

# **PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS**

**Thursday 29 February 2024**

**Examination of proposed expenditure for the portfolio area**

## **REGIONAL TRANSPORT AND ROADS**

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**The Committee met at 9:15.**

### **MEMBERS**

Ms Cate Faehrmann (Chair)

The Hon. Mark Banasiak

The Hon. Anthony D'Adam

The Hon. Greg Donnelly

The Hon. Sam Farraway (Deputy Chair)

The Hon. Mark Latham

The Hon. Cameron Murphy

The Hon. Peter Primrose

The Hon. Natalie Ward

### **PRESENT**

**The Hon. Jenny Aitchison**, *Minister for Regional Transport and Roads*

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

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

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

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**The CHAIR:** Welcome to the second hearing of Portfolio Committee No. 6 - Transport and the Arts for the additional round of the inquiry into budget estimates 2023-2024. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. My name is Cate Faehrmann. I am Chair of the Committee. I welcome Minister Aitchison and accompanying officials to this hearing.

Today the Committee will examine the proposed expenditure for the portfolio of Regional Transport and Roads. I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of those procedures.

Welcome and thank you for making the time to give evidence. Minister Aitchison, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I also remind all the other witnesses that you do not need to be sworn as you have been sworn at an earlier budget estimates hearing before this Committee.

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**Mr JOSH MURRAY**, Secretary, Transport for NSW, on former affirmation

**Ms BRENDA HOANG**, Group Chief Financial Officer, Transport for NSW, on former affirmation

**Mr MATT FULLER**, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, on former oath

**Mr BERNARD CARLON**, Chief of Centre for Road Safety, Transport for NSW, on former oath

**Ms CAMILLA DROVER**, Deputy Secretary, Infrastructure and Place, Transport for NSW, on former affirmation

**Mr DALE MERRICK**, Acting Chief Executive, NSW Trains, Transport for NSW, on former affirmation

**Mr ROGER WEEKS**, Acting Chief Customer Officer, Regional and Outer Metropolitan, Transport for NSW, on former oath

**Mr ANTHONY HAYES**, Executive Director, Community and Place, Transport for NSW, on former affirmation

**Ms CYNTHIA HEYDON**, Executive Director, Planning and Programs, Transport for NSW, on former affirmation

**Mr RICHARD HOST**, Acting Deputy Secretary, Customer Strategy and Technology, Transport for NSW, on former oath

**Mr TOM GROSSKOPF**, Executive Director, Network and Assets, Regional and Outer Metropolitan, Transport for NSW, on former affirmation

**Ms HOLLY TAYLOR**, Acting Executive Director, Transport Partnerships, Regional and Outer Metropolitan, Transport for NSW, on former oath

**Mr ED DEBENHAM**, Executive Director, Customer, Strategy and Technology, Transport for NSW, on former affirmation

**Mr LEWIS CLARK**, Executive Director, Customer Systems and Operations, Transport for NSW, on former oath

**The CHAIR:** Today's hearing will be conducted from 9.15 a.m. to 5.30 p.m. We are joined by the Minister for the morning session from 9.15 a.m. to 1.00 p.m., with a 15 minute break at 11.00 a.m. In the afternoon we'll hear from departmental witnesses from 2.00 p.m. to 5.30 p.m., with a 15 minute break at 3.30 p.m. During these sessions, there will be questions from the Opposition and crossbench members only and then 15 minutes allocated for Government question at 10.45 a.m., 12.45 p.m. and 5.15 p.m. We'll begin with questions from the Opposition.

**The Hon. SAM FARRAWAY:** Minister, do you consult with Government MPs prior to budget estimates hearings?

**Ms JENNY AITCHISON:** Thank you for the question. With Government MPs? Yes, I do and non-government as well.

**The Hon. SAM FARRAWAY:** So you meet with crossbenchers prior to budget estimates hearings?

**Ms JENNY AITCHISON:** How much prior do you mean? I try to meet with people—

**The Hon. SAM FARRAWAY:** In relation to budget estimates hearings.

**Ms JENNY AITCHISON:** Maybe, yes.

**The Hon. SAM FARRAWAY:** Yes or no? "Maybe" is not much of an answer.

**Ms JENNY AITCHISON:** Yes, I do. It's not a planned thing, but if there's a question I try and address it.

**The Hon. SAM FARRAWAY:** Have you, your chief of staff or anyone from your office consulted with Government MPs on the witness list or a request to call witnesses for today's budget estimates hearing?

**Ms JENNY AITCHISON:** Yes, I think there were some questions about who was coming and who was being asked to appear.

**The Hon. SAM FARRAWAY:** Did you consult with or instruct Government MPs to block certain witnesses?

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**The Hon. ANTHONY D'ADAM:** Point of order: There's an imputation here on members because this line questioning relates to the deliberations of this Committee and the members of this Committee, and there's an imputation there that the members of this Committee are subject to instruction from the Minister. I take offence to that, and I want it withdrawn.

**The CHAIR:** Yes. The questioning for budget estimates is always incredibly broad. It goes often way—obviously—beyond the budget papers and sits within Ministers' portfolios. That's always fine, but when it does come to the deliberations of the Committee and imputations about Committee members, that is not appropriate. I would ask the member to—

**The Hon. SAM FARRAWAY:** I will remove the word "instruct", then. Did you consult with Government MPs with regard to today's budget estimates hearing about witnesses to be called?

**Ms JENNY AITCHISON:** I was asked about—

**The Hon. ANTHONY D'ADAM:** Point of order—

**The Hon. NATALIE WARD:** She started to answer.

**The Hon. SAM FARRAWAY:** I didn't suggest—

**The CHAIR:** There has been another point of order taken.

**The Hon. ANTHONY D'ADAM:** This line of questioning, I think, is problematic from the perspective that the deliberations of this Committee should not be the subject of a line of questioning to the Minister. It's totally inappropriate.

**The Hon. NATALIE WARD:** To the point of order—

**The Hon. MARK LATHAM:** To the point of order—

**The Hon. NATALIE WARD:** The member rephrased the question to exclude that part of the deliberations of the Committee and merely asked the Minister about what she had done, and she started to answer the question. We should answer the question and move on.

**The CHAIR:** The member is asking the witness about who she consulted in relation to witnesses before this Committee, which I think is in order. Can I say Ministers consult with Government members all the time, in terms of witnesses on committees.

**The Hon. SAM FARRAWAY:** It's not a trick question.

**The Hon. ANTHONY D'ADAM:** Yes, it's the usual practice.

**The CHAIR:** It is the usual practice. But I will allow the question, carefully, if the Minister would respond.

**Ms JENNY AITCHISON:** Mr Faraway, I understand there might be some concerns you had about witnesses. I know last time we were here you asked an inordinate number of people to come—in fact, we could barely move in the room and sit in the room—and a lot of those people didn't really get questions and didn't get them for the first session. The Government's looking at the resources that are being put into budget estimates. You've been very happy to use those resources to the best of your ability as a shadow Minister, and I respect that.

**The Hon. SAM FARRAWAY:** We'll redirect the question, Minister. Specifically, why was it taken as a Government decision to block two executive directors that were requested to appear today at this hearing?

**The Hon. ANTHONY D'ADAM:** Point of order: I'm going to take a point of order on that as well. Clearly, the Government does not have a majority on this Committee, so it's not a question of the Government blocking anything.

**The CHAIR:** With respect, Mr D'Adam, that's not a point of order.

**The Hon. ANTHONY D'ADAM:** This is a question about the deliberation of this Committee and it is inappropriate.

**The CHAIR:** Continue with your questioning, but do be careful in terms of anything that implies the way in which this Committee has made decisions, as the member has said, and the deliberations of this Committee.

**The Hon. SAM FARRAWAY:** Minister, have you consulted with Government MPs or any members of the Committee regarding calling Mr Peter McNally and Mr Martin Donaldson before today's estimates hearing?

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**Ms JENNY AITCHISON:** Mr Faraway, I think there's an issue in terms of how many witnesses have been called over these hearings by yourself and whether that is a good use of taxpayer resources. You asked me what the Government position is; there is no Government position. The reality is that—

**The Hon. SAM FARRAWAY:** To redirect, Minister: From that part of your answer where you talked about my request and resources—noting that I only requested two specific transport officials attend today's hearing and I also released one, that is public. That is not making a reflection on the Committee.

**The Hon. ANTHONY D'ADAM:** Point of order: This is cavilling with the decision of this Committee. This Committee has made decisions. It's up to us which witnesses get called. A majority of this Committee has determined which witnesses get called. The Minister can make suggestions, the Government members can put forward the proposition, and the Committee decides. The majority determines.

**The CHAIR:** Thank you, Mr D'Adam. I've heard enough. In terms of redirecting the question—that language that Coalition members have been using the last few budget estimates—can we not ask questions about the deliberations of this Committee in terms of how we came to the witnesses that we came to, please. That is material in relation to the Committee, not the Minister and her portfolios.

**The Hon. SAM FARRAWAY:** I've made my point. Thank you. Minister, who from your office briefed crossbenchers on my call for papers in the House relating to the Coffs Harbour Bypass project?

**Ms JENNY AITCHISON:** Mr Faraway, you and your colleagues in the upper House have made some very, I think, derogatory comments under parliamentary privilege around my staff. I don't propose to give up more names of people—or any other names—who've been doing their work in good faith and have been verbalised by people—

**The Hon. SAM FARRAWAY:** Minister, to redirect: Did your office brief crossbenchers on my call for papers regarding the Coffs Harbour Bypass?

**Ms JENNY AITCHISON:** That is correct.

**The Hon. SAM FARRAWAY:** I refer to *The Australian* article by Stephen Rice on 20 January. I'm sure you are familiar because you are quoted in this article, Minister. It says:

The Australian can confirm that a ministerial official suggested to at least one crossbench MP's staffer—

and I reiterate, Minister, that *The Australian* confirmed this—

that Ms Hicks was mentally unstable, with the subtext being that it would be damaging for her to have material placed on the public record.

On Friday, NSW Regional Transport Minister Jenny Aitchison said: "I reject the assertion. As I have said in parliament and media interviews multiple times, I feel great concern for Ms Hicks and members of my staff ... Everyone should feel safe at work."

What was the strategy and what was said in these briefings to crossbench staffers?

**Ms JENNY AITCHISON:** Mr Faraway, I want to put on the record, very front up here, that I feel enormous sympathy for Ms Hicks. I want to put on the record that I really share so much empathy for Ms Hicks. I think she has done an incredible thing, which is call out behaviour when it was being minimised at the first point. That is something that no-one should have to go through. That is my approach to this whole situation: that no-one should have had to go through that kind of bullying behaviour. Certainly my staff have shared that view with me. I've held the portfolio of Prevention of Domestic Violence and Sexual Assault. I have been a lifelong advocate around stopping violence against women—but, in actual point of fact, against anyone. I'm appalled by those threats that were made. I've spoken to a lot of victims and survivors of that kind of abuse.

**The Hon. SAM FARRAWAY:** Minister, have you spoken with Rochelle Hicks?

**Ms JENNY AITCHISON:** No, I haven't.

**The Hon. SAM FARRAWAY:** Minister, redirecting the question with regard to your answer, what do you say to Ms Hicks, who has publicly said to *The Australian*, "I'm extremely distressed that Transport for NSW and the Minister"—meaning you—"are resorting to undermining me"?

**Ms JENNY AITCHISON:** That comment is a really understandable comment, and I have a lot of sympathy for Ms Hicks in the situation.

**The Hon. SAM FARRAWAY:** So why have you been undermining Ms Hicks?

**Ms JENNY AITCHISON:** I haven't been undermining her. I don't say that it's true—

**The Hon. SAM FARRAWAY:** Then why would Ms Hicks make that claim?

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**Ms JENNY AITCHISON:** —but that's her perception and that's fine. I respect her right to frame these events in her own words. I think about a lot of people who have been in a similar situation as her, who've been in the public sphere, and had an extremely traumatic experience talked about at length, with limited capacity for her to really engage in that. There was an investigation ongoing at the time that the SO 52 was called for and—

**The Hon. SAM FARRAWAY:** Has that investigation concluded?

**Ms JENNY AITCHISON:** Do you want me to finish the answer?

**The Hon. SAM FARRAWAY:** No. I'm redirecting you from part of your evidence. I would like to know if that investigation has concluded.

**Ms JENNY AITCHISON:** My understanding is that investigation—actually, I would put that to—

**The Hon. SAM FARRAWAY:** Okay. That's all right. We'll come back to Mr Murray maybe later in the afternoon. Minister, what do you say to these claims that are made very publicly here in *The Australian* that your chief of staff implied to crossbench MPs that Ms Hicks was unstable?

**Ms JENNY AITCHISON:** I can say with absolute certainty—absolute certainty—that that is absolutely incorrect. But, further, I am so appalled that those claims were made in Parliament under privilege. And I am very sad and upset—

**The Hon. SAM FARRAWAY:** Minister, to redirect, if you can say with absolute clarity that it is untrue, who's lying? Are you saying that a crossbench MP or their staff are lying?

**Ms JENNY AITCHISON:** I can say, as I've said with absolute certainty, that is completely untrue. If there is a crossbencher here or in the Parliament, I would welcome them to come to speak to me. But all of that claim is actually totally untrue. The thing that distresses me, Mr Farraway, is that Ms Hicks—

**The Hon. SAM FARRAWAY:** Minister, to redirect, with regard to Ms Hicks's claim—

**The Hon. PETER PRIMROSE:** Point of order—

**Ms JENNY AITCHISON:** —thinks that that is true, because she has heard it from people—

**The CHAIR:** A point of order has been taken by Mr Peter Primrose.

**The Hon. PETER PRIMROSE:** In terms of procedural fairness resolution 19, treatment of witnesses, witnesses will be treated with courtesy at all times. I would argue that to ask a Minister a question and then to—whatever "redirection" actually means—cut her off being able to answer that question and allow the suggested allegation to hang in the air is not a matter of courtesy.

**The CHAIR:** I will make this ruling at this point: I understand that the subject matter is going to have considerable discussion time during today's estimates. I would like to suggest to all members that if they allow the Minister to be able to respond—it's a serious issue and I do believe that the Minister deserves to be able to put this on record as well—this whole process will go a lot more smoothly. Having said that, Minister, it's also not an opportunity for you to talk for minutes and waste time, because that's also very frustrating for members.

**Ms JENNY AITCHISON:** No, I agree.

**The CHAIR:** If we could each allow each other a little bit of respect here, let's see how we go.

**The Hon. NATALIE WARD:** Chair, if I may, I would point out that this is the sixth point of order taken by the Government in 10 minutes.

**The CHAIR:** Yes, and this will hopefully reduce the number of points of order if we can do what I was just suggesting.

**The Hon. SAM FARRAWAY:** Minister, do you feel that it was fair and appropriate that Transport for NSW officials—Ms Hicks's superiors—tried to job performance her role and remove her from that project and role based on her complaint?

**Ms JENNY AITCHISON:** Mr Farraway, I'm really glad you've asked that question. I think it is really a good opportunity, while the secretary is here, for him to refer to what that whole process was so that you understand it, rather than what has been happening, which has been a one-sided conversation over in the upper House, which has not done any justice to Ms Hicks.

**The Hon. SAM FARRAWAY:** Minister, I have Mr Murray here all afternoon and I do have limited time with you this morning. I will ask Mr Murray those questions this afternoon. But in the meantime, as the Minister responsible for that \$2.2 billion project, and for someone who takes domestic violence very seriously—

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and I respect that, and I acknowledge your contribution earlier—I'm asking you, as a Minister of the Crown, as the regional roads Minister, do you feel it is appropriate and fair that Ms Hicks—it was suggested that her superiors tried to job performance her out of her role and off that project?

**Ms JENNY AITCHISON:** That is not an appropriate response to someone who is undergoing such incredible trauma and distress, as she would have been undergoing at that time. I agree with that. But can I say that we are aware—Transport is aware—that things were not handled. From the get-go Ms Hicks should have been supported. She should have been given that support, and that obviously was not what she felt. Those kinds of actions don't contribute, and tend to override any other support that might be offered. That's completely understandable. It should have been reported earlier; it should have been reported immediately. These are all things we know in retrospect. But can I make the point that I have enormous faith that the department and the secretary are taking all steps to address those issues, both in the initial threat, but also in the way that Ms Hicks was treated. There were well-intentioned actions that were also taken at the time. It's unfortunate—it's terrible, in fact—for her. But everybody is doing what they can to try to resolve this issue.

**The Hon. SAM FARRAWAY:** Minister, do you feel it was an appropriate response and behaviour from the project director—and in the call for papers this has been revealed, which I'm sure you're across. Her boss, Rochelle Hicks's boss, project director Greg Nash, told her that removing Mr Brown "wouldn't be an option as it may go political, which would cause project issues". Do you believe that Transport for NSW should be making decisions around employee safety based on political considerations?

**Ms JENNY AITCHISON:** Absolutely that's not the case. That's not something anyone would endorse. Again, I direct you to ask that question to Mr Murray, because the secretary has been very clear around that is not an expectation of Transport.

**The Hon. NATALIE WARD:** It's in the documents.

**Ms JENNY AITCHISON:** Sorry, I didn't hear that, Ms Ward.

**The Hon. NATALIE WARD:** It's in the documents.

**Ms JENNY AITCHISON:** Sorry, to be clear, the question to me was whether I thought that was appropriate. I don't think it was whether I was contesting that that had happened.

**The Hon. SAM FARRAWAY:** What about, to the point of Mr Nash's superior, Mr McNally, in the documents that when Rochelle Hicks had pushed Mr McNally that if they accepted Mr Brown's violent behaviour because he was Aboriginal, Mr McNally replied—and I accept that this is his alleged reply—"Absolutely we do. They are treated differently and absolutely we put up with the behaviour because he's Aboriginal."

Is that something that the New South Wales Labor Government will tolerate?

**Ms JENNY AITCHISON:** Absolutely not. I think we've been really clear at all points on here that that is not acceptable behaviour.

**The Hon. SAM FARRAWAY:** What have you done as the Minister to implement change in this space?

**Ms JENNY AITCHISON:** I have been working with the secretary, and I am very cognisant of the delineation of my role under the Government Sector Employment Act that it is not my ability or jurisdiction to direct him to take specific courses of action. But it is my role to make sure that I'm satisfied that he is undertaking his role to manage those situations as properly and appropriately in line with government expectations. Now, everyone has been clear throughout this, from the very first moment that I spoke on this topic in the media, when I spoke in the House, that where there are mistakes that have been made we will work to correct them, to address them, to put in the time in training, in development, in supporting people to make better decisions. That is where we're at.

**The Hon. SAM FARRAWAY:** With regard to that, have you specifically spoken with the secretary around Mr McNally's response, which was the next day after Ms Hicks raised these concerns up the chain within Transport, Mr McNally sought support within Transport for NSW to remove Ms Hicks from that project. Have you specifically raised that concern on behalf of the Cabinet and the Government with the secretary?

**Ms JENNY AITCHISON:** Of course.

**The Hon. SAM FARRAWAY:** What was the response? What have you been able to achieve in that time?

**Ms JENNY AITCHISON:** How about Mr Murray gives you his response.

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**The Hon. SAM FARRAWAY:** No. As the Minister for Regional Transport and Roads, as a Minister of the Crown, someone that has been a big advocate for ensuring that we have safer workplaces, what have you done in the last six months to address this issue?

**Ms JENNY AITCHISON:** I have spent literally hours on this issue in terms of getting myself acquainted with those issues of working out, of challenging what decisions were made at what time, why they were made, et cetera.

**The Hon. NATALIE WARD:** You spent hours but you haven't picked up the phone to Ms Hicks.

**The CHAIR:** Order! Minister, this is also coming out of the Bus Industry Taskforce second report. I wanted to get an update on the 16 Regional Cities Services Improvement Program. I understand that the website says it's concluded. Is that correct?

**Ms JENNY AITCHISON:** The funding was not sufficient that was allocated by the former Government to complete all the 16 cities, but I'm happy to pass to the secretary to give you more detail on that.

**JOSH MURRAY:** Mr Fuller will assist with the question.

**MATT FULLER:** Obviously, at the moment, as the Minister said, the current funding allocations for the rollout of the program has meant that all of the services have actually occurred. I know in the last 12 months I think it's something close to a thousand new services have been rolled out across regional New South Wales. The department, the team, are currently working on options for the future rollout of growth services. You've probably seen in the bus taskforce recommendations a number of considerations around getting greater access and equity for regional New South Wales. We are currently working options up to provide those to government for further consideration.

**The CHAIR:** Thanks for the update, Mr Fuller. Minister, in relation to this I understand that, yes, the website says it's concluded and that's what you said as well in terms of funding, but there are five cities as part of the 16 cities where implementation was contingent on funding. The funding envelope, remind us, was that in the last budget or earlier under the previous Government?

**Ms JENNY AITCHISON:** I think it was under the previous Government. But what our approach has been—and I have done extensive consultations around the State on public transport and road networks and regional transport and roads in terms of getting to that access and equity that we want in the regions. One of the things that we have been working on and we are going to be rolling out this year is the strategic regional integrated transport plans. This is looking at not just the 16 cities but right across regional New South Wales, in terms of giving everyone the chance to have good public transport, and that might not be a bus in the first instance.

There's a lot of work to be done. We're doing a very big consultation. We're working with local members at the State and Federal level, the councils, local Aboriginal land councils, the CWA, NSW Farmers, business chambers and disability groups. We're just really trying to broaden that consultation to get those services. When we rolled out the services in Dubbo, for example, it was the first time they'd had a seven-day-a-week service. It was the first time they'd had a service to the hospital. It was the first time they'd had a service to a retirement village. We wanted those services to be much more specific. So I think some of the earlier ones we were just transporting more air. We wanted to broaden that consultation base. It's a funding issue but it's also, in terms of rolling out across the State, making sure that no community is left behind. Some of them will need bespoke responses—things like the Wilba bus, which we've just extended in Bourke for another two years.

**The CHAIR:** I will get into some more of the detail in the afternoon. Was the program not costed or budgeted correctly in the first place to have—was it 15 or 16 cities, and five left hanging? From your perspective, why is that the case now to have announced—or your predecessor—16 cities and five cities—as I understand, Armidale, Grafton, Parkes, Port Macquarie and Tamworth—just left hanging? I assume they have expected something to come for some time and they have just been told, "That's it." What went wrong?

**Ms JENNY AITCHISON:** You will have to get more information from Mr Fuller on the specifics of it. But, yes, it does concern me. It's something that we're dealing with across the portfolio. A lot of times in the last 11 months I've turned up to communities to look at a \$200 million commitment but there was never that money in the budget for it.

**The CHAIR:** Was it budgeted for each city? Was it broken down to 16 cities?

**Ms JENNY AITCHISON:** I will refer you to the department.

**The CHAIR:** Was it overspend? It's extraordinary. I do feel sorry for those five regional cities.

**Ms JENNY AITCHISON:** We will get to them, but, yes. I will put you through to the department.

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**MATT FULLER:** I think the short answer to your question is that the original commitment dealt with delivery for a range of cities and planning for others. It didn't extend to allocate the full amount for delivery of services across the complete package, as you have referred.

**The CHAIR:** Minister, do you think that was a good program to continue to put in a bid for this year's budget to continue as is? In terms of the feedback from the cities involved, is it a program that looks like it will continue for those cities? That's your intention?

**Ms JENNY AITCHISON:** There were elements of the program that were really good. Again, it's down to that consultation piece. Some of the council areas or some of the communities I've had feedback that it didn't meet the mark and it should have been a bit more targeted. We had community feedback from Griffith that it was great having, I think it was, six services to the airport. But when you have to take one of them back to the airport to get a hire car because it doesn't really go out much further or to where they want to go, that was of concern to me. In another area, I think in Bathurst, they were saying they didn't feel that there were enough services to service the hospital. So I think there were some things that could have been done better. That's something we want to look at and that's part of that wider consultation piece that we're doing.

**The CHAIR:** This announcement has come late January. When the Bus Industry Taskforce was looking into it, they were recommending that it actually be extended to smaller towns beyond the 16.

**Ms JENNY AITCHISON:** Yes.

**The CHAIR:** Considering the expertise of that taskforce and the way in which they have taken probably the deepest dive into the circumstances surrounding buses and driver shortages and everything both in the city and regionally, it certainly sounds as though they thought it was good. Of course, as we know, when you provide services to anywhere there will never probably be enough and people will say that it would be good if it went there and there. I think people are after some kind of certainty, and I'm asking today particularly about those five cities. With the bus taskforce saying it should be extended more widely, when can those regional cities expect to hear something back from you about what they will get in terms of enhanced services at the very least?

**Ms JENNY AITCHISON:** Yes, this is really the nub of the issue. You've got a program that was announced to 16 cities. We've said the whole State, all of the regions, all of the rural and remote areas, deserve better transport services. One of the things that we've been trying to do since we've come to government is really challenge the conversations around public transport. If it costs \$150,000 to put a bus on, or you could have, alternatively, \$95,000 worth of School Drive subsidies, for example, with a school bus service, what's the better use of taxpayer funds? If there is a safety mechanism that ensures all those kids get to school, rather than having parents who won't apply for the subsidy, then obviously maybe the bus is a better solution. We are looking at these smaller communities. That's a real concern.

Transport—I keep saying it—is a social determinant of education, health, opportunity and jobs. We want this to be successful. We want the bus taskforce to be successful. We want better rollout of bus services across the State because we know that that can change. But it will sometimes be other initiatives. We are looking at a variety of other things, particularly targeting those small communities. Community transport, for example, because it's predominantly funded by the Federal Government, has quite strict constraints on it, and yet we know that that's probably a good vehicle for delivering some of these services. There are also On Demand buses.

**The CHAIR:** Yes, there are lots.

**Ms JENNY AITCHISON:** We are really committed to it. I guess that's what I can say now. We'll have more to say, obviously, in the budget going forward.

**The CHAIR:** Speaking of the budget then, can we expect to see an increase in the overall funding envelope, the overall budget, for Regional Transport—not Roads—in the next budget?

**Ms JENNY AITCHISON:** I'm hopeful. We are trying to do that. Obviously that's a whole-of-government decision and I can't anticipate that in these conversations with you today. But, definitely, I'm advocating for that, because that is, I think, one of the significant gaps of the former Government—not having those opportunities in public transport taken up.

**The CHAIR:** I just wanted to move to the Regional Rail Project. A quick question—I'll take it up next time—where is that project up to in terms of how long is it going to be before we see the first trains from that project in operation?

**Ms JENNY AITCHISON:** I just want to be up-front here: Minister Haylen is actually the Minister in charge of that procurement. I don't want to take up the time of the Committee here with that. Really, the Premier of the day was saying that it was too expensive to build trains here. They were offshored. It has been a project

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with an Infrastructure NSW deep dive published last year saying that it was 35 months overdue. The former Government had to allocate an extra \$826 million to the project. We are trying—and we have been as a government trying—to rescue this project. I'm really frustrated because I'd love to have better trains out in the regions. That would be great. I know Minister Haylen is working really hard on this. I really would urge you to ask Ms Drover about that in the afternoon.

**The Hon. MARK BANASIAK:** Minister, I might just start off with the Yarrawonga Mulwala Bridge. Are you familiar with that project?

**Ms JENNY AITCHISON:** Yes.

**The Hon. MARK BANASIAK:** So you are familiar that it has been 30 years in waiting for that community to get a new bridge. Obviously you weren't in government for those whole 30 years, but you have shared some of that time. My understanding is that both the previous State Government in New South Wales and the Victorian Government support this bridge. Is that the same now with your Government? Do you support a new bridge over Lake Mulwala? When I say "support", I also mean support in terms of funding it in part.

**Ms JENNY AITCHISON:** Mr Banasiak, one of the concerns I think I've expressed a number of times in the past—and in talking in consultation around the State in those conversations—has been the fact that we have not really had a significant program of bridge building for bridges that aren't solely timber bridges. The Fixing Country Bridges Program was quite constrained. We saw a number of areas where we didn't get some of the outcomes. It was fantastic, and I do give credit to the former Government for the number of bridges that were completed in a short time, but it was focused on one particular asset class. Obviously there are complications when it is across water.

**The Hon. MARK BANASIAK:** Thank you for those preliminary comments, but can I bring you back to the crux of the question? Does your Government support the funding, part thereof—obviously Victoria has to partly fund it and obviously the Federal Government will possibly kick the can as well, but are you committed to New South Wales funding its part in building that new bridge for those two communities?

**Ms JENNY AITCHISON:** Mr Banasiak, I think the issue here is we are really focused on the whole of the State and we are looking at strategic regional integrated transport plans. I don't want to give you a commitment today on that. I'm happy to take it up with you and to give you a briefing on it or get the department to give you more details about the constraints that are there. When we're talking about a problem that's got a long tail, I don't want to just say in a budget estimates hearing that we're doing one thing or another. I would like to give you a fuller response in time. I know you'll want to talk to the staff about it, but not now.

**The Hon. MARK BANASIAK:** I hope you'd be aware that there are close to over 2,000 traffic movements on that bridge per hour.

**Ms JENNY AITCHISON:** Yes.

**The Hon. MARK BANASIAK:** And it's also a bridge that's used by the department of defence for moving what would be best described as "sensitive material". How is this bridge not a priority in being upgraded, given that it's also reasonably narrow, over 100 years old and has that many traffic movements? How is this not a priority?

**Ms JENNY AITCHISON:** What I'm saying to you is that it's probably best to get the detail from the department around what the constraints are in that. Of course we would want to fix everything. Do you want to jump in?

**JOSH MURRAY:** Mr Hayes can provide some more information on that portfolio.

**ANTHONY HAYES:** The Mulwala Bridge is part of a broader conversation regarding all of the Murray River crossings. We're working on a business case now, which we're expecting to finalise by the middle of the year, which will incorporate a plan for how we address it. Mulwala Bridge is currently unfunded but it's part of that broader conversation that's going on.

**The Hon. MARK BANASIAK:** Has the business case been funded?

**ANTHONY HAYES:** We're working on that now, yes.

**The Hon. MARK BANASIAK:** Has the final business case been funded?

**ANTHONY HAYES:** We're working on the business case now.

**The Hon. MARK BANASIAK:** That wasn't the question. The final business case has been funded? You've got the money to do the business case?

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**ANTHONY HAYES:** Not at this stage, no.

**The Hon. MARK BANASIAK:** Okay. If I go to a document on your website—2018—it talks about the broader look at all the Murray River crossings. For context, this was produced in 2018 and you had six bridges listed as the top short-term priorities and then you had Yarrawonga and Mulwala Bridge listed as one of the three medium-term priorities. Can you define in any quantitative terms what you mean by "short-term" and "medium"? Because given that this document is now six years old, one would hope we've moved past those six short-term priorities and we'd be looking at these other three medium-term priorities, of which Yarrawonga and Mulwala is one. Can you confirm that we've progressed through that list in any shape or form, or were we still stuck back in 2018?

**ANTHONY HAYES:** No. There's certainly been a great deal of work done focusing on all of the crossings on the Murray, which is why the business case is being developed now. Again, it's part of a bigger conversation. We have developed a timber truss bridge strategy with Heritage New South Wales and with the Victorians. I was in a meeting just earlier in the week in a conversation with the Victorian Government and the Federal Government talking about Murray River crossings because we want to approach this in a strategic way, understanding that a number of those bridges are coming towards the end of their life and we're going to have to manage that process efficiently.

**The Hon. MARK BANASIAK:** Minister, have you had any discussions with your Federal counterpart, Ms King, about these bridges being priorities?

**Ms JENNY AITCHISON:** Not specifically on those, because they have been at that departmental level. But obviously we talk about the strategic corridors of importance that they are looking at as a Federal Government. I have spoken with the member for Murray and the member for Albury about it and have been in discussions with them. These are complicated issues. Sometimes there are heritage matters. You've got that cross-border issue. We are trying to work towards that. Unfortunately, in 11 months we haven't been able to undo quite a few years of inaction.

**The Hon. MARK BANASIAK:** You would appreciate the frustration of the community. They're hearing the New South Wales Government supports it, the Victorian Government supports it and the Federal Government hasn't axed it as part of the infrastructure review. We're all staring lovingly at each other and all supporting this project but we're not actually getting any traction and movement.

**Ms JENNY AITCHISON:** Yes, I'm understanding that. Mr Banasiak, have you written to me on this before?

**The Hon. MARK BANASIAK:** No, I haven't.

**Ms JENNY AITCHISON:** Right. I really would like to progress it and see how we can work on it.

**The Hon. SAM FARRAWAY:** It shouldn't take a crossbencher to write to you.

**The Hon. MARK BANASIAK:** Can I just move to another bridge—

**Ms JENNY AITCHISON:** I beg your pardon? Sorry, what did Mr Farraway say?

**The Hon. MARK BANASIAK:** Sorry, I didn't catch it, but it's my time. Can I just move to another bridge that I did ask about last time, which was the bridge at Clarence. Has there been any progression in terms of a commitment of funding or any progress on that bridge?

**Ms JENNY AITCHISON:** There has been a lot of progress. I'm not in a position today to give you the detail on that.

**The Hon. MARK BANASIAK:** Perhaps on notice could you provide some detail?

**Ms JENNY AITCHISON:** Yes, definitely we could do it on notice. But I want you to know I've met up with the council. I had a tour with the mayor, John Connors. I offered to meet with Councillor Dowling but he wasn't available that day that I did go out there.

**The Hon. SAM FARRAWAY:** But we funded it.

**Ms JENNY AITCHISON:** But yes, definitely there is more good news—

**The Hon. SAM FARRAWAY:** She can't give an update.

**The Hon. NATALIE WARD:** No update.

**Ms JENNY AITCHISON:** —to come but just not probably for announcements. Sorry, is there another conversation? It's very distracting for me.

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**The CHAIR:** Order! I will keep the people on this side of the table under order, Minister. They are allowed to talk to each other, but if it's louder I will bring them to order.

**Ms JENNY AITCHISON:** Sorry, it's just distracting.

**The Hon. MARK BANASIAK:** In the wise words of Kath and Kim, "Look at moiye."

**The CHAIR:** I agree. Keep going, Mr Banasiak.

**The Hon. MARK BANASIAK:** So you've agreed to take that on notice. In the minute I've got, I draw your attention to an article in *The Guardian* that talked about the tragic deaths of four people in a ute roll over in Ballina. I'm sure you were aware of that tragic circumstance. But I'm concerned about Minister Graham's comments quoted in the article, where he referenced:

A small section of our community became used to questioning the rules during Covid, and in some cases, outright flouting them.

He has referred to them as "cookers". He has apparently asked the department to research if cooks are the reason for why we're having all of these regional deaths on our roads. Has Mr Graham spoken to you about his theory on cooker culture on our roads?

**Ms JENNY AITCHISON:** Thanks for that question. I know Minister Graham is going to be at a hearing, so you're probably best to direct your questions about what he said and why he said it—

**The Hon. MARK BANASIAK:** You're in charge of regional roads. One would hope that he would have alerted you to this cooker culture that is apparently on our roads in the regions.

**Ms JENNY AITCHISON:** Mr Banasiak, sorry, I was going to finish that. Minister Graham did refer to that at the road safety forum last week and it certainly wasn't in relation to a specific incident. We heard from police from a number of jurisdictions about an increasing level of disrespect for authority, an increasing level of aggressive behaviour on roads and of flouting rules. It beggars belief that people still don't wear seatbelts in their cars. We've worked with yourselves and the Opposition to get some more enforcement in that space through mobile detection. But there is certainly a change in the behaviour and attitude of people on the roads. There is a lack of courtesy, which is leading to significant road safety outcomes.

Every single person who dies on the road is an absolute tragedy and the number of crashes is increasing. It's something we take very seriously. When you hear of cases—there was something in the paper today of people with 35 demerit points. We have actions Minister Graham has taken today in relation to closing loopholes that were left by the former Government in relation to international drivers. We take it very seriously. If that kind of comment is something that can get the attention of people to maybe think about their behaviour, that's a good thing.

**The Hon. MARK BANASIAK:** I'll pick that up with the department, in terms of subcultures.

**The Hon. SAM FARRAWAY:** Minister, as the Minister for Regional Transport and Roads, how many Acts are you responsible for?

**Ms JENNY AITCHISON:** I can't remember the exact number, but we jointly administer all the Acts—I think all of them.

**The Hon. SAM FARRAWAY:** How many, though? It would have changed with a new government because the responsibilities would have changed slightly as well.

**Ms JENNY AITCHISON:** I just said to you, I don't remember off the top of my head. I can get that number.

**The Hon. SAM FARRAWAY:** Are you happy to take that on notice?

**Ms JENNY AITCHISON:** Yes, absolutely.

**The Hon. SAM FARRAWAY:** How large is the regional New South Wales road network?

**Ms JENNY AITCHISON:** It covers something in the order of 98 per cent of the State. There are 95 local government council areas.

**The Hon. SAM FARRAWAY:** What is it in kilometres?

**Ms JENNY AITCHISON:** You know what, I'm really bad at remembering those kinds of statistics. I know I did 8½ thousand kilometres in the first seven weeks this year travelling around the State, but I just can't remember the exact number.

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**The Hon. SAM FARRAWAY:** Are you happy to take that one on notice? I know the work was done beforehand, so maybe you could update the Committee and take that question on notice.

**Ms JENNY AITCHISON:** Yes, sure.

**The Hon. SAM FARRAWAY:** How many meetings have you had with your Federal counterpart, Catherine King, since becoming the Minister?

**Ms JENNY AITCHISON:** I've had a couple of meetings—some face to face, some just by the bye, some by phone call and some at events. I'm not sure.

**The Hon. SAM FARRAWAY:** If there's a few, you can take that on notice. That's fine. So you are happy to come back to the Committee on that?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** Do you attend ITMM meetings?

**Ms JENNY AITCHISON:** No, that's Minister Haylen's responsibility.

**The Hon. SAM FARRAWAY:** When there may be regional roads or regional highways or roads of national significance that might be in regional New South Wales and discussions with the Commonwealth, you're not in the room?

**Ms JENNY AITCHISON:** No, but we have briefing processes before those meetings. I'm sure when you were the Minister you weren't at ITMM.

**The Hon. SAM FARRAWAY:** Yes, I was, actually. Several times.

**Ms JENNY AITCHISON:** You were? Okay. It hasn't been the case for me. But definitely we are briefed on what topics are likely to arise.

