meet the manager sessions face-to-face with people they are definitely leaving their cars at home.

**The CHAIR:** They are modern comfortable trams?

**Mr BRENNAN:** Fully accessible, with emergency help points on them, closed circuit television, excellent visibility from the control room of what is happening in real time as well.

**The Hon. TREVOR KHAN:** Do you know if they are going to have wireless and bluetooth?

**Mr BRENNAN:** That I will have to take on notice.

**The Hon. SHAYNE MALLARD:** The new interurban trains have.

**The Hon. TREVOR KHAN:** You see a lot of people on their iPads and phones.

**The CHAIR:** Just a general question about the time it takes: Is any of that related to skill of the driver or is this part of a campaign to have driverless cars and trams in due course?

**Mr BRENNAN:** The skill of the driver, I would say that we will train drivers in eco driving. That is all about acceleration and deceleration. They are the ones in the position and they make the decisions. Drive on sight; they have the visibility from the cab, but the skill of the driver will not determine the journey time, Chair.

**The CHAIR:** The idea of driverless trams, automatic trams that do not have drivers.

**Mr BRENNAN:** Not in consideration at this time for Sydney in any way, shape or form. We are looking forward to local recruitment, we are looking forward to going out and having open days and recruiting drivers.

**The CHAIR:** Anywhere in the world are there driverless trams?

**Mr BRENNAN:** My understanding is there was some level of a display from Siemens for somewhere near Berlin, but it was just a confined area.

**The Hon. GREG DONNELLY:** Earlier you used the phrases "junction optimisation" and the "signal priority"?

**Mr BRENNAN:** Sure.

**The Hon. GREG DONNELLY:** Correct me if I am wrong: In the best case scenario, if you are able to in your negotiations with ultimately the government, who runs the roads and traffic signals, you will hopefully get close to 38 minutes in the runs. In the best case scenario with the negotiations over the 55 intersections, you will get pretty close to 38 minutes—that is what you are hoping for. Is that a fair assessment of what you are trying to achieve?

**Mr BRENNAN:** Absolutely.

**The Hon. GREG DONNELLY:** Is there anything else other than junction optimisation and signal priority which could interfere and push out that time? Or are those two items really the umbrella upon which you work from the 38 minutes up?

**Mr BRENNAN:** I am delighted you asked that question. Enforcement is the other element.

**The Hon. GREG DONNELLY:** What does that mean?

**Mr BRENNAN:** Where people are clogging the junction; where people have gone through a red prior. What I mean by that is police enforcement.

**The Hon. GREG DONNELLY:** When you say a person has gone through on a red, you mean they are caught between lights and block the intersection?

**Mr BRENNAN:** Exactly.

**The Hon. GREG DONNELLY:** That means the operator of the light rail set has to make a judgement and pause at that point if there is a blocked intersection?

**Mr BRENNAN:** Correct.

**The Hon. TREVOR KHAN:** It is a real problem in Melbourne. You get really pinged if you block a tram in Melbourne.

**Mr BRENNAN:** Yes.

**The Hon. GREG DONNELLY:** They are unpredictable. They are a contingency that can happen on a daily basis.

**Mr BRENNAN:** They are. But what I would say is that people need to be aware that it will be policed and there will be consequences. I accept you cannot have police out there all the time or some level of enforcement but at the end of the day it needs to be taken as a serious part of the opportunity to further improve the tram running.

**The Hon. GREG DONNELLY:** You have this issue of people queuing across lights, that is one example. What about scenarios, let us take a motor vehicle accident which is across an intersection. What happens

in that situation? Does that completely, through the knock-on effect, push everything back until it is cleared and there is a procedure once that is cleared and you are informed that has been done and the trams can proceed?

**Mr BRENNAN:** It will depend on the location. We have a number of turnback locations. For instance, we may run a loop between Town Hall and Wynyard and we may run a loop between Moore Park, Randwick, Moore Park and Kingsford, and there maybe something in Surry Hills which is blocking us. We will then clear that and then we will restart the entire service.

**The Hon. SHAYNE MALLARD:** You have turnbacks built in to the network?

**Mr BRENNAN:** Yes.

**The Hon. GREG DONNELLY:** What about matters like road closures that may occur from time to time for public events and what have you? Is that something that may affect you? For this to run as smoothly as you would like there will have to be close and continuous communication and working with roads and maritime?

