

GENERAL PURPOSE STANDING COMMITTEE NO. 4

Monday 24 November 2003

Examination of proposed expenditure for the portfolio areas

ROADS AND HOUSING

The Committee met at 3.00 p.m.

MEMBERS

The Hon. J. A. Gardiner (Chair)

The Hon. J. C. Burnswoods
The Hon. K. F. Griffin
The Hon. D. Clarke

The Hon. D. E. Oldfield
Ms L. Rhiannon

PRESENT

Roads and Traffic Authority

Mr P. Forward, *Chief Executive*

Mr M. Hannon, *Director, Road Networking Infrastructure*

Mr B. Skinner, *Director of Finance*

Department of Housing

Mr T. Barnes, *Director General*

Ms M. Jacobson, *Executive Director*

Ms C. Mills, *Executive Director*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

**Budget Estimates
General Purpose Standing Committee Secretariat
Parliament House
Macquarie Street
SYDNEY NSW 2000**

CHAIR: I declare this meeting open to the public. The resolution of the Houses does not prescribe procedures for the following matters, but the Committee has determined that the allocation of questions will be left in the hands of the Chair. At the end of this hearing the Committee will have a deliberative meeting to decide on a timetable for the return of questions taken on notice.

I welcome our witnesses to the second supplementary estimates hearing of General Purpose Standing Committee No. 4. I thank the departmental officers for attending this afternoon. At this meeting the Committee will examine the proposed expenditure for the portfolio areas of Housing and Roads. Mr Forward has indicated it would be appreciated if we could deal with the Roads portfolio first. The Committee is happy to oblige. In relation to the broadcasting of proceedings, part 4 of the resolution referring the budget estimates to the Committee requires evidence to be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines for broadcasting are available from the attendants.

In accordance with the Legislative Council's guidelines for the broadcast of proceedings, only members of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. With respect to delivery of messages, there is no provision for members to refer directly to their own staff while at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee clerks.

For the benefit of members and Hansard, if departmental officers could identify themselves by name, position and department or agency before answering any questions asked of them, that would be helpful. When a member is seeking information in relation to a particular aspect of the program or subprogram, it can help if the program or subprogram is identified. The Committee has previously determined that the allocation of questions will be left in the hands of the Chair. I declare the proposed expenditure areas open for examination, starting with the Roads portfolio.

The Hon. DAVID CLARKE: Mr Forward, I gave notice of some of the questions I would be asking you. Did you receive the letter setting out those questions?

Mr FORWARD: I received a letter on Friday that outlined those questions.

CHAIR: Mr Clarke, I remind you that some members of the Committee might not have seen those. Will you not assume that the Committee has seen them?

The Hon. DAVID CLARKE: I am going to read some of them out now. Mr Forward, could you name all the consultants the Roads and Traffic Authority [RTA] used in 2002-03, including those whose consultancy was worth less than \$30,000?

Mr FORWARD: You probably appreciate that the RTA is a very large organisation with a budget in excess of \$2.6 billion. We list consultancies we use in our annual report. The current annual report is for the previous year. I suggest, if you are interested in a particular question, it is outlined in our annual report. The most recent annual report, for 2002-03, has not been tabled in Parliament yet but shortly will be.

The Hon. DAVID CLARKE: As it has not been tabled, could you give us that information now?

Mr FORWARD: I do not have it with me but it is only a short time before the annual report will be tabled and it will contain details of the consultants we used in the RTA.

The Hon. DAVID CLARKE: It is just that I was anxious to get that information. That is why I included that question in the list of questions I sent to you.

Mr FORWARD: The previous annual report, for 2001-02, is currently available.

The Hon. DAVID CLARKE: Yes, but I was asking about 2002-03.

Mr FORWARD: I understand that. It is not far off being tabled.

The Hon. DAVID CLARKE: It is a year's difference. So, you do not have that list there?

Mr FORWARD: No.

The Hon. DAVID CLARKE: Will that list that you say will appear in the annual report also include consultancies worth less than \$30,000?

Mr FORWARD: Normally we report over \$30,000, but I am happy to take that question on notice.

The Hon. DAVID CLARKE: I have given notice of that in the letter, because I referred to consultancies worth less than \$30,000. I wondered whether you had that information.

Mr FORWARD: No. Given that I received your letter only on Friday and only got to it in the middle of the day, there are a lot of detailed questions here. We will respond to that letter.

The Hon. JAN BURNSWOODS: Again to make the point I made earlier, technically there is no obligation on Mr Forward or anyone else to respond to that letter. If those questions become questions on notice, they become so by the decision of this Committee, which I presume will be done in our deliberative meeting due at the end of this hearing. That is fine, but it has caused a certain amount of confusion. People have referred to these, as Mr Clarke did himself, as indicative questions, so they are meant to be a help in preparing material that members of the Committee are interested in. But there is no obligation on the witnesses to provide that information at this stage.

The Hon. DAVID CLARKE: Thank you for your assistance.

The Hon. JAN BURNSWOODS: It is a pleasure.

CHAIR: Mr Forward, you have agreed to provide on notice a list of the consultants?

Mr FORWARD: If that is a question on notice, I am happy to respond to it.

The Hon. DAVID CLARKE: In the information you will provide regarding the consultants can you also indicate how much they were paid and what was their purpose as consultants? I ask you also: before the Roads and Traffic Authority [RTA] engages a consultant, do you prepare a projection of the costs for that consultancy?

Mr FORWARD: It depends on the job itself. Normally we would have an understanding within the organisation of what it is likely to cost, but sometimes a consultant is employed on a daily rate to do a particular job, and it might be something that is a bit indeterminate in terms of what the ultimate end fee is. But clearly there is an understanding internally of what it is likely to cost the organisation. We do not often tell the consultancy that.

The Hon. DAVID CLARKE: Did any consultancy exceed its projected cost?

Mr FORWARD: I will take that on notice.

The Hon. DAVID CLARKE: If it did exceed the projected costs, can you detail how much it exceeded projections, and why it exceeded those projections?

Mr FORWARD: Yes.

The Hon. DAVID CLARKE: I hope you will not have to take my next question on notice. What measurements or reporting systems does the RTA have to ensure that consultants deliver within the specifications of the brief?

Mr FORWARD: There is always a manager who is accountable for managing the consultancy. The brief is watched closely in terms of that happening. We have terminated consultancies in the past where we felt that they were not delivering on the particular brief. In that case they have not been paid the full amount at which they were initially engaged. That does not happen all that often, but it has happened and I have terminated a consultancy in the past.

The Hon. DAVID CLARKE: In 2002-03 how many consultancy agreements had variations during the consultancy, both in dollar terms and in terms of deliverables?

Mr FORWARD: Once again, I will take that on notice.

The Hon. DAVID CLARKE: Are you able to indicate the names of all contractors that the RTA used in 2002-03?

Mr FORWARD: I will take that on notice.

The Hon. DAVID CLARKE: Will you also be able to indicate how much they were paid, and what was their purpose?

Mr FORWARD: Can I just say that this is a huge exercise. Given that we do a large proportion of our work by contractors, a project like the Taree bypass and the Yelgun to Chinderah bypass will employ many contractors and subcontractors, and this is going to take many, many weeks of work—perhaps even months of work. If that is what you are trying to get to, given the size of our construction budget and our maintenance budget, a large proportion of the work is done by contractors.

The Hon. DAVID CLARKE: Before the RTA engages a contractor do you prepare a projected cost of the contract?

Mr FORWARD: Internally we certainly do.

The Hon. DAVID CLARKE: So far as you are aware, did any contractor exceed its projected cost?

Mr FORWARD: I will take that on notice, but just be aware that some contractors are employed on a quantity basis. There is a variety of ways to employ a contractor.

The Hon. DAVID CLARKE: How much was spent by the RTA on media monitoring from Reham Australia Monitoring Services as outlined in the Premier's Department circular 2002?

Mr FORWARD: I will take that on notice.

The Hon. DAVID CLARKE: Will you also be able to indicate how much was spent by the RTA on media monitoring other than from Reham Australia Monitoring Services?

Mr FORWARD: I will take that on notice.

Ms LEE RHIANNON: On what issues does NSW Health ask you, as the RTA's chief executive, to write responses to parliamentary questions on health-related matters?

Mr FORWARD: I am not aware of any issues from NSW Health where we have written responses. It is not my responsibility to write responses. Is that what you are asking?

Ms LEE RHIANNON: Yes, that is what I was asking: When do you, as chief executive of the RTA, write responses to parliamentary questions on health-related matters? I will go straight to it. I have a document, MO3 51 10, from the chief executive to the Minister for Roads. It relates to a question upon notice, No. 115, asked by Ms Sylvia Hale of the Minister for Health. There are two parts to this document, one which appeared in *Hansard*, which the members could look at. The earlier part of the document is a response that has come from you—your name appears on the front of it as

Chief Executive—and concerns questions that were addressed to the Minister for Health about the M5 East tunnel pollution.

Mr FORWARD: I can only assume that was a question that referred to RTA matters that the Minister would have asked for a response to. Are you sure it was not referred to the Minister for Roads to answer?

Ms LEE RHIANNON: No, it was clearly the Minister for Health, and it is very detailed.