**The Hon. SAM FARRAWAY:** Is it Minister Haylen or Minister Graham that attends ITMM?

**Ms JENNY AITCHISON:** Generally, I think it's Minister Haylen. You would have to look at her calendar to be sure.

**The Hon. SAM FARRAWAY:** Do you support the previous funding commitment and agreement between the then New South Wales and Federal Government on an 80-20 funding split for State highways or projects that could have a national significance in our State with the Commonwealth?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** What meetings have you specifically had with Catherine King to push back on the new model that the Albanese Government is pushing where it's only a 50-50 funding split?

**Ms JENNY AITCHISON:** I've spoken to Minister King about it. We've had engagement on that, yes, as she has had from the other Ministers. We've pointed it out and we've written to her. It's been the subject of a number of conversations.

**The Hon. SAM FARRAWAY:** Have you been able to get any agreement for her to reconsider—

**Ms JENNY AITCHISON:** These conversations are ongoing, Mr Farraway.

**The Hon. SAM FARRAWAY:** Have you had any indication that Minister King and the Federal Government would reconsider future funding models that would look at 80-20 again?

**Ms JENNY AITCHISON:** The conversations are ongoing.

**The Hon. SAM FARRAWAY:** If the Commonwealth are proposing to only fund 50 per cent of State highways or infrastructure projects into the future, how will you be able to secure additional funding—an extra 30 per cent—on these projects into the future, if the Commonwealth won't agree to the existing 80-20 funding split?

**Ms JENNY AITCHISON:** Mr Farraway, I've said to you that conversations are ongoing and I think that these are discussions—

**The Hon. SAM FARRAWAY:** I'm talking about discussions with your own colleagues now, Minister.

**Ms JENNY AITCHISON:** These discussions are ongoing. We've raised these issues. We have had those discussions. I don't think there's much point interrogating it in this forum because I don't think it actually leads to any outcomes. I would prefer to get the outcomes with the Federal Minister.

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**The Hon. SAM FARRAWAY:** Minister, it's been 11 months since you became the Minister.

**Ms JENNY AITCHISON:** Not since that decision was made.

**The Hon. SAM FARRAWAY:** At the end of the day, I'm pretty sure you would have known about it. It's been 11 months and you're trying to say you still don't have any resolution on funding arrangements for future road infrastructure builds in this State?

**Ms JENNY AITCHISON:** I reject the premise of the question. It's not been 11 months since that decision was made or communicated to the Government. Those discussions are still ongoing, and that's entirely appropriate. How did you go with getting your \$8 billion for the tunnel?

**The Hon. SAM FARRAWAY:** Have you specifically written to Minister King asking her to reconsider?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** Have you had a response?

**Ms JENNY AITCHISON:** I'd have to check the records on that. I'm not sure that I have had a response, but I will have to check it.

**The Hon. SAM FARRAWAY:** Are you happy to take on notice whether, one, you have had a response and, two, what that response was?

**Ms JENNY AITCHISON:** I would have to check that in terms of where the negotiations are up to and whether it's—the status.

**The Hon. SAM FARRAWAY:** Would you be happy to table the response if you've received one?

**Ms JENNY AITCHISON:** That's what I just said. I would have to check the status of the document.

**The Hon. SAM FARRAWAY:** Are you happy to table your own correspondence from your office to Minister King?

**Ms JENNY AITCHISON:** Again, I think it was a joint approach and I would need to speak to the other Ministers but, generally, we're pretty open to that. I would come back to the Committee about whether that's the case. I also just wanted to go back to an earlier question that you asked me about the number of Acts. There are actually 25 Acts, I'm advised, that are jointly administered in the Transport portfolio.

**The Hon. SAM FARRAWAY:** Thank you, Minister. There will be some time at the end, if there's a couple of things. If you can bring them up during the course of the day or at the end of the sessions it would be very helpful.

**Ms JENNY AITCHISON:** Yes. Just trying to help you. That's all right.

**The Hon. SAM FARRAWAY:** Minister, I want to ask about the new regional fleet. Has the first new regional train departed the manufacturer on its way to Australia?

**Ms JENNY AITCHISON:** My understanding it is, but I really refer you to my previous response to Ms Faehrmann.

**The Hon. SAM FARRAWAY:** Minister, I've had photos sent to my office of possibly this train in transit. Is that the case?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** So where is it?

**Ms JENNY AITCHISON:** On its way to Dubbo.

**The Hon. SAM FARRAWAY:** Whereabouts?

**Ms JENNY AITCHISON:** It's on its way. It's not just one piece of—

**The Hon. SAM FARRAWAY:** Is it in the country, Minister?

**Ms JENNY AITCHISON:** Do you remember—

**The Hon. SAM FARRAWAY:** Is it in the country?

**Ms JENNY AITCHISON:** Do you remember—

**The Hon. SAM FARRAWAY:** Is it in the country, Minister?

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**Ms JENNY AITCHISON:** —this project? It's not just one movement to get it here, right.

**The Hon. SAM FARRAWAY:** But Minister, I'm asking specific questions. Is it in Australia?

**Ms JENNY AITCHISON:** It's complicated to answer that question.

**The Hon. SAM FARRAWAY:** Well, it either is or isn't, Minister. It's not that complicated.

**Ms JENNY AITCHISON:** Well, it kind of is. Anyway, all right, you can't remember. That's okay. I think there are two at Dubbo. Has one landed yet—the last bit? It's all now at Dubbo, sorry.

**The Hon. SAM FARRAWAY:** The biggest regional transport infrastructure and rollout and you don't know.

**Ms JENNY AITCHISON:** No, I do know.

**The Hon. SAM FARRAWAY:** You don't know. You are right. The XPT is a household name across this State. It is one of the best pieces of infrastructure servicing regional New South Wales. We're about to replace this fleet, put the trains into testing. Yes, it's been delayed and you don't know. You just say it's complicated.

**Ms JENNY AITCHISON:** No, I didn't say I don't know.

**The Hon. SAM FARRAWAY:** You did.

**Ms JENNY AITCHISON:** There were three movements. Sorry, I couldn't remember off the top of my head if the last one had happened. But I knew that they were happening. This has been a project with a lot of delays.

**The Hon. SAM FARRAWAY:** Three movements. Can you confirm—you are saying there are two sitting at the Dubbo maintenance facility?

**Ms JENNY AITCHISON:** No, they are all there. They are all there.

**The Hon. SAM FARRAWAY:** All three are sitting in Dubbo?

**Ms JENNY AITCHISON:** All three sections.

**The Hon. SAM FARRAWAY:** Excellent. We'll come back in the afternoon with the bureaucrats to delve into that a little bit more. That is good news. I'm surprised you haven't been singing from the rooftops on that. Muswellbrook Bypass—what is the current status of that project?

**Ms JENNY AITCHISON:** We are going ahead with it. There's been a decision, obviously, that we need to stage the project. We don't want to get in the same bind that your Government—

**The Hon. SAM FARRAWAY:** What's the new completion date?

**Ms JENNY AITCHISON:** I would have to ask the—I have it in my notes. I will have a look for you.

**The Hon. SAM FARRAWAY:** Is that still an 80-20 funding split for that project with the Commonwealth?

**Ms JENNY AITCHISON:** I'll just get my notes, Mr Farraway, sorry. I think it is 80-20 still, yes, sorry. Yes, that's right, of course it was.

**The Hon. SAM FARRAWAY:** New completion date?

**Ms JENNY AITCHISON:** The new completion date—

**The Hon. NATALIE WARD:** I think Ms Hoang knows the funding for that.

**Ms JENNY AITCHISON:** We're staging these projects, because obviously we've got something like \$3¼ billion worth of projects on the go in the Hunter right now.

**The Hon. SAM FARRAWAY:** We will come back to that a bit later in the day. Sticking with issues around the fantastic Upper Hunter area, prior to the 2023 election, Minister, you accused Transport for NSW of low-ball offers during the land acquisition process for the Singleton Bypass. You remember that?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** What evidence have you found since making those claims that that was the case?

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**Ms JENNY AITCHISON:** I think there was an increase in the funding that was offered to those residents. But I think that's something you really need to speak to the department around that.

**The Hon. SAM FARRAWAY:** In fairness, Minister, you're the one that made the claims, not Transport. The claims were made against Transport.

**Ms JENNY AITCHISON:** Yes, but I just answered the question, so there you go.

**The Hon. SAM FARRAWAY:** Moving on. On 16 December 2022—and I'm referring to *The Hunter River Times*, edition Friday 16 December—you are quoted. It says:

Shadow Minister for Regional Transport and Roads Jenny Aitchison said no one should be a victim when it comes to infrastructure and alongside Ms Watson and Federal Member for Hunter Dan Repacholi promised the system would be made fairer under a Labor led State Government come March election next year.

What actions have you taken in the last 11 months? More specifically, what changes to the just terms Act are you proposing?

**Ms JENNY AITCHISON:** This is something that we did take as a commitment to the election. I still remember you telling that group of farmers that I should have to put up a private member's bill to change the just terms Act, which was quite laughable.

**The Hon. SAM FARRAWAY:** Minister, it's not about me.

**Ms JENNY AITCHISON:** I'm just remembering that was where that conversation was coming from.

**The Hon. SAM FARRAWAY:** I'm specifically asking as the Minister for Regional Transport and Roads, in the last 11 months, what have you done to rectify those concerns and the claim you made against Transport for NSW as a then shadow Minister?

**Ms JENNY AITCHISON:** I have been working with Transport for NSW on that specific area—on the Singleton Bypass acquisitions. But across all acquisitions, I take it very seriously when a brief comes to my desk around any planned acquisitions. I interrogate the department around what process has been in play. Obviously, as a government, we've got in place a review of the just terms Act going forward, and Minister Kamper has written to all Ministers of portfolios, such as myself, asking for our departments to participate in that review to ensure it is fair.

**The Hon. SAM FARRAWAY:** What would you be proposing? As someone that's been involved in this and made those claims as a shadow Minister, now sitting around the Cabinet table, what proposed changes would you be seeking or proposing to put forward?

**Ms JENNY AITCHISON:** Definitely around clarity, and that has been probably something which I think has been missing in that Act for the people who are going through it. These are complicated issues, and I never said they weren't, but we knew that there were significant challenges and a lot of it is around that transparency; a lot of it is around the way we deal with people who are going through that process. It's incredibly traumatic to be in a situation where your house is having to be given up—

**The Hon. SAM FARRAWAY:** But, specifically, Minister, what changes? I know the context. I was very involved with that. You know that.

**Ms JENNY AITCHISON:** Well, no.

**The Hon. SAM FARRAWAY:** What specific proposals, as the regional roads Minister, will you be putting forward as part of this consultation with Minister Kamper?

**Ms JENNY AITCHISON:** We'll be having those discussions and continuing those discussions. The department is—

**The Hon. SAM FARRAWAY:** So you don't have any? You can't inform the Committee today of what that would look like and the people?

**Ms JENNY AITCHISON:** I've given you some of those directions: transparency, giving people dignity, treating them with more respect.

**The Hon. SAM FARRAWAY:** Yes, but how? What will you propose in the just terms Act—what changes?

**Ms JENNY AITCHISON:** That is part of that process. They are things that can be achieved within the Act, Mr Farraway.

**The Hon. SAM FARRAWAY:** I'm asking how, Minister.

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**Ms JENNY AITCHISON:** Maybe you need to speak to the people who are going to draft the Act.

**The Hon. SAM FARRAWAY:** Surely your office should be part of proposing this.

**Ms JENNY AITCHISON:** As a Minister I set the direction.

**The Hon. SAM FARRAWAY:** So you have a lot to say, Minister, but when it comes crunch time to actually have some proposals and take community concerns on board, you pass the buck.

**Ms JENNY AITCHISON:** No, I don't. You're putting words in my mouth.

**The Hon. SAM FARRAWAY:** You just said I need to talk to someone that's going to actually propose these changes.

**Ms JENNY AITCHISON:** If you're wanting the specific, legal, legislative changes—

**The Hon. SAM FARRAWAY:** I thought you had made it clear in *The Hunter River Times*—and I repeat—that "under a State-led Labor Government come March" it will be much easier for this stuff. How?

**Ms JENNY AITCHISON:** No, I said we would be looking at reviewing. We made a commitment to do that. That review is underway. I'm not the Minister with carriage of that Act. I, and my agency, are having input into that.

**The Hon. SAM FARRAWAY:** Have you met with the impacted landholders since being the Minister?

**Ms JENNY AITCHISON:** Yes, I have, some of them.

**The Hon. SAM FARRAWAY:** What commitments have you given those landholders?

**Ms JENNY AITCHISON:** That we would work to do better. There's one in particular that we're looking at their situation again, but I would not like to canvass their personal situation in this forum. And I've offered to meet with all of them again at different times. Sometimes there's been constraints on doing that.

**The Hon. SAM FARRAWAY:** With regard to the country rail network, Minister, what does a TOC stand for?

**Ms JENNY AITCHISON:** Train operating conditions.

**The Hon. SAM FARRAWAY:** Do TOCs require approval from UGL or all the rail operators?

**Ms JENNY AITCHISON:** They do require a waiver, yes.

**The Hon. SAM FARRAWAY:** Yes, but who do they have to get the waiver from?

**Ms JENNY AITCHISON:** I think it's UGL.

**The Hon. SAM FARRAWAY:** What is being done to address concerns in the rail freight sector around UGL removing these waivers come April?

**Ms JENNY AITCHISON:** We've been working really hard on this. It's been of grave concern to me. I concede we inherited a regional road and rail network which had some significant issues with maintenance, and then, of course, the underfunding of that by former governments and then, of course, the wet weather events of the last few years have not helped that at all.

**The Hon. SAM FARRAWAY:** Specifically with the removal of these TOCs in April, what is being done in that space?

**Ms JENNY AITCHISON:** We have been working on them. I think we have got to a stage where a number of the waivers have been extended. One waiver has been withdrawn. I can get you to speak to Mr Grosskopf because he would have the most up-to-date detail.

**The Hon. SAM FARRAWAY:** That's all right. I've got Mr Grosskopf in the afternoon, so I've got plenty of time.

**Ms JENNY AITCHISON:** That's what I thought. But we have been discussing it and we have been talking to the department about this.

**The Hon. SAM FARRAWAY:** In that space, what does TAL mean?

**Ms JENNY AITCHISON:** Total axle limit.

**The Hon. SAM FARRAWAY:** Track axle load.

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**Ms JENNY AITCHISON:** Okay.

**The Hon. SAM FARRAWAY:** How much funding is left in the Fixing Country Rail program?

**Ms JENNY AITCHISON:** In that program, where there had been a massive underspend under your Government and that you were rebadging as new money at the election?

**The Hon. SAM FARRAWAY:** That's incorrect, Minister. Again, how much money is left in the Fixing Country Rail program?

**Ms JENNY AITCHISON:** At this stage that program—I would probably have to give you to Brenda to answer that question specifically.

**The Hon. SAM FARRAWAY:** You don't know how much is left in the Fixing Country Rail program?

**Ms JENNY AITCHISON:** I would give it to the department because it's a point of time. I don't have a rolling look at it.

**The Hon. SAM FARRAWAY:** You've got the answer there on that bit of paper.

**Ms JENNY AITCHISON:** It's fully committed.

**The Hon. SAM FARRAWAY:** Has Mr Murray got that answer there for you?

**Ms JENNY AITCHISON:** It's fully committed. What else did you want to know?

**The Hon. SAM FARRAWAY:** How much? Hasn't Mr Murray got a comment there for you? He has passed you a note. Do we know how much is left in this program?

**Ms JENNY AITCHISON:** The program was fully committed.

**The Hon. SAM FARRAWAY:** Yes, but it's a program you've inherited from the previous State Government and you have abolished quite a few of those programs. Is this a program you have abolished?

**Ms JENNY AITCHISON:** I'll take that to—

**The Hon. SAM FARRAWAY:** Surely you can answer that one, Minister. Surely.

**The CHAIR:** Order!

**The Hon. SAM FARRAWAY:** Is this a program that your Government, which you are a member of—have you abolished the Fixing Country Rail program?

**Ms JENNY AITCHISON:** The Fixing Country Rail program is a program that has had a long history. It started off with you having—there were nominations that were called for from the community, then it was ones that were proposed by Transport. We've had a lot of trouble in terms of getting that committed. You had that trouble yourself, when you were in government, of getting those funds spent.

**The Hon. SAM FARRAWAY:** Minister, specifically, is this a program that is still in existence?

**Ms JENNY AITCHISON:** The funds are fully committed for it. There are programs that are rolling out now.

**The Hon. SAM FARRAWAY:** It's yes or no. So it is a program that is still in existence under your—

**Ms JENNY AITCHISON:** Yes, it's still going out. It's delivered.

**The Hon. SAM FARRAWAY:** Again, how much is left in that program?

**Ms JENNY AITCHISON:** I think it's about \$250 million. It might be \$249 million.

**The Hon. SAM FARRAWAY:** You're happy to take that on notice and come back to the Committee specifically?

**Ms JENNY AITCHISON:** No, that's it. That's the answer. Here we go. That's the answer, \$245 million.

**The Hon. SAM FARRAWAY:** Is it \$245 million, Ms Hoang? Is that correct?

**BRENDA HOANG:** Yes, that's correct.

**The Hon. SAM FARRAWAY:** If you inherited a program that still had \$245 million of a \$400 million program, how many projects have you rolled out in the last 11 months under the Fixing Country Rail program?

**Ms JENNY AITCHISON:** Are you talking about new projects?

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**The Hon. SAM FARRAWAY:** Yes.

**Ms JENNY AITCHISON:** I don't believe there are any that I know of that would be brand-new ones.

**The Hon. SAM FARRAWAY:** Zero. In 11 months you've inherited \$249 million left over.

**Ms JENNY AITCHISON:** In February 2023 you announced—I think it was—the latest round, which was \$43 million for two projects.

**The Hon. SAM FARRAWAY:** Delivery—the time of delivery, Minister.

**Ms JENNY AITCHISON:** Then the budget for this year allocated another \$56 million.

**The Hon. SAM FARRAWAY:** In the 11 months since the New South Wales Labor Government came to office, how many new projects have been announced?

**Ms JENNY AITCHISON:** In the Fixing Country Rail program?

**The Hon. SAM FARRAWAY:** Yes.

**Ms JENNY AITCHISON:** None in the last 11 months.

**The Hon. SAM FARRAWAY:** None. Okay. All right. No worries. Moving on then. That one was pretty simple. The Bathurst Bullet, there are calls from the member for Orange—and I believe you've been to the Central West, and I acknowledge that—

**Ms JENNY AITCHISON:** A number of times.

**The Hon. SAM FARRAWAY:** Thank you for visiting the best region in the State. Is there currently planning underway to extend one or both or any of the Bathurst Bullet services to Orange?

**Ms JENNY AITCHISON:** Thanks for that question. It's really good to hear that. I've got a great relationship with both those local members in Bathurst and Orange and we've been in a lot of conversation around this. Obviously you've got an interest now; I think you have preselection in Calare that you want to get along to, but that's fine.

**The Hon. SAM FARRAWAY:** Here we go. It didn't take long for you to bring that one up. Good to see you're keeping tabs on me, Minister.

**Ms JENNY AITCHISON:** I do want to say thank you for your work as a shadow Minister. It's been very interesting having you in that role. I also formally congratulate Mr Layzell. I've passed that onto him directly.

**The Hon. SAM FARRAWAY:** Good man.

**Ms JENNY AITCHISON:** He's a nice man and I hope he does well in the issue.

**The Hon. SAM FARRAWAY:** Back to the Bathurst Bullet, Minister—

**Ms JENNY AITCHISON:** Yes, that's fine. Obviously there has been a lot of interest in the Bathurst Bullet. We're looking at some of the logistical concerns. I was talking to the member for Bathurst about it just a couple of days ago, and then recently with Mr Donato. They are very keen. I've met with Orange City Council. There are obviously some constraints around scheduling and timetabling, and then obviously with the delays of the Regional Rail Fleet. We want to get it right. We don't want to put a service in place that we won't be able to deliver later. We are looking at it. There is planning underway. I think it's had bit of a shot in the arm since we got into government. It has been taken a bit more seriously than it was previously.

**The CHAIR:** Minister, we'll go back to the regional rail program. Firstly, I'm curious as to what your involvement is in that project—

**The Hon. SAM FARRAWAY:** Not much.

**The CHAIR:** Order! You've said that it's Minister Haylen. Are you involved in decision-making in any way in relation to that, firstly?

**Ms JENNY AITCHISON:** Minister Haylen is the Minister with carriage of procurement in the portfolio so ultimately it is her decision on those things. But we do tend to work very collaboratively, the three Ministers, and it's been a really positive relationship. I think it helps Transport in this space. I've been getting regular briefings on it from Ms Drover because I am very interested in it—

**The Hon. SAM FARRAWAY:** Just don't know where the train is.

**The CHAIR:** Order!

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**Ms JENNY AITCHISON:** We had a lot of interest in it. To me, the first train arriving on the shore is not the big exciting moment because there is a lot of commissioning that has to be done and accreditation for the vehicle, for the drivers et cetera to have that fleet operating. Because it's bi-modal, it'll have to be tested in a variety of operating conditions, which makes it a bit more complex.

**The CHAIR:** Minister Haylen is in charge of procurement, just to be clear, but you as Minister for Regional Transport and Roads, I assume, have some say—

**Ms JENNY AITCHISON:** Yes.

**The CHAIR:** —in what those trains are, what the carriages are, what they need to have in them and the modifications? You would have some involvement in those decisions?

**Ms JENNY AITCHISON:** Absolutely. The problem is that because of the PPP model and the fact that it was overseas, it makes any amendments to the model quite complicated. The former Government took a decision not to have sleeper carriages, for example, and that is something that you just can't do. There were some issues engaging with the unions under the former Government, I think, in terms of getting their feedback, which you want to get because they're a workforce that are going to be working with these trains and safety is always at the forefront of everything we do. Minister Haylen has done an excellent job in getting them to the table and, as much as we can, to get the project back on track. Ms Drover can take you through the finer details of that point, but it is something I've definitely had a strong interest in.

**The CHAIR:** I will pursue a few more questions on this. Basically, you've ordered that sleeper carriages be on all the trains so they're modified, essentially, which is a big modification?

**Ms JENNY AITCHISON:** No, what I'm saying to you is that they were ordered without those modifications and to do them would have been exorbitantly expensive, so we are looking at other ways that we can deliver those services. They have the reclining chairs—

**The CHAIR:** To be clear on that, it is a key issue with regional trains, having the ability to be sleeper carriages. I understand the union potentially wanted those sleeper carriages. They're being built without sleeper carriages. You're suggesting that you're looking at other ways to allow people to sleep in the carriages—

**Ms JENNY AITCHISON:** On those long hauls, yes.

**The CHAIR:** —or other train—

**Ms JENNY AITCHISON:** Yes, we're investigating different options for it. I'm happy to have a more in-depth briefing with you. I know there's been a whole variety of different options put forward, and we're looking at that, but we're not really in a position to actually talk about that, other than to say that we are investigating.

**The CHAIR:** So it's not possible at this point, obviously, to be sleeper carriages, but did you say you're investigating potential changes and additional design modifications?

**Ms JENNY AITCHISON:** Potential options. That's all I can really say.

**The CHAIR:** Is this part of the end of December last year, when Transport for NSW issued another set of design instructions to the trains at the end of last year? Is this part of that?

**Ms JENNY AITCHISON:** No, sorry. That's not part of that, no.

**The CHAIR:** So there could be further changes in terms of trying to make the carriages sleepable, where we are talking about reclining chairs or something?

**Ms JENNY AITCHISON:** The recliner chairs are already in there, so that is one option that is available. I think you're really best to talk about Ms Drover about the specifics of it, but we're not really in a position where we're at at the moment to have more.

**The CHAIR:** Ms Drover, what are the options that are being considered in relation to making those carriages that are not sleeper carriages a little bit like sleeper carriages?

**CAMILLA DROVER:** As the Minister has said, the fleet that's in manufacture and delivery doesn't include sleeper cars. There is a premium seat, though, provided for in this new fleet of trains. What we are doing, though, is working with our colleagues in NSW TrainLink to look at what we can do with existing fleet of trains that do include sleeper carriages, and that work is progressing. We won't be modifying the new regional fleet to accommodate sleeper cars.

**The CHAIR:** Why did Transport for NSW direct the manufacturer to make another set of design changes to the trains late last year? What was that for?

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**CAMILLA DROVER:** We do continue, from time to time, to issue modifications to the PPP. They don't always relate to the design of the train. For example, some were around the leasing of a facility for the simulator; some were around timing of delivery for train carriages, so modifications don't necessarily relate to train design.

**The CHAIR:** Was there one in December related to train design?

**CAMILLA DROVER:** We did issue some modifications and we have since retracted them.

**The CHAIR:** So the modifications that were issued, you've basically changed your mind?

**CAMILLA DROVER:** The design of the train was confirmed with a resolution agreement. That was done at the end of 2021. The train that has arrived and is now at Dubbo—all six cars of it—reflects the resolution agreement. There have been some modification discussions since then, but the current train at Dubbo reflects the resolution agreement.

**The CHAIR:** The current train at Dubbo reflects that, but there are still trains, I assume, in production—being manufactured—

**CAMILLA DROVER:** That's right.

**The CHAIR:** —because this is going on for some years, to 2026, is it?

**CAMILLA DROVER:** And they are being manufactured to the resolution agreement design and detailed design was achieved for the train late last year.

**The CHAIR:** So there were some changes and the manufacturer, CAF, probably pushed back against those, it sounds like, and it's done. No more design changes—that's it.

**CAMILLA DROVER:** Our intent is to finish the production of these trains, the manufacturer to get them all here and achieve provisional acceptance for the fleet.

**The CHAIR:** So we shouldn't expect any further modifications or dramatic increases in costs then and we shouldn't expect any more delays? If we've got the six-carriage train in Dubbo, the rest of the trains will be built to that standard—no more design modifications? Is that what you're saying? I'll go to you, Minister, because this is a budget issue. Are you confident that there won't be further design modifications requested and, therefore, no huge increases in costs that we've seen lately?

**Ms JENNY AITCHISON:** That's certainly been the goal. This is a project that was really having issues before we came to government. It has been a mess. We've focused on trying to rescue it. We are trying to ensure that we can get it landed here at the right cost and time.

**The CHAIR:** This six-carriage train, the first, requires testing and a hell of a lot of things. What's the expectation for that one, firstly, in terms of when it will be joined by its Spanish cousins? When will that hit the country or hit New South Wales? When can we expect the first of those trains to be on the tracks?

**CAMILLA DROVER:** There are 29 new trains in the new fleet and there are three types of trains in the fleet: long regional, short regional and intercity. The first one that's arrived at Dubbo is the first of the long regional trains. As was always planned, the focus now is on some of the internal fit-out of the train. It was always the case that, to have some local content in the trains, that internal fit-out does occur at Dubbo. That's the next step. When that's finished, it will need to go through a very thorough testing and commissioning process, remembering that this train is a bi-mode train, so it works both on the diesel network but also on the electrified network, so we need to test it on both those networks. That will occur. It needs to go through accreditation processes and obviously testing of the crew from NSW TrainLink. Only then, when we are satisfied that it's safe for operations, will it achieve provisional acceptance and then go into first passenger service.

**The CHAIR:** What's your rough estimate for all of that process? Is it 12 months, 24 months?

**CAMILLA DROVER:** We are not going to share today target dates because we need to make sure that we do the internal fit-out and we do the testing commissioning carefully. It's the first time in Australia, I believe, that we have a bi-mode train, so we are working very closely with all stakeholders. Our primary consideration is getting the train into first passenger service safely and as quickly as possible. I think we have good alignment to achieve that objective.

**The Hon. MARK LATHAM:** Thank you, Minister, and your officials present today. You said earlier in evidence, Minister, you are absolutely certain that your chief of staff didn't brief parts of the crossbench that Rochelle Hicks was mentally unstable. But what was the reason you thought that the SO 52 motion of Mr Farraway needed to be defeated in the upper House?

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**Ms JENNY AITCHISON:** Thank you for that question, Mr Latham. I appreciate your interest in this matter. I think I did refer to this earlier when I said that there was an investigation ongoing at that time. We wanted obviously all of that work to be done and the department to focus on getting the full and frank investigation undertaken so that we could help to resolve the issue for Ms Hicks and to address the issues that had been found.

**The Hon. MARK LATHAM:** Are you confident that's the only argument that your chief of staff put to crossbench MPs?

**Ms JENNY AITCHISON:** The other issue for me was having this play out in the media and when Ms Hicks was quoted in the media as saying that she felt she had angered me, which was certainly not the case. I admire her very much. I have enormous respect for her in standing up against behaviour which had been minimised and would have been quite awful to go through. I just didn't want to put her through more stress in that space.

**The Hon. MARK LATHAM:** Did you ask her if she wanted the material and the information in the public domain or you just worked on the assumption that she was already too stressed to handle it?

**Ms JENNY AITCHISON:** I made a public statement—and I think it was in the media—that if she wanted to reach out to me I'd welcome that contact. I had been advised that there had been a number of attempts to contact her that had not been successful and I didn't want to press myself on her. I'm very aware, as a Minister, that there are delineations in my role in terms of directing staffing matters. Further to that, I didn't want it to be seen that I was trying to gag her or trying to stop her from telling her story. That's for her to do and I wish her well in whatever she does next with that. But I didn't feel it was appropriate for the Parliament and also for the protection of other employees who might have been giving evidence in that investigation and in other things.

The problem is that you've got the initial event that happened—which was terrible—obviously should have been reported immediately. Action should have been taken immediately to remove Mr Brown from the site. More support should have been given to Ms Hicks—certainly support tailored to what she needed—and she should have been listened to. Was that done malevolently or maliciously? I don't believe so, from the things that I've seen and that have been in the media and that I've been briefed on. But those processes were ongoing and I felt that they needed some clear air to be done so that they could be completed—and that, most importantly, we could get to a good resolution for Ms Hicks.

**The Hon. MARK LATHAM:** Ms Hicks was an employee of Transport for NSW but you made a decision not to pick up the phone and ask her what she thought was in her best interests?

**Ms JENNY AITCHISON:** I wouldn't have picked up the phone to speak to an employee. It's up to them to ask to speak to me because I don't want to be in a situation—there is a power imbalance, Mr Latham, that you would understand, of a Minister to an employee. I don't want to be in a situation where I'm pressing her to take a call from me and then she might think that that's not the right approach.

**The Hon. MARK LATHAM:** Minister, your office lobbied against the SO 52 being carried. Do you now acknowledge that Ms Hicks has taken great comfort from the debate in the upper House, that in her words people were standing up for her at long last?

**Ms JENNY AITCHISON:** Can I say on the debate in the upper House, I haven't heard Ms Hicks saying that—

**The Hon. MARK LATHAM:** You haven't spoken to her, that's why.

**Ms JENNY AITCHISON:** Correct. But my view on this is that I want her to feel some resolution. I genuinely want her to be able to move on with her life—

**The Hon. MARK LATHAM:** But do you now acknowledge she took comfort from the debate in the upper House? People were standing up for her.

**Ms JENNY AITCHISON:** That's great if she has.

**The Hon. MARK LATHAM:** Okay. "That's great if she has."

**Ms JENNY AITCHISON:** But the debate—

**The Hon. MARK LATHAM:** So the position your office had—

**Ms JENNY AITCHISON:** Mr Latham, that would have happened whether or not the motion passed or failed, to be honest.

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**The Hon. MARK LATHAM:** No, that's incorrect. There was a further matter of public importance based solely on the carriage of the SO 52 and the documents and the disgraceful information we became aware of, information you tried to suppress.

**Ms JENNY AITCHISON:** I didn't try to suppress it.

**The Hon. MARK LATHAM:** Don't mislead this Committee to that effect.

**Ms JENNY AITCHISON:** I didn't try to suppress it, Mr Latham.

**The CHAIR:** Order!

**The Hon. MARK LATHAM:** What are you saying now?

**The CHAIR:** Mr Latham will come to order. I call you to order at this point and ask you to withdraw that. The Minister was not misleading the Committee. Sorry, but that is not going to occur, unless for good reason.

**The Hon. MARK LATHAM:** For the benefit of proceedings, I withdraw.

**The Hon. NATALIE WARD:** But the Government opposed the motion.

**The CHAIR:** Also, if you could treat witnesses with respect, please.

**The Hon. MARK LATHAM:** Minister, when you say you didn't suppress the information, you were on record earlier saying your office lobbied against the carriage of the SO 52, isn't that right?

**Ms JENNY AITCHISON:** My concern has always been for Ms Hicks's welfare and to get to the bottom of it. My view was that it would be best if the department was able to complete the investigation that I had directed to happen, because I was concerned, as I've said repeatedly, about the initial response and the delay in providing support to Ms Hicks.

**The Hon. MARK LATHAM:** One crossbencher put the argument in the Chamber that carriage of the SO 52 would further traumatise anybody involved. Is that an argument that your office put to the crossbench?

**Ms JENNY AITCHISON:** I think you have to really go back to the crossbencher and ask them why they said that, not me.

**The Hon. MARK LATHAM:** You must know what your chief of staff was saying, because you had a discussion about the tactic.

**Ms JENNY AITCHISON:** Mr Latham, you have repeatedly said things on the record that you do not know to be true and which are incorrect. I ask you to not do that.

**The Hon. MARK LATHAM:** Well, I've got correct information because the SO 52 was carried and we've got the documentation. How many discussions did you have, Minister, with your chief of staff? You said you spent a lot of time on the Rochelle Hicks matter. You had constant discussions with your chief of staff about it?

**Ms JENNY AITCHISON:** Mr Latham, my chief of staff has never briefed any crossbencher on any of these matters. You are not correctly informed. That leads me to question what the rest of your comments are that must have been heard at second or third hand.

**The Hon. MARK LATHAM:** Who in your office was lobbying the crossbench?

**Ms JENNY AITCHISON:** I am not prepared to do that. You've already named—

**The Hon. MARK LATHAM:** You won't say?

**Ms JENNY AITCHISON:** —one of my staff, incorrectly. You've described it as "stalking the halls of Parliament" and that is not appropriate. I'm not going to go into that with you. I'm sorry, but that is the limit.

**The Hon. NATALIE WARD:** Someone had to stand up for Rochelle Hicks.

**The Hon. MARK LATHAM:** In the briefings with your chief of staff was it ever said that Rochelle Hicks was self-promoting herself in the media without approval, or words to that effect?

**Ms JENNY AITCHISON:** Mr Latham, I know the email you're referring to. They were my notes taken of a contemporaneous discussion at the time when I was very first asking the department about the matters, when I very first got the media query, back on—I think it was, I don't know, 10 or 11 November—10 November. What I heard in that briefing, that quick chat of what is going on here, why am I being asked about somebody getting a death threat? I was so concerned, and the person who was reporting to me was so concerned about this. They were

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being full and frank in the way that this had been dealt with. I asked them for a further briefing to come to my office on that Monday. And then I asked the department after that briefing for a full investigation to happen.

**The Hon. MARK LATHAM:** Just to clarify, you are saying this email is your set of notes?

**Ms JENNY AITCHISON:** It's my dot points.

**The Hon. MARK LATHAM:** Can you tell the Committee what else you wrote in the email?

**Ms JENNY AITCHISON:** Yes.

**The Hon. MARK LATHAM:** You can?

**Ms JENNY AITCHISON:** Yes. I haven't got a copy of it here.

**The Hon. MARK LATHAM:** Are you happy to table the email for the benefit of the Committee?

**Ms JENNY AITCHISON:** Yes. Well, there is a part of it that I don't want to because I think it relates to some matters under legal privilege, and that's why we had withheld it.

**The Hon. MARK LATHAM:** Would you ever have described the Ian Brown death threat as an off-the-cuff remark?

**Ms JENNY AITCHISON:** No, and it was not described to me as that. That was the phrase used—and I'm glad you've raised it—to describe how others had described it at the time. This goes back to the very nub of the issue, that it was not treated with the appropriate gravity. Now, post that, there was a safety investigation undertaken, which put it as a credible threat. I have apologised so many times on the record, in media, in Parliament, to Ms Hicks about that. I know that this was not the appropriate way for that initial response to happen.

**The Hon. MARK LATHAM:** Do you accept, Minister, any normal, intelligent person reading this email, which you've now said are your words taken down in note form—

**Ms JENNY AITCHISON:** No, my dot points taken from a conversation. Let's be clear.

**The Hon. MARK LATHAM:** —to describe a threat to kill a woman at Coffs Harbour as an off-the-cuff remark is completely unacceptable and inappropriate and it would be attributed to you?

**Ms JENNY AITCHISON:** When I heard that comment, and you can see from the fact that that was offered up in the SO 52, that that was an internal note of—we were very clear and transparent. We wanted to be transparent from the get-go. When I heard that that was how it had been described at the time—

**The Hon. MARK LATHAM:** By whom?

**Ms JENNY AITCHISON:** By—

**The CHAIR:** Order!

**Ms JENNY AITCHISON:** I don't know, it was third or fourth—

**The CHAIR:** No time for additional questions, Mr Latham.

**Ms JENNY AITCHISON:** At that time when I got that information, it was not clear who had said it at the time. But it was more general, that was how it was taken, that others perhaps in the room had felt that. There were other people that said they hadn't heard it properly, or they didn't quite believe it. I mean, there's a shock. When somebody says something as shocking like that, you don't know how to deal with it. No-one knows how to deal with it. But there are processes in place and they weren't followed and they should have been followed. But, for you to—this is the problem with the SO 52s, instead of any of you coming and asking me, not one of you that got up there and attacked me and attacked my staff—

**The Hon. MARK LATHAM:** My word we attacked you, on the basis of this—

**The CHAIR:** Order!

**The Hon. MARK LATHAM:** —which is completely disgusting.

**The CHAIR:** Order! Mr Latham.

**Ms JENNY AITCHISON:** If you had picked up the phone—

**The Hon. MARK LATHAM:** Your words. Your words.

**The CHAIR:** Mr Latham.

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**Ms JENNY AITCHISON:** If you had picked up the phone—

**The CHAIR:** That is not going to happen, Minister.

**Ms JENNY AITCHISON:** —that would have been very clarified.

**The CHAIR:** Minister, we will stop here. We will go to the Opposition.

**The Hon. SAM FARRAWAY:** I'll let the crossbencher continue.

**The Hon. MARK LATHAM:** Minister, can you give any explanation of how you've now told this Committee that you've written down that the Ian Brown threat to kill Rochelle Hicks could be rationalised away as merely an off-the-cuff remark. What was the context and who provided you with that information that led you to record it that way?

