

**PORTFOLIO COMMITTEE NO. 6 – REGIONAL TRANSPORT AND ROADS –
QUESTIONS ON NOTICE – 26 October 2021**

QoN01

The Hon. MICK VEITCH: I am certain you will pursue that with enthusiasm and relish. Minister, can I ask you about Dunns Creek Road? It was an commitment made by The Nationals at the last State election. Where is the land purchase up to with that particular road?

Mr PAUL TOOLE: In relation to that specific road, I will have to ask if we can find it before the end of the hearing.

The Hon. MICK VEITCH: Absolutely.

Mr PAUL TOOLE: Obviously, as a government, we are committed to delivering on all of our election commitments, whether that is road projects, bridge projects. That is something that we are very mindful of. I can tell you, as part of my team, we have regular meetings in relation to election commitments to understand the status and the position of those projects and where they are to be delivered. As the Minister responsible for regional transport and roads, I can tell you we have a very vigorous and rigorous process to ensure that they are being delivered.

The Hon. MICK VEITCH: That team you are talking about—that election promises team—is that within your office or is it within the department?

Mr PAUL TOOLE: It is in my office but it is also in the department. Obviously, we are requiring certain steps to be undertaken for any road project. Sometimes with road projects as well there have been no councils that have had to do environmental studies. Obviously geotechnical work has had to be completed. There have been delays with some projects due to the fact that we have had bushfires, floods and all of that as well, so all of that is taken into consideration for these projects, but—

The Hon. MICK VEITCH: So you will take Dunns Creek Road on notice and hopefully get back to us at the end.

Mr PAUL TOOLE: Yes

ANSWER

I am advised:

This is a Queanbeyan-Palerang Regional Council project, and is designed to improve connections between the high growth area of Googong and Canberra.

The NSW Government has committed \$27 million to the project to support Queanbeyan-Palerang Regional Council to begin land acquisition, planning and design.

As the Queanbeyan-Palerang Regional Council is responsible for land acquisition any further questions relating to land acquisition should be directed to them.

QoN02

The Hon. MICK VEITCH: Beyond the land purchases, essentially if you could take that on notice, could we get a status report of where the construction of that road is up to?

Mr PAUL TOOLE: Yes, we can follow that up and provide something at the end. If not, it will be on notice.

ANSWER

I am advised:

A project brief for a Regional Strategic Traffic Study has been prepared by Queanbeyan-Palerang Regional Council and reviewed by Transport for NSW.

The Queanbeyan-Palerang Regional Council is now preparing to engage a traffic model consultant.

QoN03

The Hon. MICK VEITCH: I would like to talk about Brown Mountain. It is probably a road that you and I have travelled a bit going down south because it is how we get down there, and we probably will be travelling it a fair bit in coming months, I dare say. Brown Mountain is a productivity bottleneck. What are the plans to upgrade the Snowy Mountains Highway down Brown Mountain, and up Brown mountain too, I suppose?

Mr PAUL TOOLE: I would have to take that on notice to find out exactly the status, but we have a number of road projects across the State, Mr Veitch, as you are very much aware. I think we have the biggest expenditure in roads that we have ever seen. Again this year in our record budget we have \$9 billion. That is the biggest expenditure we have ever had in Regional Roads and Transport.

The Hon. MICK VEITCH: Does Brown Mountain figure in that?

Mr PAUL TOOLE: I will have to take it on notice as to where that particular road is up to in relation to your question, but you are always—

ANSWER

I am advised:

\$1 million will be invested in pavement maintenance on Brown Mountain this year, and close to \$4 million for slope stabilisation work over the next two financial years. These projects will contribute to the improved resilience of this important freight connection.

QoN04

The Hon. MICK VEITCH: Part of the Brown Mountain issue is that whenever there is a slip or it is closed for whatever, the alternate routes have weight limits on them. As you would be well aware, that becomes quite problematic for freight movement up and down that Snowy Mountains route. Is there any work being scheduled to address the weight restrictions on the alternate routes?

Mr PAUL TOOLE: I do not want to put any road in particular isolation, but I think what we have actually found with natural disasters is we are looking at trying to create and build resilience into our road network. Not only is that about trying to make sure that there are safe routes getting in and out of certain communities but we actually have probably seen the most extensive damage to our road network with floods. I mean if we go back to the start of the year when we saw those floods, I do not think anybody could have actually foreseen the amount of work that is required to bring those roads back to pre-flood condition. Not only have we had landslips but in some cases as well we have had the roads themselves that have actually failed underneath, so in some areas we have got the road—

The Hon. MICK VEITCH: Hopefully, some of those roads are improved above pre-flood conditions.