Mr FORWARD: Well—

Ms LEE RHIANNON: You appear to be surprised, and I was surprised also. Considering that NSW Health is a department with health expertise and your expertise lies with roads, and considering the number of parliamentary inquiries that have provided a wealth of material on the health consequences of this tunnel, what was the purpose of you, on behalf of the RTA, answering parliamentary questions on health matters? Do you want to look at the document?

Mr FORWARD: It might help, yes. I think it is debatable whether these are health issues. These are matters that have been referred to the RTA relating to RTA assets that we manage, so it is not a health report as such. It is actually reporting on the performance of RTA assets, so it is an RTA issue.

Ms LEE RHIANNON: But the Minister for Health answered that. They are very strict in this place. Ministers do not answer a question if they do not believe it comes under their administration. You have clearly given advice on how the Minister for Health should answer questions.

Mr FORWARD: No.

Ms LEE RHIANNON: You do not agree with that?

Mr FORWARD: No, I do not. The way the Minister for Health answers is clearly up to the Minister for Health. However, if there are questions about the performance of RTA assets, it is logical that the Minister for Health might want an RTA view on that. Whether he answers or uses that question is entirely up to the Minister for Health. As you say, I think, in the earlier introduction, there were some aspects of that that he did not even use.

Ms LEE RHIANNON: I will come back to that shortly. Continuing with the response to questions, you said in the first round of estimates hearings in answer to a question from Ms Sylvia Hale that "the tunnel is not unsafe to use". Does that mean you agree that the tunnel is safe to use?

Mr FORWARD: That is correct.

Ms LEE RHIANNON: So do you believe it is safe under all circumstances?

Mr FORWARD: Well, this is a—

Ms LEE RHIANNON: You have just said that it is safe to use, so I am asking you to expand on that, because you are aware of the controversy around the issue of emissions within the tunnel. So you are saying that it is safe to use at all times?

Mr FORWARD: If there is congestion in the tunnel we advise motorists to divert from the tunnel. If in fact there has been an incident in the tunnel we actually stop motorists from using the tunnel. We make a judgment call if there is a risk to the users of the tunnel because of an incident or accident in the tunnel—even a fire on one occasion in the tunnel. We will not allow people to enter the tunnel. That will happen from time to time. It is a judgment call on behalf of the operators of the tunnel.

Ms LEE RHIANNON: I am sure you would agree that we cannot be sure whether these incidents will occur. You said in the response that you just gave that a call is taken and warnings are

given if it is determined that it is not appropriate to use the tunnel. Considering that we do not know when incidents will occur and that the incidents are of varying degrees, from a fire down to some degree of pollution of the tunnel, do you think that motorists should be warned that there is a tunnel up ahead and that they should close their windows and vents coming into that tunnel?

Mr FORWARD: I think most motorists are clear that there is a tunnel ahead; we would not need to warn them about that. Clearly there is an indication of when they can leave the motorway if they need to. If you are referring to the report by the Department of Health, it is pretty clear that it states:

In summary, we have demonstrated that, for a range of transits with the cabin closed during peak hour through the M5 East tunnel, motorists are unlikely to encounter air pollution that would lead to acute health impacts.

That is the summary document from the Department of Health. I do not support your suggestion that there is a problem there, nor does this report from the Department of Health.

Ms LEE RHIANNON: Are you aware that it has been suggested that a sign be erected, saying "Tunnel ahead. Close windows and vents"?

Mr FORWARD: If there is a delay in the tunnel we warn motorists about that.

Ms LEE RHIANNON: Are you aware of the suggestion from NSW Health that signs should be erected?

Mr FORWARD: That was a suggestion.

Ms LEE RHIANNON: I saw it as a recommendation, from the information that was issued. It was referred to as "Action". The meeting notes of 28 February state, at page 3:

Action: The group confirmed that a community education program should be considered as a response.

Mr FORWARD: "Considered".

Ms LEE RHIANNON: Yes, considered; so, no action?

Mr FORWARD: As I said, we advise motorists if there is a delay in the tunnel and ask them to turn off from the corridor, to take alternative traffic routes. They are advised, from that point of view.

Ms LEE RHIANNON: To approach it another way, a briefing document headed "M5 East NSW Health In-tunnel Air Quality Report", consisting of four pages, was prepared for the last estimates hearing at which you were asked similar questions and gave answers similar to those you are giving today. At that time my Greens colleague had not seen this document. In the background section it states:

At a meeting on 28 February 2002 with the EPA, DIPNR and RTA, NSW Health proposed that all motorists be advised to close their windows in tunnels.

It was suggested to me that you prepared that document. Would that be the case?

Mr FORWARD: I am not aware of the document, but I have a problem with your dates. The health report study came out in July 2003. From the date you have quoted that is before the study was undertaken. The study came to a conclusion, which I will read again. It states:

In summary we have demonstrated—

that is the Department of Health—

that for a range of transits with the cabin open or closed during peak hour through the M5 East Tunnel, motorists are unlikely to encounter air pollution that would lead to acute health impacts.

I can only assume that that report came after the meeting that you are talking about.

Ms LEE RHIANNON: From those dates, it is certainly clear that it did. I am not providing the dates, I am reading from an RTA briefing document which is headed "Question Time Brief. M5 East NSW Health In-tunnel Air Quality Report". It was one of the RTA documents that were supplied to members of Parliament in the recent release of documents. It is very clearly headed, "NSW Health propose". We are not asking you to consider a response. In your briefing document you are saying that it is proposed, and then it states:

While the meeting agreed that such advice should be based on formal investigations, internal NSW Health records of that meeting as disclosed to the Legislative Council in June 2002 are assumed to be the basis for allegations that the RTA refused a NSW Health request to erect warning signs for motorists.

That would appear to be a very clear briefing to the Minister, and probably to yourself if you did not write it, on how to handle this issue. It is very real; there has been a request in the document to erect these signs.

Mr FORWARD: The report was produced by NSW Health after a study was tabled in July 2003. After a very detailed study they came to the conclusion that whether windows were up or down "... are unlikely to encounter air pollution that would lead to acute health impacts". That is the more relevant, up-to-date report that has been undertaken by Health. It is after the document you referred to.

Ms LEE RHIANNON: As we all know, there are many documents. Some other documents acknowledge that emergency workers have gone into the tunnel to work on incidents and people who have been studying pollution in the tunnel have felt sick. Do you acknowledge that that has been reported? The tunnel is very variable, is it not? At the moment people are not being given that information.

Mr FORWARD: I am unaware of people being sick in the tunnel.

Ms LEE RHIANNON: You are still unaware of that?

Mr FORWARD: I have seen no evidence to that effect.

Ms LEE RHIANNON: I will come back to that and give you some quotations. I turn now to advice that the RTA has received from NSW Health. At the estimates hearing on 4 September Ms Sylvia Hale questioned you about advice given by NSW Health to the RTA, and you stated then that you had not received that report. Do you stick by that answer?

Mr FORWARD: Sorry, what report have I not received?

Ms LEE RHIANNON: The report dated February 2002. At the last hearing you said that you had not received the report.

Mr FORWARD: I do not want to be difficult, but I am unaware of the report I had not received, to which you refer. What is the report?

Ms LEE RHIANNON: A report dated 2002, a recommendation from NSW Health. I am pursuing this because it makes up such a large part of the briefing note that the Minister, and I presume you, had at the last hearing. This is your briefing note and it is clearly tagged.

Mr FORWARD: Can I suggest, so we do not occupy too much time with this, that you are asking me a lot of questions about a lot of detail. I do not have the document in front of me. If you were to provide the documents I would take all these questions on notice and provide a written response.

Ms LEE RHIANNON: All right, I will leave it at that, and come back to them.

CHAIR: Do Government members have any questions?

The Hon. JAN BURNSWOODS: Not at this stage.

CHAIR: Mr Forward, I will continue with questions about the tunnel. Is it correct that the RTA has approved the installation of systems for a camera to monitor emissions from individual vehicles in an attempt to reduce the smoke pollution in the M5 tunnel, and that it will cost about \$800,000 over three years?

Mr FORWARD: I will correct the member's understanding of that. We are doing a trial to detect smoky vehicles. We have vehicle inspectors employed on the network that report smoky vehicles to the Environment Protection Authority. The vehicles have to satisfy a 10-second test for smoke. A way to make that more efficient is to trial camera technology that tracks smoky vehicles. Members are probably aware that the vehicles most likely to cause that problem are poorly maintained diesel vehicles. This is a way to introduce a new technology to monitor polluting diesel vehicles. The M5 East corridor, because it links to the port, is an area in which we can capture some vehicles that cause this problem. It is a trial to establish whether this is a way to capture them that could be applied to other parts of the network.

CHAIR: What is the slope of the tunnel at that point?

Mr FORWARD: It is 6 per cent to 7 per cent.

CHAIR: Is the monitoring trial anticipated to raise any revenue for the Government?

Mr FORWARD: The Government has not yet made a decision on that. If it is implemented, it could require legislation. It is purely a trial at present and we are not imposing any fines at this stage.

CHAIR: Will the monitoring system be used for any enforcement or fining purposes?

Mr FORWARD: Not in the trial.

CHAIR: Would it require legislation if you decided to go ahead?