**Ms JENNY AITCHISON:** As I said to you, when I asked what was the way that this—such a terrible threat had gone to the point where it was now a media inquiry, which is the first instance that I was advised of this, right, I was told that at the time it was not treated with the appropriate gravity.

**The Hon. MARK LATHAM:** My question is by whom?

**The CHAIR:** Order!

**The Hon. MARK LATHAM:** You won't answer the question.

**The CHAIR:** That's it. You don't have any more time. Sorry, Mr Latham. I have one question as well, in terms of crossbench time. Minister, just back to the regional trains—

**The Hon. ANTHONY D'ADAM:** Point of order: Is there time?

**The Hon. SAM FARRAWAY:** That's at my discretion, isn't it?

**The CHAIR:** No.

**The Hon. SAM FARRAWAY:** Isn't this Government time?

**The CHAIR:** No. You had 30 seconds—done.

**The Hon. SAM FARRAWAY:** Yes, but isn't it finished?

**The Hon. ANTHONY D'ADAM:** You're the Opposition, by the way.

**The CHAIR:** Now it's me, the crossbench.

**The Hon. SAM FARRAWAY:** So there was one minute left in total?

**The CHAIR:** Yes.

**The Hon. SAM FARRAWAY:** Okay.

**The CHAIR:** Thank you. Minister, in relation to the regional trains overrun—

**The Hon. ANTHONY D'ADAM:** Point of order: The time is clearly past quarter to.

**The Hon. NATALIE WARD:** No, there was a minute left in the time. We're just sharing the 30 seconds.

**The Hon. ANTHONY D'ADAM:** The time is clearly past.

**The Hon. NATALIE WARD:** You're just using up the time.

**The CHAIR:** Okay, we're done.

**The Hon. MARK LATHAM:** Not on that clock. There's a digital one.

**The Hon. NATALIE WARD:** There was a minute left. We shared it half and half. That's what we do because we're fair.

**The CHAIR:** Okay. We'll break.

**The Hon. NATALIE WARD:** You just run interference.

**The Hon. CAMERON MURPHY:** Chair, there are no Government questions.

**The CHAIR:** We'll back at 11.15 a.m.

**(Short adjournment)**

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**The CHAIR:** Welcome back. We'll proceed to questions again from the Opposition.

**The Hon. SAM FARRAWAY:** We're going to hand over to Mr Latham to finish his questioning for five minutes.

**The Hon. MARK LATHAM:** Minister, why in this email of 23 November did you write as follows, "He"—Ian Brown—"made an off-the-cuff remark to others that he wanted to kill her"—"her" being Rochelle Hicks? Why did you write that as if it were true?

**Ms JENNY AITCHISON:** Mr Latham, as I said previously, before the break, that was not a statement of fact from me. It was not even a statement of what I believed to be true. It was quick dot points I took during a telephone conversation around how we had got from a situation where a valued employee of Transport of some 16 years employment was now in a situation where she was so distressed, and I wanted to know why. To my mind, if somebody made that kind of a threat it should have been immediately reported, she should have been offered support and that person should have been ordered offsite. That was a comment on the fact that it wasn't, on which I think we are all in furious agreement here, and that it hadn't been taken with the appropriate gravity or seriousness at the time. That, to me, was the shock in that phone call—that anyone could say that.

I'll anticipate your next question: Who was that person? It was a report of what was being said at the time in the conversation on what had gone wrong—that someone had that view of it. The safety investigation had been done, previous to it going to the media, which had determined that it was a credible threat, as it should have, as it was always appropriate. This is the problem with the whole SO 52 process. You're dealing with complex employment matters. Our approach here is that you were dealing with complex employment matters, you do a call for papers, you make assumptions about what certain words mean when there is no context, and you didn't have that context.

You've all stood up in the Parliament and attacked me and attacked my staff without actually coming and saying, "What did this mean? Why did you have that email?" We furnished it in good faith because we believe in the SO 52 process. If it is the view of the House that they will want to have papers around these matters, then that's up to the House to do. But my point is there is a danger when you get a set of dot points and you ascribe a meaning to it that was never the intention. It was the thing which sparked me requesting a briefing, which I received, and calling for a proper, full investigation into it.

**The Hon. MARK LATHAM:** Minister, why doesn't the email say, "I've received a briefing from so-and-so and this is what he said"?

**Ms JENNY AITCHISON:** Because it was the dot points I took on my phone as I got a phone call. I wanted to have them for clarity because I knew it was going to be an important conversation, because I was horrified by that threat—absolutely horrified.

**The Hon. MARK LATHAM:** Why is it written as if these are your words? There are three sentences in the paragraph that has the "off-the-cuff remark" and the paragraph starts with "I also noted"—the "I" being you.

**Ms JENNY AITCHISON:** No, I was reporting it. Can you show it to me again, because I haven't got a copy of it with me?

**The Hon. MARK LATHAM:** I can read you the first sentence. "I also noted that she"—Rochelle Hicks—"was doing a lot of self-promotion and media without approval."

**The Hon. ANTHONY D'ADAM:** Point of order: The Minister has asked for the document. The member is relying on the document. The Minister is at a disadvantage. If the member is going to insist on relying on the document, he should table the document and provide it to the Minister so that the Minister can respond with full knowledge of what's in the document.

**The Hon. NATALIE WARD:** To the point of order—

**The CHAIR:** Mr D'Adam, that is not a point of order.

**The Hon. ANTHONY D'ADAM:** It goes to the procedural fairness resolution. This is not procedurally fair.

**The CHAIR:** Mr D'Adam—

**The Hon. NATALIE WARD:** To the point of order—

**The Hon. MARK LATHAM:** There is a reason for it.

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**The CHAIR:** We've got Ms Ward now responding to the point of order, firstly.

**The Hon. NATALIE WARD:** Chair, the Minister and her department produced this document to the upper House. It's her document.

**The CHAIR:** I will rule on the point of order.

**The Hon. ANTHONY D'ADAM:** To the point of order: There were thousands of documents.

**The CHAIR:** We'll hear from Mr Latham and then let's just draw a line under it.

**The Hon. MARK LATHAM:** Chair, at the time I wasn't allowed to take a copy of the document; I could only take notes. I have verbatim notes here in front of me that I'm reading out. That's all I have.

**The Hon. ANTHONY D'ADAM:** You don't actually have the document?

**The CHAIR:** Order! Mr D'Adam—

**The Hon. MARK LATHAM:** Did you listen to what I said? At the time I wasn't allowed to take a copy of the document.

**The CHAIR:** Mr D'Adam, that is not a point of order now. All members are able to take notes of privileged documents. Mr Latham, is it still privileged?

**The Hon. MARK LATHAM:** Well, I'm taking it to be de-privileged because the Minister has volunteered it.

**The Hon. SAM FARRAWAY:** The Minister volunteered it in that previous contribution.

**The CHAIR:** The member will continue. Also, we aren't required to table documents that we're referring to. It would be good if we were, but we're not required to. Mr Latham?

**The Hon. MARK LATHAM:** I will when the House next sits, most certainly.

**Ms JENNY AITCHISON:** I'll take the question.

**The Hon. MARK LATHAM:** Yes? It says, "I also noted"—the "I" being you, Minister.

**Ms JENNY AITCHISON:** No, that's not right. This is a file note. This is a note of a conversation. It was looking at what was being said to me. This is the thing, Mr Latham: You've made a lot of assumptions here which are not correct. Then you've gone on the public record and you've gone in the Parliament and you've attacked me and you've attacked my staff for things that I didn't say and that I didn't think, but that I noted when I heard them said by others. They were things that were of concern to me, which kicked off requests for briefing and a request for an investigation into these matters. I took it very seriously.

**The Hon. NATALIE WARD:** Minister—

**The CHAIR:** Can I get a sense of what's happening? Is this back to Opposition time?

**The Hon. NATALIE WARD:** It's our time.

**The CHAIR:** Okay, great. Continue.

**The Hon. NATALIE WARD:** Minister, given that you've said you were shocked and given that you were concerned, what specific steps and items did you direct your secretary to take in relation to this matter?

**Ms JENNY AITCHISON:** I requested a full briefing—

**The Hon. NATALIE WARD:** Who gave you the briefing?

**Ms JENNY AITCHISON:** —from the department, a departmental briefing.

**The Hon. NATALIE WARD:** Who gave you the briefing?

**Ms JENNY AITCHISON:** The departmental briefing.

**The Hon. NATALIE WARD:** From whom in the department?

**Ms JENNY AITCHISON:** I'd have to go back and look at the briefing note.

**The Hon. NATALIE WARD:** All right, you can take it on notice. Minister, can you understand—you say you've been attacked. You say you've spent hours dealing with this. But Rochelle Hicks is the one that should be at the centre of your concern. Do you understand, accede to and agree with that?

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**Ms JENNY AITCHISON:** I absolutely agree with that and that's what I've been focusing on. Every action I have taken has been to get to the bottom of what happened—

**The Hon. NATALIE WARD:** Thank you. I'll redirect—

**Ms JENNY AITCHISON:** —in the initial event, what actually happened in the way it was dealt with at the department and to minimise any of my contribution to her distress by ensuring that she knows that I respect and admire the stand she has taken.

**The Hon. NATALIE WARD:** Yes, but you haven't picked up the telephone. You informed this Committee that you spent hours on this, that you've received a briefing, that you've spoken to people about it. You've instructed your staff. The Government opposed the Standing Order 52 call for papers, where we sought transparency on behalf of Ms Hicks about this. You spent a lot of time on that, but none of that has been directed to picking up to phone to Ms Hicks. You said that you're available for her to call you. You can see how all of this comes across as minimising the impact to her, can't you?

**Ms JENNY AITCHISON:** Absolutely not. If you were in contact with Ms Hicks and you knew that she wanted the SO 52—

**The Hon. NATALIE WARD:** No, you need to pick up the phone to her, Minister.

**Ms JENNY AITCHISON:** —you could have spoken to me.

**The CHAIR:** Order!

**The Hon. CAMERON MURPHY:** Point of order—

**The Hon. NATALIE WARD:** All right, can I ask this—

**Ms JENNY AITCHISON:** No, you're making assumptions here about actions—

**The CHAIR:** Order! A point of order has been taken by the Hon. Cameron Murphy.

**The Hon. NATALIE WARD:** Stop running cover.

**The Hon. CAMERON MURPHY:** Chair, my point of order is simple. It is a matter of procedural fairness. If a question is being asked of a witness, the Minister needs to be given a reasonable opportunity to answer.

**The Hon. NATALIE WARD:** I'll move on.

**The Hon. CAMERON MURPHY:** What's happening here is that as soon as the Minister is a few words in, the honourable member is then coming over the top—

**The CHAIR:** Thank you. Yes, I can work out—

**The Hon. NATALIE WARD:** I'll move on.

**The CHAIR:** —what your point of order is and I uphold it. I remind members to treat witnesses with respect at all times.

**The Hon. NATALIE WARD:** Minister, what was your secretary's understanding of this issue before the media inquiry?

**Ms JENNY AITCHISON:** I think you need to direct that question to Mr Murray. I'm not going to speak on behalf of the secretary.

**The Hon. NATALIE WARD:** Mr Murray, what was your understanding of this issue before the media inquiry?

**JOSH MURRAY:** Thank you for your question, Ms Ward. Let me first say that we recognise this is an important matter and it should be addressed in the House today. It is worth also making some points up-front. I acknowledge that Transport has let down Ms Hicks and we are sorry for the distress caused, in particular the length of time that has elapsed without her matters being appropriately addressed. The threat made—let me say this—to Rochelle Hicks—

**The Hon. NATALIE WARD:** Mr Murray, we have very limited time with the Minister. You and I have all afternoon to deal with those issues. What I want to understand from you directly is, what was your understanding of this issue before the media inquiry?

**JOSH MURRAY:** When the media inquiry came in was the first—

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**The Hon. NATALIE WARD:** No, before the media inquiry. What was your understanding of—

**Ms JENNY AITCHISON:** He was going to answer that

**JOSH MURRAY:** I was going to answer the question.

**Ms JENNY AITCHISON:** Give him a second.

**JOSH MURRAY:** In the time preceding the media inquiry I was aware there was a matter raised at Coffs Harbour Bypass. I wasn't aware of the full details of that.

**The Hon. NATALIE WARD:** What steps did you take at that time when you became aware of it?

**JOSH MURRAY:** I was advised that it was being managed in the department.

**The Hon. NATALIE WARD:** Did you seek to raise it with the Minister?

**JOSH MURRAY:** No, I had not raised it with the Minister. It was an employment matter that I was advised was being dealt with through the department. By that stage, by the time I was involved, there were discussions between legal parties for the department and Ms Hicks.

**The Hon. NATALIE WARD:** Minister, Rochelle Hicks was put on performance review. She raised a concern about her life being threatened in the course of her employment and Transport for NSW put her under employment management and review. What do you say to that?

**JOSH MURRAY:** Ms Ward, could I clarify—

**Ms JENNY AITCHISON:** Can I just clarify that I don't think that's correct, Ms Ward.

**The Hon. NATALIE WARD:** It's absolutely correct. The documents show it.

**Ms JENNY AITCHISON:** I think you should speak to the secretary about that and ask that.

**JOSH MURRAY:** Ms Ward, if I could clarify—

**The Hon. NATALIE WARD:** I am asking you while we have you here. Aren't you concerned?

**Ms JENNY AITCHISON:** I don't think that's correct. It's not correct.

**The Hon. NATALIE WARD:** Minister, I put it to you that as a woman that is concerned, as a leader, as the Minister and with many women in Transport for NSW and employees watching your response, I would have thought that you would be very keen to get on the front foot with this and very keen to demonstrate that you are (a) apologetic to Rochelle Hicks (b) have taken immediate steps and (c) are very keen to outline to the secretary exactly what your expectation is as Minister. What we have seen is that you have told the Committee today that you were shocked and that you have spent hours on this and that you've been transparent. But opposing the Standing Order 52, when the upper House Legislative Council job is to seek clarification of this, and having a staff seek crossbench support to oppose the call for papers—

**Ms JENNY AITCHISON:** Is there a question here?

**The Hon. NATALIE WARD:** I'm getting there.

**Ms JENNY AITCHISON:** Great.

**The Hon. NATALIE WARD:** This is indicative of the attitude. We are seeking answers on behalf of Rochelle Hicks and it seems, Minister, that you are not inviting the opportunity. I'm asking you why it is that you would oppose this and why wouldn't you have taken specific steps to pick up the phone to Ms Hicks and to direct your secretary to take specific directions.

**Ms JENNY AITCHISON:** Ms Ward, as I have said repeatedly on the record and in the media and here today, and in all my conversations with the department, with the secretary and with other Ministers that have been asked questions about this in the other place, I have enormous respect for Ms Hicks. I am very concerned about what has happened to her. I am sorry—I have said that repeatedly—that this has happened to her, both the initial event and the other actions afterwards that were not taken. You have put some claims there that she was put on performance management. Let's be very clear, there was a discussion about that but that was escalated and not taken because it was not the appropriate response and should never have been a response.

**The Hon. NATALIE WARD:** I accept that. Let's move on from that, then. Mr Murray?

**Ms JENNY AITCHISON:** But—

**The Hon. NATALIE WARD:** Hang on. I've got limited time, Minister.

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**The Hon. CAMERON MURPHY:** Point of order—

**The CHAIR:** A point of order has been taken. I have to hear it.

**The Hon. NATALIE WARD:** Really?

**The Hon. CAMERON MURPHY:** The question was exceptionally long. It had three parts.

**The Hon. NATALIE WARD:** I gave plenty of time for an answer. I have seven minutes. You are running cover.

**The Hon. CAMERON MURPHY:** There ought to be a reasonable time for the Minister to answer the large number of things that were put to her.

**The Hon. PETER PRIMROSE:** The question was longer than her answer.

**The CHAIR:** I do not uphold the point of order. The Minister did answer and was about to continue. The member jumped in with a question, which I think is appropriate. It happens all the time. I am fine with that. Ms Ward.

**The Hon. NATALIE WARD:** I have one specific question, Mr Murray, to you. Were you aware of the death threat prior to the media inquiry?

**JOSH MURRAY:** I was not aware of the details of the threat. I was aware that a safety investigation had been conducted and that we were now dealing with it through HR and legal processes in the department.

**The Hon. NATALIE WARD:** You are saying under oath in evidence to this inquiry that you were not made aware of a death threat to an employee in Transport for NSW. Is that your evidence?

**JOSH MURRAY:** I don't recall being made aware of a death threat.

**The Hon. NATALIE WARD:** I beg your pardon? I can't hear you.

**JOSH MURRAY:** No, I do not recall being made aware that a death threat had been made against the employee.

**The Hon. NATALIE WARD:** You don't recall or you weren't made aware?

**JOSH MURRAY:** I don't recall being made aware of that. That's a very significant piece of information, if it had been given to me in that manner. I was aware that there was an issue on the project that was then being dealt with but I cannot recall the initial briefing.

**The Hon. NATALIE WARD:** So your department didn't tell you about a death threat to an employee? Is that what you are telling this Committee?

**JOSH MURRAY:** I was aware that a safety investigation had been conducted on the project and that it was now being dealt with in the department and that the matters were being taken care of.

**The Hon. NATALIE WARD:** Mr Murray, do you think that's acceptable that a death threat occurs in your staff, in your department, and it's not brought to your attention?

**JOSH MURRAY:** We've been very clear in our discussions with the Minister—

**The Hon. NATALIE WARD:** It's a yes or no. Do you think it's acceptable?

**JOSH MURRAY:** The processes have not been acceptable all the way through.

**The Hon. SAM FARRAWAY:** Minister, how long did it take to remove Ian Brown from the Coffs Harbour Bypass site after the allegation, after the incident?

**Ms JENNY AITCHISON:** There's been a lot of discussion about this, Mr Farraway, and it's a good question. I really would direct you to ask the secretary around that.

**The Hon. SAM FARRAWAY:** But I'm asking you, Minister, because we only have you for half a day. I'm asking you, as the Minister for Regional Transport and Roads. You're across it because we've been talking about it. How long did it take for Transport for NSW to remove Mr Brown from the site?

**Ms JENNY AITCHISON:** It was—look, he was—

**The Hon. SAM FARRAWAY:** Would you like to take it on notice, Minister?

**Ms JENNY AITCHISON:** No.

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**The Hon. SAM FARRAWAY:** Because I have limited time.

**Ms JENNY AITCHISON:** This is the thing, do you want—I think you should ask the secretary. It was the—

**JOSH MURRAY:** Mr Farraway, I'm happy—

**The Hon. SAM FARRAWAY:** We'll come back in the—for the record, we're going to ask the secretary later this afternoon because the Minister can't answer. Minister, when was it reported to the police?

**Ms JENNY AITCHISON:** Because it's not appropriate, Mr Farraway, under the GSE Act.

**The Hon. SAM FARRAWAY:** When was the incident reported to the New South Wales police by Transport for NSW?

**Ms JENNY AITCHISON:** It was after Ms Hicks had already reported it. These are—

**The Hon. SAM FARRAWAY:** Months later?

**Ms JENNY AITCHISON:** These facts are not in dispute, Mr Farraway.

**The Hon. SAM FARRAWAY:** Is that months later, after the incident?

**Ms JENNY AITCHISON:** We have said 16 August, so some time after that—on which we are in alignment, that that was too late.

**The Hon. SAM FARRAWAY:** Based on your earlier contribution, you said it was up to Ms Hicks to contact you.

**Ms JENNY AITCHISON:** No, I didn't say it like that.

**The Hon. SAM FARRAWAY:** The way I interpreted it, Minister, is—

**Ms JENNY AITCHISON:** I said I was giving her space.

**The Hon. SAM FARRAWAY:** Do you feel that the victim should have to contact you? You've said that you haven't phoned Ms Hicks but have you sent a letter, at all, to Ms Hicks?

**Ms JENNY AITCHISON:** Mr Farraway, the advice that was given—

**The Hon. SAM FARRAWAY:** Have you sent a letter, Minister, to Ms Hicks?

**Ms JENNY AITCHISON:** The advice was given that Ms Hicks would not welcome an approach from Transport, and I took—

**The Hon. SAM FARRAWAY:** Have you visited the Coffs Harbour bypass project since the incident was reported to you?

**Ms JENNY AITCHISON:** There hasn't been an opportunity to, no.

**The Hon. SAM FARRAWAY:** So such a serious issue and you haven't thought, "Jump in the car from Maitland—need to get to Coffs Harbour. Let's find out what's going on"? You haven't been to Coffs Harbour since learning of this serious allegation and incident?

**Ms JENNY AITCHISON:** Not with work, no.

**The Hon. SAM FARRAWAY:** Minister, on Friday 21 July Ms Hicks sent an email to Greg Nash and copied in Mr McNally. She was, in that email, obviously unhappy with the response and the handling from Transport to date. The following day—so this would be 22 July—Mr McNally sought support to have Ms Hicks removed from the project. In the call to papers, in an email to Transport officials from Martin Donaldson and Andrea Rooke, Mr McNally wrote:

We've been aware of challenges with Rochelle's behaviour ... of greatest concern has been her open criticism of the project director Greg Nash ... which has had a divisive effect on the team.

If we move on, his email says:

As such I need your support to remove her from the project on Monday so that we can address what is a developing rift in our own team placing the project, as well as Greg and Rochelle personally, at significant risk.

Minister, you, categorically, earlier said that we had got this interpretation wrong. The call to papers—

**Ms JENNY AITCHISON:** He called for that.

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**The Hon. SAM FARRAWAY:** —has happened. We've got the emails. I'm quoting to you what the documents you and your office and your agency have supplied the upper House.

**The Hon. NATALIE WARD:** She was performance managed.

**The Hon. SAM FARRAWAY:** Minister, that is a job performance review. That is trying to job performance Ms Hicks out of her role and remove her from that project, is it not?

**Ms JENNY AITCHISON:** What Ms Ward had said was that she had been removed. That email did not proceed because, quite appropriately, as I have said in previous evidence, it should never have proceeded. Should it have ever been written? Probably not. But these are matters for the secretary to address. I understand and have faith in the fact that he is taking them with the gravity they are—but I will correct the record if I'm asked about it.

**The Hon. NATALIE WARD:** But, Minister, what specific steps—

**Ms JENNY AITCHISON:** As I've said repeatedly, Ms Hicks was not treated appropriately in this process.

**The Hon. SAM FARRAWAY:** Again, based on that answer, Minister, on Monday 24 July another Transport official advised—and this information is from the call to papers, now public documents:

I suggest we may need to seek approval under the EIR delegations 3.21 suspension of employee with or without pay.

Minister, these are public documents. I am quoting directly from them. Are you misleading this Committee today with your contribution?

**Ms JENNY AITCHISON:** Absolutely not and, Mr Farraway, I repeat again, I am very concerned about Ms Hicks. I am sorry that she has been through this behaviour.

**The Hon. NATALIE WARD:** Minister, this is a woman—

**The Hon. SAM FARRAWAY:** Minister, if you are—

**The CHAIR:** Order! One at a time.

**The Hon. NATALIE WARD:** Minister, this is an employee of Transport for NSW—an outstanding employee—who raised an issue after a death threat, had her performance questioned, had no support whatsoever for months, had no police assistance via your department and has not had a phone call from you. Are you sorry that all of this has happened and do you now admit that you got it absolutely wrong?

**Ms JENNY AITCHISON:** Ms Ward, I've answered that question in so many forums today, in so many different ways.

**The Hon. NATALIE WARD:** So say it again. Say it a hundred times. Apologise.

**Ms JENNY AITCHISON:** Ms Ward—

**The Hon. NATALIE WARD:** She's had to move house. She's had to relocate her kids and move her jobs.

**The CHAIR:** Order!

**The Hon. SAM FARRAWAY:** The victim has to ring the Minister. Shame.

**The CHAIR:** The Opposition's time is up. Minister, going back to the regional rail fleet situation, with the reported \$826 million over budget, are we expecting any more cost blowouts that you're aware of on that fleet?

**Ms JENNY AITCHISON:** As I said, I think you should really direct that question to Camilla. She is the appropriate person to have that discussion at this point. I'm not the Minister in charge of the procurement of the model, so I think that's a question directly to that point. Sorry.

**The CHAIR:** That's okay.

**CAMILLA DROVER:** Yes, you're correct. The project budget was increased by 826. That was done by the prior Government. We're working within that budget envelope. Those additional monies allocated to the program were to cover an increase in the enabling works that were required to support the new fleet, so not to do with the trains themselves. There were provisions also for client costs and to sort out the implications of that resolution agreement.

**The CHAIR:** Thank you. Minister, I wanted to turn to the issue of the community campaign—Trains North is the community group—to restore the rail that was removed quite some time ago between Armidale and the Queensland border. There was a debate in Parliament, as you're aware, in terms of that petition being tabled.

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We also understand that you wrote a letter to the group—in response to the petition, maybe—instructing them to come back with a business case in terms of that rail line. Is it appropriate to ask community groups to come up with a business case for such significant transport initiatives? Obviously there is a big gap in terms of transport in that region and clearly the community cannot do their own business case. Firstly, is that appropriate? Secondly, what kind of assistance, potentially, can the Government provide in helping with a business case?

**Ms JENNY AITCHISON:** Thanks for asking that question. It's an area that I used to live in. In fact, when I was in New England, we actually used to use the train coming up. When I had a tour operator business—a very long time ago—we actually worked with Countrylink, as it was then, to get that train back open to Armidale and at Walcha Road at one point. So these things can happen. I've seen them happen in my former business life. That particular track is a very old section of track. As you rightly say, it's been closed for a long period of time. There are numerous proposals around—people want to do different things: rail trails, people want to do heritage trains, and I've heard stories about people wanting to do freight transport there. I don't know that in the letter—I'd have to go back to it to be 100 per cent clear, but certainly my intention was not, "You've got to come up with a business case," but it would be, "If there was a business case, it would be considered."

I've met with these people a number of times—different iterations—in opposition and in government, and there's always another service provider that wants to get on the tracks and they're just around the corner, just out of sight. Mr Faraway, when he was the Minister, put up the rail trails bill, which we supported in opposition. That was around ensuring that old rail lines wouldn't be subject to the political vagaries of coming to have a debate in Parliament about closing the line but actually put up a strategic business case for the use of them. That legislation did include rail trails, but it also did include heritage trains or other economic or tourist proposals. That particular line, we had a meeting, I think with Trains North or with some people of that group yesterday, and there's something like 15 level crossings that would have to go. This is a track that intersects the New England Highway. There are very high costs about that. It would be a very unwise use of taxpayer funds to just say to a community group that says, "We want the train back", to go, "Yeah, sure, let's do it." We would need to have a business case for particular freight or passenger or tourism or whatever use in order to do that. That was really the tenor of that approach.

I take it really seriously. That again, to the further point, is around the Regional Integrated Transport Strategy of looking at how we can help those communities with their transport. I'm really aware—they are very close. A lot of them get their services from Brisbane. When I was there, sometimes people would go to Toowoomba. It is a real difficulty getting transport in that area. But is the train the only approach? We want to have a mode-agnostic, purpose-agnostic look at those transport needs and see how we can best meet them, with best value for the taxpayer but also with better connectivity.

**The CHAIR:** Because there are a number of people who have spoken to me about the dire lack of transport services in, for example, Tenterfield.

**Ms JENNY AITCHISON:** Yes.

**The CHAIR:** Where even the buses I understand, I think it is Tenterfield post code, they are just not operating was the last I heard. Let's move to that then. In terms of Tenterfield and surrounding areas, are you making sure that those bus services get back in place, subsidising whatever you need to do? Can we expect that for the people of that area of New South Wales anytime soon?

**Ms JENNY AITCHISON:** We're trying to address these issues. The former taxi debacle has left a lot of our community towns without that point to point service because they don't have the capacity. There's been driver shortages; we've been trying to recruit that. There's been a whole lot of succession in the area as well, across the State, in businesses. We are trying to really drill down with those communities. I've had conversations with the mayor of Tenterfield and with the local members. Both really are trying to get to the bottom of that. Probably the department can give you more information specifically on where that's up to at this moment. But there are a lot of areas in the State where there is really intense transport poverty and we are trying to address it.

**The CHAIR:** I will come back with more detailed questions in the afternoon for the public servants. I understand there was an Active Transport grants program recently.

**Ms JENNY AITCHISON:** Yes.

**The CHAIR:** There seemed to be many, many councils that missed out on that in terms of wanting projects funded. Can you give me the breakdown of how many people applied, what the number of applications were and then how much of that was for regional versus Sydney?

**Ms JENNY AITCHISON:** You are talking about the ones that have just been done?

**The CHAIR:** Yes, very recently.

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**Ms JENNY AITCHISON:** I would have to get that on notice, but I can tell you a bit about the parameters. We have been very concerned around there's been a lot of councils that would be getting a lot of grants and then others that were getting none. This is an area that's administered, in terms of the grants, by Minister Haylen. But there has been a quarantining, in discussion with myself, of 40 per cent of those grants to go to the regional areas to try and ensure that they are getting their fair share. The other thing that we try to do is to really make it a bit easy for some of those regional communities, because we wanted to ensure that there would be a limit on the number of projects that they could apply for. I think they got a maximum of five they could apply for going forward, and also that they could apply for funds, not just for delivery but also for development. When you've got small councils, often they don't have the funds to put together a business case. That is an innovation to try and give them that capacity.

**The CHAIR:** Thank you, Minister. This was the Get NSW Active, last year.

**Ms JENNY AITCHISON:** So it was last year's grant. Sorry, yes.

**The CHAIR:** This is what I'm looking at. It was 2023. But if there is 2024—

**Ms JENNY AITCHISON:** Sorry, I just have to get some clarity.

**The CHAIR:** There are 523 applications. I've just got this in front of me from the media release that you issued with Minister Haylen. There is funding allocated for 44 Greater Sydney projects and 40 regional projects. So it's \$13.6 million of funding overall and then 40 per cent of that \$13.6 million is going to regional councils, which is—goodness me—not much when you consider that. Is that roughly the same amount for 2024, \$13.6 million? What have we got, \$6 million?

**Ms JENNY AITCHISON:** I would have to get you that on notice, sorry. I don't have the exact details on it.

**The CHAIR:** That's one grant for regional councils in terms of providing active transport infrastructure. Are there other grants that they can apply for as well?

**Ms JENNY AITCHISON:** This is the whole point of these strategic regional integrated transport plans. When I say "mode agnostic", we are looking at the active transport needs as well. One of the things I've found when I've been going out in the regions is you've got a lot of people who are using gophers and other kinds of active transport. We are seeing micromobility trials in the regions and all these sorts of things. We do need to actually put that into our planning for our regional communities as well, because if you're in a regional town and you lose your licence and you have to use a gopher, then where are you going? I had it described to me in Mungindi by a transport planner from Moree Shire Council that had worked in Victoria that back in Victoria on the same width of road there would be a cycleway, a pathway, two lanes of traffic and a tram in the same amount of site.

**The CHAIR:** That's good, Minister. Thank you. We go back to questions from the crossbench. Mr Latham?

**The Hon. MARK LATHAM:** Minister, in the email that you wrote on 23 November is there anything sympathetic in there towards Rochelle Hicks?

**Ms JENNY AITCHISON:** Mr Latham, it was a file note and it was really for clarification of thoughts. You are ascribing that to my view. It was really a record of what had gone wrong and, to my point of view, it was the concerns that stood out to me of why it had gone wrong.

**The Hon. MARK LATHAM:** I've read the email, as you described it. You called it an email earlier on and said that you wrote it.

**Ms JENNY AITCHISON:** You were talking about it as an email, because it was those points being emailed that had been unamended. They were a file note.

**The Hon. MARK LATHAM:** I read it and thought it was totally unsympathetic to Rochelle Hicks from beginning to end. Is that a fair description?

**Ms JENNY AITCHISON:** Mr Latham, I don't accept that. I just accept that it was a reflection of what was being said to me. I didn't write it as a reflection on what had been said later. I wrote it as a contemporaneous set of dot points of the conversation as it flowed.

**The Hon. MARK LATHAM:** Why is it written in the first person with you saying you noted such and such, instead of the logical thing to do, that Billy Bloggs told me this, "blah, blah, blah"?

**Ms JENNY AITCHISON:** Because I was taking notes on a phone call and I wanted to not actually put in reflections. It was to get factual statements that were being made to me so that I had some clarity on it. I was

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horrified. I've said that a number of times. I was horrified by the comment around the death threats. It stuck out to me. That's why I wrote it down. It should never have happened. It should never have been dealt with like that.

**The Hon. MARK LATHAM:** Whoever said this to you, what was your response when they said that the Brown death threat was just an off-the-cuff remark?

**Ms JENNY AITCHISON:** I said, "That's not appropriate." Then it was clear—sorry, now I'm going to start extrapolating, because that's the thing, I had those points. I know now and you know now—we all know—that there was a safety investigation that had deemed it was a credible threat. The reason why that was a shocking comment was because it was that initial response to it.

**The Hon. MARK LATHAM:** At the time, did you have any other account of what had happened that was sympathetic to Rochelle Hicks? You hadn't spoken to her—we know that. Who was telling you anything that was sympathetic to her?

**Ms JENNY AITCHISON:** That conversation was also saying that it was a credible threat. I was writing down my thoughts—not my thoughts, but what I was picking up from the conversation. Have you never written down notes when you've taken a phone call, Mr Latham?

**The Hon. MARK LATHAM:** I normally head them, "So-and-so told me such and such." I don't write them as if they are my own words and my own views. But if they're saying it's a credible threat, why have you written that it was an off-the-cuff remark?

**Ms JENNY AITCHISON:** Because that was the point at which this went terribly wrong because it was treated incorrectly from the get-go.

**The Hon. MARK LATHAM:** The email doesn't say that. At that time did you have Rochelle Hicks's version of events or anything sympathetic to her?

**Ms JENNY AITCHISON:** It was a conversation that said, "This is how it went wrong." We are working on it. I will get you a full briefing.

**The Hon. MARK LATHAM:** All the documents are unsympathetic to Rochelle Hicks. Is it unreasonable for us to conclude—

**Ms JENNY AITCHISON:** All the documents?

**The Hon. MARK LATHAM:** In the SO 52, yes. They're overwhelmingly unsympathetic, leading to the disciplinary action. That's what they say. It is unreasonable for us to conclude, given the information you had on 23 November, that you were unsympathetic to her?

**Ms JENNY AITCHISON:** That's absolutely incorrect to assume. I have worked in male-dominated workplaces for some 30 years of my career. I know what it's like to be threatened at work. I know the minimisation that goes on, even internally, to try and keep going through the day. I've had enormous sympathy for Ms Hicks. I have had threats that I have reported, so please don't try to ascribe to me a lack of sympathy for her. Please do not do that on the basis of documents about which I have spoken to you very clearly about what they were. They were for me; an absolute spotlight that this had not been treated properly at the start.

**The Hon. MARK LATHAM:** They're written in the first person, as if you believe that it was an off-the-cuff remark. There's nothing in the document that says it's totally wrong to describe it as an off-the-cuff remark. Why's that?

**Ms JENNY AITCHISON:** Mr Latham, I took notes as I was on the phone. I don't apologise for doing that. I have enormous sympathy, I have respect and I have admiration. For Ms Hicks to stand up and say it is not okay to minimise this at great personal cost—and I acknowledge that—is an incredible thing. She has drawn a line. Our Government has been very clear that we do not accept violence at work. Everyone deserves to feel safe, whether it's from a customer, a workmate or colleague, or a stakeholder. She has put this into stark relief. This is an area of emerging psychosocial law in workplaces. Sometimes people are so shocked when they hear something like that. They don't respond appropriately. She has given us all a direction. She has been very clear and brave and courageous.

**The Hon. MARK LATHAM:** I'm going to what was known and what was said and what was written on 23 November, not conclusions and rationalisations months later.

**Ms JENNY AITCHISON:** It was written, as I said, as a contemporaneous note of a phone call, the initial phone call.

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**The Hon. MARK LATHAM:** What information did you have from your department that was at all sympathetic to Rochelle Hicks on 23 November? Had anyone spoken to you who had said, "We should be sympathetic to her circumstances?"

**Ms JENNY AITCHISON:** As I've said to you, Mr Latham, that is from the initial phone call that I had on 10 November, which led me to call for a full briefing note, which then led me to get the department to do a full investigation of it. The email came because I wanted a printout of what I had—

**The Hon. MARK LATHAM:** Why is it dated 23 November?

**Ms JENNY AITCHISON:** Because that's when I got it. That's when I asked—

**The Hon. MARK LATHAM:** You said you got it on the tenth.

**Ms JENNY AITCHISON:** —for it to be emailed to me.

**The Hon. MARK LATHAM:** As of 23 November, had anyone in the department expressed to you Rochelle Hicks's side of the story?

**Ms JENNY AITCHISON:** Yes.

**The Hon. MARK LATHAM:** Who, when and how?

**Ms JENNY AITCHISON:** The secretary—I'd have to go through my—

**The Hon. MARK LATHAM:** The secretary? The secretary said he didn't know much about it. He just knew the general—

**Ms JENNY AITCHISON:** At 23 November?

**The Hon. MARK LATHAM:** Yes.

**Ms JENNY AITCHISON:** We'd had a conversation about it.

**The Hon. MARK LATHAM:** What did you say at that point, Secretary, that was putting Rochelle Hicks's side of the story?

**JOSH MURRAY:** Mr Latham, by 23 November I think that may relate—not knowing the document—to when that was printed—

**Ms JENNY AITCHISON:** Yes, it does.

**JOSH MURRAY:** —because the matter had already appeared in the media on 9 and 10 November. As the Minister has said, we had presented an investigation update at that point to the Minister on the Monday following that weekend.

**The Hon. MARK LATHAM:** Had you spoken to Rochelle Hicks?

**JOSH MURRAY:** Not at that point.

**The Hon. MARK LATHAM:** So where did you get any information that reflected her side of the story, given that in all the documents provided—thousands of pages—the only person at all sympathetic to her was Tammy Hosking, who blew the whistle in the first place?

**JOSH MURRAY:** Because the safety investigation report that began immediately after the threat was reported—a month after the incident—had acknowledged that it was a credible threat. By that stage Mr Brown had been removed from the project and wasn't to return.