Mr PAUL TOOLE: Yes, in some areas. As the Minister as well responsible for the importance of moving freight across the State, this is something that over the last couple of years with the pandemic—movement of freight has been a critical issue for all of us in Transport, to make sure that it continues to move. Whether it is that particular road or other roads, it is something we are very mindful of.

The Hon. MICK VEITCH: But particularly the alternate routes when it is closed, because any construction work on that Brown Mountain is going to take a while.

Mr PAUL TOOLE: Yes.

The Hon. MICK VEITCH: So those alternate routes, if there are weight restrictions, become problematic for the movement of our freight. If you can take that on notice, that would be good.

Mr PAUL TOOLE: Yes

ANSWER

I am advised:

There are limited alternatives for the east west movement of freight on the Far South Coast of NSW due to the topography. The Princes Highway, Imlay Road and the Monaro Highway are alternative routes to Brown Mountain.

Transport for NSW is open to engaging with relevant local councils to consider options for freight route improvement.

QoN05

The Hon. MARK BANASIAK: Thank you. Welcome, Deputy Premier. Can I just go to road funding for some of these roads that have been damaged by floods, particularly to Narrabri Shire Council for Mellburra Road. It has been 18 months since that first flood in February 2020 and no real work has been carried out. The mayor was on the radio in June 2021 and he stated that there were 50 claims that had been processed out of a total of 360 claims and the work could not be done on those 50 processed claims until all of the 360 claims were completed. Is that correct, that they have to wait until all of the total claims are processed before they can start work on the ones that have been?

Mr PAUL TOOLE: I don't know the specific case in relation to the claims that they are putting forward.

But I do make this point. Transport for NSW will actually—sometimes it has to be under natural disaster funding and there is a process there that councils, Transport, the Minister for Police and Emergency Services has to escalate that up to the Federal Government. So sometimes there is a delay in relation to that natural disaster funding. What we try and do though is ensure that we get our team from

Transport on the ground very early to try and assist those councils, understanding that in some cases that funding is going to be forthcoming.

Sometimes we will actually internally give funding to those councils to make those roads usable for both residents and for freight movements as well. It is sometimes a process. I am not sure in relation to where their particular application was held up. But, importantly, it was a pretty big task when we saw those floods. Yes, look, we want to support councils in actually getting those roads back up and running again. But, in some cases, it is an extensive amount of work and sometimes when you look at the amount of road work that has been damaged, it is going to take quite a time for some of those councils that have multiple roads as well. I could probably get Mr Hayes—I know he has done a lot of work in relation to support for councils—to maybe add a little more there as well.

The Hon. MARK BANASIAK: Sure. Mr Hayes?

Mr HAYES: The only thing we should add to the point made by the Deputy Premier is that recently, within the past few months, we set up a task force to look at better working with all of the local councils to distribute the natural disaster funding. We acknowledge that there were some roadblocks early on in the process and what we are trying to do now is work much more closely with councils to get the money out the door to make sure that we are in fact providing that support wherever we possibly can and as quickly as we possibly can.

The Hon. MARK BANASIAK: Perhaps on notice, Deputy Premier, would you be able to give us an update about the 400 and 360 claims? Where are they up to with that?

Mr PAUL TOOLE: Which council was it again?

The Hon. MARK BANASIAK: Narrabri Shire Council.

ANSWER

I am advised:

As at 9 November 2021 and in response to the natural disaster event of February 2020, over 230 claims under the Immediate Reconstruction Works totalling over \$1.8m were assessed and approved, and have now been completed.

Additionally, 251 claims were lodged under the Essential Public Asset Restoration Works. These works have commenced. Transport for NSW will continue to work

with Narrabri Shire Council regarding the payment of these claims and associated works.

QoN06

The Hon. MARK BANASIAK: I might just go to a particular road. I note that some funding was announced for the Yarrie Lake Pilliga Road. This is a road near the Pilliga Wee Waa Road where there are four floodways which, before Pilliga, have been destroyed. I might get the secretariat to give you some photos. This just came to me yesterday so I have not had a chance to pop into your office. But I thought the pictures might help paint the picture a little bit. I have had representations from people that the four floodways before Pilliga have all been destroyed. Cars have become airborne, there are two-feet deep potholes and the school bus has to lift to maximum height setting and still bottoms out or scrapes. This is a road that sometimes is closed for the school bus for up to six weeks and then relies on parents with four-wheel drives to go in and out. Obviously, it is a productivity issue as well. Perhaps on notice, could you take a look at what is happening with that road and whether there is any intent to fund or fix—

The Hon. MICK VEITCH: Go for a drive on it, Mr Toole.