Mr FORWARD: Possibly, depending on how we use the technology. As I said, it is early days and the Government still has not made a decision on the use of this technology.

CHAIR: Could the monitoring measures serve to encourage drivers of trucks and diesel vehicles to avoid using the tunnel, thereby putting them back on local streets? Have you factored that in?

Mr FORWARD: That would need to be a consideration. It is only a short time since the technology was developed.

CHAIR: Can you tell the committee what, if any, cost-benefit analysis was undertaken prior to the introduction of the monitoring system?

Mr FORWARD: It is purely a trial. We need more information to undertake a cost-benefit analysis. I repeat: it is early days and this is a trial to work out the effectiveness of the technology and whether there are any potential glitches. We are looking at its performance.

CHAIR: Has there been any community consultation or consultation with trucking and diesel vehicle representative groups?

Mr FORWARD: Once again, it is early days. Before we introduce something like this a degree of consultation has to happen. There is no point talking to a variety of industry and community groups if the technology does not work. I have yet to see a report on the technology and its performance. So it is very early days in that regard.

CHAIR: How long will the trial last?

Mr FORWARD: I am not sure of the extent of the trial. It depends on the results we get.

CHAIR: Could it be indefinite?

Mr FORWARD: No. We will make a decision with regard to the overall effectiveness of the technology and whether it should be changed or updated or whatever must be done to modify it to ensure its overall effectiveness.

CHAIR: Will it be in place for a year or six months?

Mr FORWARD: I do not want make a prediction at present.

CHAIR: I refer to a major 15-vehicle accident in the M5 tunnel on 20 February 2003. Are you aware that the Minister, Mr Scully, was informed by a magistrate investigating that accident that the M5 East tunnel has the potential to create a major disaster?

Mr FORWARD: Can you elaborate?

CHAIR: Are you aware that Mr Scully was informed by letter from a magistrate investigating the accident that the M5 East tunnel had the potential to create a major traffic disaster?

Mr FORWARD: The tunnel has some of the most sophisticated monitoring equipment in any tunnel. It has the most advanced deluge system. If there is a fire—and there have been one or two—it can be put out in a matter of seconds. The New South Wales Fire Brigades was very impressed recently when a car caught alight and the deluge system was triggered by an operator in the control centre and the fire was put out almost immediately. From that point of view, the technology is very sophisticated in stopping any major disaster in the tunnel.

CHAIR: Is it a matter of concern that the magistrate informed the Minister that the driver of the 42.5-tonne truck involved was unable to stop in the 150-metre space he had because he was travelling at the speed limit of 80 kilometres an hour and there were no warning signs on that day about congested traffic?

Mr FORWARD: I will take that question on notice. I recall the incident, but I do not recall the details of what the heavy vehicle driver was doing. I understand that the driver was in the main tunnel and another driver came in from Marsh Street. Although the heavy vehicle was not exceeding the speed limit, the driver of the vehicle that caused the accident was doing something he should not have been doing. I do not think in this case we can blame the heavy vehicle driver. It was more complicated than that. I am happy to take that question on notice because it is a complicated incident and I do not want to mislead the Committee.

CHAIR: Are you aware of the response from the Minister to the magistrate and, if so, what it was?

Mr FORWARD: No, I am not.

The Hon. DAVID CLARKE: I refer again to the Lane Cove tunnel. Did you receive advice from Lisa Corbyn from the Environment Protection Authority [EPA] in a letter of 11 July 2002 that the EPA estimated a cancer risk three times greater than one times ten to the power of six for residents exposed to emissions from the western stack of the Lane Cove tunnel?

Mr FORWARD: I will take that question on notice.

The Hon. DAVID CLARKE: Are you aware that Nick Agapides of the EPA predicted a cancer risk for those at elevated receptors near the west stack of the Lane Cove tunnel 10 times higher?

Mr FORWARD: I will take that question on notice. It is a technical question.

The Hon. DAVID CLARKE: Do either of those comments ring a bell?

Mr FORWARD: I get a lot of correspondence, but I do not recall that letter.

The Hon. DAVID CLARKE: Are you aware that Lisa Corbyn alleged that the Roads and Traffic Authority submitted the Lane Cove tunnel representations report to PlanningNSW without resolving outstanding issues with the EPA?

Mr FORWARD: Do you have that correspondence with you?

The Hon. DAVID CLARKE: Are you aware of her allegations?

Mr FORWARD: We have very close communications with the EPA and she has not raised that with me.

The Hon. DAVID CLARKE: So that allegation is not true.

Mr FORWARD: I am not aware of it.

The Hon. DAVID CLARKE: When the representations report was submitted by the RTA to PlanningNSW—it is suggested that no copy was sent to the EPA—had the air quality issues been assessed rigorously and transparently?

Mr FORWARD: I understand they were.

The Hon. DAVID CLARKE: Do you consider that the operational condition of the tunnel could present an immediate risk to health or public safety?

Mr FORWARD: I do not believe so.

The Hon. DAVID CLARKE: Are you satisfied with that beyond reasonable doubt?

Mr FORWARD: Correct.

Ms LEE RHIANNON: I imagine that you are well acquainted with condition 70 for the M5 East project. It states that the tunnel ventilation systems must be designed and operate to the World Health Organisation five-minute carbon monoxide goal of 87 parts per million; that is, that must not be exceeded under any condition. Would you like to comment on that? How does that work in practice?

Mr FORWARD: As that matter is currently under legal action by the Environmental Defender's Office I will take that question on notice.

Ms LEE RHIANNON: It is obviously a condition under which you would be working all the time as you are managing this project. I am sure you are aware of all these conditions. There has been a shift to widening the definition of this condition so that a victim needs to be exposed for more than 15 minutes, if there is a victim. Does condition 70 apply only if a person is involved? Is that how it operates?

Mr FORWARD: It is my understanding that an exposure level is required. As I said earlier, this is the subject of detailed legal action by the Environmental Defender's Office. A number of other matters are also subject to legal action. I will take all those questions on notice.

Ms LEE RHIANNON: This is an ongoing matter and we are not party to that case. I took it from what you just said when you used the word "exposure" that you meant a human being had been exposed. That is how you are defining this condition.

Mr FORWARD: As the matter is subject to legal action I will take that question on notice.

Ms LEE RHIANNON: Is it common practice for the Roads and Traffic Authority [RTA] to redraft reports written by other agencies and independent experts?

Mr FORWARD: We do not redraft reports.

Ms LEE RHIANNON: I will give you copies of the two reports that are in my possession. The first is entitled "Brief, NSW Health, Public Health Division, Health Protection/Environmental Health Branch, Subject: Release of M5 East tunnel air quality monitoring report." NSW Health is obviously a government agency. The other report that I have is from a consultancy—Hibbs and Associates Pty Ltd—and is entitled "Final Report for Study of Atmospheric Contaminants, Sydney M5East Tunnels". I want to ask you some questions about those documents as they contain a considerable number of computer tracking changes and handwritten comments. I referred earlier to exposure. On page 17 of the Hibbs document there is the comment "No. No people, therefore no exposure." Would you like to comment on that?

Mr FORWARD: I cannot make any comment on that. I have no idea who wrote that.

Ms LEE RHIANNON: The RTA supplied those documents to the Parliament. Therefore, they are RTA and M5 East documents. As you are responsible for the overall project I was addressing my questions to you.

Mr FORWARD: I do not know where these documents came from. I do not whether it was from NSW Health or the RTA.

Ms LEE RHIANNON: The changes to the Hibbs document are considerable, which is why I commenced my questions by asking about the changes that had been made. On page 13 the word "exceeded" is changed in six instances to "there was potential for", or "may have been", or "possible if personnel were present". Are you able to throw any light on that?

Mr FORWARD: We do not change documents from other agencies. They are responsible for their own documents.

Ms LEE RHIANNON: So you had no part in changing those documents?

Mr FORWARD: I am not aware of it. In fact, it is highly unlikely that organisations change another department's document.

Ms LEE RHIANNON: We are not just talking about departments. What we have here is a report from a consultant that has been changed by a government department. You obviously do not know what all the people under you are doing. Are there other people who would have responsibility for this?

Mr FORWARD: All I can say is that the Department of Health is accountable and responsible for its own documents. It is the body that delivers those documents. There may well be discussions at officer level on certain issues, but at the end of the day it is clearly up to the department to own its document and to be accountable for what is in it.

Ms LEE RHIANNON: To what degree do you oversee the work of Phil Gallagher?

Mr FORWARD: He is an officer in our organisation some levels below me.

Ms LEE RHIANNON: I understand that he was the person who made these changes. Would he report to you about those changes, or is it something for which he takes responsibility?

Mr FORWARD: The directors of the RTA report to me. He is below director level. He does not report to me. I have no idea. You say he changed those documents. I find it a bit odd that a junior officer of the RTA would change a NSW Health document.

Ms LEE RHIANNON: I am not just talking about a NSW Health document; I am also talking about the document from Hibbs and Associates. These documents came to the Parliament when we requested documents from the RTA.

Mr FORWARD: The final document clearly is not an RTA document. I find that preposterous.

Ms LEE RHIANNON: It has become an RTA document because it has changes on it that were made by an RTA person.