**The Hon. NATALIE WARD:** Two months later.

**The Hon. SAM FARRAWAY:** Two months later.

**The CHAIR:** Order!

**The Hon. MARK LATHAM:** But in terms of the mistreatment of Rochelle Hicks from July to November, what information did you have at that time?

**JOSH MURRAY:** What was emerging at that time was clearly—and I had referred to this slightly earlier—that a level of bureaucracy and lack of pace and energy in the department had enveloped this case because lawyers were involved, the media was involved and people were not putting the victim at the heart of the investigation. And that's what had come to light by that stage.

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**The Hon. MARK LATHAM:** You said earlier that when it got in the media earlier in November you were only generally aware. Were you aware at that time of the professional standards assessment that had been undertaken and found against Rochelle Hicks and recommended counselling?

**JOSH MURRAY:** I'm not aware of that matter. I'm not aware of action—

**The Hon. MARK LATHAM:** You are not aware of that matter at all today?

**JOSH MURRAY:** No.

**The Hon. MARK LATHAM:** You're not aware of the assessment that was closed on 7 August conducted by Martin Donaldson that has found effectively forms of misconduct by Rochelle Hicks and recommended counselling and put this on her employment file and also said, "Further consideration should be given to actively managing Ms Hicks's workplace performance"?

**JOSH MURRAY:** No, I'm not aware of that. I'm aware of the matter that was raised in the emails that have been tabled to the House where Mr Donaldson, as the responsible decision-maker in that case, had declined any other actions being taken, which was a—

**The Hon. MARK LATHAM:** Secretary, how thorough have you been if you are totally unaware of a professional standards assessment that was undertaken against Rochelle Hicks, closed on 7 August and found against her, conducted by Martin Donaldson, one of the three who had been trying to drive her out of the workplace?

**JOSH MURRAY:** I'd need to look more carefully at the details of that particular element. We've obviously been focused on—

**The Hon. MARK LATHAM:** You confirm that you've got no awareness of this, the key document?

**The Hon. NATALIE WARD:** Your documents.

**JOSH MURRAY:** I'm not aware of it in the manner in which you're putting it. I would need to just seek some further advice.

**The Hon. MARK LATHAM:** It's the manner in which it's printed. I've only got what things are printed by your agency.

**The CHAIR:** Order! We will now move to questions from the Opposition.

**The Hon. SAM FARRAWAY:** My question is to Ms Drover, with regard to the new regional fleet. Can you confirm you said it was one long regional train that is at Dubbo? Is that correct?

**CAMILLA DROVER:** Yes, six cars, one train.

**The Hon. SAM FARRAWAY:** Minister, are you familiar with the latest Coffs Harbour Bypass bulletin that was issued, the most recent bulletin, to stakeholders and to staff on that project?

**Ms JENNY AITCHISON:** Not off the top of my head, sorry, Mr Faraway.

**The Hon. SAM FARRAWAY:** You may need to take this on notice, but would you agree that that bulletin says that the final planning regarding the effect of the most recent variations had not been finalised?

**Ms JENNY AITCHISON:** I'd have to take it on notice.

**The Hon. SAM FARRAWAY:** With regard to the sound amenity wall for Coffs Harbour, you will know in previous estimates I have asked questions. Has there been any development from your office when working with Transport to include that wall as part of the Coffs Harbour Bypass project?

**Ms JENNY AITCHISON:** When you say has there been a development from my office, what exactly do you mean?

**The Hon. SAM FARRAWAY:** Have you found funding to make this happen?

**Ms JENNY AITCHISON:** I think I'll pass you to the department to answer that.

**The Hon. SAM FARRAWAY:** I've got the afternoon. I'm just asking you, Minister, about your knowledge.

**Ms JENNY AITCHISON:** There have been some changes in that space. I think you would be best to get the updated information on that.

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**The Hon. SAM FARRAWAY:** We'll come back to that in the afternoon. Moving along, with regard to the road reclassification report—your favourite, Minister—have you received the road reclassification transfer report?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** When did you receive it?

**Ms JENNY AITCHISON:** I don't know. I think it was—was it December? I can't remember off the top of my head. Yes, I received it.

**The Hon. SAM FARRAWAY:** When, Minister?

**Ms JENNY AITCHISON:** I don't know. Do you want to go to the next question? I'll find it for you.

**The Hon. SAM FARRAWAY:** Yes, that's fine. With regard to that report, are the roads that were gazetted under the former Government as part of the priority round—have they been accepted by government as transferred and there won't be any transferred back to the original council?

**Ms JENNY AITCHISON:** We are still working through that. I think you should actually speak to Ms Heydon regarding that. She's been working on that with us.

**The Hon. SAM FARRAWAY:** This is a decision, Minister, that requires ministerial direction. Roads like the Northern Distributor in Orange have been gazetted and transferred back to the State of New South Wales from Orange City Council. I'm asking you, Minister, are there any plans afoot to transfer those roads back to the original council?

**Ms JENNY AITCHISON:** Mr Farraway, this is, as you know, a very long process that was unfunded when it was first committed by your Government in 2019.

**The Hon. SAM FARRAWAY:** The priority round was funded.

**Ms JENNY AITCHISON:** Yes, it was done and there was a limited amount of money that was put towards that and we took that money that was left when we came to government to put out on the road network—to put \$390 million into the regional road network to upgrade the roads for everyone. Because we were in such a situation—

**The Hon. SAM FARRAWAY:** Minister, my question was about the roads that have already been gazetted. There's a handful—maybe half a dozen—roads that were gazetted prior to the election that had been transferred from council back to the State of New South Wales. Do you have any plans to transfer those roads back to councils?

**Ms JENNY AITCHISON:** We've got no plans to—we have been working on this for some time. It's a complicated process, as you know. It took your Government four years to do this.

**The Hon. SAM FARRAWAY:** I'm only asking about the gazetted roads, Minister.

**Ms JENNY AITCHISON:** There are no plans to not proceed with the transfers that have already been undertaken.

**The Hon. SAM FARRAWAY:** The Armidale-Kempsey road that was part of the priority round, which has a lot of natural disaster funding attached to it and there are commitments in writing from the former Government and Transport for NSW, was one of the recommendations of the priority round. Is the New South Wales Government still going to transfer that road once repairs through flood and disaster funding has been expended?

**Ms JENNY AITCHISON:** That's obviously a conversation. That matter has been at budget estimates a number of times now. The concern is, as you say, it does have to have flood repairs done. Armidale Regional Council has got, apparently, \$408 million.

**The Hon. SAM FARRAWAY:** But at the end of those flood repairs, Minister, is your Government going to transfer that road, as it was one that was budgeted for by the previous Government and is part of the priority round of recommendations? Once repairs are done, are you going to transfer that road?

**Ms JENNY AITCHISON:** Once those works are done, we will sit and have a conversation with council about that.

**The Hon. SAM FARRAWAY:** So you can't confirm today?

**Ms JENNY AITCHISON:** No, because we are—

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**The Hon. SAM FARRAWAY:** Because the council is under the impression that that road will be transferred at the completion of those flood repairs to that road.

**Ms JENNY AITCHISON:** Right. Okay. Well, we'll have a good conversation with them about it.

**The Hon. SAM FARRAWAY:** Surely councils, mayors and this Committee deserve better than a good conversation.

**Ms JENNY AITCHISON:** No, we will have a conversation, because they haven't raised—

**The Hon. SAM FARRAWAY:** Have you expended the money that was allocated for the transfer of that road?

**Ms JENNY AITCHISON:** I'd have to take that on notice.

**The Hon. SAM FARRAWAY:** When will you make that—

**Ms JENNY AITCHISON:** Our concern was that it had some \$408 million worth of works to be done on it, and one of the problems that has happened—

**The Hon. SAM FARRAWAY:** So it will be a good road when it's finished. Transport should want that one back because it will all be fixed.

**Ms JENNY AITCHISON:** But the problem, Mr Farraway, is that in the time that elapsed from when this policy was announced and when council has put in their applications and when the interim report came in, a lot of things changed. We had the renewable energy zones, we had post-COVID migration, we had the floods—we had a whole lot of other factors that have done that. So I don't want to say—

**The Hon. SAM FARRAWAY:** So you're happy to take on notice if the money that was allocated by the former Government, and in the budget as part of the priority round, has been redirected or suspended? You're going to take that question on notice?

**Ms JENNY AITCHISON:** Yes, happy to do that.

**The Hon. SAM FARRAWAY:** Okay. That's fine. With regard to the reclassification report, have you been able to find a date of when you received that report?

**Ms JENNY AITCHISON:** No.

**The Hon. SAM FARRAWAY:** That's all right. I'll help you out, Minister, because I'm such a nice guy. At the last budget estimates you took this on notice. I can confirm, with your response, that the report was provided to Minister Aitchison and Minister Graham's offices on 29 June 2023. We're now at the end of February—leap year; 29th today, Minister—so when will you be releasing that report?

**Ms JENNY AITCHISON:** Mr Farraway, we've been really clear as a government and in opposition going to the election that we would not proceed with that program. That report was provided as advice to government. It would've needed to go to Cabinet to be released, the same as it was for you.

**The Hon. SAM FARRAWAY:** So you don't have any plans to release the report? The reason I ask is there would be a lot of good data for councils, for IPWEA and for a lot of stakeholders that I think would get a lot out of that report. Even though you obviously made lots of comments during the election about me sitting on a report, you're saying now that you've had this report since 29 June 2023 and you have no intention of releasing it?

**Ms JENNY AITCHISON:** The release is not the only action that can be taken with that report. It is also informing information for Transport for NSW in how we proceed with a reclassification process as a business-as-usual approach, rather than waiting, as has been the case, for a very long time—about every 10 years or so—and then losing all the expertise within the department around reclassifications. We also want to have a look at the complex arrangements which are there in the classifications of roads.

**The Hon. SAM FARRAWAY:** Have you read the report, Minister?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** So you have read the report. In terms of releasing it, you wish to do that at a later stage or you have no intention of releasing it?

**Ms JENNY AITCHISON:** I am reserving my right on that.

**The Hon. SAM FARRAWAY:** Back to the Bathurst Bullet, you said you'd had a lot of conversations with local members out there and it has been in the media a bit. I'm a big supporter of the Bathurst Bullet. I think it's a great service. Where are you up to, in terms of the consultation with the State members for Bathurst and

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Orange about extending one of those services through to Orange or for it to start in Orange—one of those Bathurst Bullet services?

**Ms JENNY AITCHISON:** We've been having conversations with them, as I said. Obviously there's different suggestions—

**The Hon. SAM FARRAWAY:** There are two very different opinions there, that's all, from those two local members.

**Ms JENNY AITCHISON:** That's why we are just having conversations and listening to what they're saying. The department is working in the background putting those together and we will try to come to a good outcome.

**The Hon. SAM FARRAWAY:** Do you support, as the Minister for Regional Transport, the people of Orange having one of those services initiate or start from Orange?

**Ms JENNY AITCHISON:** Obviously I support all communities having access to good public transport and having access to trains et cetera. That then comes down to how can it be delivered in the best way. How can we ensure that provisioning of the train, maintenance of the train, staffing of the train, timetabling of the train—it's not like you just go, "Yes, that's great. You want a train?" If it was that easy, Mr Farraway, you would have done it.

**The Hon. SAM FARRAWAY:** At the end of the day, you're the Minister now. You visited the region. There is public commentary that you are looking at this. I want to know, are you seriously looking at it? Is it going to happen?

**Ms JENNY AITCHISON:** Yes, I think I've indicated we are seriously looking at it. If you want to talk to the—

**The Hon. SAM FARRAWAY:** Do you have a time line of when you'd make a decision in this space?

**Ms JENNY AITCHISON:** If you want to get the more specific information, you might want to wait until later on this afternoon and talk to the public service about it because I know you don't want to do that now.

**The Hon. SAM FARRAWAY:** This is my last question because I've got limited time and I need to hand over to my colleague. Have you had any specific meetings about lobbying for additional funding for the Great Western Highway?

**Ms JENNY AITCHISON:** With whom?

**The Hon. SAM FARRAWAY:** The Federal Government. The Commonwealth.

**Ms JENNY AITCHISON:** I have spoken to Minister King about that project. They want us to do a corridor assessment. That is important. It is important to know we are proceeding with the work that was started and also—

**The Hon. SAM FARRAWAY:** That the former Government contracted.

**The Hon. NATALIE WARD:** I might jump in. Minister, I want to acknowledge your attendance at the road safety summit and that you were there all day for the entirety of the summit. Thank you for your contribution and making that happen, and the secretariat as well. It was a very effective day. I acknowledge that you were absolutely committed to it on the day. Could I ask about the Nowra bypass? What is the Government's position on the Nowra bypass?

**Ms JENNY AITCHISON:** What do you mean, sorry? We are looking at the business case and we are trying to work through that with the council, and that work is proceeding. That whole Princes Highway upgrade is a really big project. There are some very big projects that we've just started. The Jervis Bay—

**The Hon. NATALIE WARD:** I've only got a couple of minutes. I might come back to that one. I can do some more detail in the afternoon. Can you clarify how much money has been spent on the Nowra bypass since the 2023 election?

**Ms JENNY AITCHISON:** There is planning for it underway. I think there is \$8 million from the New South Wales Government, but I can't give you the exact details. You will need to get that from the department.

**The Hon. NATALIE WARD:** Do you have an anticipated start date?

**Ms JENNY AITCHISON:** I think you will have to get that from the department too. We are trying to stage these works so they can be delivered. One of the problems we have had on these projects as we've come into

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government is seeing that there is a lot of pressure on labour and on costs and materials. We want to make sure that we do these right and that we also do better consultation with community because some of those projects have taken an inordinately long time.

**The Hon. NATALIE WARD:** Just to clarify—and it's not a trick question—there is no start date yet?

**Ms JENNY AITCHISON:** No, I didn't say that. I said you need to speak to the public service to give you that detail.

**The Hon. NATALIE WARD:** I think there's between \$3 billion and \$5 billion. It's a big project, just acknowledging that. Has the Milton Ulladulla bypass commenced?

**Ms JENNY AITCHISON:** There is planning that's been going on. We've got the business case and the route sort of thing that's all happening. Obviously it's one of those ones where, even when I was in opposition, there was a lot of very difficult consultation. I know that the member for South Coast—there was a lot of conversation from her. There was Burrill Lake and then Minister Faraway was involved as well. I do get it.

**The Hon. NATALIE WARD:** I might come to progress.

**Ms JENNY AITCHISON:** It's very complicated. We also have some other issues on that project.

**The Hon. NATALIE WARD:** Acknowledging that, what's the anticipated delivery date for that one?

**Ms JENNY AITCHISON:** I will have to take that on notice. I think we haven't got a date on that.

**The Hon. NATALIE WARD:** Do you have a date on that?

**Ms JENNY AITCHISON:** No.

**The Hon. NATALIE WARD:** Do you know when the project will commence?

**Ms JENNY AITCHISON:** That's—

**JOSH MURRAY:** It's \$10 million.

**Ms JENNY AITCHISON:** Yes, \$10 million is allocated in this year's budget.

**The Hon. NATALIE WARD:** When will that work commence?

**Ms JENNY AITCHISON:** I'll take that on notice for you.

**The Hon. NATALIE WARD:** The East Nowra Sub Arterial—at the last election your party said that work on the East Nowra Sub Arterial would start on day one. Why didn't that happen?

**Ms JENNY AITCHISON:** There has definitely been early planning. Like you would know yourself, having been a former roads Minister, starting isn't shovels in the ground on day one. There is a lot of planning and consultation that goes into that, and getting business cases, getting the alignment and working with council there. I have had conversations with Nowra council about that project, as well as the bypass, as well as the bridge, as well as a whole range of other things.

**The Hon. NATALIE WARD:** What planning money has been allocated toward that project?

**Ms JENNY AITCHISON:** I'm not sure. I would have to take that on notice. But all our election commitments will be funded, and obviously that is the case for this one.

**The Hon. NATALIE WARD:** Can you outline what community consultation has been undertaken on that project?

**Ms JENNY AITCHISON:** I'll have to take that one on notice.

**The Hon. NATALIE WARD:** It's not an unfair conclusion, because of the size of the project and the fact that a small amount, it would seem—it doesn't seem we can be clear on how much planning money has been allocated. It probably won't commence until the next parliamentary term. Is that a fair assessment given the size and complexity of the project?

**Ms JENNY AITCHISON:** I'll take that one on notice.

**The Hon. NATALIE WARD:** But it's unlikely that construction will start—

**Ms JENNY AITCHISON:** I don't agree with your conclusion at this point. I would like to take that question on notice.

**The Hon. NATALIE WARD:** Consultation, planning and commencement can all happen in this term?

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**Ms JENNY AITCHISON:** Is that a question?

**The Hon. NATALIE WARD:** Yes. Are you confident that that can all occur in this term?

**Ms JENNY AITCHISON:** I'll take that on notice. I want to get the details from the department around where we are up to with it.

**The Hon. NATALIE WARD:** Moss Vale Road—Minister, this week your department completely closed Moss Vale Road over Cambewarra Mountain for maintenance work at night-time. Maintenance included vegetation removal and cleaning of gutters. Given it's almost two years since this road was impacted by heavy weather, when will repair work commence on that road?

**Ms JENNY AITCHISON:** I am really glad you asked about this. There has been a real concern in the community around the repair funding more generally.

**The Hon. NATALIE WARD:** Yes. I'm interested in when it will commence.

**Ms JENNY AITCHISON:** I will have to take that exact question on notice.

**The Hon. NATALIE WARD:** What communications have your department had with the local community, given the concerns around it, on time frames to deliver those works?

**Ms JENNY AITCHISON:** I think you should ask these questions of the bureaucrats.

**The Hon. NATALIE WARD:** I am asking you because there has been no announcement on the project and it is not listed on the project website.

**Ms JENNY AITCHISON:** Mr Fuller can take that question.

**MATT FULLER:** Thank you, Ms Ward—

**The Hon. NATALIE WARD:** That's all right. I can deal with that in the afternoon, Mr Fuller. I'm asking the Minister in the four minutes that I have left, but I'm very keen to hear from you in the afternoon, if I may. Have you been briefed, Minister, on when works will start on Moss Vale Road?

**Ms JENNY AITCHISON:** I get briefed on so many projects. I can't remember off the top of my head if I've been briefed on that specific one.

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

**Ms JENNY AITCHISON:** Yes, I'm happy to take it on notice.

**The Hon. NATALIE WARD:** Have you considered providing any financial support to the Kangaroo Valley businesses that have been impacted by the delays to the roadworks?

**Ms JENNY AITCHISON:** I will refer that one to the department.

**The Hon. NATALIE WARD:** You will recall that the former Government—you have referred a number of times to the former Government that did or did not do things, understandably—provided a one-off payment to businesses in the valley when Barrengarry Mountain was closed. This road was on the western side of the valley toward the Southern Highlands. I'm just asking if you would consider providing, given there is precedent—

**Ms JENNY AITCHISON:** There are processes, Ms Ward, as you well know, that are in place for providing that kind of assistance to businesses.

**The Hon. NATALIE WARD:** Would you be supportive of that?

**Ms JENNY AITCHISON:** We would look at the cases. I can't just sit here and say, "Yes, they are definitely going to be funded," because we have to get the scale of what the works will be and the impact on their businesses so that we can go forward.

**The Hon. NATALIE WARD:** There has been an impact because the road has been delayed.

**Ms JENNY AITCHISON:** But there have to be processes, I think you would agree, in terms of taxpayer dollars, so that we actually ensure that everything is agreed properly.

**The Hon. NATALIE WARD:** What are the processes?

**Ms JENNY AITCHISON:** People can apply for assistance.

**The Hon. NATALIE WARD:** Is this something they can apply for now, for that assistance?

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**Ms JENNY AITCHISON:** I will get you that information. If businesses want to come and have a chat to us about it, we are more than happy to open the door on that.

**The Hon. NATALIE WARD:** They are chatting with us and they are concerned. This is affecting them at a time of dire cost-of-living pressures and they have been impacted. They would like to know how they can apply and where and when. Are you able to provide that on notice?

**Ms JENNY AITCHISON:** We'll get that, yes.

**The Hon. NATALIE WARD:** Minister, are you familiar with the Tripoli Way bypass project?

**Ms JENNY AITCHISON:** Yes.

**The Hon. NATALIE WARD:** How much was that allocated?

**Ms JENNY AITCHISON:** There was some money in the fund already—I think it was \$16.9 million, maybe—and then we put some more money towards it in the election campaign to bring it up to about \$20 million.

**The Hon. NATALIE WARD:** Since coming to office after the election, how much has been allocated to the project?

**Ms JENNY AITCHISON:** I'll take that on notice.

**The Hon. NATALIE WARD:** Do you know how much money was allocated to the project prior to you coming to government?

**Ms JENNY AITCHISON:** I think it was approximately \$16 million in that fund that had been allocated, but in terms of actually to the project I'd have take that on notice.

**The Hon. NATALIE WARD:** I might assist. Some \$4.2 million was allocated by the former Government in planning and \$16.6 million from the Accelerated Infrastructure Fund. I'm interested in how much your Government has committed to and allocated to the project since coming to office?

**Ms JENNY AITCHISON:** I'll take that on notice for you until we get the right numbers.

**The Hon. NATALIE WARD:** Do you know who is delivering the project?

**Ms JENNY AITCHISON:** I will take that on notice.

**The Hon. NATALIE WARD:** I think it's Shellharbour City Council.

**Ms JENNY AITCHISON:** Sorry, I thought you were talking about something else. Yes.

**The Hon. NATALIE WARD:** Minister, were you aware of a flyer produced by Dr Sarah Kaine and sent to residents of Albion Park claiming that the former Government cut funding to the Tripoli Way bypass project when, in fact, we funded it?

**Ms JENNY AITCHISON:** Have you got a copy of that to table it?

**The Hon. NATALIE WARD:** I'm asking if you are aware of it.

**Ms JENNY AITCHISON:** Have you got the document?

**The Hon. NATALIE WARD:** I'm asking if you're aware of a colleague tabling a document saying there were funding cuts.

**Ms JENNY AITCHISON:** If you're not going to table the document—

**The Hon. NATALIE WARD:** Were you aware? It's a yes or no question.

**Ms JENNY AITCHISON:** —I won't answer that.

**The Hon. NATALIE WARD:** I'm not going to mislead this Committee. Are you aware of a document which is misleading to—

**Ms JENNY AITCHISON:** Sorry, what do you mean you're not going to mislead it—

**The Hon. NATALIE WARD:** Minister, were you aware of a flyer—

**Ms JENNY AITCHISON:** —by tabling a document that you're alleging my colleague's put out?

**The Hon. NATALIE WARD:** I think we have our answer. Dr Sarah Kaine sent a document which was clearly misleading, saying that the former Government cut funding, when you've just clearly confirmed there was \$4.2 million and \$16.6 million allocated by the former Government. That doesn't concern you?

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**Ms JENNY AITCHISON:** You've put those numbers on the record and you haven't produced the documentation so, no, I'm not going to confirm.

**The Hon. NATALIE WARD:** You just don't care that residents are being misled about a vital project that I think we all support?

**Ms JENNY AITCHISON:** Ms Ward, again, I think we've established very well in this hearing that when you have not got the full information—

**The Hon. NATALIE WARD:** Minister, why did the former Labor candidate for Kiama say—

**Ms JENNY AITCHISON:** —you are making allegations you cannot substantiate.

**The CHAIR:** Order! That was on the bell, Ms Ward. Minister, I turn to questions about—

**The Hon. NATALIE WARD:** Sorry, I will table that document.

**The CHAIR:** —the Bruxner Highway upgrade funding cut. I understand one of the casualties of the Federal Government's recent infrastructure spending review was the highway upgrade from Wollongbar to Goonellabah?

**Ms JENNY AITCHISON:** Yes.

**The CHAIR:** Some \$6.8 million from the Federal Government was committed, and I think \$1.7 million from the State Government. My Greens colleagues who live up north, Tamara Smith and Sue Higginson, have told me that's one of the most dangerous stretches of road in the Northern Rivers. What discussions have you had or what steps have you taken to advocate to the Federal Government for reinstatement of that funding?

**Ms JENNY AITCHISON:** Obviously we've been very disappointed by the decision to cut funding to many millions of dollars in these projects. That decision is likely to see us, as a State, about \$1.4 billion worse off over the forward estimates. Our message to the Commonwealth has been very clear: Every dollar taken out has got to come back to New South Wales. We're still talking to the Commonwealth Government to get the best deal for those communities.

In terms of that particular area, notwithstanding those proposed funding withdrawals, the budget committed \$7½ million to Lismore City Council to construct a roundabout at Alphasdale and Cowlong roads on the Bruxner Highway to facilitate safe access from these roads onto the highway. We are working with council to implement a solution that will facilitate the safe corridors in that. I'm happy to brief your members. We've been in good conversation with Janelle Saffin, the Parliamentary Secretary, and member for that area.

**The CHAIR:** I understand this one is Ballina Shire Council, not Lismore.

**Ms JENNY AITCHISON:** Sorry.

**The CHAIR:** That's okay. It's the section of the Bruxner Highway that Ballina Shire Council is responsible for between—

**Ms JENNY AITCHISON:** But it's Wollongbar to Goonellabah. Goonellabah's not in Lismore? I thought it was.

**The CHAIR:** What I have got here in front of me is that Ballina Shire Council has apparently been working on this. They're keen to continue working, I understand, on planning for this critical upgrade. I wanted to check on the \$1.7 million contribution that the Government's already made to that upgrade to see whether that's still there and whether there's a guarantee that Ballina Shire Council can continue working with Transport for NSW, at the very least, on that upgrade?

**Ms JENNY AITCHISON:** Those conversations with council should have been clearer for them to know that answer. I'd refer it to the officials so they can come back to you this afternoon.

**MATT FULLER:** I can certainly help with that.

**The CHAIR:** What you just said in terms of the Alphasdale thing—sorry?

**MATT FULLER:** I can certainly help with that, Chair.

**The CHAIR:** I will come back later.

**Ms JENNY AITCHISON:** Come back later. You'll want time.

**The CHAIR:** In terms of the Alphasdale Road—the roundabout—you said that there was still funding in the budget for that. Was that what you said earlier?

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**Ms JENNY AITCHISON:** Yes, that's right.

**The CHAIR:** When is the Government expected to announce its response to the community consultation for the Alstonville Bypass upgrade?

**Ms JENNY AITCHISON:** I think that's something that I'll have to take on notice.

**The CHAIR:** All right. Take that on notice. We'll come back to that.

**Ms JENNY AITCHISON:** Sorry, I'll go back to the officials. Let's do it that way.

**The CHAIR:** That's fine. I wanted to turn to the issue of speed limit reviews. I'm consistently informed by a decent number of Greens on councils, and those who are on those councils in regional New South Wales, who say that their requests for speed limit reviews are usually declined, despite being well supported by evidence—particularly around safety and road deaths, as we know, and community sentiment. Do you know why these requests to reduce the speed limit, obviously, are continually rejected by Transport for NSW? Are you informed of those?

**Ms JENNY AITCHISON:** This is the problem, I guess, if you're trying to talk about specific cases. It's probably better to be specific about them rather than go to a generic kind of conversation. If there are councils that are having issues with that, obviously I'd welcome the conversation with them. Is there anything you've got on that, Mr Fuller?

**MATT FULLER:** I could just say broadly, Chair, that we would absolutely welcome any discussion that's been raised with yourself or other members about speed limit zone reviews. They are complex. There's a number of them that take place at any given time around the State and there's a number of factors that go into them. So I guess it's really just understanding how they relate to the standards.

**Ms JENNY AITCHISON:** To not take up your time now, I will absolutely commit to meeting with any of the councils that have raised those concerns with you or your members, and also to brief with your members more generally around these issues, as I would with any member of Parliament.

**The CHAIR:** Thank you. Are you aware of the Local Government Road Safety Program? The program has remain unchanged since its inception in 1992, despite a commitment to update it, I assume by the former Government, in 2021. Where's the status of that up to? Clearly this is a big issue from regional councils, but the impression I'm getting from my discussions is they just don't feel like they're being taken seriously.

**Ms JENNY AITCHISON:** I would have to take that exactly on notice. I'd probably suggest it's something to talk about with the officials in the afternoon. Obviously we want to do everything we can to make communities safe. When I was out in the last seven weeks of the year I think I met with 20 councils, and road safety was the top agenda issue for every one. I made sure it was. We want that to be not just the one day but to flow out. So, yes, it is definitely a concern for me, but we want to make sure that we're giving the right information.

**The CHAIR:** Where is it up to in terms of you leading it within government for this kind of road safety—I know that you've got the Road Safety Action Plan, is it?

**Ms JENNY AITCHISON:** Yes.

**The CHAIR:** How does the local government side of it fit into that then? Because that's kind of what we're after, isn't it? There's the Local Government Road Safety Program. They feel that that's kind of been ignored or left wanting in terms of some of their recommendations. There's a lot of work, a lot of consultation and a lot of energy from local councils on this. How is that being fed into your action plans?

**Ms JENNY AITCHISON:** This, again, gets back to that consultation piece of having local government at the centre of it all. I know you're looking at the clock; I won't take up your time.

**The CHAIR:** That's all right.

**Ms JENNY AITCHISON:** This is really where the rubber hits the road, and we do need to do better in this space. If we're looking at the regional road toll rising, we know that councils are struggling and we know that there have been increases in those urbanised country regional areas. So that's very much on councils' radars. We are talking to them about what we can potentially do. We've got the road safety officers who assist with that, but even when I was out in Wentworth, for example, they had been, I think, trying to recruit three times and hadn't been able to recruit someone. So there are some challenges with the program.

**The CHAIR:** When the questions were asked earlier by Mr Banasiak about bridges, and some of them were in the Murray area, were there questions asked about the new bridges at Swan Hill and Tooleybuc?

**Ms JENNY AITCHISON:** He was asking about Mulwala.

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**The CHAIR:** Different ones. I'm going to ask about those too.

**Ms JENNY AITCHISON:** That is similar.

**The CHAIR:** When can we expect those two new bridges to be built? I'll get that one out.

**Ms JENNY AITCHISON:** That will be—I think you'll probably want more information from Mr Fuller or someone. Sorry, Mr Hayes.

**The CHAIR:** So there's data there. The other question is the Narrandera to Tocumwal rail feasibility—hang on. You get lots of questions from many people and sometimes you've got to decipher what they are.

**Ms JENNY AITCHISON:** I remember.

**The CHAIR:** Don't worry about that one. One last question—maybe. If local councils request speed limit reviews, they go to Transport for NSW. I've got information in front of me that suggests that there are at least seven outstanding requests from councils for those reviews, but some of which go back to as early as 2021 to 2022. I can get the detail about those later, but it would be good to know why they're taking so long. Can we get some kind of a time limit or a time by which councils can expect to get a response by Transport for NSW?

**Ms JENNY AITCHISON:** There was a new speed zone standard published by Transport for NSW in July this year. There was a fair bit of work, I think, that was in the department coming up to that to have a more consistent, safety-based approach to speed zone standards and then how you review the roads. The complexity of the roads—what sort of roads are they doing; what's the state of them; what's the safety risk et cetera—we want to do that work properly. Obviously there's been a delay in the implementation of that. I can't give you a time frame today, but I'm sure the departmental officials might have a bit more of it. It is something that's on our radar. We wanted to review that standard quite soon after it was implemented to see if it is achieving the objectives of the program.

**The CHAIR:** I might pursue that later.

**The Hon. MARK LATHAM:** Minister, when *The Australian* newspaper first raised the problems with the handling of the Rochelle Hicks matter, did you ask Mr Murray to organise a briefing?

**Ms JENNY AITCHISON:** On that day, if I remember correctly, I was travelling, so I think I asked my office to find someone in the department to get on the phone to me.

**The Hon. MARK LATHAM:** Your office would do that directly instead of going through the secretary?

**Ms JENNY AITCHISON:** No, I think it was through the secretary. I can't remember, but I was on the phone—in the car. I just said I need to find out what's going on.

**The Hon. MARK LATHAM:** What's your recollection, Mr Murray?

**JOSH MURRAY:** Yes, the Minister and her office made contact on that Friday and, as has been said already, we organised a further briefing for the Monday morning.

**The Hon. MARK LATHAM:** There'd been a briefing already and this was a further briefing?

**Ms JENNY AITCHISON:** It was like a telephone call.

**JOSH MURRAY:** Yes.

**The Hon. MARK LATHAM:** Who provided that briefing?

**JOSH MURRAY:** On the Monday? Ms Drover led that brief.

**The Hon. MARK LATHAM:** Say that again?

**JOSH MURRAY:** Ms Drover.

**The Hon. MARK LATHAM:** And this is the one, Ms Drover, that's reflected in this email on the—no, it can't be. That's on the Monday; that's the 12th. Minister, the information provided, you say, on 10 November, where did that come from?

**Ms JENNY AITCHISON:** That was in a telephone conversation.

**The Hon. MARK LATHAM:** With whom?

**Ms JENNY AITCHISON:** It was with Ms Drover. But it was, as I have said, repeatedly, her indicating to me what had gone wrong in the way that that threat was dealt with.

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**The Hon. MARK LATHAM:** Ms Drover, can I ask you, that's your recollection? There was a telephone conversation on the Saturday—

**Ms JENNY AITCHISON:** The Friday.

**The Hon. MARK LATHAM:** —and then a more formal—a sit down briefing—on the Monday?

**CAMILLA DROVER:** No. The Minister and her chief of staff were travelling in regional New South Wales. They rang me Friday afternoon. Just a bit of context, I was actually on annual leave. I had been made aware the night before, which was actually the last day of the last budget estimates, that a media inquiry had come in related to the Coffs Harbour Bypass. I hadn't seen the exact nature of that media inquiry because I was on annual leave, but the Minister and her chief of staff did ring me on the Friday. I gave them some high-level information about the incident. I provided a brief to the chief of staff the next day, Saturday, which was provided under legal privilege because it did include some legal matters and then we followed up the following week with a formal briefing note on the matter to the Minister and her office.

**The Hon. MARK LATHAM:** You spoke to the chief of staff on 10—

**CAMILLA DROVER:** And the Minister.

**The Hon. MARK LATHAM:** And the Minister on 10 November and that's been reflected in the email. Where did you get your information from, Ms Drover, given that you were on annual leave? What contact did you have with the issue previously?

**CAMILLA DROVER:** I was obviously aware of the matter and had been having numerous conversations with the head of regional project delivery and others across Transport on the matter. I provided my verbal briefing to the Minister and her chief of staff based on what I knew. We were concerned about Ms Hicks's wellbeing, and this is before I had seen the media and the article. I was very concerned and, in fact, I remember ringing—I was aware that welfare checks had occurred because, as you may recollect, Ms Hicks was due to return to Transport on 1 November. I remember finishing my conversation with the Minister and going to check with the head of regional project delivery just the facts about the number and nature of the welfare checks that had occurred that week.

**The Hon. MARK LATHAM:** Is Mr McNally the head of regional project delivery, or Mr Donaldson?

**CAMILLA DROVER:** No, Mr Donaldson. There had been five welfare checks initiated, including one with the police.

**The Hon. MARK LATHAM:** There is a lot of sympathy and welfare checks but there is also a lot of wretched wrong things that were done in the process.

**CAMILLA DROVER:** I accept that.

**The Hon. MARK LATHAM:** Did Mr Donaldson tell you that he had taken disciplinary action and done this professional standards assessment and found against Ms Hicks?

**CAMILLA DROVER:** He had advised me that there had been some conversations within the project team but he advised me that, on his decision, no further action would be taken against Ms Hicks. I thought that was absolutely appropriate and I endorsed and supported that decision.

**The Hon. MARK LATHAM:** How do you explain this assessment, closed on 7 August, that said she needed counselling, to be performed by Mr Donaldson himself? Mr Donaldson undertook the assessment.

**CAMILLA DROVER:** I don't think Mr Donaldson did undertake the assessment. I think it was the professional standards unit of Transport for NSW.

**The Hon. MARK LATHAM:** He is listed here as the decision-maker.

**CAMILLA DROVER:** He was a decision-maker. How it works in Transport is that there is a separate unit within the HR department. They undertake the assessments and they provide a recommendation, which Mr Donaldson rightly did not proceed with. The recommendation was for him to have—look, I am conscious of this matter and I am uncomfortable discussing individual personnel matters out of respect for Ms Hicks and the others involved.

**The Hon. MARK LATHAM:** Ms Hicks is more uncomfortable with the fact she was left stranded with no-one helping her or standing up for her. That's what her discomfort was about, I can assure you.

**CAMILLA DROVER:** I acknowledge that. If I can just put on the record that when I saw the media article on Saturday morning, having not seen the media inquiry, I was very concerned and upset.

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**The Hon. MARK LATHAM:** Did you receive counselling that was organised by the department?

**CAMILLA DROVER:** No, but if I could just finish, when I saw the media article, I realised that there was new and additional information Ms Hicks had that had not been shared with me to date. I also became aware that weekend of some errors within the Transport process, hence why I wrote to Ms Hicks on Sunday evening expressing my apology and my concern for her wellbeing and seeking to meet with her to progress and resolve this matter. I also wrote to my colleagues, both the head of legal and the chief people officer, on Monday expressing my concern that I was not convinced that Transport had properly taken all due steps. I was questioning whether we were satisfied with our approach to this matter. That, along with the Minister's request, instigated another investigation.

**The Hon. MARK LATHAM:** On Saturday the 10th did you tell the Minister and her chief of staff that Ian Brown had made an off-the-cuff remark to others that he wanted to kill Rochelle Hicks?

**CAMILLA DROVER:** I did not speak to the Minister and her chief of staff on Saturday but I did provide an email, which was an update issued under legal privilege from the legal department of Transport.

**The Hon. MARK LATHAM:** Does it use the expression "off-the-cuff remark"?

**CAMILLA DROVER:** I don't believe it does. I'm not—

**The Hon. MARK LATHAM:** Where's this come from on the 10th? Did you say that?

**CAMILLA DROVER:** Absolutely not.

**Ms JENNY AITCHISON:** Mr Latham, could I just clarify? You've asked Ms Drover whether there was a telephone conversation on 10 November, which was actually a Friday. You've called it Saturday, which is a bit confusing.