Mr PAUL TOOLE: Hairy legs like that, mate. Someone's photos—I don't know.

The Hon. MARK BANASIAK: They're not my legs. I recommend you drive slowly, though.

Mr PAUL TOOLE: We will take it on notice and come back to you, if we do not have it at the end.

ANSWER

I am advised:

Transport for NSW has recently announced as part of the third round of Fixing Local Roads more than \$2.3 million of funding for improvements to Yarrie Lake Road to Pilliga Road.

QoN07

The CHAIR: I do not think my questions will be as entertaining, unfortunately, and there are no pictures. I just wanted to ask you, Minister, about the new proposed

rail trail for New England in, I understand, the Glen Innes area. I just wanted to ask you when we should expect to see legislation being proposed for that and whether there has been consultation on that with local councils?

Mr PAUL TOOLE: The only part I have under rail trails is the closing of lines. It sits in my new portfolio as the Deputy Premier and Minister for Regional New South Wales. Rail trails sit under that particular portfolio. That consultation would all need to take place. My responsibility as the Minister is the closing of the rail lines but I would have to take it on notice to see what is in the pipeline in relation to that particular project.

ANSWER

I am advised:

Since June 2021, community consultation has been undertaken by the Glen Innes Severn Shire Council. This has included information days, face-to-face meetings with adjoining landowners, an online survey, and a meeting with local Indigenous representatives. The online survey has received over 1,800 responses, with more than 80 per cent of participants strongly supporting the rail trail project.

Legislation will come before the House once the consultation is successfully completed.

QoN08

The Hon. JOHN GRAHAM: The cluster budget for Transport this year is \$35.3 billion. Can you give us a division of that for public transport and for road-related expenses?

Mr PAUL TOOLE: Are you talking about the whole cluster?

The Hon. JOHN GRAHAM: The whole cluster, yes.

Mr PAUL TOOLE: I might have to ask Mr Sharp if he has that there. I know it is \$35 billion for the whole cluster but it is \$9 billion in our space for roads and transport in regional areas. I might ask Mr Sharp if he has that information in front of him.

Mr SHARP: I will have to take that on notice in terms of the breakdown for roads specifically. Do you want that for regional?

The Hon. JOHN GRAHAM: I am happy for you to take it on notice. Could you give us the breakdown for public transport and for road-related expenditure of the cluster budget? Minister, I think you have answered another question that I had. What you have just given us is the regional breakdown of that cluster budget—that \$9 billion figure that you just referred to?

Mr PAUL TOOLE: Correct.

ANSWER

I am advised:

The 2021-22 Transport Cluster budget is \$35.5 billion, of which an estimated \$22.7 billion is for public transport expenditure and \$12.8 billion is for road-related expenditure.

QoN09

The Hon. JOHN GRAHAM: —which is generally the division. Minister, that is just 25 per cent of the money spent on Transport. As a National Party leader, as the regional transport Minister, why is it not higher? Are you embarrassed that it is just 25 per cent? Again, John Barilaro has made a hero of himself in the bush fighting for a third of all the funding. Why is this just 25 per cent? Why have you accepted that?

Mr PAUL TOOLE: I tell you what, I am pretty pleased when it is a record investment in regional roads and transport. This is the highest investment that we have ever seen in regional roads and transport. It is something you guys could just dream of. You were never even close to actually delivering this amount of money into the regions. When I am talking about \$9 billion—last year it was around \$8 billion and what we are seeing here is an increase in the funding for our regions.

This is going into roads, bridges, public transport and our services in our communities. This is investment for road projects that we are delivering. These are State highways. These are local roads. These are local bridges—

The Hon. JOHN GRAHAM: I think you have made your point, Minister. But you accept that it is just 25 per cent of that cluster budget?

Mr PAUL TOOLE: Well, it depends on the profile as well because sometimes it will fluctuate with the projects that we have got. Sometimes we have big projects in the

pipeline—as to how they are being scaled over the coming years as well. And some of those projects will scale up with the investment that is required in future years.