**Mr BRENNAN:** Sure, and obviously we have a relationship with them.

**The Hon. GREG DONNELLY:** You will almost have to have an office in their office to know what is going on in real time.

**Mr BRENNAN:** And the Traffic Management Centre as well. We deal with the TMC on a daily basis now. We are moving 10 million passengers within Sydney on the light rail at the moment, so yes, we will need to work very closely with them and we will need to be kept informed, as we are today.

**The Hon. GREG DONNELLY:** With respect to people alighting or getting on to the light rail sets, is there an approximate time which is used in the calculation of what it typically takes? Bearing in mind there will be busy times when students are heading to university, but presumably there is a mean?

**Mr BRENNAN:** Between 20 and 25 seconds.

**The Hon. GREG DONNELLY:** That quick?

**Mr BRENNAN:** Yes. Obviously it extends.

**The Hon. GREG DONNELLY:** This is the average. For my curiosity, is that assuming half a dozen people jump off at a stop? What is your general assumption about how many people are jumping on or off at a stop?

**Mr BRENNAN:** Within 20 to 25 seconds there would be more than half a dozen people. You have five double doors times two, which is 10. Even if you have three or four coming out, you have 40 people and obviously people getting on.

**The CHAIR:** The driver operates the door closures?

**Mr BRENNAN:** Absolutely.

**The CHAIR:** Even if there are people still trying to get off or on.

**Mr BRENNAN:** There is a warning that comes just as it does on any of the light rail systems and the driver then checks the mirrors and will close the doors, and there is safety features built in so people do not get crushed.

**The Hon. TREVOR KHAN:** When you get on a bus you are going past the driver at the front. You can get off at the back. You do not apply that rule on the light rail?

**Mr BRENNAN:** Not at all.

**The Hon. TREVOR KHAN:** It is on/off through any door?

**Mr BRENNAN:** Absolutely.

**The Hon. GREG DONNELLY:** I asked this of the previous witness. The contractual arrangement between yourself and the other entities is a complex one. We have received some information from Transport for NSW which has reduced it to a diagram, and your organisation is on there. In terms of all the contractual arrangements that you have or need to have with the other interlinking entities, they are all in place and there is no need to vary them or alter them—is that right? Have you tied up any loose ends?

**Mr BRENNAN:** Absolutely. And I think it was a positive as well that we started the contract in July 2015 with the inner west light rail, so any issues that may have arisen we have already dealt with by now in terms of scope, in terms of the understanding between Alstom and Transdev, because at the end of the day now we just move forward into the next phase of the project, from an operations and maintenance point of view.

**The Hon. GREG DONNELLY:** There are no variations that need to be completed that you can anticipate at this point?

**Mr BRENNAN:** None that we can anticipate, no.

**The Hon. COURTNEY HOUSSOS:** I think you said eight or 10 services operate on the inner west light rail in each direction each morning?

**Mr BRENNAN:** It is a service every eight minutes in both directions. It is 10 trams that are operating within the system at that time.

**The Hon. COURTNEY HOUSSOS:** What is the capacity? How many could you operate each hour?

**Mr BRENNAN:** Without any major infrastructure we could operate up to 14.

**The Hon. COURTNEY HOUSSOS:** When the CBD and South East Light Rail opens it will have 15. It will have a greater capacity than the maximum capacity on the inner west line. Is that right?

**Mr BRENNAN:** Yes. Sorry, I said it is 10 trams in service.

**The Hon. COURTNEY HOUSSOS:** Up to a maximum of 14?

**Mr BRENNAN:** Yes, but we do not run 14.

**The Hon. COURTNEY HOUSSOS:** I appreciate that.

**Mr BRENNAN:** But on the CBD and South East, I said we would have between 21 and 22 double sets out.

**The Hon. COURTNEY HOUSSOS:** I am not interested in the number of trams; I am interested in the number of services each hour. How many will that be? I thought that was 15.

**Mr BRENNAN:** Fifteen in each direction, yes.

**The Hon. COURTNEY HOUSSOS:** Will the trams going each way through an intersection be synchronised, or will one tram go through on its own?