Mr FORWARD: It is only an RTA document because it was tabled in the House from a variety of documents. It does not mean that the RTA owns the document. It just happened to be in the collection of the RTA at the time. It is not an RTA document.

Ms LEE RHIANNON: Once it has changes on it—

Mr FORWARD: No.

Ms LEE RHIANNON: We could get finicky about it.

Mr FORWARD: It is not an RTA document. It happened to be in our collection. If you want to be pedantic about it: it was in our collection of documents. But as to who is responsible for that document, it is not an RTA document.

Ms LEE RHIANNON: I refer again to Mr Gallagher's role in this. To whom would Mr Gallagher answer? I understand that you said he is not answerable to you.

Mr FORWARD: Not directly. He does not report directly to me. That was the question.

Ms LEE RHIANNON: I am trying to find out the chain of command. A considerable number of changes have been made to this document that I believe change the intent of the original document. I am trying to ascertain the chain of command between Mr Gallagher and you.

Mr FORWARD: I have not seen the original document. When you say "the original document", it is ultimately what is in the final document.

Ms LEE RHIANNON: Yes. The word "exceedences" has been changed time and again to "create the potential for exceeding", which is quite different.

Mr FORWARD: You are asking detailed and specific questions about minute words. I am happy to take your question on notice if you provide those documents to us.

Ms LEE RHIANNON: I will come back to that. Madman chair, can I place questions on notice in a written form before the Committee concludes at 5.00 o'clock?

CHAIR: Yes, provided you have already asked those questions at the hearing.

Ms LEE RHIANNON: So I have to ask all questions before we conclude at 5.00 o'clock?

CHAIR: Yes, or else you could place them on notice. Mr Forward, what are the arrangements between the RTA and New South Wales Police highway patrols? I refer, in particular, to any funding.

Mr FORWARD: There are many levels of involvement between the RTA and the police. The police provide a base level of enforcement for our highways relating to traffic, incident management and those sorts of issues. From time to time the RTA engages the police to carry out enforcement above the base level. That might be over Christmas, over Easter, and at particular times of the year. As a result, we pay the police a fee for carrying out those duties.

CHAIR: Is there a protocol in relation to that arrangement?

Mr FORWARD: Yes.

CHAIR: Is it available? Could you provide the Committee with a copy of that protocol?

Mr FORWARD: I could provide some responses to that, yes.

CHAIR: How is the proposed funding to be determined, or is that included in the protocol arrangements?

Mr FORWARD: That is part of the arrangement between the police and us.

CHAIR: Would you inform the Committee what the highway patrol strength is in 2003?

Mr FORWARD: That is a matter for New South Wales Police.

CHAIR: Do you know how many police patrols are based on the Pacific Highway under the Night Safe Program?

Mr FORWARD: I will take that on notice, but I think it is more a matter for New South Wales Police than for us.

CHAIR: Would you also advise the Committee on notice of the sections of the Pacific Highway that are patrolled within the Night Safe Program?

Mr FORWARD: Yes.

CHAIR: With regard to the costing of various projects, would you advise the Committee whether the north-west transit link and the north-west transitway network are one and the same project?

Mr FORWARD: My understanding is that they are. There are two parts to the north-west transitway: from Parramatta to Rouse Hill, and from Blacktown to Rouse Hill. There is also a longer-term link that goes across to Castle Hill. I think that is perhaps what you are referring to. The main focus at this point is from Parramatta to Rouse Hill, and at a later date the link to Castle Hill.

CHAIR: The budget papers show that the estimated cost has increased from \$380 million to \$482 million. Can you tell the Committee why that estimated cost has blown out to such an extent?

Mr FORWARD: I will take that on notice.

CHAIR: Can you tell the Committee why the Bonville by-pass is still in the planning stages after four years?

Mr FORWARD: I will give you a more detailed response on notice. Bonville is subject to some extensive environmental monitoring with regard to various koala habitats and a variety of other flora and fauna issues. It has been subject to extensive community consultation, so that the route through this area can be agreed and also so that it does not interfere with the sugar gliders in that area. There has been tracking of those sugar gliders to ensure they can move in an east to west direction across the Bonville deviation. Extensive environmental monitoring work has been undertaken to ensure that these squirrel gliders can find the right pathway through there. Quite extensive environmental work has to be put in place to ensure that we effectively manage that issue.

CHAIR: Is it correct that the Roads and Traffic Authority [RTA] is currently involved in assessing an alternative location for the cross-city tunnel exhaust stack?

Mr FORWARD: One of the conditions of approval for the cross-city tunnel is that we were to investigate, together with the Sydney Harbour Foreshore Authority, the possibility of a stack in either an existing building or a new building. We have been discussing that with the Sydney Harbour Foreshore Authority. At this stage no decision has been made, and it is currently an issue that the Government is yet to make a decision on.

CHAIR: If the decision were made to proceed along those lines, would that mean locating the stack in a new, yet-to-be-designed building?

Mr FORWARD: That is a hypothetical question. That is one option we were asked to consider, and it is one of a number of options.

CHAIR: Would one of those options be a further increase in the height of the stack, to 80 metres?

Mr FORWARD: There are a number of options. That is a possibility. As I said, at this point no decision has been made.

CHAIR: Do you have a timetable for the decision-making process?

Mr FORWARD: That would need to be made in the next few months.

CHAIR: Has there been any examination of the possible financial costs of such relocation?

Mr FORWARD: That is part of a broader decision for Government.

CHAIR: But has there been any estimate?

Mr FORWARD: It is an ongoing process. Given that no decision has been made yet, it would be part of the information that Government would expect to have before it can make that sort of decision.

CHAIR: The current total approval requires that the tunnel be completed at no cost to the Government. Can that condition be met if the Sydney Harbour Foreshore Authority bears the expense?

Mr FORWARD: There are a variety of ways in which it could be funded. As I said, they are hypothetical issues because at this point no decision has been made by the Government on that.

CHAIR: Do you have an estimate of future traffic growth from the northern beaches peninsula into the Sydney road network on the north-south access and also the east-west access?

Mr FORWARD: I will take that question on notice.

CHAIR: Can you advise the Committee how much revenue was generated by speed cameras across New South Wales in 2002-03?

Mr FORWARD: Speed camera revenue is managed by Treasury. I suggest you refer that matter to the Treasurer.

CHAIR: Can you advise the Committee why a speed camera was put in the M5 East tunnel even though it has not been declared a black spot?

Mr FORWARD: It is a matter of government policy that all tunnels have speed cameras in them. Tunnels are very difficult locations for stationary patrol cars with a fixed speed gun, and therefore it is logical that all tunnels have speed cameras in them.

CHAIR: How many speed cameras are there in Sydney?

Mr FORWARD: I am not quite sure of the number in Sydney, but there are 111 speed cameras in New South Wales.

CHAIR: Perhaps on notice you might be able to apportion the figure between metropolitan and regional areas.

Mr FORWARD: I am happy to do that. I think the figures are listed on the RTA web site, and I am happy to give you that information.

CHAIR: Can you tell the Committee how much revenue was raised by speed cameras outside schools in New South Wales?

Mr FORWARD: Once again, it is a matter for Treasury.

The Hon. DAVID OLDFIELD: I refer to the clogging of the Harbour Bridge, particularly the Cahill Expressway, by taxis. Have you given consideration to how that matter might be addressed?

Mr FORWARD: We are raising that issue with the Taxi Council, and our colleagues in the Ministry of Transport are currently in discussions with the Taxi Council to see what we need to do to encourage taxis to have an electronic tag in their vehicles. As I think you are alluding to, we know that taxis use the toll as a bank, to get change from \$100 or \$50 notes. That matter is being raised with the Taxi Council and we are hopeful that we will get some progress. The cross-city tunnel will be an E-tag only lane, so it will be essential for taxis to have tags.

The Hon. DAVID OLDFIELD: There is a problem, particularly on the Cahill Expressway, caused by taxis getting in the taxi-and-bus-only lane and going backwards and forwards from that lane as they decide they want to get to, as you say, the bank. The clogging of vehicles on the Cahill Expressway is inconceivable. One would think that 40 per cent of the cars in Sydney are taxis—which, of course, is not even vaguely possible.

Mr FORWARD: It is very annoying, I agree. As I said, we are bringing that to the attention of the Taxi Council on behalf of other users of that road. If taxis were to have an E-tag, the flow would improve considerably and they would not cause such congestion for other motorists.

The Hon. DAVID OLDFIELD: Is a taxi-and-bus-only lane E-tag only or is it for E-tag and no change?

Mr FORWARD: One lane is E-tag only and another lane that you must get across into is both E-tag and a no-change lane. You can use cash through that lane. There is a lane for public vehicles that is both E-tag only and an automatic lane. However, most taxis try to get out of that lane and move across to the other lane, which is a cash lane. It is the merging—to which I think you are referring—that creates the problem.

The Hon. DAVID OLDFIELD: The taxi drivers merge to get to that lane, they merge for the toll and then they merge to get back to the lane again. They merge three times in the space of about 150 metres. Sometimes as many as 30 per cent or 40 per cent of the cars in that 150 metres are taxis.

Mr FORWARD: If we add one minute to each of those movements we can see that it adds considerably to congestion on the Cahill Expressway.