The Hon. JOHN GRAHAM: I accept that point, Minister. On notice, could you give us the profile over each year of the forward estimates of that proportion of rural expenditure as a proportion of the cluster budget expenditure?

Mr PAUL TOOLE: Sure. We can do that

ANSWER

I am advised:

The high level estimates of the regional and rural, and metropolitan splits of the transport budget and forward estimates, as at June 2021, is tabled below.

Operating and Capital Expenditure (\$ billions)	2021-22	2022-23	2023-24	2024-25
Metropolitan	25.8	27.1	23.9	21.9
Regional (incl. Rural)	9.7	9.6	10.1	10.0
Total	35.5	36.8	34.0	32.0

The forward estimates may change subject to future investment decisions.

QoN10

The Hon. JOHN GRAHAM: I might turn to the issue about mobile speed cameras, which has received some attention in the media and the Parliament. This is the issue where one of two contractors who commenced as the number of mobile speed camera enforcement hours jumped up to 21,000 from 1 July this year—one of those contractors, it turns out, had few cars and few cameras but they had employed Troy Grant and they have struggled to deliver the hours they were contracted for to the State. When did you become aware of this issue? Were you briefed? When were you briefed?

Mr PAUL TOOLE: I was made aware of it after it had already occurred. I have to say, I was quite disappointed that I did not actually find out earlier. In the southern part of the State, the speed cameras were not in operation. I know that, in relation to that particular point, I was quite disappointed when I had actually heard that had not been occurring.

The Hon. JOHN GRAHAM: When did you hear that in the end?

Mr PAUL TOOLE: I cannot recall. Several months ago now—a couple of months ago it might have been.

The Hon. JOHN GRAHAM: Perhaps you could take a more specific date on notice.

Mr PAUL TOOLE: Yes. I will take it on notice

ANSWER

I am advised:

On 9 September 2021, my office was provided with a verbal progress brief in relation to the expansion of the Mobile Speed Camera Program.

QoN11

The Hon. MICK VEITCH: Minister, that is very important stuff but I just want to go back to this—I think to be accurate—\$80.3 million that was transferred from the Fixing Country Roads program to Restart.

Where did it actually go within Restart? Which program? I am happy for you to take that on notice.

Mr PAUL TOOLE: Yes, I am happy to take it on notice.

ANSWER

I am advised:

A total of \$80.3 million was redirected from unallocated funds in the Fixing Country Roads Program in 2019 to support the delivery of priority infrastructure and road projects in the NSW Government's Drought Stimulus Package. The NSW Government will deliver on its \$543 million commitment to Fixing Country Roads.

QoN12

The Hon. MARK BANASIAK: Sure. Can I follow up on some questions from last estimates around feasibility studies for railway lines. In response to some of the questions you took on notice, you stated that three of the five feasibility studies have been determined to be feasible in certain circumstances and merit further work and/or investigation. They included Cowra, Gulgong to Maryvale and Kandos to Gulgong line reinstatement.

Perhaps this is going to be on notice as well. What are those certain circumstances or prerequisite conditions that would be required for those lines to be feasible?

Mr PAUL TOOLE: I know about \$1 million has been put into looking at that Blayney to Demondrille line. With that particular line, it is doing the work now that is required. We know that the project itself may not be feasible for another five to 10 years, but we are doing the work now that is required, looking at what the costings might be to bring that line up to a standard where it may be used for freight movements once again. That might mean as part of the study that we have to look at the amount of freight that could be used on the line. It is about having the project shovel ready at a future date when it is required. When we had the fires it showed me that main western line was impacted under huge constraint because it had limited movement. There will be an opportunity going forward to go south to be able to move more freight and that line is going to be important too.

The Hon. MICK VEITCH: It should never have been closed. It should never have been suspended. I publicly spoke against it at the time.

Mr PAUL TOOLE: There is a lot of work. I have walked the line with the mayors in that particular area. It is an extensive amount of work that will be required to open that line. I want to make sure that the work is done. It will take a good 18 months probably to do, but it is about making sure that the project, when it is feasible, is ready to go. Then we can look at opening it up and have the work done that is required.

The Hon. MARK BANASIAK: The other two that were mentioned, the Gulgong to Maryvale and the Kandos to Gulgong line reinstatement, any comments on those?

Mr PAUL TOOLE: I do not think I have those here. I know you asked me last time.

The Hon. MARK BANASIAK: I am happy for you to take it on notice.