**Mr BRENNAN:** It will be a combination of. It will depend on where the sequencing is, what is the optimum way to do it. On occasions they will, but not every time, no.

**The Hon. COURTNEY HOUSSOS:** You said it takes, let us say, 30 seconds to cross an intersection. How long does the traffic have to stop before the tram arrives for it to cross through the intersection?

**Mr BRENNAN:** I can take that on notice. There are some numbers. I do not have them to hand.

**The Hon. COURTNEY HOUSSOS:** The 10 services that operate each way on the inner west line, they are only effectively half sets of what is going to be operating on the CBD and South East light rail?

**Mr BRENNAN:** Correct. If you look at the CAF, it says up to 197, I think, at four metres squared, so it is even less than half.

**The Hon. COURTNEY HOUSSOS:** Of those services on the inner west line, how many operate in the mornings or the afternoons—or really any time of the day—with four people per square metre?

**Mr BRENNAN:** There will be a number of services between 8.15 a.m. and 8.45 a.m., certainly, which would be with four metres squared.

**The Hon. COURTNEY HOUSSOS:** Do you do any checking of that?

**Mr BRENNAN:** Yes, we would have staff at various locations keeping an eye on that and ensuring that it is kept safe.

**The Hon. COURTNEY HOUSSOS:** But you do not collect data to say that this morning's 8.15 a.m. service was four per square metre and this morning's 8.25 a.m. service was four per square metre, and this one was three per square metre—you do not keep that data?

**Mr BRENNAN:** We do not, no.

**The Hon. TREVOR KHAN:** But you keep data that the light rail vehicles at particular times are full?

**Mr BRENNAN:** The Opal readings is what tend to give the heat map of how the patronage is spread throughout the day, and they are studies that have been done by the University of Sydney and also University of Technology Sydney.

**The Hon. COURTNEY HOUSSOS:** Do you have access to that information?

**Mr BRENNAN:** We do.

**The Hon. COURTNEY HOUSSOS:** Would you be able to provide that on notice for us?

**Mr BRENNAN:** Sure.

**The Hon. COURTNEY HOUSSOS:** I am really interested in how many services are operating on the inner west line at the moment with four people per square metre, or more, or less.

**The Hon. TREVOR KHAN:** That is the reason that you have increased the services, is it not?

**Mr BRENNAN:** Correct.

**The Hon. TREVOR KHAN:** Because you were very much bumping your head up against the maximum on that line?

**Mr BRENNAN:** Yes.

**The Hon. TREVOR KHAN:** You have increased it twice now. Is that right?

**Mr BRENNAN:** Yes. There have been a number of incremental increases, some were at morning peak only, then the evening peak was increased, then the inter-peak has been increased, so there has been an expansion of services across the day.

**The CHAIR:** Are you involved with any discussions for expanding the light rail into other parts of the Sydney metropolitan area, such as the northern beaches, for example?

**The Hon. GREG DONNELLY:** We will not tell anyone.

**Mr BRENNAN:** I am personally not involved in any discussions.

**The Hon. GREG DONNELLY:** Take it on notice.

**Mr BRENNAN:** I do not need to take it on notice.

**The Hon. SHAYNE MALLARD:** Parramatta and Newcastle.

**The CHAIR:** Long lost and forgotten.

**Ms CATE FAEHRMANN:** I do not know what the station infrastructure is, but will people in wheelchairs need assistance to board and alight the trams?

**Mr BRENNAN:** Absolutely not. It is full roll-on, roll-off.

**Ms CATE FAEHRMANN:** The platforms are similar to the Melbourne tram situations?

**Mr BRENNAN:** Yes, and they are all low floors.

**Ms CATE FAEHRMANN:** Every single stop?

**Mr BRENNAN:** Yes.

**The CHAIR:** Thank you for your attendance and the wealth of information that you have provided. I remind you that the Committee has resolved that answers to questions taken on notice be returned within 21 days once you have received the questions from the secretariat. The secretariat will provide these questions to you later this week.

**Mr BRENNAN:** Thank you. That will be appreciated.

**The CHAIR:** The 21 days operates from when you get the questions.

**(The witness withdrew)**

**(The Committee adjourned at 15:25)**