Ms LEE RHIANNON: Mr Forward, I return you to the suggestion by NSW Health regarding the erection of signs at the entrance to the M5 East tunnel. I have received emails from Michael Najem, Phil Margison and Phil Gallagher that discuss the issue of informing people and liability. One email says:

Perhaps we are more likely to be held liable if we don't give precautionary advice.

I read that quote to give you an idea of the liability issue. Signs have still not been erected despite the recommendation by NSW Health. Is that because of liability concerns?

Mr FORWARD: No, there is a variety of ways of informing motorists. In fact, this Committee and the press play a major role in informing motorists. Other ways of doing that are through leaflets or variable message signs. There is a variety of techniques for giving motorists any information. A sign is one way of doing it—we would obviously have to consider how to word such a sign. Variable message signs could also be used. There is a lot of ways of informing motorists about all sorts of matters.

Ms LEE RHIANNON: Can I assume from your statement that you agree that motorists should be informed?

Mr FORWARD: No, I am not saying that at all. I am simply saying that there is a variety of ways of informing motorists of a variety of issues from time to time. All sorts of messages can be relayed to motorists, such as "The traffic is congested", "I suggest you use alternative routes", or "Delay ahead".

Ms LEE RHIANNON: What is the RTA's response to the specific recommendation by NSW Health that signs should be erected at the tunnel entrance so that all users of the tunnel can see them?

Mr FORWARD: I will take that question on notice.

Ms LEE RHIANNON: Thank you. I asked earlier about the changes that were made to the documents and I got the impression from your answers that you do not accept that those changes came from RTA people. Is that a fair summary of your earlier comments?

Mr FORWARD: There are several issues. I can write whatever I like on a document but it does not mean that it gets changed or ends up in the final draft. I can write my name on it but it does not mean that it will be in the final document. I am not sure where you are heading with this question.

Ms LEE RHIANNON: I agree with those statements but we have specific examples of the document having been changed. I refer you to the executive summary of the NSW Health report entitled "M5 East tunnels air quality monitoring". In an email Phil Gallagher writes about the changes and says, "Hence I have made further changes on page 7, executive summary, and on page 11." I suggest that that shows quite clearly where the changes have come from and that they have flowed through to the final document.

Mr FORWARD: We regard Health as the premier agency responsible for advice to the Government on health matters. From time to time Health may seek our views on certain matters regarding the operation of some of our assets. At the end of the day, it is its decision as to how it changes the document. It is its document and it is accountable and responsible for it. If you would like to give me some specifics, I will take the questions on notice.

Ms LEE RHIANNON: I refer you specifically to the change on page 7 of the executive summary and to the changes on page 11. Madam Chair, I seek your advice on this matter. As there are so many changes—tracking and handwritten—both to the document from NSW Health and to the document from Hibbs and Associates, can the RTA take on notice the question as to who made those changes and why?

CHAIR: Yes, so long as you provide the necessary documents.

Ms LEE RHIANNON: Yes, thank you. I return you to an issue that we discussed earlier and that I would like you to expand upon. I understand—correct me if I am wrong—that you dispute claims of people feeling sick while inside the tunnel. Do you agree that a number of emergency workers, tunnel operators, and drivers have complained about being overcome by fumes inside the tunnel and that health department investigators documented how they felt ill while measuring pollution levels?

Mr FORWARD: I have not seen any evidence to that effect.

Ms LEE RHIANNON: Are you aware of the various reports that have been written as a result of consultation with local people and reports from emergency workers?

Mr FORWARD: I am certainly aware of a report that was tabled on 20 November by NSW Health, which says that the level of pollutions found in the tunnel has not been shown to cause health effects in the past. That report was published last week.

The Hon. DAVID CLARKE: Mr Forward, you may not have received any evidence but are you aware of any complaints?

Mr FORWARD: I am aware of this report that was published by NSW Health last week.

The Hon. DAVID CLARKE: There are no other complaints apart from that?

Mr FORWARD: That is the only document I have seen.

Ms LEE RHIANNON: What about the reports of emergency workers following accidents? As you are responsible for the M5 East do you believe you should acquaint yourself with those reports?

Mr FORWARD: I have not seen those reports.

Ms LEE RHIANNON: Do you believe it is your responsibility to acquaint yourself with reports about emergencies?

Mr FORWARD: If that were an issue, the head of emergency services would have written to me and given me a copy of reports. I have not received any documentation or correspondence from emergency workers in the department.

Ms LEE RHIANNON: Considering your position, when emergencies occur in the M5 East tunnel do you believe you should acquaint yourself with what happens and listen to what workers on the ground—who have the relevant experience—have to say? Do you believe that is part of your brief?

Mr FORWARD: If it were a matter for a particular department, it would raise the matter with me. It is up to the department to raise the matter with me.

Ms LEE RHIANNON: Perhaps things are not getting through to you. I refer you to the comment by Dr Sheppard of NSW Health. Of the workers who studied pollution levels, he said, "For the windows-down scenario, they reported feeling ill at times." That is a clear, definite comment. Have you seen any other comments like that?

Mr FORWARD: I refer you once again to the report, which says:

In summary we have demonstrated that for a range of transits with the cabin open—

I think that is what you are referring to—

or closed during peak hour through the M5 East tunnels, motorists are unlikely to encounter air pollution that would lead to acute health impacts.

It is a conclusion from their report.

Ms LEE RHIANNON: Yes, but there have been many other statements in these reports.

Mr FORWARD: That is the conclusion that they come to.

CHAIR: Mr Forward, I will ask you a couple of questions about the Pacific Highway upgrade. Can you tell us the number of kilometres that have been upgraded to date?

Mr FORWARD: I have a rough idea, but I do not want to give you a rough estimate. I will take that on notice.

CHAIR: Likewise, could you tell us the best estimate of how many kilometres will be upgraded by 2006 on the Pacific Highway?

Mr FORWARD: I will take that on notice.

CHAIR: Finally, do you have any information about any progress between the Minister and Walcha council in relation to the Topdale Road, which is the road that links the Port Stephens cutting and Thunderbolts Way from Tamworth for traffic travelling to Walcha and Gloucester. I think Walcha council had some discussions with the Minister recently. Is there any progress in that matter?

Mr FORWARD: I will take that on notice.

CHAIR: That concludes questions related to the Roads portfolio. Mr Forward, I thank you and your colleagues. The Committee will now proceed to the Housing portfolio.

The Hon. DAVID CLARKE: Mr Barnes, would you name all the consultants that the Department of Housing used in 2002-03, including those whose consultancy was worth less than \$30,000?

Mr BARNES: I am not able to name all those this afternoon, but I am happy to take that question on notice.

The Hon. DAVID CLARKE: In due course, will you be able to provide us with a full list of those?

Mr BARNES: Yes, I will.

The Hon. DAVID CLARKE: Would you also advise us at the same time how much they were paid and what was their purpose? Will you take that on board too?

Mr BARNES: Yes.

The Hon. DAVID CLARKE: Before the Department of Housing engages a consultant, do you prepare a projection of the cost for the consultancy?

Mr BARNES: We would follow the Premier's guidelines and we would normally have internally an indication of what we would expect the consultancy to be, although there would be occasions where it may be a daily fee, in which case we would need to monitor that issue.

The Hon. DAVID CLARKE: Did any consultancy exceed its projected cost as far as you are aware?

Mr BARNES: I would have to take that on notice.

The Hon. DAVID CLARKE: Will you advise us if there were any, and the details of those instances?

Mr BARNES: Yes.

The Hon. DAVID CLARKE: And details of how much they exceeded the projections and why they exceeded the projections?

Mr BARNES: Yes.

The Hon. DAVID CLARKE: What reporting systems does the Department of Housing have to ensure that consultants deliver within the specifications of the brief?

Mr BARNES: For our major consultancies we would have a steering committee, a project committee, whose role would be to monitor the consultancy in terms of the brief, the outcome, the time and other deliverables.

The Hon. DAVID CLARKE: In 2002-03 how many consultancy agreements had variations during the consultancy, both in dollar terms and in terms of deliverables?

Mr BARNES: I am happy to take that question on notice.

The Hon. DAVID CLARKE: Would you also get the names of all contractors the Department of Housing used in 2002-03?

Mr BARNES: Yes. I will need to take that on notice. I need to make mention to the Committee though that the department, of course, has about 130,000 properties and real estate management is really core business to the department. Within any given year we would have a very substantial list of contractors and subcontractors who are engaged. That would take some time for us to prepare, so I will need to take that on notice.

The Hon. DAVID CLARKE: When you prepare that, would you advise us how much they were paid and what was their purpose?

Mr BARNES: Yes, I will do that.

The Hon. DAVID CLARKE: Before the department engages a contractor do you prepare a projected cost for the contract?

Mr BARNES: It depends on the particular contract. If it were a contract for new construction, as in new dwellings or residences, yes. In the case of other works, which would be planned works, we would then undertake scoping for those works. In the case of response works, which have a degree of urgency to them, they would be in accordance with the schedule of rates.

The Hon. DAVID CLARKE: Did any contractor exceed its projected cost?

Mr BARNES: I would have to take that on notice.

The Hon. DAVID CLARKE: You will provide us with that information in due course?

Mr BARNES: Yes.