Mr PAUL TOOLE: I will take them on notice

ANSWER

I am advised:

These conditions are outlined in the executive summary of the feasibility studies which are publicly available.

In 2020, Transport for NSW completed a feasibility study into the reinstatement of Cowra Lines. The study found the lines did not achieve the required benefit cost

ratio (BCR) however, it showed the potential in the lines to drive new opportunities and boost resilience. It also showed the potential to be economically viable in a situation where capacity became constrained on the Main West and Illawarra lines and is unable to practically support the Central West freight task.

In 2020, Transport for NSW completed a feasibility study into the reinstatement of a 93 kilometre section of the Kandos to Gulgong Line. The study found the financial outcomes to be marginally positive, based on the assessment methodology

Further development of the Kandos to Gulgong Line Reinstatement is subject to discussions with industry and stakeholders to confirm their intentions to use the line and funding availability.

In 2020, Transport for NSW completed a feasibility study into building the partially completed 72 kilometre section of the Gulgong to Maryvale Line. The study found the financial outcomes to be marginally positive, based on the assessment methodology. Subject to further project prioritisation, and funding availability, this project may progress to design and planning, to refine the cost estimate.

QoN13

Mr JUSTIN FIELD: I am not an inner-city person, straight from central Queensland to the South Coast. The community down there does appreciate the level of investment in the Princes Highway upgrades over a number of years. It has certainly made my travel to Sydney safer. But there is some growing concern about some of the future bypass proposals, both the Jervis Bay to Sussex, Milton, Ulladulla and the Moruya bypass. I have been asking some quite detailed questions of you through questions on notice, particularly about the Wandandian proposal. The answers that have come back have been less than useful and almost look as if I am getting the palm, "Don't ask me." The community feel consultation has not been adequate. The preferred options that have been put forward, in particular for Wandandian and Moruya, the community feel do not reflect the considerations and are the most costly and environmentally damaging proposals. Questions were asked about how those options were chosen. Largely we have not got any answers. In the first instance, why the barrier to answering some simple questions about those preferred corridors?

Mr PAUL TOOLE: First of all, with the Moruya bypass, obviously the preferred strategic corridor was selected in May this year. It is the Orange route, which runs from the east of town over the river to provide better access to the preferred site for the Eurobodalla Health Service and improved flood resilience. Transport for NSW is conducting further environmental assessments and geotechnical work to determine a preferred option.

Mr JUSTIN FIELD: The hospital is one of the key considerations and concerns of the community. If you are coming from the north—which mostly you will be if you are coming from Batemans—you have to go two kilometres past Moruya, get off the new bypass and then come back a kilometre and a half to get to the hospital. That is not what they consider to be the best option for access to the new hospital, which is a real concern. There are also concerns about the environmental impacts. The way some of this could be sorted out is if the actual inputs into the preferred corridor outcomes were made available. I have asked specific questions about the value management workshop that was conducted for Wandandian and also the Moruya bypass Strategic Corridor Options Report. The background documents that were considered at that workshop—what were the judgements made for each of the criteria that they had to assess? None of that information is in the publicly available reports, but in answers to my question you just point me back to the publicly available reports. Will you undertake to provide actual answers to the questions that have been asked by the community and by me about these projects?

Mr PAUL TOOLE: We can take what you have asked on notice.

ANSWER

I am advised:

Several options were considered as part of the strategic corridor investigations for the Jervis Bay Road to Sussex Inlet Road project. Assessment of the corridors was based on criteria that broadly align with the Princes Highway upgrade program's five strategic goals: safety, resilience liveability, sustainability, connectivity and accessibility.

The corridors investigated at Wandandian include:

- West of Wandandian alignment

- 'On-existing' alignments
- East of Wandandian alignment.

The East of Wandandian alignment is the preferred option. A comparison of the options is summarised below.

East of Wandandian:

- shorter travel distance (improved travel efficiency)
- major work required, including bridges
- construction substantially offline rather than under live traffic
- any potential impacts to Conjola National Park are on the existing highway corridor
- bridging required over Wandandian Creek floodplain.

'On-existing' (through Wandandian) option(s):

- minor improvement in travel efficiency
- major work required to address poor alignment in these areas
- construction under live traffic required (safety and customer impacts)
- impacts to property and access for many/most properties fronting the existing highway
- any potential impacts to Conjola National Park are on the existing highway corridor.