**The Hon. MARK LATHAM:** The 10th was a Saturday.

**Ms JENNY AITCHISON:** The Friday 10 November 2023, unless I'm in the wrong diary.

**The Hon. MARK LATHAM:** Well, in the documentation Stephen Rice writes to Peter McNally on 9 November.

**CAMILLA DROVER:** I think that was a Thursday; the Friday was the 10th.

**The Hon. MARK LATHAM:** That was the Thursday, okay.

**CAMILLA DROVER:** On Saturday, the 11th, I don't recollect having any conversations with the Minister's office.

**The Hon. MARK LATHAM:** You had the conversation on the Friday, the 10th?

**CAMILLA DROVER:** Friday, the 10th—in the afternoon, I recollect.

**The Hon. MARK LATHAM:** Did you use expression "off-the-cuff remarks" about Mr Brown?

**CAMILLA DROVER:** I don't believe so but I can't recollect exactly what I said. I did discuss with the Minister that obviously there was a delay between the incident and when it was first reported to the project team. That gave rise, obviously, to the safety investigation. I couldn't explain to the Minister why there had been that delay between the incident and the reporting. I did explain to the Minister that there had been a difference of opinions as to what actually happened at the incident, hence why the safety investigation was undertaken. As we've known, it did confirm that the threat was credible. The report to the police was actually made prior to the conclusion of that safety investigation, because by the time the threat was known to be credible, even though the safety investigation was not complete, the report was made to the police.

**The Hon. MARK LATHAM:** Minister, Ms Drover said that she doesn't recall saying to you that it was an off-the-cuff remark, so why did you write that down?

**Ms JENNY AITCHISON:** Because that's what I thought she'd said at the time or it was in the tenet of that.

**The Hon. MARK LATHAM:** The tenet of that?

**Ms JENNY AITCHISON:** Yes. That was how it was treated and I think that's in alignment with Ms Drover's evidence, that it had been differing recollections within the team, and that was the way that—the one that stuck out to me as totally inappropriate.

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**The Hon. MARK LATHAM:** You wrote it down. You didn't say it was inappropriate. It's just recorded there as if it's your own words. Ms Drover, did you say—

**Ms JENNY AITCHISON:** And I went from the action of writing that down to requesting further briefing—more detailed—and then requesting an investigation.

**The Hon. MARK LATHAM:** Ms Drover, did you tell the Minister that Rochelle Hicks was doing a lot of self-promotion in media without approval?

**CAMILLA DROVER:** No. I did convey to the Minister the nature of my relationship with Ms Hicks. I had met Ms Hicks on several occasions, including at Coffs Harbour. We'd done a live cross on one of our divisional live streams and Ms Hicks was featured in that. It was a discussion between Ms Hicks and me. She was giving an update on the project. I did explain to the Minister that Ms Hicks had often represented Transport in media articles et cetera. There was once instance where I had seen a media article and I hadn't recollected approving it, and I had just raised that with the head of regional project delivery. That was perhaps what that was alluding to.

**The CHAIR:** I move to questions from the Opposition. We've got three minutes each.

**The Hon. NATALIE WARD:** Minister, just coming back to the Tripoli Way bypass. Why did the Labor candidate for Kiama say, "Only Labor will deliver the Albion Park bypass," when, in fact, it was funded by the former Coalition Government?

**Ms JENNY AITCHISON:** My understanding was there wasn't enough money to complete the project.

**The Hon. NATALIE WARD:** But there was no funding from—and you have not confirmed any further funding, today, for the project. It is funded, in fact, \$4.2 million in planning and \$16.6 million from the Accelerated Infrastructure Fund, so it's just wrong, isn't it?

**Ms JENNY AITCHISON:** But there was additional funding that Labor has committed to that project of some \$4.3 million from the Regional Roads Fund. There was additional funding which was not going to come from the Coalition Government.

**The Hon. NATALIE WARD:** Minister, why are members of your party misleading residents of Albion Park about the nature of the funding when the funding was in place? Shouldn't you just be up-front with the community about the funding that was in place for this project?

**Ms JENNY AITCHISON:** I totally reject, Ms Ward, the premise of your scripted question there, because it's not actually correct. I just said, you had not fronted up the \$4.3 million that was estimated that would be required to complete the project, which we put in and made the commitment to.

**The Hon. NATALIE WARD:** So you have provided additional funding? You're confirming that?

**Ms JENNY AITCHISON:** Yes, as per election commitments—under the Regional Roads Fund.

**The Hon. NATALIE WARD:** Was that requested by the council?

**Ms JENNY AITCHISON:** Sorry?

**The Hon. NATALIE WARD:** Was that requested?

**Ms JENNY AITCHISON:** I would have to go back and take that on notice of how that was. I know there was an issue and concern around funding shortfalls and when I spoke to council, some months ago now, I'm sure they were still raising concerns around extra funding required.

**The Hon. NATALIE WARD:** How much did you say you provided?

**Ms JENNY AITCHISON:** It's \$4.3 million we've committed.

**The Hon. NATALIE WARD:** Our Government provided \$20 million and you've provided 4.3.

**Ms JENNY AITCHISON:** Well, it's not your money—

**The Hon. NATALIE WARD:** The majority of it was done.

**Ms JENNY AITCHISON:** —or our money. It's just that we had made the commitment.

**The Hon. NATALIE WARD:** No, I'm not saying it was our money; I'm not saying it's yours. I said our Government provided 20; yours provided four.

**Ms JENNY AITCHISON:** It's not your money.

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**The Hon. NATALIE WARD:** It's a little bit like—

**Ms JENNY AITCHISON:** It's not your money; it's not our money.

**The Hon. NATALIE WARD:** I didn't say that, they're your words.

**Ms JENNY AITCHISON:** You did, you said—

**The Hon. NATALIE WARD:** No, I said our Government.

**Ms JENNY AITCHISON:** —your Government provided that money.

**The Hon. NATALIE WARD:** Yes, under our Government. It's a little bit like painting the Opera House and then saying you built it, isn't it?

**The Hon. SAM FARRAWAY:** Minister, with regard to the email that Mr Latham was referring to, who sent that email?

**Ms JENNY AITCHISON:** I think I took the notes on Ms Boyd's phone, because I was using my phone to talk and I asked her to send it so we could get it printed out.

**The Hon. SAM FARRAWAY:** Who was it sent to? Was it just directly to you or to the office or anyone else in your office?

**Ms JENNY AITCHISON:** No. My understanding—it was just sent to Ms Boyd. I can't remember but I'm sure that's all it was.

**The Hon. SAM FARRAWAY:** You are happy to take that on notice for us and come back to the Committee maybe during the day? Obviously, someone had to be the author of the email and you would think whoever the author—

**Ms JENNY AITCHISON:** But it came off the phone.

**The Hon. SAM FARRAWAY:** Yes, but that's not what we know. There is an email—

**Ms JENNY AITCHISON:** Well, it is what you know, because that's what I've told you.

**The Hon. SAM FARRAWAY:** It's an email and I'm going to—

**Ms JENNY AITCHISON:** How do you get things off your phone to print them, Mr Farraway?

**The Hon. SAM FARRAWAY:** At the end of the day we have an email. Who was the author of that email?

**Ms JENNY AITCHISON:** I was the author of the email, as I have repeatedly stated.

**The Hon. SAM FARRAWAY:** You used someone else's email account?

**Ms JENNY AITCHISON:** No.

**The CHAIR:** Order! Time's up. Minister, you've acknowledged the risks that motorists pose to wildlife on regional roads. I understand a number of councils across New South Wales are trialling innovative technologies to reduce wildlife road kills, virtual fencing, underpasses—stuff like that. Will you consider offering support to councils to reduce wildlife deaths on roads to support them in a bunch of really good work that they're doing?

**Ms JENNY AITCHISON:** Yes, I am happy to look at it. Obviously, there's an important animal conservation aspect to that, but there's also a really important road safety aspect. Happy to look at that.

**The CHAIR:** Great. I will go back to this question I couldn't get out before. In the budget, there were numerous announcements around State road funding. One of the roads that has come to my attention, Sturt Highway, is very dangerous and in critical need of repair in various areas. There have recently been deaths as well. It is a crucial freight link between Sydney and Adelaide. Are we expecting more funding for this much-needed upgrade to this highway?

**Ms JENNY AITCHISON:** We always look to prioritise safety issues on particular roads where there is a crash history. Obviously that does create an extra imperative on it, but it's not just about crash history, it's also about the conditions of the road. Transport for NSW has got significant funds of money, something in the order of more than \$200 million on infrastructure road upgrades.

**The CHAIR:** Can we expect it for Sturt for that?

**Ms JENNY AITCHISON:** I have to take that one on notice.

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**The Hon. MARK LATHAM:** Minister, do you now acknowledge the information that you received on that Saturday that we've been talking—

**Ms JENNY AITCHISON:** On the Friday.

**The Hon. MARK LATHAM:** Sorry, on the Friday we've been talking about, was very biased against Rochelle Hicks, given that Martin Donaldson, who'd provided the information, had told Rochelle Hicks on 24 July that he was supporting Greg Nash and not her, and that as the matter was politically sensitive it was likely Ian Brown would still be engaged with the project?

**Ms JENNY AITCHISON:** Mr Faraway, I take that really seriously.

**The Hon. NATALIE WARD:** Latham.

**Ms JENNY AITCHISON:** Sorry, Latham. Sorry, Mr Latham. I am really focused on what I want to say here because I know Ms Hicks would be hearing this and I really want to say directly to her that I have always said that where there were mistakes made, we would look at them, we would try to do better, we will try to resolve them for her, and that I'm very sorry about what has happened to her, and that I hope she can move on in time with her life in a really positive way, that I admire her courage. I admire her tenacity in this matter and, as I said, in the very first notes that I took of that conversation, I was concerned about how she had been treated and that has informed every single action.

**The Hon. MARK LATHAM:** Where is that reflected in the email? The email is completely unsympathetic, based on Donaldson, as relayed by Ms Drover.

**Ms JENNY AITCHISON:** Because when I hear words like that, being a woman, I know that that is not appropriate and that violence against women has been minimised and discredited for millennia. I understand what she would have been going through from my own experiences. I feel very sad for her. That was not a reflection of my attitude; it was a reflection of what I heard, which shocked and appalled me.

**The CHAIR:** Thank you, Minister. Does the Government have questions?

**The Hon. CAMERON MURPHY:** The Government has no questions.

**The CHAIR:** Thank you very much for appearing today. Thank you to all the public servants who appeared this morning. I understand that all public servants are appearing later today. We will break and be back at 2.00 p.m.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Welcome back from the lunch break. Let's go straight to questions from the Opposition.

**The Hon. SAM FARRAWAY:** Thank you, Chair. My question is to either Mr Murray or Mr Fuller, but I think I'll start with Mr Murray. In Minister Haylen's estimates last Friday I noted that you spoke about a restructure within Transport for NSW, correct?

**JOSH MURRAY:** That's correct.

**The Hon. SAM FARRAWAY:** Does Regional and Outer Metro still exist or is that division gone under the new-look restructure model?

**JOSH MURRAY:** That's correct. Both the Greater Sydney division, as it's called, and the Regional and Outer Metropolitan division are gone in the restructure because the geographic approach of the organisation is not the focus of taking the model forward. We're simplifying the operating model from 10 divisions down to seven and we will reduce from three to two, the enabling divisions that sit behind those.

**The Hon. SAM FARRAWAY:** Is that at your discretion and direction as secretary or government?

**JOSH MURRAY:** That's at my direction and that's the work that's been underway during this period. After I'd been three months in the job, we did announce across the organisation that we would move to a statewide model, and then a couple of weeks ago we changed that.

**The Hon. SAM FARRAWAY:** Why, though? Why would you move to a model that has worked quite well, I suspect—at least for regional communities and for the regional road and transport network—for some years now?

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**JOSH MURRAY:** Actually, Mr Farraway, the explicit feedback to me as I moved around the State was, in fact, that regional offices and regionally based staff were struggling with the model, that they were struggling with their access to the expert resources across the State, and they were finding that measures were being boxed into geographic regions rather than being the best fit for Transport.

**The Hon. SAM FARRAWAY:** Mr Fuller, as still the dep sec for ROM—I suspect as of today but maybe tomorrow a different case—is that the feedback that is coming from the ground?

**MATT FULLER:** I think there's certainly opportunity for us to improve and, as the secretary has talked about, really take advantage of the skill set, the capability and the experience that sits across Transport more broadly. What we're looking to in the new operating model is, I suppose, to remove some of the siloing, for want of a better term, that's occurred and the tendency to do business with other parts of Transport.

**The Hon. SAM FARRAWAY:** Mr Fuller, as someone who has lots of experience working across Transport in the regions in response to natural disaster and for road programs—I don't need to go on because I know, obviously, your experience—do you seriously believe that this model will best serve regional New South Wales?

**MATT FULLER:** I think it's incumbent on all of us across the Transport executive to ensure that the regional communities in New South Wales are represented in all of the work that we do. I think we can make any model work. Certainly the way in which I've heard the secretary talk about it and the planning that we've done as a team around the executive table, I'm sure we will ensure that regional communities still have a very strong voice in the work that we do.

**The Hon. SAM FARRAWAY:** Mr Murray, what do you say to regional communities, mayors—any regional stakeholder—who years ago felt that Transport was such a large organisation, that it was very city centric and that it was very Sydney orientated? What do you say to comfort them that this new restructure you're setting out on won't leave at least that regional perspective and expertise and delivery? I think that's the big part—delivery—because they had people in the regions with a regional focus. How are you going to comfort those concerns?

**JOSH MURRAY:** There will still be people in the regions with a regional focus and deploying that expertise. But to those exact stakeholders that you spoke about, that was a key term of reference of the work that we've done around the structure, because that absolute, crystal clear feedback to me was that our stakeholders—not just in the regions but around the whole of New South Wales—could not navigate a clear path into Transport. And, when they did get in, they were referred from a geographic business unit to a functional unit and back again. This is to clarify those lines by streamlining us into a smaller number of divisions with clear leadership and accountability.

**The Hon. SAM FARRAWAY:** With that in mind, Mr Murray, have there been any staff redundancies due to that restructure out of Regional and Outer Metro?

**JOSH MURRAY:** Not in Regional and Outer Metro. As you correctly said, Mr Fuller—

**The Hon. SAM FARRAWAY:** Or will be redeployed?

**JOSH MURRAY:** We are working through, now, the design that sits under our new operating model, our top structure, that was unveiled to the organisation in the last two weeks. As you correctly said, I spoke about it last week. The work is now ongoing into placing the key leaders underneath those new structures.

**The Hon. SAM FARRAWAY:** Does the freight branch still exist within Transport for NSW, or will you have a dedicated team still looking after freight within your agency, Mr Murray?

**JOSH MURRAY:** Yes, we still will. The freight division will sit under the one client division, rather than having a geographic base. That's a great example. Freight obviously impacts both Greater Sydney and regional and outer metropolitan, but it sat within regional in its previous incarnation.

**The Hon. SAM FARRAWAY:** That's right, because I put it there.

**JOSH MURRAY:** I understand that.

**The Hon. SAM FARRAWAY:** It was a good team; they knew what they were doing. Moving on—

**JOSH MURRAY:** But, as a result, they were forced to deal with two masters when they were deploying policy.

**The Hon. SAM FARRAWAY:** That's all right. There was only one. Mr Murray, moving on, when do you expect the full changes to be implemented?

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**JOSH MURRAY:** There will be a number of initial lifts and shifts within the organisation because of the functional changes. That will happen over the next few weeks, and then further changes will pan out over the coming months. We anticipate having this done by three-quarters of the way through the year.

**The Hon. SAM FARRAWAY:** Will the regional directors—I suppose your team, Mr Hayes. Where will Mr Hayes' team be positioned within the restructure?

**JOSH MURRAY:** That design is ongoing at the moment. But in most cases the resources that currently liaise with those regional communities will report through the client model, as we are calling it, which is our passengers and customers division.

**The Hon. SAM FARRAWAY:** Are there any plans to remove any of those roles that are incredibly important, especially in the regions, with stakeholders, councils, road projects? Will it be purely just a redeployment and where they sit? Are there any plans to disband those roles?

**JOSH MURRAY:** I think I'll refer to my response to you on this last week.

**The Hon. SAM FARRAWAY:** I didn't ask last week.

**JOSH MURRAY:** But there will be matters across our organisation. We are part of the Government's commitment to reduce senior executive roles by 15 per cent. That will be factored into the change in our structure. However, I have been very clear through this process that our regional footprint and our access, and the people having access to us, is one of the absolute paramount considerations of the new model.

**The Hon. SAM FARRAWAY:** I want to move on to the Coffs bypass. Ms Drover might hopefully be best placed. With regard to the Coffs bypass and the sound amenity wall that we talk about most estimates now, since the change, the Minister mentioned earlier that there could possibly be updates in that space. With regard to the latest bulletin that I referred to on the Coffs Harbour Bypass, obviously it can be assumed that the final planning regarding the effect of most of the variations means that it's not finalised. Is that fair to say? Is the sound amenity wall still being considered at all as part of the project?

**CAMILLA DROVER:** I think you're referring to the noise wall outside a particular proposed development.

**The Hon. SAM FARRAWAY:** Correct, yes—outside the proposed film studio, or Pacific Bay.

**CAMILLA DROVER:** I think I will refer back to my response at the last budget estimates. As you'd be aware, the planning approval doesn't require us to put a noise wall in that location. It is still a proposed development, in my understanding. The other issue is, in the detailed design that was offered by the contractor which is delivering the project, one of their design innovations was actually to move the corridor for the Coffs Harbour Bypass further west. It puts it even further away from that proposed development.

**The Hon. SAM FARRAWAY:** The Minister mentioned earlier, though, that she had a further update. Is there any further update about that corridor or, specifically, is there any update, or can you update today's hearing on when Transport for NSW will determine if it will be removing any of the trees and bush along the boundary and when it will occur?

**CAMILLA DROVER:** I'm not clear what the Minister was referring to. I can tell you that 30 per cent of the earthworks for the project are complete. You may be aware that we started tunnelling at the end of January for the project, with three short tunnels, six tubes in total. That work is underway. I am also aware that 90 per cent of the clearing for the project has already occurred.

**The Hon. SAM FARRAWAY:** Is there any way that some of the vegetation—some of the trees and bushes—that is along that boundary can be retained, which may act possibly as an amenity or sound wall for the hundreds of residents that actually live in and around that development?

**CAMILLA DROVER:** I'll have to take that on notice. What I can say is we don't clear trees if we don't need to. We have a protocol where we check every tree before we do clear it, even though it was proposed in perhaps an EIS or other prior planning document. And, yes, if there is an opportunity to retain any vegetation, we absolutely will. That may be the case if we've moved the alignment further west, but I would need to go away and get that level of detail for you.

**The Hon. SAM FARRAWAY:** If you could, Ms Drover, that would be very helpful. I've been approached by a lot of members that live in and around those developments, not just the owners of Pacific Bay, for instance, but quite a few people that live in and around that area semi-permanently. They have huge concerns about the noise of decelerating and accelerating trucks and vans and buses and heavy vehicles that will be coming into Coffs Harbour, and exhaust brakes, obviously, for people needing to pull up at that intersection. The former

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Government made a very clear commitment in this space at the election. I know you can't comment on policy, but can you come back on notice to see if there is any way that retaining any vegetation—trees, bushes—along the boundary and that corridor would serve possibly as a wall without having to build a wall?

**CAMILLA DROVER:** Absolutely. Most happy to.

**The Hon. SAM FARRAWAY:** Excellent. Thank you very much. Great Western Highway, Coxs River Road and Medlow Bath—I drive the road all the time. There is a lot of work going on. How is that project running and are you still on track for your proposed completion dates?

**CAMILLA DROVER:** Yes, we are. I drove through there myself just a couple of weeks ago. Both the Medlow Bath project and Coxs River Road are proceeding as planned. There's lots of local engagement. There are new community consultative committees that have been established for each project. It's going really well.

**The Hon. SAM FARRAWAY:** What is the completion date for Coxs River Road?

**CAMILLA DROVER:** Just give me a minute and I'll come back to you.

**The Hon. SAM FARRAWAY:** If you could also come back on Medlow Bath. I am happy for you to come back a bit later. I've got lots of questions on this.

**CAMILLA DROVER:** I can probably give it to you now.

**MATT FULLER:** Mid-2025.

**CAMILLA DROVER:** Yes, and mid-2025, I think, for Medlow Bath.

**The Hon. SAM FARRAWAY:** So mid-2025 for both?

**CAMILLA DROVER:** Yes, mid-2025 for Coxs River Road and 2025 for Medlow Bath, obviously subject to weather, given significant earthworks on the Coxs River Road project.

**The Hon. SAM FARRAWAY:** With regard to the work Transport undertook with regard to the EIS for a proposed tunnel, are you aware of what the results of the submissions were?

**CAMILLA DROVER:** You will be aware that obviously we did the EIS and it was displayed. We had prepared a submissions report. Given the project has been cancelled both at the State and the Federal level, we have not gone back to the community with that submissions report. But we did obviously assess all the submissions received from the community. That was considered, but, no, that has not gone back.

**The Hon. SAM FARRAWAY:** What was the majority view, of those submissions?

**CAMILLA DROVER:** I would need to take it on notice because I haven't seen the final report. It was never finalised, given that the project was cancelled.

**The Hon. SAM FARRAWAY:** Was there an interim report completed or a draft?

**CAMILLA DROVER:** The report was pursued but it wasn't finalised because the project was cancelled. I'm happy to take on notice what I can share with you out of the community feedback and the submissions.

**The Hon. SAM FARRAWAY:** Can you take on notice, Ms Drover, whether you can table to the Committee on notice a copy of the draft report, obviously bearing in mind the project never proceeded, but what the conclusion of all the submissions was?

**CAMILLA DROVER:** I will take that on notice, but I suspect I will also need to liaise with my colleagues in the Department of Planning, or DPIE.

**The Hon. SAM FARRAWAY:** Mr Murray, would you be prepared to also, with Ms Drover, take on notice if that report can be tabled to the Committee?

**JOSH MURRAY:** Yes, I'll take that on notice. Apologies for my distraction. I should just point out that there is water dripping onto power cables in front of the Hansard table.

**The Hon. SAM FARRAWAY:** Mr Murray, with regard to that report, do you see an issue in tabling or making public the draft or interim submissions report for the EIS for the proposed tunnel?

**JOSH MURRAY:** I'm aware of the process; I just have to take advice on tabling that and we'll come back on notice.

**The Hon. SAM FARRAWAY:** Moving on to country rail network. This might be Mr Grosskopf if he's here.

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**TOM GROSSKOPF:** Yes.

**The Hon. SAM FARRAWAY:** I still remember who does what. Mr Grosskopf, regarding the TOC Waivers, where is that process up to in reviewing those waivers prior to their proposed expiry in April by UGL Regional Linx?

**TOM GROSSKOPF:** The TOC Waivers, what happened was UGL gave notice that they were going to withdraw the TOC Waivers. The TOC Waivers were then reinstated through to 28 April. In doing so we've come to an agreement with UGL to undertake a range of monitoring works to understand the current condition of the track and the ability of the track to continue to operate under those TOC conditions. That work is underway now. Some of that early work has been completed, such as the Lidar surveys, ground penetrating surveys, and AK Car running surveys are underway at the moment as well. We are expecting to receive from UGL Regional Linx a report on the condition of the track, then how that track will be maintained and what investments are required in order to maintain the track in the future.

**The Hon. SAM FARRAWAY:** Is there a view to remove the TOC Waivers altogether because they're essentially waivers for something that has basically become permanent now? Is there a view from Transport for NSW that there needs to be a negotiation with UGL Regional Linx to make these TOC Waivers permanent?

**TOM GROSSKOPF:** The view from Transport is that these TOC Waivers should only be used as a temporary measure and that those TOC Waivers have been in place for far too long; that between UGL Regional Linx and ourselves we need to make the right prioritisation for investments and investigations into the track condition so that we can continue to provide the level of service that the rail service operators have been working on today.

**The Hon. SAM FARRAWAY:** To my point, Mr Grosskopf, is Transport looking to vary the contract with its provider, UGL Regional Linx, to remove these TOC Waivers because these waivers have essentially become permanent and there is an expectation, and rightly so, that if we want more freight on rail, if we want to maximise some of the rail investment on the CRN over the last five years, why have we got waivers on a network in parts that we've upgraded?

**TOM GROSSKOPF:** I expect that what we will do is issue UGL Regional Linx with further directions to undertake modifications to the line to allow those TOC Waivers to move into the TOC manual.

**The Hon. SAM FARRAWAY:** That will require a variation to the contract, won't it?

**TOM GROSSKOPF:** No.

**The Hon. SAM FARRAWAY:** How can it not be a variation to the contract?

**TOM GROSSKOPF:** Because it's simply a principal's directed modification to the service provider to undertake further works. We do that under the contract framework.

**The Hon. SAM FARRAWAY:** But the contractor pays for those additional works.

**TOM GROSSKOPF:** No. If it's a principal directed modification, that payment is made by the principal, Transport.

**The Hon. SAM FARRAWAY:** To my point, there needs to be obviously some level of agreement in order for UGL Regional Linx to be paid to ensure that the maintenance to carry 25 TAL, for instance, becomes a permanent fixture, not a one-off waiver.

**TOM GROSSKOPF:** Correct. There are a variety of ways of achieving that TAL threshold.

**The Hon. SAM FARRAWAY:** Because it is a bit ridiculous where government has spent money on upgrading parts of the CRN to get from 21 track axle load limit up to 25. But then you've got a waiver—you now have a waiver which has been in play for some time, which I accept. But I take it—correct me if I am wrong—from what you are saying, that there is a view from Transport to try to address this longer term. That will mean a variation to the contract with UGL Regional Linx to allow them to maintain the track and to remove TOC Waivers, essentially longer term?

**TOM GROSSKOPF:** Mr Faraway, we are absolutely aligned in that Transport will move with UGL Regional Linx to make sure that the train operating conditions and the track axle load limits are there and provide that service to the rail service operators. I think the only issue we're having is that, in the way that we administer this contract, we don't have to make a contract variation. What we do is issue a principal modification direction and then UGL Regional Linx will undertake those works. That is done under the existing framework of the contract.

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**MATT FULLER:** Mr Faraway, could I just add, I would just like to say on record that it's absolutely our intent to have it converted into the train operating manual, as Mr Grosskopf has outlined, but I'd also like to thank the operators for their patience in working with us. They've been incredibly constructive and there have been a lot of really good considerations with the operators that have supported that.

**The CHAIR:** I just wanted to ask about bikes on regional trains. I asked about this at the last budget estimates hearing as well. Mr Murray, I think you were saying that you were looking at a solution to allow the bikes in carriages—some kind of engineering solution—early this year. Is there an update on that?

**JOSH MURRAY:** Yes, thank you for the question. I will ask Mr Merrick to come in as he's been looking at that proposal.

**The CHAIR:** Thank you. Mr Merrick?

**DALE MERRICK:** Thank you for the question. I think as I shared in the previous estimates, the procedures we use today on the XPT that went into service in 1982 and the Xplorers in 1993—the procedures we use today largely are a reflection of the design of the trains. Also, to do that safely we use a boxing procedure. So a passenger that would like to transport a bike on one of our services is required to box them. But, as I said also in the last estimates, we were looking to trial some prototypes or some additional capacity or different ways of having roll-on, roll-off configuration. What we are doing right now is working through a number of options with the intent of trialling those over the coming months. As we speak, we are in conversations with our health and safety reps, our union reps, our staff and our stakeholders around what that might look like. We're going through a risk assessment process to ensure that that trial or that prototype that we use is done safely.

**The CHAIR:** I do think or feel that that was similar to the response last time—safety issues were mentioned—which was four months ago, I think we're talking. Is there resistance from certain stakeholders? What's happening? It just sounds like there are people pushing back in terms of safety.

**DALE MERRICK:** I wouldn't categorise it as pushing back. What I would say is that all of our stakeholders are being involved in the process, which is largely a safety or a risk assessment. As you can imagine, or as you can appreciate today, boxes used to transport bikes is the way of transporting bikes. To have a roll-on, roll-off configuration on a train that's not designed to do that is a considerable change. I wouldn't categorise it as resistance but as making sure that it's safe to do so. As I said, we intend to trial that in the coming months.

**The CHAIR:** How long have discussions been going on in terms of these safety issues with these stakeholders that you're talking about? Obviously there have been campaigns. There have been requests for some time for people to be able to essentially hop onto a train with their bike, hop off with their bike. The Government's clearly supporting rail trails everywhere. This is, I think, something that a lot of other jurisdictions do. How long have those discussions been going on? Have they been going on since the Government came into power in March last year or before then—these same discussions?

**DALE MERRICK:** Discussions with our bike user groups started back, I think, in April of last year, where we got all of our stakeholders, including the bike user groups, into a single discussion around what the desire or the need was. With regard to our employees, our health and safety reps and our union colleagues, that's occurred over the last two months, in that we now have a prototype design that we can actually show people. That's why that's occurred in the most recent times. It's absolutely our intent to explore every opportunity to get additional bikes on. But as you can imagine, for 11- or 14-hour journeys we need to be sure that a bike is safely restrained within the train so that it's not a potential safety risk to other passengers.

**The CHAIR:** When you're saying "prototype", what is the prototype of?

**DALE MERRICK:** It is roll-on, roll-off. It's the ability for a bike to roll on and be safely secured.

**The CHAIR:** Yes, I'm aware of that, but then the prototype is something that the bike attaches to the wall of the carriage? You're clearly trialling something in that way within the carriage itself?

**DALE MERRICK:** The intent is to, yes.

**The CHAIR:** You've got one prototype?

**DALE MERRICK:** What we would call a "low-fidelity mock-up".

**The CHAIR:** Wow, that's some jargon, isn't it?

**DALE MERRICK:** It's a configured—it's a way of restraining a bike, not the final product. But it's a way that will allow us to actually trial that process on one of our XPTs.

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**The CHAIR:** Have you got any deadline for this? These things take a long time. This is just a trial. It takes a long time.

**DALE MERRICK:** It has taken a while. Again, I can only point back to the safety argument or the safety comment.

**The CHAIR:** So you're trialling the prototype. The safety thing was mentioned last time as pretty much the same thing, so you've got a bit more detail this time around the groups and a prototype?

**DALE MERRICK:** Yes.

**The CHAIR:** Is it the beginning of next financial year, say, July—do you have any idea when it looks like we are going to be seeing this? Again, this is just on the existing stock, isn't it?

**DALE MERRICK:** It is. I don't want to give an exact date, but I'd be expecting in the next two months we would have had at least an opportunity to trial the prototype.

**The CHAIR:** Slow steps. What about the new trains, Ms Drover? I can't remember if I asked you this last time. What's the expectation there? Those six new carriages at Dubbo, do they take roll-on bikes?

**CAMILLA DROVER:** There is some provision for roll-on bikes but it is low numbers. I might just pass to my colleague Ms Heydon for further details on how that will work.

**The CHAIR:** Come on down, Ms Heydon.

**CYNTHIA HEYDON:** As Ms Drover spoke about earlier, there are three types of regional rail trains that are coming in, which are the long and the short regionals and the intercities. The intercities do have bike facilities. We're looking at the outcomes of the trials on the XPTs for how we'll look at that in the regional services or the new trains as well.

**The CHAIR:** At this stage, I think Ms Drover said, they can take a few bikes. What's the expectation around how many bikes—for example, you get a group of people that want to travel to some regional centre, say Orange, to do the rail trails—

**CYNTHIA HEYDON:** To do a large group.

**The CHAIR:** —and they want to take their bikes and there's like 20 of them?

**CYNTHIA HEYDON:** We'll have to come back to you with exactly what the capacity is and if it's a stepped improvement from XPT. But what we're trying to look at is whether we can go further than what the current arrangements are under XPT, which may see beyond boxing storage options.

**The CHAIR:** But just to be clear, I'm talking about roll-on bikes here.

**CYNTHIA HEYDON:** Yes. At the moment the design of the short and long regional trains does not allow for roll-on. We're using the XPT trial to look at how we could bring that into being on the short and long regionals.

**The CHAIR:** Wow. These are the new trains and they're still—is that right? The new trains didn't have a requirement to—

**CAMILLA DROVER:** The intercity types of trains with the new fleet have some capacity, but I acknowledge it is a low number. But if I can just reflect on Mr Merrick's comment, given some of the long regional trains will be a journey of 14 hours, safe storage of the bike is important. But it was never going to address the sorts of issues you're talking about—a group of friends taking a train trip, 20 people, up to a rail trail.

**The CHAIR:** Yes, which you'd only think is going to increase, I assume. In fact, I did want to ask a question about rail trails: the funding, the promotion and how that's going. Who do I direct that to?

**JOSH MURRAY:** Mr Fuller can take that question.

**The CHAIR:** Mr Fuller, in relation to that, in terms of the projections that the Government has around the use of rail trails and how they're going, what are the projections, for example, by 2035? Has the Government forecast what it hopes to see in terms of people using those rail trails, or should I be directing this to the tourism Minister, do you think?

**MATT FULLER:** Let me start with there are projections within business cases that have been the premise for some of the rail trails and how they've been created. Say the Northern Rivers as an example, the current work that's being undertaken, that was talked about this morning in terms of Trains North and the proposal between Armidale and Glen Innes, and obviously the one down near Tumbarumba. We don't have numbers on

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hand and whether that has shifted since those business cases were implemented, but that's something that we could connect back with the operators of those rail trails—the organisations. Generally speaking, they're not-for-profit groups, so they don't tend to do a lot of long-term, long-range forecasting on visitation, but it may be something that Destination NSW has undertaken.

**The Hon. MARK LATHAM:** Ms Drover, when you briefed the Minister on Friday 10 November did she object to anything you said—as in, "You can't use that phrase"?

**CAMILLA DROVER:** No, I was conveying to her factual information as I understood it to be at the time. As I said, I didn't have notes in front of me; it was just some basic information, because I did commit to give her a formal briefing note, which I did provide the first step of on the Saturday. Just to confirm and put on record, I haven't seen the document that you're referring to. I understand it was the notes of the Minister. But I can confirm that it was a very neutral conversation with the Minister, stating the facts of the matter as I knew them at that time, and obviously as we knew them before *The Australian* article had come out.

**The Hon. MARK LATHAM:** It was just a case of you providing factual information and the Minister saying yes and noting that information?

**CAMILLA DROVER:** Yes, because I had committed to provide her a full and thorough briefing on the matter, and there were elements of the matter that other parts of Transport were managing—for example, the legal component—so that's why I committed that briefing note.

**The Hon. MARK LATHAM:** Is that where your briefings to the Minister ended, or did they carry on past Saturday the 11th?

**CAMILLA DROVER:** As I said, I spoke to the Minister and her chief of staff on Friday. I did not speak to her over the weekend. I had numerous conversations internally with my colleagues, which led to me writing to Ms Hicks on the Sunday evening. Then on the Monday the briefing note was prepared. I think it went to her later that week. I think we sent a draft to her perhaps on the Monday or Tuesday, and then it went through the formal approval process.

**The Hon. MARK LATHAM:** To the secretary, to the best of your knowledge, when was the Minister first informed the processes had been mishandled regarding Ms Hicks?

**JOSH MURRAY:** Thank you, Mr Latham. Before I answer that, could I be clear about the matter we discussed before the break, which was the investigation that you asked about? We were referring to the same email chain in that discussion. I think as Ms Drover said, the director of regional project delivery was the decision-maker, not the instigator or the signatory.

**The Hon. MARK LATHAM:** Who did instigate it?

**JOSH MURRAY:** It was done from the project and it was conveyed to a relatively junior member of the compliance unit. When it reached that decision-maker, it was terminated and it went no further. I would also add—

**The Hon. MARK LATHAM:** Who instigated the complaint?

**JOSH MURRAY:** Those documents were provided under privilege, I understand. That was from the project. You've read some of that on record.

**The Hon. MARK LATHAM:** Are you saying Mr Nash or Mr McNally?

**JOSH MURRAY:** I am not able to comment on that. What I would say is that when those matters—

**The Hon. MARK LATHAM:** Can anyone say who instigated the complaint?

**JOSH MURRAY:** What I would like to say is that when it was terminated by the correct decision-maker, which is Mr Donaldson, as referred to, there are very few people who could have enabled that process to keep going, and it was not put in front of any of those people. I just want to be clear that that investigation was not—

**The Hon. MARK LATHAM:** That was said before lunchtime, but what about my question as to when the Minister was first briefed of problems with the handling of the Rochelle Hicks matter?

**JOSH MURRAY:** I couldn't speak exactly to that matter, but I believe that once we got into the discussion that Ms Drover has already referred to, we were certainly concerned at the length of time and the quality of information that had flowed through in the early part of this process.

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**The Hon. MARK LATHAM:** So what date are we talking about when the Minister is first told there were problems?

**JOSH MURRAY:** That would have been beginning from that week after the weekend of the 10th.

**The Hon. MARK LATHAM:** So around the 20th or later in November?

**JOSH MURRAY:** No. I believe the initial briefings were that week. It would've been in that week that we would've said that we had some concerns.

**The Hon. MARK LATHAM:** What were the problems identified?

**JOSH MURRAY:** As I said, we were concerned about the time taken, and then there were elements that were covered in *The Australian* newspaper's reporting that weren't known to the executive team.

**The Hon. MARK LATHAM:** You mentioned earlier the professional standards assessment. Is that going to be rescinded now so it no longer sits on Rochelle Hicks's employment record?

**JOSH MURRAY:** It is not on Ms Hicks's record. It went no further. It was an email chain that emanated from the project and went no further than that.

**The Hon. MARK LATHAM:** It's a four-page assessment that makes a whole series of allegations against Ms Hicks that are wrong. For instance, it says that they're investigating that she's unreasonably likened the conduct of concern to domestic violence. If Brown turned up at her home in Coffs Harbour, it's very domestic. What's wrong with her saying this is not a lot different to domestic violence, given that Ian Brown made a death threat?

**JOSH MURRAY:** None of that should have occurred. It was a misguided and poorly judged approach during the heat of the complaint that Ms Hicks had already made, when attention should've been focused on that, and it was correctly terminated by the regional leader, who is the decision-maker.

**The Hon. MARK LATHAM:** Why was it accepted by the assessment team?

**JOSH MURRAY:** As I said, it bounced around in that discussion and it was terminated by the correct decision-maker. It was an internal HR discussion that shouldn't have originated. But I completely accept that by the time Ms Hicks became aware that that had happened, that would've been incredibly distressing.