The Hon. DAVID CLARKE: Last year the Government was in the process of changing the eligibility criteria in relation to assets. Is that process complete and in place now?

Mr BARNES: No, I do not believe it is at the moment.

The Hon. DAVID CLARKE: Do you know how far advanced it is?

Mr BARNES: No. I would have to take that on notice.

The Hon. DAVID CLARKE: You will come back to us in due course on that?

Mr BARNES: Yes.

The Hon. DAVID CLARKE: What was the estimated monetary value of damage to public housing in 2002-03 by residents and by uncontrollable elements such as weather, fire and so forth?

Mr BARNES: That is a level of detail that I would have to take on notice.

The Hon. DAVID CLARKE: You will get back to us with that information?

Mr BARNES: Yes.

The Hon. DAVID CLARKE: How many residences were damaged by residents in 2002-03?

Mr BARNES: Again, I would have to take that on notice.

The Hon. DAVID CLARKE: Similarly, how many tenants were evicted from public housing in 2002-03?

Mr BARNES: I would have to take that on notice.

The Hon. DAVID CLARKE: Nobody from your department would have that information here today?

Mr BARNES: I will ask Ms Mills to answer that.

Ms MILLS: Can I come back to that? It is approximately 280.

The Hon. DAVID CLARKE: So 280 tenants were evicted?

Ms MILLS: That is approximately correct. I am just trying to validate the number now.

The Hon. DAVID CLARKE: Among those documents that you have there, do you have any approximate figures on the question I asked before about how many residences were damaged by residents the same year?

Ms MILLS: No, it is not possible for the department to always identify whether it has been by a tenant or by a vandal external to the property.

The Hon. DAVID CLARKE: But do you endeavour to ascertain that information?

Ms MILLS: Wherever possible we do, yes.

The Hon. DAVID CLARKE: Would you be able to come back to us with the information that you do have, as far as possible?

Ms MILLS: We will take that on notice as far as possible, yes. Can I confirm also that during 2002-03 there were 242 tenants evicted from public housing.

The Hon. DAVID CLARKE: Mr Barnes, could you indicate how many people are on the community housing waiting list as of now?

Mr BARNES: It varies. I will need to take that on notice. I can only give you total numbers.

The Hon. DAVID CLARKE: Do you have any numbers there at all?

Mr BARNES: The total numbers are about 79,000, from memory.

The Hon. DAVID CLARKE: How does that compare with three years ago?

Mr BARNES: It would be an overall reduction.

The Hon. DAVID CLARKE: Do you know by how much?

Mr BARNES: I know it is approximately 10,000 in the past 12 months.

The Hon. DAVID CLARKE: How many people are on the Aboriginal Housing Office waiting list?

Mr BARNES: I would have to take that on notice.

The Hon. DAVID CLARKE: Do you have any figures on that issue at all?

Mr BARNES: It is really a question for the Aboriginal Housing Authority, which is responsible for such a list.

The Hon. DAVID CLARKE: Does that come under your jurisdiction?

Mr BARNES: Yes, we manage the provision of maintenance to the residents provided, and as part of our tenancy management we would manage the list. I would have to check and take that on notice.

The Hon. DAVID OLDFIELD: In relation to the evictions to which the Hon. David Clarke referred, what causes you to finally determine that a person should be evicted?

Ms MILLS: There are a number of processes in place. We obviously abide by the Residential Tenancies Act and all its conditions. We often take people to the tribunal and take a notice of termination but negotiate a contract for them. For example, to begin to repay arrears or any other issue that was the cause of them being taken to the tribunal. We see eviction as the last resort.

The Hon. DAVID OLDFIELD: Are many people evicted on the basis of damage caused as opposed to simply being in arrears?

Ms MILLS: The vast majority of evictions are for arrears. Last year, of the 242 evictions, 198 were for arrears.

The Hon. DAVID OLDFIELD: Is consideration given, in the process of determining if they will be evicted, to where those people may or may not be able to go as a consequence of being evicted?

Ms MILLS: The department offers programs such as Rent Start—assistance into the private rental market—for people who are being evicted. Again, we treat it very seriously. It is absolutely a matter of last resort and our primary objective is to try to rescue a tenancy where that is possible.

The Hon. DAVID OLDFIELD: How many dwellings do you have in New South Wales?

Mr BARNES: I would have to take that on notice. It is approximately 130,000 properties.

The Hon. DAVID OLDFIELD: Will you provide the Committee with that answer?

Mr BARNES: Yes.

The Hon. DAVID OLDFIELD: What is the value of those properties?

Mr BARNES: The total value of the portfolio, which is land and buildings, is approximately \$25 billion.

The Hon. DAVID OLDFIELD: What is the range of value on an individual basis?

Mr BARNES: I would have to take that on notice and provide that to you.

The Hon. DAVID OLDFIELD: I am talking about what a property might worth in regional, as opposed to rural, as opposed to next to the harbour bridge?

Mr BARNES: Yes.

The Hon. DAVID OLDFIELD: I know that the Hon. David Clarke asked about a means test. What is the changed plan in relation to means test? Was there a means test previously and is there still a means test?

Ms MILLS: There is a means test. Mr Clarke was probably referring to an updating of the asset component of the means test.

The Hon. DAVID OLDFIELD: You are quite correct. What is the means test?

Ms MILLS: The means test varies per size of household and circumstances of household. For people with a disability, a slightly higher allowance is allowed. I am happy to take the details of that on notice.

The Hon. DAVID OLDFIELD: I am more interested in people without a disability.

Ms MILLS: Yes, the mainstream, certainly.

The Hon. DAVID OLDFIELD: What is the rental range that you receive?

Ms MILLS: The properties have a market rent attached to them and that is updated on a regular basis. However, more than 90 per cent of public housing residents pay a rebated rent. It is targeted at approximately 24 per cent of their household income.

The Hon. DAVID OLDFIELD: Would you also take on notice how that breaks down regionally, rurally and in Sydney?

Ms MILLS: Rents payable by individuals or market rents of the properties?

The Hon. DAVID OLDFIELD: Market rents of the properties.

Ms MILLS: Yes.

The Hon. DAVID OLDFIELD: Would you also take on notice what percentage does that usually have in relation to rental properties otherwise available in the market?

Ms MILLS: Do you mean what percentage of the market?

The Hon. DAVID OLDFIELD: Approximately what percentage do your tenants pay?

Ms MILLS: The value of the subsidy?

The Hon. DAVID OLDFIELD: Yes.

Ms MILLS: The cost of rental subsidies averages \$44.9 million per month. The average rent paid by subsidised tenants is \$78 per week.

The Hon. DAVID OLDFIELD: Does the department have figures on tenant circumstances? Obviously, if the department charges a percentage with regard to employment, can you give us percentages of people who are unemployed that are occupying housing?

Ms MILLS: We collect data on a regular basis for tenants who apply for a subsidy, and the information that we collect with regard to them is the source of income and the size of the income in the household. For households who pay a market rent, which is approximately 8 to 10 per cent of our properties, depending on market circumstances, we do not collect regular information.

The Hon. DAVID OLDFIELD: Do 8 to 10 per cent of your tenants pay market rent?

Ms MILLS: That is correct.

The Hon. DAVID OLDFIELD: And 90 to 92 per cent do not pay market rent, wherein comes the \$48 million in subsidy?

Ms MILLS: That is correct.

The Hon. DAVID OLDFIELD: What is the waiting period for regional, rural and Sydney?

Ms MILLS: There are more than 1,000 different waiting lists, in a sense. The way it is broken down it is by location, by what we call an allocation zone, by type of property—

The Hon. DAVID OLDFIELD: Do you have 1,000 zones?

Ms MILLS: No, we have a smaller number of zones but within each zone you can apply for according to the size of the property. So it is not possible to give one answer to that even by location. Obviously, it varies between a few weeks in some rural areas where we have less demand to in excess of 10 years in a small number of city locations.

The Hon. DAVID OLDFIELD: A few weeks to 10 years spread between regional, rural and Sydney?

Ms MILLS: Yes.

The Hon. DAVID OLDFIELD: What circumstances do you generally see where a person is willing to put themselves on a waiting list for 10 years to secure a particular property?

Ms MILLS: It is very difficult to generalise the circumstances. Sometimes the highest waiting list is because we have a small number of properties in a location, for example, four-bedroom houses at a particular place. We can add just a small number of houses and actually reduce that waiting time hugely. So it is actually not possible to pre-determine exactly how long any individual might wait.

The Hon. DAVID OLDFIELD: For example, how many people are on a list waiting for an apartment in Sydney?

Ms MILLS: I would have to take that on notice.

The Hon. DAVID OLDFIELD: In particular, how many are waiting for an apartment in close proximity of the Sydney central business district?

Ms MILLS: I will take that on notice.

The Hon. DAVID OLDFIELD: Would you also take on notice the break up of the number of people on waiting lists essentially in regional, rural and Sydney?

Ms MILLS: As I say, we can break it up into subgroups but to break it up beyond that is not practical. We can give you some broad location issues.

The Hon. DAVID OLDFIELD: How many subgroups are there?

Ms MILLS: Up to 1,000.

The Hon. DAVID OLDFIELD: How many zones are there?

Ms MILLS: Approximately 70.