West of Wandandian option:

- longer travel route than the existing Princes Highway and eastern option (reduced travel efficiency when compared with other options)
- impacts to property
- new corridor and fragmentation of Conjola National Park required
- minor crossings of Wandandian and Bollerang creeks required.

In relation to the Moruya bypass, the associated Strategic Corridor Options Report includes a summary of the Value Management Workshop and is available on the Transport NSW website.

QoN14

Mr JUSTIN FIELD: I am not sure if this question is for Ms Geraghty or whoever within your team. Are you able to tell me, for example, who participated in the Wandandian bypass value management workshop?

Ms GERAGHTY: I might pass that question to my colleague Mr Hayes.

Mr HAYES: I am afraid I would have to take that on notice as well. I am not too sure who was involved in that specific workshop, because there were a number of workshops. I am going to have to take that on notice, I am sorry.

Mr JUSTIN FIELD: That is okay. I will put these on notice as well.

ANSWER

I am advised:

Transport for NSW staff and key stakeholders attended the value management workshop, including representatives of Shoalhaven City Council, National Parks and Wildlife Service, Department of Primary Industries Fisheries, Department of Planning, Industry and Environment and the NSW Police Force.

QoN15

Mr JUSTIN FIELD: That is okay. I will put these on notice as well. Another example is that the strategic corridor options report says that the rationale for each of the ratings against all of the criteria was documented by the participants, but none of that rationale is provided in the strategic corridor options report. Will you provide those justifications, which it says were made in writing? Will you make all of those public?

Mr PAUL TOOLE: We will go away and see what we can do to provide those and assist you with those queries.

Mr JUSTIN FIELD: Thank you, Minister.

Mr PAUL TOOLE: I will comment; that is fine.

ANSWER

I am advised:

I refer you to the response to Question on Notice 13.

QoN16

Mr JUSTIN FIELD: There was also a preliminary environmental assessment. I know it was done for Wandandian and I suspect it was also done for Moruya. Will you make those documents public as well?

Mr PAUL TOOLE: Mr Sharpe.

Mr SHARP: Mr Field, are you asking about the environmental impact study? That is still underway at the moment.

Mr JUSTIN FIELD: No, there was a preliminary one done in advance of the strategic options report. I assume it informed consideration of the corridor options. That is specifically referenced in the strategic corridor options report. It does not say it is underway; it says it was done. I am asking for a copy of it.

Mr PAUL TOOLE: We will take it on notice.

Mr SHARP: We will take it on notice as well.

ANSWER

I am advised:

Preliminary Environmental Investigations (PEI) were completed for both Jervis Bay Road to Sussex Inlet Road and Moruya Bypass projects. Transport for NSW will continue community engagement and the PEI reports will be released in the future.

QoN17

The Hon. MICK VEITCH: One last question before I hand over to my colleague on this matter. The maintenance at this particular level crossing where this accident took place, have there been works done there now to address some of the issues that Maddie has raised—for instance, the visibility issues?

Mr PAUL TOOLE: Having met with Maddie and her family, they also spoke about dust as well. So there are a number of factors that were put in. When there is an incident, the Office of the National Rail Safety Regulator [ONRSR] needs to do an investigation. They had an investigation into what happened and obviously that report is important but, again, there are many factors—time of the day, visibility, dust. It is just a horrible list of circumstances that they came across at that particular time. If we can make them safer—obviously there are other players here that have to have a responsibility, even with ARTC. They have got a responsibility here in this space as well.

The Hon. MICK VEITCH: Before I hand over, I just want to apologise to young Maddie again for getting her name wrong. It was a terrible mistake and I really apologise.

Mr PAUL TOOLE: I think we both agree it is an important issue.

The Hon. MICK VEITCH: Yes.

Mr PAUL TOOLE: In ARTC, we can probably find out an update.

The Hon. MICK VEITCH: I think that would be really good.

Mr PAUL TOOLE: It is them so we would have to find out exactly what they have done as well.

The Hon. MICK VEITCH: I think that would be really good. Thank you.

ANSWER

I am advised:

I refer you to SQ045.

QoN18

The ACTING CHAIR: Deputy Premier, before I threw to the Opposition we were talking about non-compliant track devices. I draw your attention to Calala Lane roundabout in Tamworth. Your office has received some concerns about it, my office has received some concerns about it and even Mr Veitch's office has received some concerns about it. Significant case law exists where councils and transport departments are held liable for non-compliant traffic devices. Given that some of those issues raised with all of our offices are now starting to materialise with this roundabout that is now 70 per cent complete, does it concern you that your department may be held liable for any damage, injury or death because of this non-compliant traffic device?