**The Hon. MARK LATHAM:** Have you read the entire file and all the documents that relate to the Hicks matter?

**JOSH MURRAY:** I have read through the file and I have been presented with the investigation reports, yes.

**The Hon. MARK LATHAM:** So how is Greg Nash still working for Transport for NSW, given that he put way ahead of the safety of a woman—the deputy on the project who'd received a death threat—and downgraded that safety concern in favour of politics and the delivery of the project?

**JOSH MURRAY:** Thank you for the question. We have got a lot to do in the wake of this inquiry, the investigations that were lodged on the back of what we have learnt, and the treatment of Ms Hicks, who didn't receive the appropriate support at any stage during this process. Those matters will be followed through. I'm not going to talk about individual employees and I don't believe calling for processes in this House against employees is the correct form of approach. However, I can assure you how seriously the whole of Transport is taking this matter.

**The Hon. MARK LATHAM:** In terms of correct approach, I'm representing a constituent who's been shockingly treated by your agency—disgracefully treated by your agency—and all the documents are a demonstration of that. Someone has got to be accountable for it. You would've thought, especially given they've lodged complaint after complaint—blame the victim, blame the victim—from Nash and McNally, it's incredible to think, in a government that talks about safety for women in the workplace, that they lasted five seconds in their jobs after all of this was known. How can you explain that?

**JOSH MURRAY:** I agree with you that mistakes were made up and down the chain in terms of assumptions and misguided actions that were put in place. That work to address all of that is continuing.

**The Hon. MARK LATHAM:** When will that be finalised?

**JOSH MURRAY:** It will continue until we can assure people like Ms Hicks that we can look them in the eye and demonstrate that we have the robust system that would see this never happen again.

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**The Hon. MARK LATHAM:** Eight months after the death threat was made, what has changed inside Transport for NSW because of this disgrace?

**JOSH MURRAY:** I agree that it has taken a long period of time. It is a long time since the original approach. What I would say is that doesn't mean that work hasn't been ongoing for that entire period, and work is continuing to round out some of those actions. I did want to cover off a number of elements that have been put in place, and that is that we've reinforced across the agency the expectations in dealing with sensitive or difficult matters like this, unacceptable behaviour and bullying, and that there is zero tolerance for such issues. We have implemented measures to escalate significant behavioural matters to the correct places within the organisation, which didn't occur in this case.

**The Hon. MARK LATHAM:** Does that mean that death threats in future will be reported directly to the police immediately?

**JOSH MURRAY:** We all know now what should've happened in the case at Coffs Harbour. Immediately that that threat was made, the meeting should've been stopped, the staff should've been supported to make a full report and an investigation should've been launched immediately. And, once it was ascertained that that was exactly what happened, it should've gone to the police, Mr Brown should've been stood down, and then, when that matter was confirmed—that, in fact, that had happened—he should've been dismissed and prevented from ever coming back to the project. We know that now. We need to ensure that that is what happens if this ever comes up again.

**The Hon. MARK LATHAM:** That directive has now been given to all staff?

**JOSH MURRAY:** That's right, and we are working across the organisation on other processes. For example, I am now briefed weekly on any sensitive or high-profile matters that may cause concern to our staff members.

**The Hon. MARK LATHAM:** Do you think there's been a culture problem inside Transport for NSW? The call for papers reveals Nash writing of how these practices—meaning the Brown death threat—have been historically accepted. There's reference to your agency holding a threatening behaviour incident folder, a history of Ian Brown. So this wasn't new. This was part of a pattern of behaviour that had been accepted at Coffs Harbour. Are you confident, Mr Murray, that it won't be accepted in any part of your organisation in the future?

**JOSH MURRAY:** That's one of the elements that we are absolutely reinforcing. I am also concerned that in the initial reports—and one of the reasons why it took so long for this to get to the right level, to be discussed—was that there was a culture of acceptance of poor language and behaviours in some parts of the project. And that has come through in the call for papers.

**The CHAIR:** Questions from the Opposition.

**The Hon. NATALIE WARD:** Can I just follow up on one matter there, Mr Murray? You talked about the notification to all staff—educating them—and I welcome that. That's a good step. Can you table that notification to all staff, for this Committee, that you referenced, about educating staff on sensitive matters?

**JOSH MURRAY:** Yes, I can. We are working through that at the moment. We will have a formal report back to our executive committee in March about the measures that have been put in place.

**The Hon. NATALIE WARD:** But the notification that you said has gone now to all staff and is place, you'll table that?

**JOSH MURRAY:** There is not a direct notification. But we have worked, through the leadership team, to embed this thinking and to, also, progress this case.

**The Hon. NATALIE WARD:** How do staff know the steps? You said that "we've learnt" from this circumstance. How is it clear to all staff—any staff—that are in a meeting of that kind that these are the steps they are to take?

**JOSH MURRAY:** Because these are the processes that we are putting in place, of which I'm personally leading through the executive team. As I said, I am briefed now, weekly, on any matters that are outside of HR matters.

**The Hon. NATALIE WARD:** I appreciate that you're being briefed, Mr Murray, and I welcome that also. But you just said to this Committee that all staff have been told. We would like to understand how they were told and have that tabled so it's very clear that what you're saying has been implemented.

**JOSH MURRAY:** Yes, and those matters are being implemented at the moment.

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**The Hon. NATALIE WARD:** So there has not been a notification to all staff—is that how we are to understand your evidence?

**JOSH MURRAY:** I would say it's more that there are multiple methods that are being employed about the training of individual staff: the work that has been done, for example, on the Coffs Harbour project, where there has been a specific intervention around the team there; and then other measures that are both in place and being put in place. It's a broader range of initiatives.

**The Hon. NATALIE WARD:** With respect, Mr Murray, that's spin. That is not implementing and making it clear to every staff member about the steps that you so clearly have outlined that need to be undertaken.

**JOSH MURRAY:** Ms Ward, let me assure you and this Committee that each staff member will be, if they are not already, aware of our commitment around this. The executive team and I have discussed those matters, and Ms Drover has further reinforced those with the project delivery community.

**The Hon. NATALIE WARD:** Certainly, but you expect that everyone in that meeting—you indicated that that meeting should have been stopped immediately; your words. How do you educate and make it clear, in writing, to all staff, that they are the steps that should have been taken? Perhaps I can invite you to brief this Committee on the actions have been taken once they're in place.

**JOSH MURRAY:** I'd be happy to do that. I would state that it is compulsory for staff to be trained in exactly the matters that you've just raised, which is the conduct, should a meeting ever have such consequences as the one that occurred in Coffs Harbour in June.

**The Hon. NATALIE WARD:** Who was the most senior person in the room in that meeting?

**JOSH MURRAY:** I'm not going to go into those parts of the investigation.

**The Hon. NATALIE WARD:** What steps were taken by that person? As the most senior person convening or as the chair of that meeting or whoever was in charge of that meeting, who failed to take that step?

**JOSH MURRAY:** I'm not going to go into who was in the room or their actions. I certainly wouldn't seek to blame them, because the people in that room had a range of reactions to the threat. Some heard it; some did not. That was part of the original concern that came through the investigation. What we are doing is working with that project to ensure the right culture exists and to establish that everyone would be supported, should they raise a matter like that, which is what should have happened.

**The Hon. NATALIE WARD:** What about supporting Ms Hicks, though? Are you seriously saying to this Committee that if you don't hear the words said you don't need to act on it? That's essentially the take-out—that if you're in this meeting and you don't hear the words "I'm going to kill you" you don't have to do anything about it. Mr Murray, can you see our concern that we'd like to see in place the briefing to all staff and what steps they're required to take? That's not an executive level and briefing you; it's briefing every single staff member at every meeting.

**JOSH MURRAY:** What I'm informing the Committee today is that our central tenet has to be that the victim is at the heart of every investigation, of every intervention on a project for a behavioural matter or whatever else emanates—and that was not the case in this matter. In the room on the day, I can't speculate as to what was heard and what wasn't. Certainly the biggest issue we had is that it was a month until Ms Hicks found out from another staff member what she had heard—the other staff member had heard—in that room. Ms Hicks wasn't there and she heard that from a third party a month down the track.

**The Hon. NATALIE WARD:** So it's her fault?

**JOSH MURRAY:** That's not what I said.

**The Hon. NATALIE WARD:** Well, who is being held to account, Mr Murray? Who in this room should have taken steps and who is being held to account for not taking steps? That is what this Committee would like to understand.

**JOSH MURRAY:** The people on the project, the people in the room and the project leadership have been spoken to as part of these investigations that have occurred. We are working through the organisation to ensure that all areas where we fell down are being picked up.

**The Hon. NATALIE WARD:** Well, you certainly did. I'd welcome a briefing to this Committee, Mr Murray, about the steps that have been taken. I accept what you're saying about dealing with it but I think it would be helpful if this Committee were able to be briefed on those steps that are being taken, other than just briefing the leadership team, to ensure that this does not happen and there's not another Rochelle Hicks having to go through this experience in Transport.

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**JOSH MURRAY:** Ms Ward, given the extraordinary nature of this case and what Ms Hicks has gone through since June last year, I would be happy to return a briefing to this Committee so that you can see the level of change that we will implement at Transport to pick up on these matters.

**The Hon. NATALIE WARD:** Thank you, because but for the Standing Order 52 call for papers by Mr Farraway and Mr Latham and the diligent work that they've done this may not have received the diligent attention that it now does, which is the right thing. Sadly it is far too late and should not have had to be done through this House. However, I'll move on.

**JOSH MURRAY:** I would also add that it has been Ms Hicks who has constantly advocated her own position, which shouldn't have had to be the case.

**The Hon. SAM FARRAWAY:** Mr Murray, did you advise Minister Aitchison or her office that she should not contact Rochelle Hicks?

**JOSH MURRAY:** No, I did not. We did have some discussion that was conveyed during the period of the investigations, where there were some concerns and certainly some discussion about whether it was appropriate to contact Ms Hicks when we were already in contact with her legal team.

**The Hon. SAM FARRAWAY:** Did the Minister or her office reach out to your office, Mr Secretary, to offer to contact Rochelle Hicks on behalf of the New South Wales Government?

**JOSH MURRAY:** Not that I'm aware of.

**The Hon. SAM FARRAWAY:** How many times have you been in contact with Rochelle Hicks?

**JOSH MURRAY:** I don't want to go into my discussions with Ms Hicks here.

**The Hon. SAM FARRAWAY:** I'm not asking about what was said. I'm asking how many times have you been in contact with Rochelle Hicks?

**JOSH MURRAY:** I have had several conversations and other written communication.

**The Hon. SAM FARRAWAY:** Have you visited Rochelle Hicks?

**JOSH MURRAY:** Yes, I have.

**The Hon. SAM FARRAWAY:** More than once?

**JOSH MURRAY:** Once.

**The Hon. NATALIE WARD:** I might turn to some other matters now regarding the bypasses. Ms Drover, if I can come back to the Nowra bypass, I know a number of questions were taken on notice by the Minister and I accept that, but can I understand what are the next steps in the planning process for Nowra bypass?

**CAMILLA DROVER:** Is that the question to me?

**The Hon. NATALIE WARD:** Yes. Sorry, Ms Drover.

**CAMILLA DROVER:** We are in the planning phase for the Nowra bypass. I think we said before the break that we have \$8 million allocated for that planning phase. I can confirm that we are in the early stages of the planning.

**The Hon. NATALIE WARD:** When do you anticipate the planning will be complete on the Nowra bypass?

**CAMILLA DROVER:** I don't have an exact date for that, but I'm happy to take that on notice and bring it back when I can.

**The Hon. NATALIE WARD:** That would be helpful. There must be a project schedule, surely, for the project?

**CAMILLA DROVER:** I'm sure there is. I haven't got that in front of me, but I'll take that on notice.

**The Hon. NATALIE WARD:** That would set out what the planning steps are and where it is anticipated that that planning process would be completed?

**CAMILLA DROVER:** Sometimes it's not a definitive date. Depends what you find in the planning stage, but there will be some target dates.

**The Hon. NATALIE WARD:** Can we understand what the results of the most recent community engagement committee process was on this project?

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**CAMILLA DROVER:** I don't have that in front of me. There may be some information on the website. Often when we've done engagement we do give back to the community what we found during engagement processes, but I have to take that on notice again.

**The Hon. NATALIE WARD:** Mr Hayes, can you assist?

**ANTHONY HAYES:** I can add a little bit to that, if I may. During 2023 we did consult with a range of stakeholders—from freight operators to the broader community. Feedback has been compiled and the consultation summary report will be released publicly, probably within the next three months.

**The Hon. NATALIE WARD:** That process is complete?

**ANTHONY HAYES:** It's an ongoing—I guess the initial consultation, but then we will obviously absorb that and then go back out to the community to discuss their feedback.

**The Hon. NATALIE WARD:** Within three months we'll have that compiled and then you will anticipate going back to the community when?

**ANTHONY HAYES:** I don't have a firm date, but that would be the next logical step in the process once we've reviewed the feedback to make sure that we are fully engaged with the community to make sure that we're delivering a product that they want.

**The Hon. NATALIE WARD:** This year? It is 29 February now. Three months is the report. Do you anticipate going back out in the second half of this year?

**ANTHONY HAYES:** I don't want to guess on a date, but that would be—the process is that within the next few months the consultation summary report will be released publicly and then there would obviously be more discussion with the community.

**The Hon. NATALIE WARD:** Yes. But, understandably, the community would like to have input and understand when they can be engaged again.

**ANTHONY HAYES:** Yes.

**The Hon. NATALIE WARD:** Can you anticipate that that might be this year?

**ANTHONY HAYES:** Yes.

**The Hon. NATALIE WARD:** I move back to the Milton Ulladulla bypass, Ms Drover or Mr Hayes. Can we have an understanding—again understanding that some of these questions have been taken on notice—about the projected commencement for this bypass project?

**CAMILLA DROVER:** I haven't got that information with me, other than that we have got \$10 million allocated for this year's budget to progress the planning for the project.

**The Hon. NATALIE WARD:** That is also allocated for planning?

**CAMILLA DROVER:** Planning is my understanding, yes.

**The Hon. NATALIE WARD:** Can we understand what stage of the planning? Has that commenced?

**CAMILLA DROVER:** You will be aware that the work was done previously. The project has had quite a long history.

**The Hon. NATALIE WARD:** But much anticipated.

**CAMILLA DROVER:** I have to take that on notice to give you much more detail.

**The Hon. NATALIE WARD:** Perhaps what stage it's up to, what the next steps are, when we can anticipate that and, in terms of the project schedule, what the anticipated delivery date is for that one as well, thank you.

**CAMILLA DROVER:** I will take it on notice.

**The Hon. NATALIE WARD:** The East Nowra Sub Arterial—what is the planning money that has been allocated to that one?

**CAMILLA DROVER:** I need to refer that to my colleagues because that's not one of the projects in my portfolio.

**The Hon. NATALIE WARD:** Anyone responsible?

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**ANTHONY HAYES:** Yes.

**The Hon. NATALIE WARD:** I'm trying to engage everybody here, but no-one is putting their hand up. Mr Hayes, so that's you.

**ANTHONY HAYES:** I'm happy to lead off with that one. I am sorry, I'm going to refer to my notes if that's okay.

**The Hon. NATALIE WARD:** Sure, thank you.

**ANTHONY HAYES:** Some of these questions are quite specific. The New South Wales Government allocated \$12 million in recent budgets. There's a million dollars—

**The Hon. NATALIE WARD:** Can I clarify, to planning?

**ANTHONY HAYES:** Yes, correct. Well, to Shoalhaven City Council. It's their project.

**The Hon. NATALIE WARD:** Yes, it is. It is delivering it.

**ANTHONY HAYES:** It's \$1 million 23-24, \$7 million 24-25, and \$4 million for 25-26 initial funding provided to Shoalhaven City Council for them to undertake the planning and early works. I think it's an important part of a broader conversation, because that's obviously an important growth region—

**The Hon. NATALIE WARD:** Very.

**ANTHONY HAYES:** —and requires a very co-ordinated approach between council and State. While this specifically refers to a council-led project, we are very much engaged in those discussions to make sure that it's built into a bigger picture.

**The Hon. NATALIE WARD:** That's pleasing to hear, thank you. It's a much-anticipated project. What further community consultation has happened to date and what further community consultation do you anticipate being involved in?

**ANTHONY HAYES:** I can't provide a lot of information because it is a council-led project, but their goals are obviously very focused on reducing congestion at the Princes Highway and the Kalandar Street intersection and the flow of traffic through the CBD area.

**The Hon. NATALIE WARD:** But my question is have you—sorry, I should have been more specific— or the department been involved in that community consultation, or has that been council led entirely?

**ANTHONY HAYES:** It has been council led.

**The Hon. NATALIE WARD:** Only?

**ANTHONY HAYES:** Yes, as far as I'm aware.

**The Hon. NATALIE WARD:** We're getting the nods from the crew there. In terms of that consultation, there will be more, there's some allocated funding, and it would appear, however, that that won't really start construction in this term.

**ANTHONY HAYES:** No. My understanding is there's no funding for delivery at this stage, but the planning needs to be refined first.

**The Hon. NATALIE WARD:** When do you anticipate that will come back for that delivery budget bid?

**ANTHONY HAYES:** I don't have a date here. Our funding deed was sent to council in December, so it's a relatively new project.

**The Hon. NATALIE WARD:** The Dapto on-off ramp—there have been lots of enthusiastic responses here. When will the work commence on the promised access ramps for the M1 at Dapto?

**CYNTHIA HEYDON:** Let me just refer to my notes.

**The Hon. NATALIE WARD:** Take your time.

**CYNTHIA HEYDON:** We're currently in planning. We did undertake community consultation last year, which was actually a very good community consultation. We got really great feedback.

**The Hon. NATALIE WARD:** Can I interrupt you there because you've anticipated my next question, helpfully.

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**CYNTHIA HEYDON:** Sorry.

**The Hon. NATALIE WARD:** No, not at all. When you say "last year", when did that occur last year?

**CYNTHIA HEYDON:** Let me just get it from my notes.

**The Hon. NATALIE WARD:** Sure.

**CAMILLA DROVER:** I can also contribute something. There was a community drop-in session for the project more broadly, which was on 8 February, and that was for the Mount Ousley to Yallah Integrated Transport Plan.

**The Hon. NATALIE WARD:** Since the election, what community consultation has taken place?

**CYNTHIA HEYDON:** Let me just pull up the notes.

**CAMILLA DROVER:** I haven't got information on what occurred last year, but recently there was that drop-in session and there is ongoing work that will occur this year. I can take you through what that is.

**The Hon. NATALIE WARD:** That would be helpful. Thank you.

**CAMILLA DROVER:** In 2024 there will be traffic surveys undertaken, traffic modelling, environmental heritage studies, and we are also doing a movement and place study, which supports the integrated transport plan, and part of that will be community engagement, of course.

**The Hon. NATALIE WARD:** When is that likely in 2024?

**CAMILLA DROVER:** All that work will continue this year.

**The Hon. NATALIE WARD:** Are you ready to go, Ms Heydon? I can keep going if you're still looking.

**CYNTHIA HEYDON:** Keep going and I'll get the details for you as well.

**The Hon. NATALIE WARD:** What's the funding that has been allocated for planning for the project over the next four years?

**CYNTHIA HEYDON:** We have \$1 million in the current financial year.

**The Hon. NATALIE WARD:** For planning?

**CYNTHIA HEYDON:** As part of the \$10 million commitment in relation to the planning for the ramps. We are leveraging off the earlier community consultation that we have done, and I believe we're expecting to go back out to community consultation following what we learnt from the last consultation this year.

**The Hon. NATALIE WARD:** So \$1 million is allocated.

**CYNTHIA HEYDON:** This financial year, yes.

**The Hon. NATALIE WARD:** Is the \$10 million allocated in the four years?

**CYNTHIA HEYDON:** If I can take that on notice, we'll get back to you this afternoon, just to confirm the cashflows.

**The Hon. NATALIE WARD:** That would be helpful. Given that's in the four years and the need for community consultation to go back again, do you anticipate that this project would commence in this term?

**CYNTHIA HEYDON:** I wouldn't put a date on that yet until I've seen the details. But essentially the next part of the community consultation is going back with what we're seeing as recommended options to get feedback directly on those and that will then inform the next steps. That will also be part of an investment request through to government.

**The Hon. NATALIE WARD:** That doesn't have an investment decision yet either?

**CYNTHIA HEYDON:** Not for construction, no. That will be part of the outcomes of the \$10 million.

**The Hon. NATALIE WARD:** Planning money is in place but we don't have delivery money on that one either?

**CYNTHIA HEYDON:** No. We will go back to government based on recommendations and a proposal for investment.

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**The Hon. NATALIE WARD:** Good luck with that one. In relation to the funding of the Princes Highway, is that still anticipated to be an 80-20 split with the Federal Government or is that now a 50-50 proposition?

**CAMILLA DROVER:** The Jervis Bay intersection project, which is in delivery and was awarded recently, is 80-20. Actually, no—

**The Hon. NATALIE WARD:** That was saved.

**CAMILLA DROVER:** We just need to clarify whether it is 80-20. I will just check that.

**MATT FULLER:** I can confirm, though, Ms Ward, that generally speaking on the Princes Highway the previous commitments have been retained. As Ms Drover said, the Jervis Bay Road intersection has been recently awarded, as has the Mount Ousley interchange.

**The Hon. NATALIE WARD:** Sorry, what was awarded?

**MATT FULLER:** The Jervis Bay Road intersection.

**The Hon. NATALIE WARD:** Yes, I know that. That was saved.

**MATT FULLER:** And the Mount Ousley interchange.

**The Hon. NATALIE WARD:** That was taken off the kill list as well, pleasingly, which is great. When do you anticipate that the Princes Highway will be duplicated to Bega and hopefully beyond?

**MATT FULLER:** I think at the moment the focus is on the individual projects. We've got obviously priority works—as we've just outlined, the Jervis Bay Road intersection and the Mount Ousley interchange. You've mentioned a couple of the other projects, including Milton to Ulladulla. Those projects start that progression, but we don't have an end date for a final duplication through to Bega.

**The Hon. NATALIE WARD:** Are there any steps in place, in terms of allocation and planning? Is there anything in terms of the duplication?

**MATT FULLER:** The steps that are in place are the identified projects that have been in place now for some time.

**ANTHONY HAYES:** But that does include a number of really important safety upgrades south of—

**The Hon. NATALIE WARD:** Jervis Bay?

**ANTHONY HAYES:** —Burrill Lake to the water, yes.

**The Hon. NATALIE WARD:** I might come back to what those are.

**The CHAIR:** I want to turn to the issue of the councils requesting speed limit reviews again. What is the current number of councils who have requested speed limit reviews? I think that is to you, Mr Carlon.

**BERNARD CARLON:** The actual number currently I don't have to hand, but I do have the numbers for the last four years. We've had a total of 1,053 speed limit reviews completed and 586 on local roads, so that would involve local councils. Just to the matter of the advising of time frames as well, as a result of the Staysafe Committee recommendations last year on regional speed and regional road safety, the standard now has a specific measure for the preliminary review. Up until step three shall be complete within four months, so you get a request and there is a preliminary review of that request for a speed review. That needs to be completed within four months from the date of the request, when it was received or where a need was identified for a speed zone review. This includes, in the standard, notifying local government of the outcome and outlining the next steps in the review as to whether it will progress and, if it will progress, a time frame for the completion of the comprehensive reviews. That's all identified as part of that next step in the new standards. Council should be expecting that, once they've lodged a request, within four months they're getting feedback about the progress of that speed zone review request, under the new standard.

**The CHAIR:** Have you got data there or statistics there in terms of those requests that were made? It was 500 and something that were regional, did you say?

**BERNARD CARLON:** The data is what's happened over the last four financial years. We do see a fairly significant increase in the last two financial years, following COVID. But, yes, a total of 586 speed zone reviews that were completed during that period.

**The CHAIR:** So 580 and that's for the whole of New South Wales?

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**BERNARD CARLON:** On local roads. We can take it on notice. There was a backlog associated with that period of time and that's why there were significantly more reviews done in the last two years.

**The CHAIR:** Do you have an idea or the information there in terms of how many of those reviews are proceeded with? I think you just spoke about a stage process. That's correct, isn't it?

**BERNARD CARLON:** That 586 are completed speed zone reviews. That's where a speed zone has actually been adjusted.

**ANTHONY HAYES:** Perhaps I can add some—

**The CHAIR:** So they've actually been adjusted, I assume, most times—well, I can't assume that. I was about to say "most times reduced".

**BERNARD CARLON:** Depending on whether an upgrade has been conducted. In those circumstances it may be an increase of the speed. Mr Hayes has more detail.

**ANTHONY HAYES:** If I may add to that, Mr Carlon is exactly right. COVID was a challenge and then the floods were a challenge. There was a significant backlog of doing the speed zone reviews. We have added additional resources to try to help us to clear that backlog, but it's not a quick process. For North Region, for example, in the last 12 months we've completed 481 speed zone reviews.

**The CHAIR:** Can I just check, with COVID as a delay, is that because people couldn't travel there to assess the—

**ANTHONY HAYES:** Yes. It's as simple as that. And new proposals kept coming in during that time. You asked a question earlier today—as an example of our West Region, in recent months: 44 completed, 25 currently being assessed, and 72 were triaged and were not completed because they'd either been assessed previously or they were deemed to be not appropriate for a formal review. We go through a triage process to try to make sure that the team are using the best amount of time to focus on the reviews.

**The CHAIR:** I suppose I'm just wanting to get a sense of, with all of this—we've got councils that are applying to the department to get their speed limits reviewed. We've had the Audit Office and their report at the end of last year, which has found obviously proportionately more deaths as a result of speeding in regional New South Wales than in Greater Sydney and that Transport for NSW has not articulated or evaluated a strategy for implementing road safety policy in New South Wales to assist in guiding targeted activities to address regional road trauma, and then the key factor is speed. I was wondering if the department had an update on what it is doing in this space beyond the requests from councils to alter speed on local roads?

**BERNARD CARLON:** I would point to the response in the Auditor-General's review that was conducted from Transport for NSW. We have in the Road Safety Action Plan a strategy for advancing more high-pedestrian activity area 40-kilometre zones across the State, in particular in regional areas as well. We've done an evaluation of the impact of those, which clearly shows the trauma reductions achieved where you do implement 40 kilometre an hour high-pedestrian activity areas. Those evaluations show pedestrian casualty rates reducing by 49 per cent, serious injury casualty rates by 33 per cent and 40 per cent for all crashes. Although the report may have said we haven't evaluated, we actually have done evaluations of those specific measures, and in regional areas. Also, the reducing risk on regional roads—that program is a combination of treatments for barrier systems, audio tactile widening shoulders but also speed zone reductions in those areas where we have high levels of trauma.

We've done a preliminary evaluation of 256 of those projects, which were all regional, and there was a 44 per cent reduction in the overall number of people killed and injured and a 33 per cent reduction in fatalities. That program continues to be funded. Around \$211 million this year in the regions has been allocated, of which around \$44 million is allocated to local roads in that safer roads program this year. There is a program in place. Certainly in the forum that was held last week there were lots of considerations that came forward from experts who gathered at that forum around how can we accelerate those programs and get more of the activity that we know works to reduce and tackle the problem of the increased trauma that we experienced over the last 12 months?

**MATT FULLER:** Chair, in the forum that Mr Carlon's referring to last week there was a really great example where the team worked really closely with Orange City Council. The entire CBD of Orange now, whether they be State roads or the locally gazetted roads within council, are all a 40-kilometre speed zone. They've done that on the basis of not just safety outcomes but place-making, encouraging people back into the CBD, vibrancy and also obviously economic uplift. There have been some really great examples where the teams have worked together. That was also to support with funding as well as the work for the reviews.

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**The CHAIR:** What's the percentage of the deaths that are occurring on regional roads, Mr Carlon? What's the percentage of deaths that are occurring in these city centres, for example, that are part of these 40 kilometres per hour zones, and what are the deaths on the roads when you leave the towns and people are driving 90, 100, 110, 120, 130 or 140 kilometres per hour? I would think that that's the majority of the deaths, isn't it?

**BERNARD CARLON:** Certainly that has been the case historically, that 70 per cent of our fatal crashes have happened in regional areas. What we did see last year was a really significant increase in the rural and regional urban locations, so a significant increase from 71 fatalities up to 120 fatalities in those regional urban areas.

**The CHAIR:** That is very interesting. In the last 20 seconds, the breakdown between—you're talking urban regional. I don't know what the language is, but when you get out of the 40-, 50- or 60-kilometre zone, what is the—

**BERNARD CARLON:** Country non-urban last year, 124 fatalities; country urban, 120; and metropolitan, 107. There was, as I said, a significant increase in the country urban fatality numbers last year.

**The CHAIR:** That is very interesting.

**BERNARD CARLON:** That is part of the review that's taking place as a result of the forum to see how we can work with local government to tackle that issue.

**The Hon. MARK LATHAM:** To the secretary, Bri Gallagher, the senior manager of professional standards and conduct, signed off on her assessment of Rochelle Hicks, acting on the McNally and Nash complaints, on 7 August. Is there a document thereafter where Martin Donaldson as the decision-maker sets out clearly that he is rejecting these recommendations and findings against her and not acting on them?

**JOSH MURRAY:** I couldn't point to the document, but I know that Mr Donaldson dealt with that matter at the time.

**The Hon. MARK LATHAM:** He dealt with it at the time. Can you take on notice and provide the document?

**JOSH MURRAY:** Yes.

**The Hon. MARK LATHAM:** I'm worried that maybe it's the case that, because Rochelle Hicks has not returned to the workplace, he didn't have to act on them because she hasn't come back.

**JOSH MURRAY:** No, that was declined by Mr Donaldson. The instruction was given to the team and he formally took that decision, and I have discussed that matter with him in the course of confirming those details.

**The Hon. MARK LATHAM:** Why is there no documentation in the call for papers?

**JOSH MURRAY:** I can't speak to that answer.

**The Hon. MARK LATHAM:** Can you take it on notice to try to find out what happened there and the documentation that is relevant?

**JOSH MURRAY:** Yes.

**The Hon. MARK LATHAM:** How many threatening behaviour incident folders or similar documents and folders does Transport for NSW hold?

**JOSH MURRAY:** I couldn't answer that question. I would say that, regrettably, our staff, because they are on the front line, do come into contact with threats that are made against staff on a—I won't say a regular basis, but this does happen in dealing with some of the high-profile, frontline issues that our staff deal with. Obviously the Coffs Harbour matter is different to that, but we do have files on threats made against our staff, yes.

**The Hon. MARK LATHAM:** Is there a culture and history outside of Coffs Harbour of sweeping it under the carpet if the threat comes from an Indigenous person?

**JOSH MURRAY:** Absolutely not.

**The Hon. MARK LATHAM:** Do you think this is a Coffs Harbour-only problem that's been identified?

**JOSH MURRAY:** No, I would return to what I said earlier about failings made up and down the chain in managing this efficiently and with the victim prioritised and communicated with at every step of the way, and the right escalation. These are the matters that were missing in this case. In regard to other threats made against frontline staff which, regrettably, is increasing, particularly when we look, for example, at our staff on the regional

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train network conducting their activities late at night or the Sydney Trains network. We have clear protocols in place and we spend a lot of time managing those elements through to protect those staff. It is something that the organisation prioritises. As I say, that does not help Ms Hicks in her experience at the last year.

**The Hon. MARK LATHAM:** In the call for papers there's a document where Mr McNally is saying, "There have been some matters over time which in hindsight could have been seen as antecedents to the threats made by Ian Brown, for example, a design change related to Grandpa's Scrub project." Has that matter been investigated—the threats that were made there?

**JOSH MURRAY:** I can't talk to that matter. What I can say is that the evidence in the reports and the call for papers show that there were a number of tensions that had existed on the project over a long period of time, and that exacerbated the scenario.

**The Hon. MARK LATHAM:** Will Grandpa's Scrub threats be investigated?

**JOSH MURRAY:** I'm not aware of any specific threats. What I am aware of from that paperwork is a culture of needing to get on with things, rather than the correct behaviours that we would expect in meetings, in particular when it comes to raised voices, poor language, aggressive behaviour et cetera.

**The Hon. MARK LATHAM:** In terms of reporting threats of violence to the police, is there a new protocol where these are going to be direct serious reports where there's an expectation within Transport for NSW that the police take action? Because it's very alarming in these documents that Jamie Tuff, the safety manager on the Coffs Harbour Bypass, emailed Greg Nash and Peter McNally on 16 August saying, "We reported the threats made by Ian Brown to Rochelle Hicks to the Coffs Harbour police department. We have asked the Coffs Harbour police department to leave this as a report only and as such we do not anticipate that they will contact Ian Brown." Transport for NSW were constantly telling the media we have reported this to police. It turns out it was a report on the basis of, "Just take this as a note to file and don't go talking to Ian Brown about it." There is no expectation here that the police would take it seriously.

**JOSH MURRAY:** Thank you for the question. It's an important follow-up and I appreciate that you tabled this in the upper House previously. The staff member involved has been spoken to and it has been clear to us that that was a poorly worded email and the context of reporting that to police was in fact very factual and no such instructions or the like would ever be given by Transport to the police.

**The Hon. MARK LATHAM:** There'll be no soft pedalling in future about these reports?

**JOSH MURRAY:** I'm assured there was no soft pedalling in that instance and there certainly will not be in future.

**The Hon. MARK LATHAM:** Why did he write this? Why did he report, "It's a report only and we're not anticipating that they will even contact Ian Brown about the death threat"?

**JOSH MURRAY:** As I said, I think it was right to raise the wording and we've followed up on that and have been assured that that wasn't what occurred inside the police station.

**The Hon. MARK LATHAM:** When was Matthew Kelleher, the heritage or archaeological adviser, informed of Ian Brown's threats against him?

**JOSH MURRAY:** I understand that Mr Kelleher found out about the incident through the media.

**The Hon. MARK LATHAM:** What's being done about that? That sounds appalling.

**JOSH MURRAY:** Mr Kelleher has been followed up with and on several occasions has indicated he did not have any concerns and does not wish to be part of the process.

**The Hon. MARK LATHAM:** What—he's not active or living in Coffs Harbour? He's moved on; he can't speak in detail?

**The Hon. NATALIE WARD:** Is he being performance managed?

**JOSH MURRAY:** I can't speak to his details.

**The Hon. MARK LATHAM:** Has that been investigated, as to how a threat was made against him and he only found out about it in the media and the people negligent have been counselled or disciplined about their failings?

**JOSH MURRAY:** As I say, he has been followed up and he does not believe that there is an issue to follow up on.

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**The Hon. MARK LATHAM:** Stephen Rice in *The Australian* newspaper has reported that Tammy Hosking, who belatedly blew the whistle, feels that she's being punished for reporting Ian Brown's threat to kill Rochelle Hicks and she had a fear at the time of the Brown walkover of the site. Is it true that she's been punished and, if so, has that punishment been reversed, while she did it belatedly, as a recognition she's the only one who stood up?

**JOSH MURRAY:** Absolutely, as the Minister highlighted earlier, across Transport we have discussed our admiration for the fact that people who came forward continued to press this issue through some difficult times and are not being treated in the manner that they would have expected. No, I would not accept that that has happened. I would be concerned that Ms Hosking feels that way and we will take steps to ensure that that's not the case. I might ask Ms Drover in this case to discuss some of the elements dealt with on the project to ensure that those matters are protected.

**CAMILLA DROVER:** Thank you, Secretary. Just before I do, I would like to record one of the facts. I appreciate this doesn't provide any comfort to Ms Hicks nor help her, but someone did stop the meeting—there is evidence of this—and did reprimand Mr Brown during the meeting and that meeting did not continue until that was done. Obviously that was appropriate. Unfortunately it doesn't help Ms Hicks, and unfortunately it did not lead to a reporting of the incident in our system.

**The Hon. MARK LATHAM:** It was a local Aboriginal land council meeting, wasn't it? It wasn't a Transport for NSW meeting?

**CAMILLA DROVER:** There were Transport for—

**The Hon. MARK LATHAM:** Yes, I saw that in the document: someone did tell him to shut up and wake up to himself—

**CAMILLA DROVER:** Yes, so I think that respect for the person who did stop the meeting does need to go on the public record.

**The Hon. MARK LATHAM:** Sure. But it didn't mitigate his complaints. He subsequently said, "Yeah, I meant it 100 per cent."

**CAMILLA DROVER:** I agree. That's why I said it doesn't help Ms Hicks or the situation, but someone did stop the meeting and raise the issues.

**The Hon. MARK LATHAM:** Yes, I saw that.

**CAMILLA DROVER:** I think you were asking me to go through—

**The Hon. MARK LATHAM:** Ms Hosking, yes. Has she been punished for coming forward?

**CAMILLA DROVER:** Absolutely not. I myself have reached out to Ms Hosking to give her that assurance.

**The Hon. MARK LATHAM:** Thank you, I appreciate that. I come to question on notice No. 1719 that I asked, answered 21 February. It was a strange answer regarding how many projects have Indigenous advisers engaged and at what cost. It gave a long answer and said there would be further advice. Surely Transport for NSW knows how many infrastructure projects have Indigenous advisers engaged and what's the cost to the organisation? Can I get that information, please?

**JOSH MURRAY:** Yes, we can table that information.

**The Hon. MARK LATHAM:** I will come to Mr Carlon on a separate matter. You'll be relieved to hear I'm onto a different matter. I thought it was an unusual announcement by Minister John Graham that he's asking Transport for NSW—I assume, the Centre for Road Safety—to investigate "cooker culture". Is there any evidence that political beliefs—that if you believe in chemtrails you're a worse driver than anyone else?

**JOSH MURRAY:** Thank you for the question. I did have to check that the terminology was the same as what I believed it was, which is the "sovereign citizen" elements. While I can't speak to the Minister's comments, I can certainly report that in my time as secretary I have been approached by a number of people who have sought to do things like return their driver licence, return their licence plates and state that they are no longer operating under New South Wales laws on the roads.

**The Hon. MARK LATHAM:** Yes, that's crazy, but does that explain the rise in the road toll compared to, say, the drug testing that shows one in seven drivers in New South Wales are driving under the influence of drugs?

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**JOSH MURRAY:** I think the aims of the road safety forum last week were to table all of the high-risk elements that we're seeing drive up the road toll. One of the elements explored on the day was cultural elements that may be present in the community and how we get the right message across about everyone's responsibility for road safety.

**The Hon. SAM FARRAWAY:** Ms Drover, with regard to the EIS for the proposed tunnel, can you advise if the interim or the draft report—the results of the submissions report—were ever shared with the Commonwealth Government?