The Hon. DAVID OLDFIELD: Would you provide a broad understanding in regional, rural and Sydney? Does the department note any hereditary relationships to people being put, or putting themselves, on lists? Can a person put their name on a list at 18 years of age?

Ms MILLS: Yes, they can.

The Hon. DAVID OLDFIELD: Do you keep records of people living in public housing already as children, and at 18 immediately being put on a list?

Ms MILLS: No, we do not.

The Hon. DAVID OLDFIELD: You do not keep anything?

Ms MILLS: People have to provide their current address so it would be possible to cross-tabulate that, but that is not a criteria for eligibility.

The Hon. DAVID OLDFIELD: I did not think it was.

Ms MILLS: There is one exception to that. There is a succession of tenancy policy, whereby if a tenant dies, another member of the household may apply to take over the tenancy of that property and in certain circumstances that is allowed.

The Hon. DAVID OLDFIELD: Can you comment on the suggestion that public housing, in many respects, is a culture where those who live in public housing often are put on lists immediately, as soon as they are eligible at the age of 18 years, to be able to secure the property in a location they desire at some stage in their 20s?

Ms MILLS: I can only comment that we have a very small number proportionately of young people applying for public housing.

The Hon. DAVID CLARKE: What would that proportion be?

Ms MILLS: I would have to take that on notice.

The Hon. DAVID OLDFIELD: How many projects for public housing are currently underway, construction-wise or in that sort of vein, in New South Wales?

Mr BARNES: Do you mean new projects?

The Hon. DAVID OLDFIELD: Yes.

Mr BARNES: We have a total of 338 additional homes, which will be provided this year. Some of those will be leased, but as to the exact number of projects, I would really have to take that on notice and give you a breakdown.

The Hon. DAVID OLDFIELD: Are they primarily in the Sydney area?

Mr BARNES: No. I guess because of the size of Sydney I would expect that the majority would be around the Sydney location, but there will be others within country and regional areas.

The Hon. DAVID OLDFIELD: Could I get a rough breakdown of those?

Mr BARNES: Yes.

The Hon. DAVID OLDFIELD: Not in the 70 zones or the 1,000 subgroups, but the three general ones, regional, rural and Sydney?

Mr BARNES: Yes, I would be happy to take that on notice.

The Hon. DAVID OLDFIELD: How are locations determined?

Mr BARNES: It depends on need, waiting lists, available properties—a series of criteria.

The Hon. DAVID OLDFIELD: I take it that you build on where, potentially, you expect most people are requesting?

Mr BARNES: That is one of the criteria; it is not the only one. It depends on available properties, waiting lists and the department's available budget as well.

The Hon. DAVID OLDFIELD: What size range are the properties—from one-bedroom apartments through to four-bedroom homes?

Mr BARNES: Are we talking about new properties?

The Hon. DAVID OLDFIELD: Yes.

Mr BARNES: Two-bedroom and three bedroom units would be predominant, three-bedroom homes and I am aware of a small number of four-bedroom homes.

The Hon. DAVID OLDFIELD: Could I get a breakdown in that general location breakdown that we talked about a moment ago as to where the majority of two-bedroom and three-bedroom homes are, as opposed to homes?

Mr BARNES: Yes, I am happy to take that on notice.

The Hon. DAVID OLDFIELD: In existing stock what does it generally run—from what to what?

Mr BARNES: Again, I would have to take on notice the detail because we have a lot of properties. We would have properties from bed-sitters through to two-bedroom and three-bedroom units, as well as the traditional, let us call it, three-bedroom homes and some four-bedroom homes. I would be happy to take that question on notice and provide a breakdown.

The Hon. DAVID OLDFIELD: Is there any attempt or any policy in place in public housing to encourage out of public housing those who perhaps are not what the average person would consider to require public housing?

Mr BARNES: I would have to take on notice the detail of that question.

The Hon. DAVID OLDFIELD: I would not have thought that question was particularly detailed. I put to you that the average person who is not in public housing is of the mistaken belief that people who are in public housing are particularly needy and particularly require that assistance. We all know that is a mistaken belief. Is there any policy or anything in train with regards to public housing to encourage the people who really should not be in public housing out of public housing so that there is more public housing available for those people who should be in public housing?

Mr BARNES: The answer is that about 90 per cent of our tenants would be in receipt of a pension or support in one form or another, so I think the facts show that the great majority of tenants, in fact, are deserving of assistance through public housing.

The Hon. DAVID OLDFIELD: One could argue that a lot of people in receipt of pensions are not necessarily deserving of those, but that is an argument perhaps for another day.

Ms LEE RHIANNON: I want to initially clarify some answers given to questions asked by Ms Sylvia Hale. Your response to earlier questions taken on notice refers to a network of 12 government agencies working to address homelessness. How long has this network been in operation and how much have homeless rates fallen over this period?

Ms MILLS: You are referring to the Partnership Against Homelessness, which commenced in 1999. It has not always had 12 government agencies as members. The membership has grown each year to currently being 12. The overall rates of homelessness were published from the 2001 Census just last week and there was a reduction of some thousands in homeless people in New South Wales, although I would have to take the exact number on notice.

Ms LEE RHIANNON: You could take it on notice. I was just interested in the yearly rates from 1999 to now.

Ms MILLS: We would have to take that from the Census, as it is the most readily available data source.

Ms LEE RHIANNON: Between 30 June 2002 and 30 June 2003 the number of households on the register waiting for public housing fell from 90,926 to 80,188. What happened to the homeless rates over this period? Do you have the data for the last financial year?

Ms MILLS: Other than the Supported Accommodation Assistance Program, there is not any regular overall State information on the number of homeless people and the SAAP data is more about use of SAAP services rather than a few homelessness counts. Other than the census, it is not possible on a regular basis to give data on the statewide homeless numbers.

Ms LEE RHIANNON: Can you give me the SAAP figures or do you wish to take that on notice?

Ms MILLS: Yes, I would have to obtain them from the Department of Community Services, which is responsible for SAAP.

Ms LEE RHIANNON: In the initial hearings my colleague Ms Sylvia Hale asked the following question: "What measures are in place to address homelessness among people with a disability? How much will be spent in 2003-04?" Your response to this question, which was taken on notice, was: "It is not possible to estimate the percentage of spending on homeless initiatives for people with a disability for 2003-04 as this measure is currently not reported." How is this possible, given that the criteria for the Disability Program Home Support Services has recently been changed so that only people who are homeless or at risk of homelessness are eligible for payments?

Ms MILLS: I am not aware of what program that is.

Ms LEE RHIANNON: It is the Disability Program Home Support Services. I understand that has been changed. Can anybody else answer that question or do you wish to take it on notice?

Mr BARNES: We would have to take that on notice.

Ms LEE RHIANNON: Does the Department of Housing know how many people with disabilities are homeless or at risk of being homeless? Can that be included in your data?

Ms MILLS: It is not possible to do a count of disability within the homeless population. We know that a significant proportion of homeless people have either a disability or some other factor that contributes to their homelessness, but it would be a mixture of both self-identification and actual pure count. Again, the census is the most reliable data, and that is simply a count of numbers.

Ms LEE RHIANNON: It is not possible to find figures for homeless people who have a disability?

Ms MILLS: No, other than within small projects where it is actually a targeted number.

Ms LEE RHIANNON: I would like to refer to question 432 in *Questions and Answers* No. 24 of Tuesday 14 October. You were asked: What resources were expended in implementing strategies contained in the Department of Disabilities' action plan for 2002-03; what were these strategies; what were the outcomes of the implementation and how much is allocated for the implementation in 2003-04? A whole series of questions were asked relating to the previous financial year and what the budget will be in the present financial year. I was surprised that the answer to the question did not address the request for information about the previous year. The answer just says:

Agencies are required to prepare a disability action plan under section 9 of the Disability Services Act 1993 and to make provision for periodic furnishing of reports.

I was surprised that information was not given for the year 2002-03. Is it possible to get that information?

Mr BARNES: For clarification, is this in respect of question 432 (1), (a), (b) and (c)?

Ms LEE RHIANNON: Yes. There are three questions, and there is a common style to all questions down to No. 8 in that they ask for the budgets for the previous financial year. That information has not been given. It would seem it has been overlooked as it would be quite easy to give that data.

Mr BARNES: I think it would be best to take that question on notice.

Ms LEE RHIANNON: We are keen to have that data, but at the moment I will assume that it has been overlooked and that we can get it.

Mr BARNES: Yes. I will take the question on notice.

Ms LEE RHIANNON: In relation to those questions, is the department preparing a new disability action plan?

Ms MILLS: We provide the plans as required, and they are updated on a regular basis.

Ms LEE RHIANNON: Your statement about them being updated on a regular basis concerns me, because just before I came to this hearing room I looked on the web site, and the action plan on the Department of Housing's web site is still one that expired at the end of 2002.

Ms MILLS: I have noticed that not all of our current plans are on the web site. We will make sure that the current plans are posted there. We do an annual return to DADAHC, as required along with other agencies, and there would be an annual return that perhaps has not yet been posted.

Ms LEE RHIANNON: So it has been done?

Ms MILLS: I would have to take that on notice and confirm it, but I understand it has, yes.

Ms LEE RHIANNON: Would you take that on notice, please? Has the Government undertaken a review of the adequacy of the past plan in preparing the new plan?