Mr PAUL TOOLE: Of course I would be concerned if that was going to be the case and I would be ensuring that Transport is providing appropriate input back to the council as well. Of course I would be if we are liable for any particular matter.

The ACTING CHAIR: Are you aware there has already been two accidents on this roundabout even though it is not complete?

Mr PAUL TOOLE: I am not aware but I would hope—and do not forget that as part of traffic committees, there is an opportunity in those particular forums that we have

established with councils, community representatives and local members who have representatives on those committees as well, to provide input into those issues that may be raised from a local level from time to time.

The ACTING CHAIR: Do you know whether the Transport for NSW representative on that committee did raise concerns about this particular project?

Mr PAUL TOOLE: I am not aware. We would have to take it on notice. I do not think we would be aware until we saw the minutes.

The ACTING CHAIR: Perhaps on notice too, the minutes are a little bit unclear but they seem to suggest that the Transport for NSW representative was not there when the final decision was made to proceed with this project. Perhaps, you could check whether the representative was there?

Mr PAUL TOOLE: Yes

ANSWER

I am advised:

Calala Lane is a Local Road under the authority of Tamworth Regional Council. In accordance with section 7 of the *Roads Act 1993*, the local council is responsible for the funding, design and construction of all works on the road.

Traffic committees do not approve regulative traffic devices, they make recommendations to the elected council or its delegated representative. As a member of a traffic committee, Transport for NSW does not assess compliance to standards but can recommend the appropriateness of a device for a location.

A Transport for NSW representative did not attend the meeting to discuss the proposal, however, written feedback was provided prior to the meeting and no objections to the installation of a roundabout were raised.

QoN19

The ACTING CHAIR: Specifically some of the concerns that are now materialising, it seems that the design includes pedestrian ramps on and off the roundabout, which is fine, but not through the centre of the roundabout. The on and off ramps are actually on the rim of the roundabout. That means a mother with a pram has the choice of either pushing her pram out in front of the car or taking a hit herself. Would that concern you if that was part of the design?

Mr PAUL TOOLE: If that was part of the design and it was not our required standard, then that would concern me as to the roundabout that had been put forward as it would have a safety implication. Again, we can take it on notice and provide the council with advice around standards in relation to the construction and building of roundabouts in their particular area. You have actually put a focus on Tamworth council here and we can ensure that that information is provided around appropriate standards.

ANSWER

I am advised:

As the responsible roads authority, Tamworth Regional Council determines the standards to which they construct assets on their local road network. Transport for NSW has no statutory ability to enforce design and or construction standards for this project, however, has undertaken to discuss with Tamworth Regional Council the intersection.

QoN20

The ACTING CHAIR: Thank you. I have got the maths teacher to the right of me. There are obviously significant concerns. My understanding is the successful tenderer has gone back to the council and said, "We are not even happy building this thing." Perhaps on notice, can you get a response from Tamworth council about these concerns? Obviously, as we have said, the council has a liability potentially to the department. More importantly, there is a local school there and a residential community for over 55s. So the potential for death or injury is quite significant.

Mr PAUL TOOLE: I think the council should be concerned about it as well, if there are issues around design and they are not meeting those standards. Let us have a look at it, and we will put something through appropriately and raise it with the council.

ANSWER

I am advised:

Tamworth Regional Council has informed Transport for NSW there has been no communications from the successful tenderer about concerns with the design of the roundabout or construction of the roundabout.

QoN21

The Hon. JOHN GRAHAM: I welcome the fact you are looking at further assistance. I think there is just no question that is required. Rewinding to the Additional Assistance Payment Scheme originally promised—that \$142 million—\$42 million of that was spent. Is it still the case that \$100 million of that original assistance package has not been spent?

Mr PAUL TOOLE: So there was the hardship package and then there is the package that is available there through the PSL. We always said that the PSL would be used to raise up to \$250 million or five years, whatever came first. We know that, potentially, we may have to look at extending the PSL time frame but, again,

that will have to come to Parliament for a legislative change for that to occur.

The Hon. JOHN GRAHAM: Yes. So you are talking about future assistance—

Mr PAUL TOOLE: Correct.