**CAMILLA DROVER:** I don't believe it was but I'm happy to confirm that on notice.

**The Hon. SAM FARRAWAY:** Excellent, thank you. This one I don't know who to ask—maybe Mr Hayes—regarding the upgraded Great Western Highway entry into Bathurst. That piece of infrastructure has now been completed—maybe Mr Fuller can do this. Who looks after the maintenance of the lighting on that State road on the entry to Bathurst? I've had people come into my office in Bathurst to ask me. They use the pathway, the walkways, and some of the lighting is out. It's a simple question. If you can take on notice who looks after that and can the processes within Transport review that street lighting for safety with the new pathway that's been installed?

**MATT FULLER:** I'm happy to look at that. I believe you're referring to the Kelso to Raglan project?

**The Hon. SAM FARRAWAY:** Correct.

**MATT FULLER:** It's being led out of our maintenance and delivery area under Mr Grosskopf. We will certainly go back and look at what lighting needs some maintenance, no problem.

**The Hon. SAM FARRAWAY:** I've only got two minutes left before we go to the break. Ms Heydon, Fixing Country Rail—Ms Hoang and the Minister confirmed that no new projects have been announced since the election and there's \$249 million still left in that fund. My question is how many projects does your department have with a business case ratio of one ready to go that you can invest in?

**CYNTHIA HEYDON:** I'll just put some clarification in relation to the funds for Fixing Country Rail. Transport has been allocated \$249 million from INSW through that program. That is fully committed. That is the funding that we actually have. We have 53 projects that have been funded under that, with 31 actually complete. We do have, as part of what was funded, a series of business cases that will be looked at as part of future investment opportunities.

**The Hon. SAM FARRAWAY:** How many do you have?

**CYNTHIA HEYDON:** If we can take that on notice, I can do the count for you and come back this afternoon.

**The Hon. SAM FARRAWAY:** How many projects have you got in train being delivered now? You said you've had 53 funded and 31 are complete. Do I assume that the balance is in train and being built?

**CYNTHIA HEYDON:** They are a mix of some that are in development. Some are actually funded through a business case and there is a mix of projects that are actually in delivery.

**The Hon. SAM FARRAWAY:** Are you able to take that on notice as well?

**CYNTHIA HEYDON:** We can.

**MATT FULLER:** I can assist, Mr Faraway, and say that our understanding according to our notes is that 14 are construction projects.

**The Hon. SAM FARRAWAY:** Who looks after the Manilla viaducts? It is that Mr Grosskopf and the CRN? Bridges and viaducts?

**MATT FULLER:** It's part of the Country Rail Network non-operational asset, yes, correct.

**The Hon. SAM FARRAWAY:** I might come back to this. Come to the table, Mr Grosskopf. I will ask another question related to this because I only have 20 seconds left. It is in relation to the CRN and it is in relation to vegetation management. I have received correspondence, I'm happy to say, from the Canowindra Historical Society. I have visited the society. It has great people and a great facility. They have had some long-running issues with vegetation management behind their museum that does cause flood issues in the event of significant weather events. I will quickly read this out with my question. As you can see, there are some photos that I am happy to share with you later, Mr Grosskopf, but they said, "...completely failing to control weeds in the railway precinct immediately behind our museum and the adjacent age of fishers buildings." Can you take on notice to review the vegetation management and the control of weeds in that railway precinct and corridor?

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**TOM GROSSKOPF:** Yes.

**The CHAIR:** Thank you for that very short answer. That's wonderful. Mr Carlon, let's go back to road safety. The Audit Office report also found that the main source of funding for road safety, the Community Road Safety Fund, has been underspent since 2019. COVID has been used to justify that. My question is, with that underspend, has that underspend accumulated, if you like, within that funding envelope and that means there is more now to spend on road safety or has that underspend gone back into general revenue?

**BERNARD CARLON:** The Community Road Safety Fund is a protected fund within government. Certainly wherever there are allocations to projects, most of these were infrastructure projects. They've actually just been shifted into the out years of funding. All the funding is secured and allocated to the road safety outcomes.

**The CHAIR:** The Community Road Safety Fund for this financial year was how much?

**BERNARD CARLON:** If I can perhaps grab that on the way.

**The CHAIR:** Yes. Whatever that is, you are saying it potentially is cumulative and has built up over the years without much of it being spent. Has all of whatever you're about to tell me, in terms of that amount, been allocated in terms of program expenditure?

**BERNARD CARLON:** Yes, that has been allocated and the financial year 2024, including the Federal funding that's been allocated, is \$669.2 million.

**The Hon. MARK LATHAM:** To the secretary, Mr Carlon, are you acting on Minister Graham's concern about cooker culture on the roads? How do you actually research the impact? Do you find a sample group or a study group of cooks who believe in chemtrails and post a lot of photos of Fauci and other matters on the internet, and then do you, what, monitor their road behaviour? How do you research this?

**BERNARD CARLON:** We have ongoing research around community attitudes and response to road safety issues and monitoring of our road safety campaigns in particular—so social research around the demographics of the community and where they are in terms of their attitudes toward road safety. That's the work that's being done. There has been other research published in other jurisdictions—Victoria, for example, where there are some examples of this sort of resistance to being law-abiding having increased in some parts of the community. Addressing that issue is obviously critical, and the police have also identified, in the forum last week, that they've noticed stronger, more aberrant behaviour on the road as well.

**The Hon. MARK LATHAM:** I was at the police estimates on Friday. The police seem to have a much bigger concern about the need for the drug testing. They seem to link the alarming one in seven drug drivers to the increase in road toll, rather than people who believe in chemtrails.

**BERNARD CARLON:** Certainly the behavioural issues around road safety are always the most dominant in terms of the risk associated with road trauma: speeding, impairment and fatigue. Those issues, yes.

**The CHAIR:** Thank you very much. We will now break for afternoon tea. We will be back at 3.45 p.m.

**(Short adjournment)**

**The CHAIR:** Welcome back for the final afternoon session. We'll go straight to questions from the Opposition.

**The Hon. SAM FARRAWAY:** I want to go back to Mr Grosskopf. Thank you for taking on notice the concerns of the Canowindra Historical Society and Museum for me. I want to go more into vegetation management. We've had a good season. It's been pretty wet. At some stage, things will dry off. Vegetation management—specifically with the railway corridors and precincts, is there a plan to manage that more broadly?

**TOM GROSSKOPF:** Under our Country Regional Network contract with UGL Regional Linx, we engage them as an asset manager. They have a three-year maintenance works program in which they have prioritised a variety of maintenance actions. Within there is routine vegetation management. They will prioritise those actions based on need, and they will respond to those vegetation regrowth and fuel load levels across the network. That's what we engage them to do, and that's the program that they have in place. We have had discussions with Regional Linx about that program of works and some of the directions they've received from the Rural Fire Service around that, and have offered further support to undertake vegetation control across the network.

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**The Hon. SAM FARRAWAY:** Thank you, Mr Grosskopf. We will leave the Canowindra stuff on notice. I want to move on to the Manilla viaduct. What is the status of the Heritage Asset Action Plan for that viaduct?

**TOM GROSSKOPF:** The Heritage Asset Action Plan is currently paused as we complete the Regional Rail Heritage Strategy. We need the strategy in place to then work out our prioritisation—

**The Hon. SAM FARRAWAY:** What was it?

**TOM GROSSKOPF:** Regional Rail Heritage Strategy. That is in its final stages of development. That is a strategy that looks right across the whole of the rail network, looking at our heritage assets and prioritising them.

**The Hon. SAM FARRAWAY:** When do you expect that strategy to be finalised?

**TOM GROSSKOPF:** I expect that strategy to be finalised in the third quarter of this year.

**The Hon. SAM FARRAWAY:** Essentially, at the moment, ongoing maintenance and repair of such structures are having to be put on hold until that strategy is done?

**TOM GROSSKOPF:** No, we continue to maintain those structures whilst that work is being done. We have an obligation to maintain heritage structures right across the network, and that work continues. It's really around the prioritisation of deeper rehabilitation and restoration works that would be guided by the heritage strategy, and what is the long-term future of the different heritage assets across the network.

**The Hon. SAM FARRAWAY:** The Manilla viaduct and rail bridge—they'll be included in that rail heritage strategy?

**TOM GROSSKOPF:** Correct.

**The Hon. SAM FARRAWAY:** Has Transport for NSW been in contact with anyone from Heritage NSW in relation to that particular viaduct?

**TOM GROSSKOPF:** We have had discussions with Heritage NSW around that viaduct, yes. We have also had discussions with them in relation to that viaduct and the Regional Rail Heritage Strategy.

**The Hon. SAM FARRAWAY:** Has a heritage listing been put on the viaduct?

**TOM GROSSKOPF:** Yes, it has.

**The Hon. SAM FARRAWAY:** So that is true; there is now a heritage listing on that viaduct?

**TOM GROSSKOPF:** It is a State heritage asset, yes.

**The Hon. SAM FARRAWAY:** That viaduct, I'm sure you've heard, has vital vehicle access underneath that viaduct. That was closed two weeks out from the Manilla Show, which threw, obviously, that organisation's plans out the window, with very little time to adapt. Is there a way where you have infrastructure like that that is critical to large community events—is there a better way to try to manage that, moving forward, whether it is that viaduct or another?

**TOM GROSSKOPF:** We have a range of strategies available to us to maintain critical access, but we always maintain that access only if it is safe to do so.

**The Hon. SAM FARRAWAY:** Was there some issue with a lawnmower with the Manilla viaduct?

**TOM GROSSKOPF:** I'm unaware of an issue with a lawnmower.

**The Hon. SAM FARRAWAY:** I'd probably go look that up. In terms of that particular viaduct and it degrading, is there something in place—obviously once that strategy is completed—that can be deployed where that particular viaduct is at the top of the list in terms of repair and in terms of managing it under those heritage guidelines?

**TOM GROSSKOPF:** What our regional rail heritage strategy will do is it will prioritise the assets across the State, identifying the different maintenance strategies that we would have for some of these assets. I should point out that, in some cases—and this wouldn't be the case for the Manilla viaduct—those heritage strategies range from significant restoration works through to manage as a ruin. So depending on their context and their importance in the community, we can use a wide range of strategies to manage it.

**The Hon. SAM FARRAWAY:** So once a strategy is done and you've prioritised the infrastructure, do you have funding in place to then implement the strategy?

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**TOM GROSSKOPF:** We have some funding in place, but a strategy of this scale would require further investment.

**The Hon. SAM FARRAWAY:** How much?

**TOM GROSSKOPF:** Until the strategy is complete, I can't give you a number.

**The Hon. SAM FARRAWAY:** How much funding do you have now put aside?

**TOM GROSSKOPF:** I'd have to take that on notice.

**The Hon. SAM FARRAWAY:** Do you have a current priorities list in this space, even though the strategy is not finished. Is there any priorities list that you have now of that infrastructure that needs to be managed?

**TOM GROSSKOPF:** No, I don't have a statewide priorities list. The way that we manage at the moment is manage by heritage significance, and clearly those things that are on the State Heritage Register are a high priority.

**The Hon. SAM FARRAWAY:** That leads me to my next question about heritage management plans. Is the strategy the same as the plan?

**TOM GROSSKOPF:** No.

**The Hon. SAM FARRAWAY:** I've only learnt this recently in talking to community members and in different situations: How can any contractor or government manage any of that infrastructure if there is no heritage management plan in place?

**TOM GROSSKOPF:** I'm not sure I follow your line of questioning.

**The Hon. SAM FARRAWAY:** The first question is: The heritage management plan is completely different to your regional rail heritage strategy, correct?

**TOM GROSSKOPF:** I'm not quite sure what you're referring to in relation to a heritage management plan. I'm assuming that is for individual assets?

**The Hon. SAM FARRAWAY:** Yes, it would be. Do viaducts like this and bridges, for instance, require a heritage management plan? Is that correct?

**TOM GROSSKOPF:** Not necessarily, no. There are some that have the heritage asset plans in place. Then we are building a regional rail heritage strategy. The plans for a specific asset will identify for that asset the key management actions that we would undertake. But we can also manage an asset simply by responding to its maintenance needs through our routine inspection programs.

**The Hon. SAM FARRAWAY:** With regard to this infrastructure and the regional rail heritage strategy, is there a concern that infrastructure across the State doesn't have a heritage management plan, which will make it hard to respond to, manage, invest in or maintain some of this infrastructure?

**TOM GROSSKOPF:** We clearly feel that there is more required in terms of having a clear strategy for the management of these assets. That's why we are developing the regional rail heritage strategy. That's probably the best answer I can give you in terms of what we believe is required in order to get more effective management of these assets.

**The Hon. SAM FARRAWAY:** Let's say that the Manilla viaduct needs a heritage management plan. So you've got your strategy which you're working on; I get that. So you're working on that and you'll need more cash down the track. That's the Minister's job. It's all well and good to have a strategy, but if you don't have the heritage management plan that is associated with, let's say, the Manilla viaduct, the strategy is pointless.

**TOM GROSSKOPF:** Correct.

**The Hon. SAM FARRAWAY:** So what's your involvement with heritage management plans?

**TOM GROSSKOPF:** We will have our strategy in place. At the moment, our approach to the management of all of these assets is to continue to keep them safe and to avoid their deterioration. That is effectively our management plan around these assets in general. When it comes to a specific heritage management plan for a particular asset, I'll have to take that on notice.

**The Hon. SAM FARRAWAY:** With regard to the regional rail heritage strategy, if you identify in your strategy—and I use Manilla as an example—that it requires a heritage management plan, what will you do then?

**TOM GROSSKOPF:** Develop a heritage management plan and implement it.

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**The Hon. SAM FARRAWAY:** Are you saying that will need to be done on an individual basis with every piece of infrastructure across the rail network?

**TOM GROSSKOPF:** No. Some we can do by asset class. Some, particularly high-value ones, we would do specific plans for.

**The Hon. SAM FARRAWAY:** Right now, if you've got UGL Regional Linx out there maintaining and running your network, the CRN, they don't have any of this in place right now? They don't have a strategy and they don't have heritage management plans to refer to on how to manage those pieces of infrastructure on the rail network?

**TOM GROSSKOPF:** They have some plans and directions around what we want them to do. They build an asset maintenance works program around that, which is built to keep those assets in the condition that they find them and to keep them safe.

**The Hon. SAM FARRAWAY:** Moving on, because I've got heaps of questions, another one for you while I have you, Mr Grosskopf, is about Jenolan Caves Road—so Two Mile and Five Mile. Where are we up to with all of that and Hampton Road?

**TOM GROSSKOPF:** Work started on Hampton Road on 15 January. Two Mile has just closed tender and is under tender assessment at the moment. Five Mile is at a point where we are—I'm just looking at my colleague Mr Hayes. I think we're about to put that out to tender.

**ANTHONY HAYES:** Yes. In March or April.

**The Hon. SAM FARRAWAY:** So Two Mile has gone to tender and you're about to award a contract?

**TOM GROSSKOPF:** We are in tender assessment at the moment.

**The Hon. SAM FARRAWAY:** For Two Mile, have you gone to a specialist company? Or those that tendered, have they got specialist skills for a road like Two Mile?

**TOM GROSSKOPF:** In order to be successful in that tender, they would require those specialist skills.

**The Hon. SAM FARRAWAY:** When do you anticipate awarding a contract?

**TOM GROSSKOPF:** The tender assessment process will take another few weeks. I'd say we'd be out around April.

**The Hon. SAM FARRAWAY:** Have you estimated how long that project will take to complete?

**TOM GROSSKOPF:** It'll really depend on the construction method. We've gone to market to get that sort of feedback about the opportunities around construction. And then, of course, we would engage with Jenolan Caves House around the access to the site, the ability to shut down and all of those kinds of operational and delivery considerations.

**The Hon. SAM FARRAWAY:** The house has been informed that they'll need to close for about 18 months, haven't they?

**TOM GROSSKOPF:** I'll have to refer to my colleague.

**ANTHONY HAYES:** Yes, that's correct. And they are planning some fairly substantial works to coincide.

**The Hon. SAM FARRAWAY:** With regard to Five Mile, what's the latest update on that? That is a Transport-run repair project, isn't it? You haven't contracted that?

**TOM GROSSKOPF:** It will be treated as a major project. Again, I will refer to Mr Hayes.

**ANTHONY HAYES:** We're currently working with our Infrastructure and Place colleagues to assess the best way to attack Five Mile.

**The Hon. SAM FARRAWAY:** With respect, Mr Hayes, Transport for NSW has been saying that for some time.

**ANTHONY HAYES:** It's a big job.

**The Hon. SAM FARRAWAY:** It is a big job. What is the total grant and disaster funding that is attached to that road? It's hundreds of millions, isn't it? It's a significant amount of money.

**ANTHONY HAYES:** It will be. That hasn't been finalised yet—the actual amount—because the design needs to be finalised first.

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**The Hon. SAM FARRAWAY:** Are there any discussions with the Commonwealth around any form of betterment funding to build that road back better and make it more flood and weather resistant?

**ANTHONY HAYES:** Yes. Discussions are underway with New South Wales RA right now to identify the best way to approach that.

**The Hon. SAM FARRAWAY:** Is there a method where you can use both internal Transport expertise as well as contractors to try to look at the best and quickest process to rebuild this infrastructure? The communities have had stop and go lollipop people with lights there for years now and they're beyond frustrated, which is understandable.

**ANTHONY HAYES:** Yes.

**TOM GROSSKOPF:** Mr Faraway, are you referring to the Hampton area with the stop-go?

**The Hon. SAM FARRAWAY:** Yes, that's the Hampton Road.

**TOM GROSSKOPF:** As I said, we're on Hampton Road now. We've been there since 15 January. It is a significant rebuild.

**The Hon. SAM FARRAWAY:** When is that estimated to be finished?

**TOM GROSSKOPF:** September of this year. We are looking at over 50 days of road closure, which will be very well communicated to the industries and to the local community in that area. We require that kind of access to the road because we need to rebuild the drainage infrastructure under the road, and we can't do that without completely closing the road in order to cut right across.

**The Hon. SAM FARRAWAY:** Back to Two Mile, when you put it out to a contractor and they rebuild it, will it have the ability for coaches to be able to—

**TOM GROSSKOPF:** I doubt the turning circles—the swept paths—would be suitable on Two Mile to allow coach access.

**The Hon. SAM FARRAWAY:** Are there any thoughts about a coach car park at the top of Two Mile, before you descend down to the house?

**ANTHONY HAYES:** Yes. As a former CEO of AAT Kings, I used to spend a lot of time worrying about coaches in that part of the world. We have contacted the major coach operators and advised that, even when repairs are done, we'd be very serious about not reopening the road for coaches and, therefore, we'd need a facility at the top of the hill to make sure that we could manage the process of transporting everyone down to the caves.

**The Hon. SAM FARRAWAY:** There have been lots of considerations for a long period of time around a gondola. I remember those proposals, but now, when you look back on it, they actually could possibly be considered. Is that part of any consideration around an alternative in terms of getting the least amount of disruption in moving people from the top to the bottom?

**ANTHONY HAYES:** I think my colleague Ms Heydon has—some of her team have looked at that. I'm not sure the investigation has progressed very far.

**The Hon. SAM FARRAWAY:** That's okay. We'll come back to Ms Heydon.

**MATT FULLER:** I think, in short, Mr Faraway, the answer to that is that primarily the teams are looking at road-based solutions, through shuttles and things, because the expense of any other form—whether it's suspended cable car or the like—would be very astronomical.

**The Hon. SAM FARRAWAY:** No worries. I'll keep moving on because I've got heaps of questions still. Who's looking after the Northern Distributor in Orange? I'm looking at you, Mr Fuller, Mr Hayes or Mr Grosskopf.

**MATT FULLER:** I'm very happy to answer your question and, if I can't, we can—

**The Hon. SAM FARRAWAY:** That was gazetted in 2022. It is now under the care, responsibility and ownership of Transport for NSW, correct?

**MATT FULLER:** The Orange distributor road was absolutely one of the ones in the priority round, yes.

**The Hon. SAM FARRAWAY:** Transport for NSW now manages that. Does it contract the works out to council to maintain the road?

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**MATT FULLER:** I'll just check on the absolute handover date. I know we were in the process of having it handed over, but we have it now, don't we?

**ANTHONY HAYES:** March 2023.

**CYNTHIA HEYDON:** Just to confirm, yes, it has been transferred to State management. I'll get you the exact gazettal date, but it was before March 2023. I will need to double-check if we've actually got the arrangements in place with Orange for the RMCC which was proposed.

**The Hon. SAM FARRAWAY:** Thank you for confirming that. So it's in Transport for NSW's hands. In March, I think you said, it was officially transferred. Can I put on notice that a review of that road be undertaken by Transport? I drive it nearly every day and it is in very ordinary condition. It has a lot of freight movements and it is essentially a bypass for Orange. I'm sure Orange council love not having to worry about that anymore.

**MATT FULLER:** I think the answer to that, Mr Farraway, is we don't have to take it on notice. We're reviewing that road at the moment, already, and certainly acknowledge that the state of the road needs repair, no question.

**The Hon. SAM FARRAWAY:** That's fine. I think Wallerawang station might be in your sphere, Ms Heydon.

**CYNTHIA HEYDON:** Yes, it is.

**The Hon. SAM FARRAWAY:** Where are we up to with that? There were scoping works and money set aside by the previous Government. Where is Transport up to in reactivating and opening that station?

**CYNTHIA HEYDON:** Yes, you're correct. There was \$7 million which is still allocated for activation of that station to allow for the Bathurst Bullet to stop. We are currently looking at all of the requirements to open that, and that's not just around allowing the station to be accessible for the train.

**The Hon. SAM FARRAWAY:** Is \$7 million enough now, in today's dollars?

**CYNTHIA HEYDON:** We are looking at what we can do within the scope of the \$7 million, which allows that activation, as well as the broader needs of the station for the community as well. We're actively looking at design at the moment.

**The Hon. SAM FARRAWAY:** These works have been going on for some time now, Ms Heydon. Do we have a time line of when those works will be finished and when Transport will be in a better position to maybe notify the Minister if you need more money or a time line?

**CYNTHIA HEYDON:** We're looking to finalise the scope to reactivate as well as look at community consultation around what that scope would look like, and that would be this year, to inform what we could do with the \$7 million.

**The Hon. SAM FARRAWAY:** When will that community consultation take place?

**CYNTHIA HEYDON:** I'll have to take that on notice as to where we'll be up to, but it will be sometime this year.

**The Hon. SAM FARRAWAY:** Will that station require enabling works for the new regional fleet?

**CYNTHIA HEYDON:** Not based on how we operate. We plan to operate it the same way that we're using the Bathurst Bullet.

**The Hon. SAM FARRAWAY:** What is the most expensive part in reactivating that station?

**CYNTHIA HEYDON:** I'll have to take that on notice but it was probably in relation to accessibility for the footbridge.

**The Hon. SAM FARRAWAY:** Is there any tentative time line that you have in opening that station? Is there an end date that Transport and Government are looking towards to have that station reopened?

**CYNTHIA HEYDON:** I don't have a date at this point, but we're looking to make it active before Regional Rail so that it can be part of the current stopping pattern for the Bathurst Bullet.

**The CHAIR:** I want to go back to the funding situation, Mr Carlon, that I was speaking to you about before the break. You're saying that for the Community Road Safety Fund, there is the expectation that that funding now is going to be spent and put towards initiatives over the next financial year and forward estimates? What's the expectation? What's the plan?

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**BERNARD CARLON:** The 2026 Road Safety Action Plan has a funding profile to deliver those actions in the plan. Certainly over the forward estimates, the Government announced, in the budget in 2024, \$2.6 billion over the four years. That's in the forward estimates in the budget papers. There's a program associated with that and it includes all of the programs that you'd be familiar with to maintain the current level of safety on our network, including things like the School Crossing Supervisor program, which is funded by \$24.9 million, the licensing programs, our high pedestrian activity areas, education campaigns, safer vehicles programs and safer roads programs. They're outlined in that program. There's a commitment to deliver those, and that is clearly subject to, on occasion, natural disasters and other impacts that happen, particularly in the infrastructure area. Wherever that does happen, any reprofiling happens as part of the budget process, and those funds are locked in to delivering those road safety outcomes under the Road Safety Action Plan.

**The CHAIR:** There was also criticism around the transparency of that funding. I think the language used was "no consolidated public reporting on total road safety funding allocated to regional New South Wales each year". Are there changes being made to provide a more complete picture? Whether that's a question for you—

**BERNARD CARLON:** The issue is that we do have a comprehensive annual progress report that identifies the State-level funding out of the Community Road Safety Fund. The concern was that we haven't specifically been reporting on the detail of what's allocated in the regional areas.

**The CHAIR:** That's right.

**BERNARD CARLON:** We've accepted those recommendations. We're working towards a plan to identify, specifically, the resources and programs that are funded in the regional areas and plan to have that resolved and that plan in place by November this year.

**The CHAIR:** Back to the councils—and I mentioned this earlier with the Minister here. With the Local Government Road Safety Program, the criticism that was contained in the Auditor-General's report was regarding the percentage of regional councils that participate and have participated in that. I think currently the statistic was 52 per cent of councils in regional New South Wales compared with 84 per cent of councils in metropolitan areas. The Auditor-General said that Transport for NSW has not undertaken any evaluations to determine whether projects completed under this program have reduced road trauma at the local level. Let's start with the first bit. Why the discrepancy there with councils, particularly in terms of how important road safety is to all councils, but regional.

**BERNARD CARLON:** In the Road Safety Action Plan we actually do have a commitment to review and expand that Local Government Road Safety Program to ensure every council has access to road safety officers to better resource their road safety planning, and integration of road safety within their community plans and their strategic plans for their local council. It's a voluntary program where we fifty-fifty fund 50 per cent of the salaries of those road safety officers in councils. Some councils have less capability, clearly, in the regional areas.

The review that we're doing—and the Auditor-General's recommendation was that we accelerate that review and so that is taking place now—is about how we can support particularly those local councils which don't have the level of staffing or expertise to be able to take on people. As well, we do know that there are issues in actually retaining people with that sort of skill set in road safety and safe systems management at a local level so part of the review is actually about how can we better resource councils and how can we support more councils to actually engage in the program. Again, as I said, we've started that review and would hope that we'd have recommendations for working with local government, who will engage as part of that process to improve that program. We want every council that wants to have a road safety officer have the capability to actually have one and to do great work to help their community actually be safe on the roads.

**The CHAIR:** As the program stands at the moment, every council is able to access this joint funding to employ a road safety officer?

**BERNARD CARLON:** Correct.

**The CHAIR:** Do you know whether the funding in terms of the second half of the salary for road safety officer and everything else is a barrier to some councils?

**BERNARD CARLON:** That will be part of the review process, seeing where that is a barrier and seeing how we might address that, particularly for the councils that are smaller.

**ANTHONY HAYES:** Yes.

**BERNARD CARLON:** We currently have designed in, in some of the reviews that we've conducted in the program over the recent years, flexibility for having a joint RSO for covering a couple of councils. We're also going to investigate what more flexibility we can put in place that actually supports councils in a way that means

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that they get better access, and also the project funding that is available and whether that needs to increase as part of that process.

**The CHAIR:** I want to go back to speed limits. When I asked about that, you mentioned the 40 kilometres per hour in shared spaces and some inner urban areas. What's being contemplated about speed limits in some of the non-urban areas, as to whether, in terms of safety, some of the speed limits on regional roads need to be reconsidered or safety in terms of speed limits around corners? What is the research showing and what is the department looking at in that regard?

**BERNARD CARLON:** Again, the fact that we have issued the new speed zoning standard and that's being reviewed in its first six to 12 months of operation to make sure it's fit for purpose. Last year we had 156 fatalities where speeding was a contributing factor and that was an increase of 42 lives lost compared to 2022. We know that in the regional areas the proportion is higher. On average in recent years it's been around 40 per cent of our fatalities. Last year it was 44 per cent of our fatalities. So it is a critical issue for us to manage. As I mentioned earlier, the significant increase was in the country urban areas. We didn't have any significant increase last year in the high-speed, the non-country urban areas, but at the same time that is where the majority of the deaths associated with speeding happen.

That new standard is actually now reframed around movement and place framework, consistent with our planning in New South Wales for the road network. Certainly as part of the projects that are initiated in terms of those Safer Roads projects, speed zones are always considered as part of the overall changes to infrastructure as well. The Oxley Highway upgrade which happened a little over six years ago has seen a significant reduction in the trauma. It was a combination of improving the curves on that route, putting in barrier systems, audio tactile, and in high-risk locations reducing the speed zones to 80. That combination of managing better infrastructure and speed zones that match the road environment is critical to continuing to achieve the outcomes of reducing trauma on those roads.

**The CHAIR:** I've got some questions around bus stop infrastructure in rural and regional New South Wales. As you know, there are questions about accessible bus stops and what the rollout is there, what that's looking like in terms of ensuring that more bus stops are accessible, safe, have shelter. I do understand that there has been some funding put towards that. Is there data in terms of targets for making more of our main regional bus stops accessible? I don't know who to direct that to. Mr Fuller, is it?

**JOSH MURRAY:** Ms Faehrmann, I think we would have to take that on notice. Most of those facilities through our regional areas are council owned and led but we do support them through a small grant program, which we could give you some more detail on.

**The CHAIR:** Yes, I'm aware of that in terms of the council largely being responsible for the infrastructure and often the backlog that many of the councils talked about—road safety, for example, and financial sustainability of councils being a huge barrier in terms of how much they can spend on infrastructure. I think bus stops probably come behind road upgrades in terms of local councils. At this stage I've got that Transport for NSW has a budget of something like \$2 million that's going to regional New South Wales. Is that correct?

**ANTHONY HAYES:** It's quite small, yes. I couldn't confirm that exact number but it is quite small. It is something similar.

**The CHAIR:** Is that new funding? Or has that been this ongoing assistance to councils over quite some time?

**ANTHONY HAYES:** It's not just for councils. Others can apply for it as well, but it has been in place for a number of years.

**The CHAIR:** I have a general question. I have seen that in previous parliamentary inquiries—one back a decade ago into CountryLink services that the lower House here did—one of the strong recommendations out of that was urging Transport for NSW, or its iteration back then, to have stronger links with Destination NSW in terms of promoting country New South Wales as a destination that you can get to by train. When you look at the website TrainLink, that recommendation doesn't seem to have been picked up that strongly, I must say. It really does seem as though we don't promote travelling around regional New South Wales by train. What connections or links are there between Destination NSW and Transport for NSW on this matter?

**ANTHONY HAYES:** I'm sure Mr Merrick will have quite a bit to say on this. But we do, in fact, have an MOU with Destination NSW which started out specifically focused on tourism signage, encouraging people to get off the highway to go and look at specific tourism et cetera.

**The CHAIR:** People in cars, yes.

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**ANTHONY HAYES:** We now have regular meetings with Destination NSW to discuss opportunities, particularly for events—the Tamworth music festival and Byron Bluesfest and the list goes on. But I would agree there's a huge opportunity to be working more closely in partnership with Destination NSW, particularly to get Sydneysiders out into the regions. It's a great opportunity.

**The CHAIR:** That's been an identified opportunity for more than a decade that doesn't seem to have been taken up as much as it should be. Mr Merrick?

**DALE MERRICK:** Thanks for the question. I can't talk to the link to Destination NSW, but what I can do is confirm we've got an active campaign right across rural New South Wales for partnerships with events. There are the obvious ones around the Broken Heel, Elvis, the Tamworth music festival. If you go on the website, you will see a very active campaign around promotion for regional travel and regional journeys. Again, I can't talk to the link that you are referring to with regard to Destination, but we are very actively campaigning in the regions to take up our journeys. What I'd say is that if you look at the resurgence to rail travel now, December just gone was the most amount of people that travelled on our regional services in the last eight years. We've seen a real resurgence to rail travel. Before that, it was back to January 2013. So we're seeing a resurgence to rail travel and we are trying to partner or couple that with the promotions that you see on our website.

**The CHAIR:** Do you know out of that rail travel the—I'm sure you do—domestic travel versus international travel, firstly? Do you know the breakdown of that?

**DALE MERRICK:** I can take that on notice. We know the segmentation of passenger type. But I can take it on notice as to whether we've got the detail of domestic versus international that you're referring to.

**The CHAIR:** Is there funding? Attracting people to regional towns for events is one thing, but ongoing attracting people to travel to the regions—a lot of travellers come here and don't want to hire a car, for example. Therefore heading out to regional centres from Sydney—people travel from New York or whatever and they just won't do it because it's so difficult. There are no advertising campaigns or promotion campaigns or indeed a budget to promote travelling by train through regional New South Wales to the average visitor—not for events; just to go to Parkes, go to Orange, go to Moree.

**DALE MERRICK:** I'd probably disagree to a point in that we have an active campaign—a relatively small budget but an active campaign. The "NSW TrainLink will take you there" campaign is live at the moment.

**The CHAIR:** What is that called?

**DALE MERRICK:** "NSW TrainLink will take you there"—that's our campaign. You may or may not have seen it.

**The CHAIR:** I looked. I actually actively looked. My socials mustn't be picking that up in terms of—

**DALE MERRICK:** We're in the middle of a dedicated campaign now around increasing patronage.

**The CHAIR:** What's that budget, Mr Merrick?

**DALE MERRICK:** I'd have to come back to you. I'll take that on notice. But, to your point around international customers, I'd have to take on notice as to whether we're targeting specifically, but I know we are with domestic, both intrastate and interstate.

**The CHAIR:** When did that campaign start?

**DALE MERRICK:** Again, I'll take that on notice.

**The CHAIR:** Has it been going for a little while, or is it new?

**DALE MERRICK:** I wouldn't like to guess. I will come back to you on notice with when that started.

**The Hon. SAM FARRAWAY:** The Bathurst Bullet—is that Ms Heydon? I asked the Minister a few questions on this earlier, but I wanted to ask you some questions as well. With regard to the Bathurst Bullet, have you prepared a brief to the Minister on extending one or both of the existing services to initiate or start in Orange?

**CYNTHIA HEYDON:** We haven't prepared a brief as such, but we have identified that the opportunity to extend to Orange is part of the consideration of service improvements that we're looking at as part of the regional rail rollout. As you're aware, the Regional Rail Project is essentially a like-for-like, so the same number of trains, expect the same level of service, but we're also looking at what opportunities so we can go further than that.

**The Hon. SAM FARRAWAY:** There is no brief, there are no workings, no thoughts or ideas internally to extend the Endeavour train services through to Orange now, or to at least try to stable them overnight in Orange and start it?

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**CYNTHIA HEYDON:** We've done preliminary work, but we haven't done a formal briefing up to the Minister, only that we are looking at it. It will require more detailed consideration, including consultation with unions and with the crew that operate that fleet.

**The Hon. SAM FARRAWAY:** If you were to do that, is there any way that the train can be stabled or housed in Orange overnight rather than going back to Lithgow?

**CYNTHIA HEYDON:** That would have to be in considerations because, again, how we would look at the timetable and operations would require essentially enabling activity there.

**The Hon. SAM FARRAWAY:** Have you had any discussions with the RTBU?

**CYNTHIA HEYDON:** I can't speak to that. I have not, no.

**The Hon. SAM FARRAWAY:** That's fine.

**CYNTHIA HEYDON:** Again, we're in infancy and this is just one of the, let's say, service opportunities that we're looking at for future regional services.

**The Hon. SAM FARRAWAY:** Is it fair to say that the only way that this option would be feasible is if the train was stabled overnight in Orange, so it could possibly leave at 6.00 a.m., Orange, and then be in Bathurst by 7.30 to connect up to be the second service that currently operates there on the same timetabling?

**CYNTHIA HEYDON:** If you are referring to the same timetable, it would be very challenging to do that without sort of some capacity at Orange, but we're also looking at opportunities to improve the timetable as part of the election commitment the Government has.

**The Hon. SAM FARRAWAY:** But I'm talking about what's possible, not with the new regional rail fleet, but the existing fleet. Is it possible to have the Bullet number two housed in Orange to initiate from Orange station at 6.00 a.m. rather than a coach connection to Bathurst, and then call into Bathurst, which it would do now, at a very similar time that that second train currently leaves Bathurst?

**CYNTHIA HEYDON:** I will refer that to Mr Merrick just because it is around operations and how and if that is possible.

**DALE MERRICK:** Thanks again for the question. I think that, as Ms Heydon has said, would be part of optioneering.

**The Hon. SAM FARRAWAY:** Is it possible, I suppose?

**DALE MERRICK:** I think anything is possible within reason but, as Ms Heydon touched on, the key considerations would be the safe stabling of the asset itself, facilities for crew, and the crewing conditions that would support that service. It's something that obviously we would be looking at as part of our considerations, but—

**The Hon. SAM FARRAWAY:** Have you done any research in and around patronage, or potential patronage numbers, out of Orange on a dedicated train rather than a coach connection?

**DALE MERRICK:** TrainLink hasn't. I'm not sure whether Ms Heydon has seen any numbers.

**CYNTHIA HEYDON:** Not dedicated—assumed a level of patronage that currently exists. But potentially we haven't looked at what's latent demand and what that might look like if that service was provided.

**The Hon. SAM FARRAWAY:** At what stage of the new regional fleet rollout—and I know that the first train's here and you've got to test it—is the Bathurst Bullet in the overall rollout?

**CYNTHIA HEYDON:** The Bathurst Bullet essentially will be a regional rail diesel intercity. I will defer to Camilla to advise, but I understand the intercities are the last on the production, so the changes to those services would be one of the last that were implemented with the changeover of the fleet.

**CAMILLA DROVER:** Yes, that's correct. Under the current deployment plan, intercities are the last trains. It can always be looked at but that's the current plan.

**The Hon. SAM FARRAWAY:** The current Bathurst Bullet—is it still managed by Sydney Trains and not TrainLink?

**DALE MERRICK:** Operated by TrainLink.

**The Hon. SAM FARRAWAY:** Yes.

**DALE MERRICK:** Sydney Trains are our maintenance partner.

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**The Hon. SAM FARRAWAY:** It comes under you, Mr Merrick.

**DALE MERRICK:** Yes.

**The Hon. SAM FARRAWAY:** Has it been like that since it started? At one stage it had a different operating model, didn't it?

**DALE MERRICK:** From the time I can remember, back to 2013, it's been with New South Wales trains.

**The Hon. SAM FARRAWAY:** They're your staff, your drivers, so you're responsible for the stabling, for the crew and the scheduling.