Mr BARNES: For clarification, these are not questions from a previous hearing? This is a fresh question today?

Ms LEE RHIANNON: I am still in the realm of the disability action plan, but these are new questions that have not previously been asked. Has the Government undertaken a review of the adequacy of the past plan in preparing the new plan?

Ms MILLS: Could you confirm whether you mean the Government or the department?

Ms LEE RHIANNON: I mean the department.

Ms MILLS: The department checks the actions that have been proposed in each of the annual plans to confirm that they have been achieved—and, if not, the reasons for that—in formulating the new plan.

Ms LEE RHIANNON: Has this review shown funding in the 2002-03 financial year to be adequate for disability housing expenditure?

Mr BARNES: If I could take that on notice.

Ms LEE RHIANNON: Thank you. How much additional funding will be budgeted for disability housing services and its infrastructure in the coming period, compared to the period covered in the past disability action plan?

Mr BARNES: I will have to take that on notice.

Ms LEE RHIANNON: Thank you. Going back to the issue of the plan being publicly available, you said you would check. It is not yet on the web site. Could you indicate now, or take on notice, when the plan will be publicly available?

Mr BARNES: We will take that on notice and provide advice to you.

Ms LEE RHIANNON: Thank you.

CHAIR: Mr Barnes, I note the Housing Appeals Committee has a budget of \$941,000. Are some employees working for that committee? If so, how many are there?

Mr BARNES: I am sorry, how many employees work for the committee?

CHAIR: Is part of the budget of the Housing Appeals Committee taken up with paying the salaries and so on of employees who service the committee?

Mr BARNES: Part of the budget would be for various costs for meetings or attendances by the Chair and other members of the committee. There are some staff who service the committee. I would have to take the question on notice and provide the details of those. I am happy to do so.

CHAIR: Perhaps you could give the total sum of money spent on the employment aspect, and what is the remaining sum spent on the rest of the expenses of running the committee. With respect to the Critical Asset Improvement Program, for 2002-03 can you advise the Committee how many residences were upgraded from that budget of \$36.6 million?

Mr BARNES: This is from the questions and the answers provided?

CHAIR: Yes.

Mr BARNES: The question was how many residences would have been upgraded from that budget?

CHAIR: Yes.

Mr BARNES: We will have to take that question on notice. I am happy to do so.

CHAIR: With respect to the maintenance backlog, can you give the Committee an estimation of the current level of the backlog?

Mr BARNES: Yes. It is approximately \$700 million.

CHAIR: How long would it take to eradicate the backlog?

Mr BARNES: On current estimates, we estimate around nine years.

CHAIR: Would using that \$700 million over nine years eradicate the backlog?

Mr BARNES: It is currently \$700 million. Perhaps I need to explain that the department is constantly doing asset management reviews and, therefore, reviewing the state of its assets. The review, of course, relates to time and condition. Under current estimates it is nine years. At that time there may be variations, and these are monitored annually and reported annually.

CHAIR: How does that rate, in terms of fairly recent history, in relation to the backlog?

Mr BARNES: It is a reduction. I think it has come down around \$50 million in recent times.

CHAIR: What methods is the department using to bring those figures down?

Mr BARNES: The main method at the present time is an accelerated improvement program, under which the department allocates special funds within its budget to address the maintenance backlog. In addition, the department is examining privately funded partnerships, to see if that may provide some private funding to address some of the backlog maintenance issues.

CHAIR: When there is a problem and a complaint is made to the department, do you have a benchmark timeframe within which the complaint would need to be acted upon and the problem fixed?

Mr BARNES: Yes. I think I provided evidence of this at the last hearing. We break down the maintenance response times into categories of maintenance. For example, as I think I mentioned last time, if we had urgent matters, such as sewer choke or a leaking water pipe in the kitchen, those sorts of things would normally be dealt with within the order of four hours. For some other categories of maintenance it may be 24 hours, and there are others which may go for longer periods of time, depending on the nature of the maintenance request.

CHAIR: With respect to community fire units, do you have a proposed timeframe for the establishment of those in particular locations? You might need to take these questions on notice.

Mr BARNES: For clarification, did you mention community fire units?

CHAIR: Yes.

Mr BARNES: I am not familiar with that term, and I might take that question on notice.

CHAIR: The towns are Bourke, Brewarrina, Condobolin, Coraki, Cowra, Lake Cargelligo, Moree and Nambucca Heads.

Mr BARNES: Thank you.

CHAIR: I might go now to questions about media monitoring that we have been asking each of the departments. Can you advise the Committee how much was spent by the Department of Housing on media monitoring by Rehome Australia Monitoring Services, as outlined in the Premier's Department's circular 2002 No. 22?

Mr BARNES: We only received those questions late in the week. I will have to take the question on notice.

CHAIR: In 2002 how much was spent by the Department of Housing on media monitoring other than from Rehome Australia Monitoring Services?

Mr BARNES: I need to take that on notice.

CHAIR: In terms of public relations and media staff in 2002-03, how many media or communications advisers were employed as officers of the Department of Housing?

Mr BARNES: I am able to advise that we had only one officer who undertook journalist communications. We would have between four to six through the year to deal with communications, but those communications are predominantly with our residents, such as issuing the Under One Roof newsletter, publications, annual reports, those sorts of matters, upcoming new releases of properties, et cetera.

CHAIR: What was the cost of that?

Mr BARNES: I have to take that on notice.

CHAIR: Do you have an estimate as to the number of such officers or advisers who would be employed in 2003-04 and the cost of them?

Mr BARNES: I need to take that on notice.

CHAIR: In 2002-03 how many media or public relations officers were employed as contractors to the department?

Mr BARNES: Rather than mislead the Committee, I will take that on notice.

CHAIR: Can we get the total cost of that, and the forecast for 2003-04 for the number of such media or public relations advisers and the total cost?

Mr BARNES: Yes. I will take that on notice.

CHAIR: In relation to advertising, can you give the Committee the amount that the department spent on advertising in 2002-03, splitting the figure between employment related advertising and non employment related advertising?

Mr BARNES: No. I need to take that on notice. By way of a quick explanation, advertising costs are allocated to a range of different areas within the department. Only a small part would come back within the media communications area. We would have advertising for positions vacant. Advertising for other issues goes back to their respective areas. So I need to take that question on notice, and I am happy to do so.

CHAIR: Can you give the Committee a list of the campaigns that were undertaken by way of advertising, the names of the advertising firms involved and how much was spent on the media and advertising agency fees?

Mr BARNES: I will take that on notice.

CHAIR: Can you provide a monthly breakdown of advertising expenditure by the department?

Mr BARNES: Yes. I will take that on notice.

CHAIR: Can you outline the success or otherwise of each campaign?

Mr BARNES: Yes. I will take that on notice.

The Hon. DAVID OLDFIELD: You said that 2 per cent of people in public housing are on some sort of pension. Do they notify on the application what sort of pension they are on?

Ms MILLS: Yes they do.

The Hon. DAVID OLDFIELD: Can I get a percentage figure from you, perhaps on notice, as to what pensions people are on?

Ms MILLS: Yes. They are in broad categories but that is available.

The Hon. DAVID CLARKE: You do not have any figures like that with you today, do you?

Ms MILLS: I do not believe so but they are readily available.

The Hon. DAVID OLDFIELD: I suppose this is a policy question in a sense, if I use the word "relocation". Is there ever a situation in which you determine that the value of the real estate that you have occupied is such that it could be turned over and people could be relocated and hence supply housing for more people in less expensive areas?

Mr BARNES: No. That is a policy question and I will take it on notice.

CHAIR: Can you tell us how much money is allocated to the regional Aboriginal housing committees to fulfil their responsibilities?

Mr BARNES: That question should be directed to the Aboriginal Housing Office.

The Hon. DAVID CLARKE: Has the Department of Housing employed any staff who formerly worked for a Minister or the Premier since 2000, excluding departmental liaison officers but including freedom of information office positions?

Mr BARNES: The answer was no until last week. There is a member of staff who is on secondment at present for a short period to assist the department to develop its privately funded partnership program. That person was selected on secondment on skill and experience, having operated privately funded partnerships with the Roads and Traffic Authority and in Tasmania with the Tasmanian Government.

The Hon. DAVID CLARKE: How long is that person on secondment for?

Mr BARNES: Three months, I believe.

Ms LEE RHIANNON: Which PPP was it?

Mr BARNES: They are generally privately funded partnerships [PFPs]. The department is currently undergoing a program developing PFPs and strategies to deal with them. Part of those strategies is communications and seeking expert advice, particularly from people who have had experience in that area.

Ms LEE RHIANNON: Has this person had experience?

Mr BARNES: Yes. As mentioned a moment ago, the person has worked in the Roads and Traffic Authority in terms of its privately funded partnerships, a number of which have been undertaken in the past two, three, four years, and in addition for the Tasmanian Government on the Bass pipeline.

Ms LEE RHIANNON: What is the person's name?

Mr BARNES: Tracey Annear.

The Hon. DAVID CLARKE: Which Minister did she work for?

Mr BARNES: She worked with Minister Scully in his Roads and Traffic portfolio and, more recently, in housing.

The Committee proceeded to deliberate.