**DALE MERRICK:** That's correct, yes.

**The Hon. SAM FARRAWAY:** Thank you very much. School bus contracts—what is the process currently in place?

How often do you review a school bus route and contract based on numbers? Is that done annually, biannually or at the request of an operator or community?

**HOLLY TAYLOR:** It's a mix of all of those. We certainly do an annual review in terms of school numbers. In addition to that, in the event we were to receive overloads or have feedback from communities then we would definitely look at those services as well.

**The Hon. SAM FARRAWAY:** So you don't do it on a schedule? Or you're saying that it is done, obviously, with the operator or when the community ask for a review?

**HOLLY TAYLOR:** I'm saying it's done, certainly, before the beginning of each school year and then, in addition to that, on a case-by-case basis.

**The Hon. SAM FARRAWAY:** How do you manage a school bus route? Does every child need to have a seat? Is there any standing capacity or is there a percentage that is standing capacity on a school bus?

**HOLLY TAYLOR:** In terms of standees on a school bus, there isn't a set number. It's actually set by the manufacturer. It would vary in accordance with the manufacturer of that particular bus.

**The Hon. SAM FARRAWAY:** With regard to over capacity, where you have possibly—I'll give you an example. It is Orange school bus routes, basically from Orange to Molong, which then will feed possibly to Cumnock and then Euchareena and other smaller communities. I've been approached by several constituents in the region who say that that school bus—the bus itself—and that route is over capacity. There is the provision for the Orange Anglican Grammar School where they have an overflow bus that they use on a separate contract, but that overflow bus is only available depending on driver availability. How does that work? How can you have an overflow bus that is dependent then on driver availability?

**HOLLY TAYLOR:** I am aware of those additional services that were put in. My understanding is they came into place in May for that community. I will have to take that question on notice. That service should be operating. But I am aware that we did put an additional service in for those communities.

**The Hon. SAM FARRAWAY:** I've been approached by multiple constituents on this. Is it possible that you can take this question on notice and re-review the Orange to Molong school bus routes and offering and what is put in place?

**HOLLY TAYLOR:** Yes, certainly.

**The Hon. SAM FARRAWAY:** Excellent. The community will be happy with that. I'm happy at a later point to share any of this information, but essentially there is concern, obviously, over the interchange there at Molong Railway Station, just so you know, around where the kids get on and off. But the biggest concern is that driver availability on that overflow. By all accounts it's not working. If you could take that on notice—and the review—that would be most helpful. Ms Taylor, do you look after the procurement for panel 4 of school buses as well?

**HOLLY TAYLOR:** No, I'm not directly involved in bus panel 4.

**The Hon. SAM FARRAWAY:** Okay, so who is?

**HOLLY TAYLOR:** We would have to take those questions on notice.

**MATT FULLER:** It's meant to go to the coordinator general area now in Transport under Mr Collins. Formerly it's been a service that has been provided out of the Sydney team.

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**The Hon. SAM FARRAWAY:** Under questioning—and I note, Mr Murray, maybe, if you want to take these questions as the secretary—we discussed this with Minister Haylen in her estimates last Friday. To confirm in a regional inquiry and budget estimates session, panel 4 should be finalised—was that at the end of March? Was that the commitment given?

**JOSH MURRAY:** Again, I will have to take that on notice. I recall that the question was answered last week so I will make sure we get the latest to you.

**CAMILLA DROVER:** Josh, I can answer. It is 1 March is the date.

**The Hon. SAM FARRAWAY:** With regard to panel 4, will it include both diesel-operated buses in regional New South Wales and also zero-emission buses? Are zero-emission buses included in panel 4?

**CAMILLA DROVER:** That's my understanding, yes.

**The Hon. SAM FARRAWAY:** Mr Fuller, do you have on hand through freight branch or Traffic Management Centre or anything where you have the freight numbers that are moved along the Great Western Highway—by road freight, obviously—for years 2022 and 2023 and the projection for the next two years?

**MATT FULLER:** What we do have is the current heavy vehicle counts along that section of the highway, which generally, on average, are about 2,750 a day. I don't have a projected outlook other than broader general freight movements statewide, and that is some of the detailed work the team is doing at the moment to reproject both the dollar value contributions and the freight expectations that we will encounter.

**The Hon. SAM FARRAWAY:** Does Transport have any data on hand of what the freight value and quantity would have been over the past few years on that highway?

**MATT FULLER:** I'd have to check on the freight value, as such. I think what we focused on is vehicle movements and what's happened there through traffic modelling and counts. I don't know that that would have extended to a dollar value, but we can take that on notice and check. We are doing broader work on the overall dollar value of the freight sector and what contribution it makes to State productivity.

**The Hon. SAM FARRAWAY:** Is the Freight Transport Advisory Council still active, or was a new advisory council commissioned by the Government 11 months ago?

**MATT FULLER:** The Freight Transport Advisory Council is actually still active. I know even in the last couple of days Minister Haylen has met with the chair of the Freight Transport Advisory Council and I know that it's their intention to continue with that council. It is largely the same, with the addition of three union representatives from the rail, maritime and road Transport Workers' Union. The former constitution of that committee is pretty much intact, as I said, with additions.

**The Hon. SAM FARRAWAY:** Other than the three additions with union representation, has the representation changed at all in the last 11 months?

**MATT FULLER:** No, the members haven't changed. No.

**The Hon. SAM FARRAWAY:** Which Minister oversees that advisory council? Whose jurisdiction does it come under?

**MATT FULLER:** Minister Haylen has the freight portfolio. She is the person who attends, with the chair, Mr Duncan Gay, who remains.

**The Hon. SAM FARRAWAY:** Do they still meet quarterly?

**MATT FULLER:** I would have to check the last meeting we had, but I know it's the Minister's intention to have a meeting in the next couple of months.

**The Hon. SAM FARRAWAY:** I think this question is best for Mr Murray. I am just producing some correspondence for you, Mr Murray. One is a reply from Minister Aitchison to Mr Ray Carter in the Central West regarding a development control plan that relates to his property, and a piece of correspondence in 2017 by Andrew McIntyre to Bathurst Regional Council regarding that development control plan amendment. As you can possibly see—and I've highlighted bits of it—in the Minister's correspondence she accepts and regrets the confusion and frustration with the word "submission" and also goes on to clarify Transport's position. What is Transport for NSW's position on these development control plans and how often would you review Transport's position on such a plan?

**JOSH MURRAY:** Thank you for the question and for providing the correspondence. This isn't a case that I'm aware of. Obviously, as you say, it dates back to original correspondence in 2017. I'm happy to check into that and inform the Committee.

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**The Hon. SAM FARRAWAY:** That's why I've tabled it, Mr Murray, not to play tricks because genuinely you probably need to see what the Minister has replied with. Could I suggest that you take on notice a review of Transport's position that it took on 24 October 2017? It doesn't seem to marry up with the Minister's reply and possible improvements to that road infrastructure in recent times. I note the Kelso to Raglan section. This is bang smack on that new piece of road infrastructure. I don't know if Transport really want to get involved in DAs and processes around these control management amendments and plans when they've just built new road infrastructure.

**JOSH MURRAY:** I am happy to take it on notice, and if we at Transport can clarify with Mr Carter, we will do so.

**The Hon. SAM FARRAWAY:** That would be good. The Great Western Highway, again—you'd be surprised, when you've got a bit more time, how many people come and talk to you about this. This is regarding safety and entry to properties around Walang, not too far from where we're referring to in that previous piece of correspondence. How do you review processes when someone's entrance to their property, which has been there for a significant amount of time, is bang smack out the front of the formation of one lane? What safety considerations or reviews are done consistently to ensure that additional traffic flow and movement—what safety considerations need to be taken constantly to ensure that people can enter and exit these properties safely?

**MATT FULLER:** Mr Faraway, I am happy to certainly ask—if you've got any information from landholders, we would be very happy to engage with them directly to ensure that any concerns about safety are looked at. Obviously, primarily, when we are doing works on highway corridors, we engage with the adjacent landholders and look at opportunities to ensure that their access onto highways are safe and to look at whether they can be made safer. It's something that happens pretty routinely as works are undertaken, but if you've got knowledge of particular concerns, we'd be very happy to engage with those landholders.

**The Hon. SAM FARRAWAY:** Okay. I might work out with the secretariat how to do this. I think, Mr Lund, your team has been—

**The CHAIR:** Just one sec. Ms Heydon is able to go.

**(Cynthia Heydon withdrew.)**

**The Hon. SAM FARRAWAY:** I will work out how to table it. I'll work out with the constituent about this, but I believe Mr Lund has been involved in this and probably knows about it. If we could look into that, that would be fantastic.

**ANTHONY HAYES:** We would be happy to follow up.

**The Hon. SAM FARRAWAY:** With regard to renewable energy zones—I don't know who wants to take this one. What upgrades would be needed for the Golden Highway in regard to the continuing development of the Central-West Orana Renewable Energy Zone?

**MATT FULLER:** Thank you. That is a really good question. At the moment there's a lot of work being undertaken on renewables and on the energy transition, not just around the Central-West Orana Renewable Energy Zone. Of course, the Golden Highway is one of the corridors that will facilitate that. There's been a recent announcement about private investments near Dubbo and Wellington. We anticipate more private investment in renewables, so there is a lot of work being undertaken. I will refer to Mr Hayes in a moment, but one of the things we have done is enter into an MOU with EnergyCo, which is, obviously, the organisation within government that's responsible for the development of the renewable energy zone. What that's done is establish a team within Transport to undertake the full feasibility that's required to look at all of the corridors, routes and amendments that need to be undertaken for—whether it's the swept path of the blades, which are going to be up to 95-100 metres—

**The Hon. SAM FARRAWAY:** Mr Fuller, while I'm not trying to be rude, I have limited time. Specifically with the New England and Golden highways, there is talk that, due to the change of time line for the Muswellbrook Bypass, the turbine blades and the oversize-overmass requirements due to these renewable energy zones will require Transport's involvement to push these oversize-overmass loads onto country roads and to essentially go around Denman. Is that correct?

**MATT FULLER:** Yes. There are, absolutely, investigations and discussions with the local government areas on regional roads, making use of alternate routes and, with that, discussions about how Transport would potentially either look at reclassification of those roads but absolutely committing to the ongoing maintenance and—

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**The Hon. SAM FARRAWAY:** Is this issue part of the MOU you have with EnergyCo?

**MATT FULLER:** It's absolutely part of the investigations we're undertaking with the local government. There is obviously a very considerable load that is going to be undertaken during the energy transition on roads generally, whether they be State roads or regional roads, and we want to make that sure that working with EnergyCo, we're able to understand properly the maintenance requirement of those roads.

**The Hon. SAM FARRAWAY:** Do you believe Transport for NSW will be able to develop an agreement with EnergyCo to have this infrastructure in place before the turbines and the blades arrive at Port of Newcastle?

**MATT FULLER:** Absolutely, what we're working to with construction commencement and being undertaken through the course of 2025.

**The Hon. SAM FARRAWAY:** Have you got any initial or any projected costings of what it will cost government to reclassify, transfer and then build, or build capacity, into these regional roads to make this happen?

**MATT FULLER:** That's the detailed assessment that's being undertaken now.

**The Hon. SAM FARRAWAY:** Is there no way that rescheduling the Muswellbrook Bypass would actually allow for the more efficient movement of these turbines rather than pushing them on to local and regional roads in local government areas?

**MATT FULLER:** I probably need to clarify the Muswellbrook Bypass won't aid the Central West Orana zone. It's more about a longer range—

**The Hon. SAM FARRAWAY:** The New England?

**MATT FULLER:** —for the New England. Part of what is being considered at the moment—as the Minister said this morning, both governments have committed to the delivery of Muswellbrook Bypass. It is about the conversation about capacity within industry and how it lines up with the other work that we're undertaking in not just the New England but the Hunter more broadly and also, as you rightly point out, the connection and how it supports or may interrupt the transition of energy and movement of oversized vehicles. That's absolutely part of what's being investigated at the moment.

**The CHAIR:** I am out of questions officially.

**The Hon. SAM FARRAWAY:** I have got more. Continuing on that theme, Mr Fuller, has Transport for NSW been approached by a company called RES Group regarding a 63-turbine wind development in and around Kerrs Creek in the Central West?

**MATT FULLER:** I'm not aware. Mr Hayes, are you aware?

**ANTHONY HAYES:** I'm not aware but we are in constant engagement with EnergyCo and normally we refer people to EnergyCo. Having said that, the challenge with the oversized and overmass, particularly out of Newcastle port, is much bigger than just EnergyCo. We're viewing this as a much broader project to make sure that we're supporting the growth of renewable energy.

**The Hon. SAM FARRAWAY:** With regard to this RES Group wind development in the Central West, they may need to bring the blades across the Golden Highway to Dubbo, then down the Mitchell Highway and through Molong, which will mean—the blades are 80 metres long and they're smaller when they're transported but they're still 50 or 60 metres. What happens with things like the Molong pool, which may need to be moved in order to allow for the movement of such oversized, overmass loads? One, who bears the cost? Two, what is included in your MOU with EnergyCo to address these types of enabling infrastructure, where projects get approved and the taxpayer and Transport are left holding the can to upgrade the road down the track?

**MATT FULLER:** Can I say at the outset, I think we shouldn't assume that we would move a local Olympic pool, in any sense. We would avoid that at all costs and that's why—

**The Hon. SAM FARRAWAY:** They want a new pool so they'll probably do it.

**MATT FULLER:** The example that you've used for the Central West Orana is a really good one: where there are really viable regional roads and where those discussions are being undertaken with the local government areas that are the road managers of those roads to ensure that we look at what's the most viable and what has the least interruption on the community. That's both a decision around infrastructure investment but also about how you operate those movements.

**The Hon. SAM FARRAWAY:** In regard to this view and proposal looking at regional roads, do councils, as part of this proposal, have to stump up any cash from their position to upgrade these roads, or this is purely paid for by the State Government?

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**MATT FULLER:** I think what we do with any proposal, particularly if it's a developer-led proposal, is we line up with councils, we have those conversations and understand what's appropriate and whether those costs should be borne by developers or whether they are government-led initiatives and supported by government investment.

**The Hon. SAM FARRAWAY:** Is there a mechanism and is there a trigger that Transport for NSW must be consulted by EnergyCo or the developer about potential future enabling infrastructure on the road network before these developments are approved?

**MATT FULLER:** EnergyCo is delivering the projects that they have responsibility for. We have the normal planning process through the department of planning where they would consider other proponent propositions and traffic management. Transport plans are absolutely part of those and are normally—actually stipulated as part of their conditions of consent.

**The Hon. SAM FARRAWAY:** With regard to Merriwa, the last time I checked, there was like 9,000 movements or something that are required to go through the main street. Is that correct?

**MATT FULLER:** I'd have to check on the absolute numbers.

**The Hon. SAM FARRAWAY:** But you would be having quite a lot of dialogue, hopefully, with the local member and the council there?

**MATT FULLER:** Absolutely.

**The Hon. SAM FARRAWAY:** Because that is a significant amount of disruption and, I suspect, quite a bit of maintenance on that piece of road network will be required in order to facilitate that oversize overmass.

**ANTHONY HAYES:** You've actually outlined the broader conversation. The MOU with EnergyCo—it identifies infrastructure requirements; it looks at operational requirements; it looks at ongoing maintenance. It's a broad relationship that we're trying to build, because this is not something that's going to be over in a couple of years. Once the energy zones are built, we also are aware there's going to be ongoing renewing of the equipment et cetera. We need to be organised, and if it's 10 per night—whatever it happens to be—we need to manage that in the best way to not disrupt the community.

**The Hon. SAM FARRAWAY:** With regard to your MOU with EnergyCo, is agricultural production and stock movements part of the MOU? Does EnergyCo need to take that into consideration around the disruption to, possibly, those movements and the growth in agriculture in the region using the same road network?

**ANTHONY HAYES:** From memory, the MOU doesn't specifically call out agriculture. What we are doing is having ongoing—weekly—conversations with EnergyCo. It is not about getting this equipment from the port to the end destination; it's also understanding the impact on the communities and the road users in the middle. So there are discussions about overtaking lanes et cetera, to make sure that we are really respectful of the fact that this is very important we get this right for the communities in the middle.

**The Hon. SAM FARRAWAY:** Do we have any numbers of projected movements that would be going through Muswellbrook to the New England Renewable Energy Zone?

**MATT FULLER:** There's been some early assessments but I wouldn't like to quote specific numbers. I think that's the work that EnergyCo—

**The Hon. SAM FARRAWAY:** Are you happy to take on notice, maybe, any projected numbers?

**MATT FULLER:** I think that's something that's being worked up, given that that project is beyond the existing Central-West Orana. That's detailed work that EnergyCo are doing at the moment, which we will obviously work on them with. The priority we've been looking at recently is in the Central-West Orana area.

**The Hon. SAM FARRAWAY:** You mentioned discussions with local governments around the reclassification of local roads. Have you had to reclassify any to date for the movement of oversize overmass?

**ANTHONY HAYES:** EnergyCo are leading those conversations, but the commitment that we've made to those key councils is that—whether it's a formal reclassification or whether it's us just picking up the tab to make sure that we are paying for the maintenance and the upgrade of those roads—either way, we've made it very clear that the State has that responsibility.

**The Hon. SAM FARRAWAY:** Where do you get the pool of money from to do that?

**MATT FULLER:** That's a discussion we're having with EnergyCo at the moment as to how they—they've got a range of financing structures in the way in which they have been constructed. That's really down for them to resolve and then to negotiate with government on what's the best path forward in terms of that investment.

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**The Hon. SAM FARRAWAY:** Will there be doubling up of cost in and around when the New England Renewable Energy Zone takes off, because you're going to have to find alternate paths and routes to move these oversized, over-mass loads, when the Muswellbrook Bypass is only a few years after you've done all this work in reclassifying roads and investing and pushing these loads onto regional roads?

**MATT FULLER:** I think what we're talking about is two separate things. What we're talking about for the regional roads is for the Central West. Muswellbrook Bypass would support the New England. At this stage—

**The Hon. SAM FARRAWAY:** Will the timing work, though? Will you have that bypass finished and the agreement with the Commonwealth by the time that the projected turbines—the blades—need to be pushed up into the New England REZ?

**MATT FULLER:** As I mentioned before, the timing of that is what's being considered at the moment.

**The Hon. SAM FARRAWAY:** Moving on, with regard to local council road block grants, are they still frozen in terms of the amount? Are they still being expanded by CPI?

**MATT FULLER:** I wouldn't refer to them as "frozen". We have a forward outline of block grants.

**The Hon. SAM FARRAWAY:** Has the amount of money per council based on road network increased in the last budget?

**MATT FULLER:** The same formula that's been used in the recent past has been utilised to allocate to—it's down to the proportion of regional roads that a council has within their portfolio.

**The Hon. SAM FARRAWAY:** Is the percentage they're getting based on the size of regional roads and how many regional roads they have? Has that funding been static in the last budget or has it grown per council, per road block?

**MATT FULLER:** I'd have to check the examples. There would've been natural shifts where councils have had regional roads reclassified back to the State. The Southern Connector Road in Orange is one that you mentioned before that potentially would've influenced the amount that that council received. So it's really down to the calculations of what regional roads they manage, but the amounts haven't moved materially. What has shifted materially is the fact that the councils have been given an allocation of the \$390 million through the regional emergency repair fund.

**The Hon. SAM FARRAWAY:** That's separate to the road block grant.

**MATT FULLER:** It is separate but it's also an important allocation for councils to be able to manage their local and regional road network.

**The Hon. SAM FARRAWAY:** Yes, but it is separate, Mr Fuller. With regard to road block grants, what happens to underspend with road block grants?

**MATT FULLER:** I'd have to take that on notice and just check.

**The Hon. SAM FARRAWAY:** Is the council allowed to roll it over to the next financial year and allow essentially an extension to use it?

**MATT FULLER:** I think the short way to answer that question is it really depends on the circumstances. Obviously a lot of the grants and the considerations we've had with local government in the last couple of years have been influenced heavily by natural disasters and their ability to undertake work. We've had a high degree of flexibility and been very transparent with councils about that, but I would have to take on notice the general policy position on block grants.

**The Hon. SAM FARRAWAY:** Is any council disadvantaged with road block grants, where they may not have the capacity to deliver them within the year the road block grant is allocated?

**MATT FULLER:** I'd take on notice the specifics, but I wouldn't say that councils are disadvantaged, no.

**The Hon. SAM FARRAWAY:** No, any council that could be disadvantaged because of their lack of capacity, as you said, if they had natural disaster repairs to oversee. So you're happy to take that on—

**MATT FULLER:** As I said, the general principle we've applied to all of our grants is to make sure that we give councils the greatest amount of flexibility where it has been warranted around other externalities that have impacted their delivery.

**The Hon. SAM FARRAWAY:** Can I ask, Mr Fuller, are you able to table for the Committee a list of the road block grants per LGA for the current financial year?

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**MATT FULLER:** Yes, we'd be happy to do that.

**The Hon. SAM FARRAWAY:** Thank you. Ms Hoang, with regard to the Great Western Highway and the east and west sections—that was through the Federal Government's infrastructure review, then cancelled by Minister King—20 per cent was quarantined for that project as the State's contribution. Can I ask, where was that 20 per cent that was quarantined in the forward estimates—where was that money redirected to? Which projects?

**BRENDA HOANG:** Can I clarify what you mean by the 20 per cent that was quarantined?

**The Hon. SAM FARRAWAY:** It was an 80-20 funding split. The Commonwealth had \$2.03 billion committed to east and west sections. With the exception of Coxs River Road and Medlow Bath, where was the remainder of our 20 per cent commitment redirected to—to which projects?

**BRENDA HOANG:** For the Great Western Highway or just the two projects that you're referring to?

**The Hon. SAM FARRAWAY:** You're putting in your 20 per cent to the two projects. What was left over?

**BRENDA HOANG:** You're talking about the rest of the Great Western Highway funding?

**The Hon. SAM FARRAWAY:** Correct.

**BRENDA HOANG:** That was redirected to a number of projects in the regional space and the road space.

**The Hon. SAM FARRAWAY:** Which projects, though, were they redirected to?

**BRENDA HOANG:** They were redirected to fund the regional roads fund as well as the urban roads fund, amongst other things.

**The Hon. SAM FARRAWAY:** The former Government had \$2.5 billion committed through its budgetary process in the forward estimates towards the Great Western Highway. Not all of that was obviously allocated specifically to contracts because there was a leftover. Other than the funding that was put into the regional road fund and the urban road fund, where did the remainder of that allocation in the forward estimates—which projects was that redirected to?

**BRENDA HOANG:** I'm unable to answer that question because when the Government decided to cancel the project, the money went back to the Con Fund and then obviously the Government then decided how they wanted to reallocate that funding within the Con Fund. I do know that a portion of that was reallocated to both the regional roads fund as well as the urban roads fund.

**The Hon. SAM FARRAWAY:** Was a portion of that funding redirected to roads in Western Sydney?

**BRENDA HOANG:** There was funding within, obviously, the recent budget for roads in Western Sydney. Whether it was specifically from the Great Western Highway, I'm not sure. As I said, the money went back—

**The Hon. SAM FARRAWAY:** Are you able to take that on notice, Ms Hoang?

**BRENDA HOANG:** I'm happy to take that on notice but, at the end of the day, as you're aware, money goes back into the Con Fund and it is up to government then to reallocate the money that's sitting in the Con Fund. Yes, I can confirm there was money allocated to Western Sydney roads—it came from the Con Fund—but whether it came from the Great Western Highway or not, I'm unable to—

**The Hon. SAM FARRAWAY:** I think it was quite highly publicised by media outlets and also the now Treasurer that that's what happened. I wanted it from the agency's perspective to be able to quantify it, I suppose. If you can take it on notice, that would be much appreciated.

**BRENDA HOANG:** Happy to.

**The Hon. SAM FARRAWAY:** I think this might be to Mr Fuller. How much funding has been rolled out since 1 July, so this current financial year, from the new regional road fund?

**MATT FULLER:** I'd have to take that on notice. I know there have been a number of projects where deeds have been entered into with local government, but there's—

**The Hon. SAM FARRAWAY:** This is not the emergency road fund? That's the three—

**MATT FULLER:** No, I understand the program you're talking about. There are commitments there for both projects that Transport will undertake and then there are also projects that local government will undertake.

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**The Hon. SAM FARRAWAY:** If you could take that on notice, would you be able to come back to the Committee with the amount and the project—the list of what has been issued by Transport from that fund since 1 July?

**MATT FULLER:** Sure, no problem.

**The Hon. SAM FARRAWAY:** Do you know how many potholes or heavy patching works have been completed as part of the \$500 million regional and rural road rollout that was announced in January 2023?

**MATT FULLER:** I'd have to take on notice how many potholes have been undertaken.

**The Hon. SAM FARRAWAY:** I think it was also heavy patching too, wasn't it?

**MATT FULLER:** Correct, yes. I'd have to have a look. I know that in the last financial year across the State roads our teams have been repairing nearly 28½ thousand potholes across the State, but I don't have the figure on hand across all of the local government areas.

**The Hon. SAM FARRAWAY:** Are you happy to take that on notice per local government area, Mr Fuller?

**MATT FULLER:** We can take it on notice. Mr Hayes has just alerted me to the fact that on the last count, since December 2022, over 527,000 potholes had been repaired under the local and regional road network.

**The Hon. SAM FARRAWAY:** Is that just on State roads or does that include council roads?

**MATT FULLER:** That is across the local and regional road network. They are council owned.

**The Hon. SAM FARRAWAY:** Do councils still report quarterly on their patching and potholes?

**MATT FULLER:** In terms of the requirements under those programs, I think the answer to that is yes, but I would just take it on notice to double-check.

**The Hon. SAM FARRAWAY:** That's fine. How much of the \$334 million regional roads fund will be spent in this financial year?

**JOSH MURRAY:** Mr Faraway, I might take that while Mr Fuller updates his notes. As at February 2024, \$236.4 million of the regional roads fund is allocated to be spent over the next four years, and \$97.6 million of the fund is yet to be allocated.

**The Hon. SAM FARRAWAY:** That \$236.4 million is allocated as of February—this month.

**JOSH MURRAY:** Yes.

**The Hon. SAM FARRAWAY:** Over the next four years.

**JOSH MURRAY:** That's correct.

**The Hon. SAM FARRAWAY:** Are you staging those projects over four years?

**JOSH MURRAY:** The funding is staged against the commitments.

**The Hon. SAM FARRAWAY:** How much will roll out the door in this financial year?

**JOSH MURRAY:** I'd have to get a latest count on the commitments to the end of this financial year. We can take that on notice.

**The Hon. SAM FARRAWAY:** With regard to the \$390 million emergency road fund, has there been any underspend? How will Transport for NSW manage underspend or delays from councils that cannot expend that money due to capacity constraints?

**MATT FULLER:** Under the regional emergency repair fund, all councils have had the full \$390 million deposited to them and they have four years to deliver that program. One of the things that Minister Aitchison was very clear about was the fact that we wanted that program to allow councils to deliver that work at their own pace and to enable them to prioritise those works and, where they needed to, build that capacity to ensure that those works could be carried out. We have a high level of confidence that the funds that have been made available to local government will be able to be invested because they have an enormous amount of flexibility through until October 2027 to undertake the delivery of that funding.

**The Hon. SAM FARRAWAY:** Mr Murray, of the \$334 million regional roads fund, is there a business case required for those projects?

**JOSH MURRAY:** I need to take that on notice.

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**The Hon. SAM FARRAWAY:** Is there the possibility that some local government areas will miss out on funding from that fund?

**JOSH MURRAY:** Again, unless my colleagues can assist on that, we'd have to come back. I can confirm, though, that \$24 million is the current financial year's allocation.

**The CHAIR:** Back to you—eight minutes.

**The Hon. SAM FARRAWAY:** All right. It's like torture for the rest of you, isn't it.

**The CHAIR:** You've got that on the record.

**The Hon. GREG DONNELLY:** No objection.

**The Hon. SAM FARRAWAY:** With regard to that fund, then, Mr Murray, when will the \$97.4 million that's left over in the regional roads fund be reviewed for allocation? Will there be an application process where councils can apply for that funding?

**JOSH MURRAY:** Yes, and, just for the record, it's 97.6. Those projects will be under consideration and be announced in further State budgets.

**The Hon. SAM FARRAWAY:** With regard to that \$97.6 million and the already allocated 236.4, that is done on an application basis. Correct? That funding is not disbursed, or distributed or allocated based on LGA.

**JOSH MURRAY:** My understanding is it's allocated to councils for works on local or regional roads and other funding is allocated to Transport for NSW to conduct that work directly.

**The Hon. SAM FARRAWAY:** It's only for new projects, though, isn't it?

**JOSH MURRAY:** That's my understanding.

**The Hon. SAM FARRAWAY:** I've been told that in many instances it is for roundabouts and intersections; it's not actually for repairs to existing roads or the upgrade of roads. It needs to be a new piece of infrastructure?

**MATT FULLER:** I think what the Government was very clear about in the election commitment was that the regional emergency repair fund would be utilised for asset restoration and ongoing maintenance and the regional road fund is used for efficiency upgrades, productivity upgrades and other upgrades that support either economic uplift, housing, or other propositions in different areas. They were all made as very clear election commitments. There hasn't been an application process to seek funding from that fund. They were prioritised on the basis of commitments the Government took into the election.

**The Hon. SAM FARRAWAY:** With regard to the \$236.4 million that has been allocated, have those allocations been made public?

**MATT FULLER:** Yes.

**JOSH MURRAY:** Yes, they have.

**The Hon. SAM FARRAWAY:** Is there a list on the Transport for NSW website that clearly outlines which projects that \$236.4 million is going towards?

**MATT FULLER:** I would have to check that they are on the website, but they've certainly been made very public. As I said, they were very firm election commitments with a full outline on what projects.

**The Hon. SAM FARRAWAY:** In the event that they are on a website, can you provide on notice the link to where they are?

**MATT FULLER:** Sure.

**The Hon. SAM FARRAWAY:** And if they're not on the website, can you please provide that list to the Committee?

**JOSH MURRAY:** Yes, that's fine. And certainly, in looking at some of the projects that I have here in front of me, it does indicate of course that the policy is for new road projects. Some of those include planning and design works for Gosford bypass, Bulli bypass, Thornton rail bridge, Cuttagee Bridge. So there is a range of new project funding that's gone through that fund.

**The Hon. SAM FARRAWAY:** Waterfall Way—I don't know whether this is to Mr Hayes or Mr Weeks; I'm not sure. What is the current status of the betterment project MR76 Waterfall Way? That project, to my

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knowledge, from memory, is to improve the slope stability and slope stabilisation. Do we have an update on where that project is up to?

**ANTHONY HAYES:** By coincidence I have a very good friend that lives at Thora who asked me exactly the same question earlier in the week. There has been some frustration that there continues to be traffic management, lights et cetera. Again, a very complicated job. If you bear with me for one moment, I will just look at my notes here.

**The Hon. SAM FARRAWAY:** Whilst we are doing that, Mr Murray, regarding road reclassification, \$250 million was quarantined towards the priority round, which would have been expended on transferring a handful of roads in 2022 and possibly 2023, including the Orange Northern Distributor. Can you advise how much of the \$250 million that was quarantined was expended on reclassification and transfer and how much was then left over and not expended out of that priority round?

**JOSH MURRAY:** I will ask Mr Fuller to come in on this question, thank you.

**MATT FULLER:** The Government was very clear during the election, and part of the election commitment was to transfer money from the road reclassification fund and to put that in the hands of local government—i.e. through the regional emergency repair fund. Part of the \$390 million that that fund is—some of that money that was sitting, as you say, quarantined, waiting for works to occur—that's been transferred. I would have to take on notice what we've spent to date in terms of those transfers.

**The Hon. SAM FARRAWAY:** In terms of that answer, Mr Fuller, the 250 was essentially put into the 390 fund, is what you're saying?

**MATT FULLER:** No, the Government was clear on the amount and I will just double-check. I think it was about \$193 million, but I might just take the opportunity to clarify that if we can.

**The Hon. SAM FARRAWAY:** Did all of the \$250 million get transferred into the \$390 million emergency fund? If it was, who foot the bill to transfer the roads that were transferred?

**MATT FULLER:** No, it wasn't all of it, and there was an operational component retained by Transport to consider some of those early transfers.

**The Hon. SAM FARRAWAY:** A road like the Northern Distributor in Orange—the cost associated with transferring that road back to New South Wales, and whatever arrangement you came to with Orange City Council, was taken out of that \$250 million?

**MATT FULLER:** We have an operational component that's been allocated. I believe Ms Hoang might have the details as to what went across into the regional emergency repair fund.

**BRENDA HOANG:** I confirm that \$193 million went into the emergency road repair fund.

**The Hon. SAM FARRAWAY:** So any roads that were transferred—the funding throughout the priority round on those handful of roads—they are paid for, they are done, and that's the end of it?

**MATT FULLER:** I wouldn't say that's the end of it. As you identified earlier, there are works that are required to bring those roads to a standard and that's something that we will operationalise through our standard maintenance budgets but—

**The Hon. SAM FARRAWAY:** That will become an operational business-as-usual activity into the future.

**MATT FULLER:** Indeed.

**The Hon. SAM FARRAWAY:** Mr Murray, have you seen the road reclassification report?

**JOSH MURRAY:** No, I have not.

**The Hon. SAM FARRAWAY:** I suggest you read it; it's good reading. With regard to the Kempsey-Armidale Road, obviously it is being undertaken by Armidale council. But is there still a dedicated Transport for NSW representative helping project-manage that project with council?

**MATT FULLER:** There has been a lot of dedicated resource and effort to assist Armidale council, which has the larger chunk of the natural disaster recovery works, that's correct.

**The Hon. SAM FARRAWAY:** So that person or that resource is still allocated to that project?

**MATT FULLER:** We've had that individual utilised, and his skills a little more broadly—

**The Hon. SAM FARRAWAY:** Andrew, isn't it?

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**MATT FULLER:** Yes—on the Northern Rivers, given the other impacts in the area. But he and others have certainly been supporting council.

**The CHAIR:** Thank you very much. Are there Government questions? Mr Donnelly?

**The Hon. GREG DONNELLY:** Through you, Chair, I have one question to Ms Drover. In answering a question earlier today you said you had instituted some changes on projects following the Coffs Harbour matter. Can you please clarify your answer with respect to the changes you mentioned?

**CAMILLA DROVER:** Yes, thank you. I think it's fair to say there's a range of different initiatives that we have implemented and are implementing across Infrastructure and Place and also across the enterprise Transport for NSW more broadly. There are obviously initiatives that were done in relation to the exact incident and, of course, there was a safety investigation. Out of that came seven actions. I can confirm that all those actions and all the corrective action has been closed out.

There is a program at Transport for NSW called Respect at Transport. It is an enterprise-wide initiative. It was actually rolled out a few days after this matter came to the attention of the project, completely independently of the incident. It was a pre-planned initiative. We are rolling that out right across Transport, particularly in my division, Infrastructure and Place. That program is about bringing to people's attention the need for good behaviours both within Transport and with external stakeholders. It also reinforces the need to report and take action when this occurs. That initiative is being rolled out right across the organisation.

There's also been a community engagement review that has been undertaken both for the Coffs Harbour project but with broader implications for my division. That's also been looking at setting behaviour standards that need to be expected and maintained. It's fair to say that many of these initiatives are in train. Obviously Ms Hicks is not across many of these initiatives because she has been on leave. But I do want to reinforce that we are committed to making changes so that, if this was ever to happen again, we mitigate the impacts and we better manage how we address incidents like this.

Part of that engagement review has also included the fact that when we engage with stakeholders—and we need to recognise that for many of the projects that we do, we are putting our staff in situations that can be emotive. Where that's dealing with community, Indigenous stakeholders or property acquisition matters, we accept that this is often a difficult situation for our staff. As the secretary or someone mentioned earlier today, psychosocial risk is increasing. There is now reporting across Transport for NSW. Along with our normal safety reporting, we also now have psychosocial reporting across the organisation. It's at the divisional level, so each deputy secretary now knows which incidents are occurring within their division and can take action to address the rising.

But there is in place a psychosocial hazard management project. It's something that I initiated and raised with the chief people officer when I became aware of this incident. We had conversations about this prior to *The Australian* article, so it wasn't in response to media. It was something that we realised we needed to do because of the rising risk in society, particularly the impacts on our people at Transport. That project is being developed. It will go right across Transport for NSW but with particular focus in my division where we deliver projects.

I mentioned the community engagement review. One of the things I was particularly concerned about is that we're seeing in other industries statements of respect at the start of interactions with stakeholders. I would like that instituted across Transport for NSW. A thing that I have asked for is also a hold point so that, at the end of any engagement with an external stakeholder, there is a hold point where we check there have been appropriate behaviours displayed through that engagement. Again, there is a hold point and a very deliberate check that if there is any action that has arisen out of that engagement, it is documented and action is taken against that. That is something that we will implement in my division and hopefully more broadly across Transport.

Earlier last year, too, we were looking at various initiatives that address the culture in the construction industry more broadly. This is a conversation that we've been having with the Australian Constructors Association and Consult Australia. We are very, very committed to moving the culture in our industry. We accept it is not satisfactory and has been this way for too long. In that regard, we are implementing what we call a 360 project health tool across all our projects in Infrastructure and Place. Importantly, the Coffs Harbour Bypass was one of the first projects that we trialled the new tool on last year and that continues. We are receiving some really positive benefits from that tool. We use the tool not just to test the health of the project from the client's perspective—Transport for NSW—but we're also doing it with our contractor and the consulting design team on the project. That will be rolled out across all projects in Infrastructure and Place. We have trialled it, though, on a number of megaprojects already and that was in 2023.

The other thing that we've been doing in the last year is working with the culture taskforce, which is an initiative, again, that we're doing with industry. We're trialling that new pilot on one of our road projects in Sydney.

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It's one of a few first trials of that new culture standard across Australia. I want to reiterate that there are many things we are doing to address this incident. We appreciate, acknowledge and accept the many failings in the way the matter was dealt with, but I give a commitment to Rochelle that we will fix the problem.

**The Hon. GREG DONNELLY:** Thank you for your very thorough and detailed answer, Ms Drover.

**The CHAIR:** Thank you very much for appearing today. As usual, the secretariat will be in touch in terms of any questions you've taken on notice and any supplementary questions from members. Thanks again. That's the end of our hearing today.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**