The Hon. JOHN GRAHAM: —and the structure of that. I am asking about the previous assistance. The Government said \$142 million was in the Additional Assistance Payment Scheme for drivers, to compensate them for hardship. Of that \$142 million, \$42 million was spent. Is the \$100 million still sitting in your bank account? By "you", I mean "the Government's".

Mr PAUL TOOLE: Yes, I was going to say, not mine. Not mine.

The Hon. JOHN GRAHAM: No. An important clarification.

Mr PAUL TOOLE: I might ask if Ms Wise knows but my understanding is you are right. The hardship assistance package, \$42 million of the \$142 million has been used. So I would have to just clarify as to exactly where the \$100 million is. I would say I believe it would be in the bank. But I might see whether Ms Wise has an answer?

The Hon. JOHN GRAHAM: Thank you. Ms Wise?

Ms WISE: I am sorry. I do not play any role in the administration of those funds.

Mr PAUL TOOLE: We will take it on notice. We will find out for you and get you an answer.

ANSWER

I am advised:

More than \$145 million has been paid out under the industry assistance schemes to help taxi and hire car licence holders adjust to the point to point transport reforms. This includes:

- \$94.2 million in Transitional Assistance Payments (\$20,000 per licence (maximum two) for eligible taxi licence holders)
- \$8.3 million to Eligible Hire Car Licence Holders
- \$42.1 million in Additional Assistance Payments for taxi licence holders detrimentally impacted by the reforms

The Passenger Service Levy has collected \$222.3 million as at 1 October 2021, and the remaining unspent funds will be used in a further assistance scheme.

QoN22

The Hon. JOHN GRAHAM: Well, Deputy Premier, let me give you the numbers of people who came forward—1,258 applications were made. In more than half of those, 727, nil payments were made. Zero was paid out. That is the problem here. The Government promised \$142 million and stole \$100 million of it. That is what the industry thinks. That is what taxidriviers think. You promised one thing and you stole \$100 million of it. They want to know when it is coming back to the industry.

Mr PAUL TOOLE: I would have to have a look. But I also note that the industry—which we have made representations for on their behalf—a lot of them got hardship payments and then had it taken away through social security payments.

The Hon. JOHN GRAHAM: Another issue. I agree, that was a second issue.

Mr PAUL TOOLE: Yes. So in many respects where we gave them hardship payments those social security payments were impacted by the Federal Government. So, again, we acknowledged that and made representations—I know

that the previous Minister and I both signed off on a letter to the Commonwealth in relation to this area.

The Hon. JOHN GRAHAM: I agree that was an additional problem with the labour fund restructure but the key issue that was raised was that the criteria were simply too tight. More than half of the people who desperately needed assistance were told, "You get nothing because you do not meet the very tight criteria." That is what happened. That is why there is \$100 million sitting in the Government bank account and not in the pockets of taxi drivers hit by this change. That is correct, is it not?

Mr PAUL TOOLE: Well, you are right because there is \$42 million of that \$142 million that has been distributed and, you are right, we actually want to work with an eligibility criteria. We want to work with the taxi industry to provide an assistance package and I do not think we are not committed. It is about trying to work out what is the right outcome here for the industry and being able to achieve something a little bit earlier than 2058.

I think that is important for—

The Hon. JOHN GRAHAM: But taxi drivers were promised this money. This was the Government's answer when they were under pressure and it simply was not delivered. Will you give a commitment that that \$100 million will be taken out of the account and put in the pockets of taxi drivers who have been impacted by these changes soon?

Mr SHARP: Mr Graham, if I could add some context there, there is a Taxi and Hire Vehicle Industries Assistance Panel that actually set that criteria and that panel did include the NSW Taxi Council and a number of government departments, including Treasury and Cabinet. But there was a set of criteria that was aimed at the circumstances at the time and there was industry input into that. Certainly from a Transport perspective, as we are going through this consultation period, we would be wanting to look at what is the appropriate criteria moving forward. Clearly not everyone met that criteria.

The Hon. JOHN GRAHAM: Mr Sharp, can you confirm whether the NSW Taxi Council was included as a full participant or as an observer on that panel?

Mr SHARP: I would have to take that on notice. All I know is that they were on the panel.

ANSWER

I am advised:

Under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, the NSW Taxi Council representative on the Taxi and Hire Vehicles Industry Assistance Panel was not a voting member.

However, the Taxi Council representative was an active participant and their views and concerns were carefully considered by the Panel.

QoN23

The Hon. MICK VEITCH: I have a quick question around the Dawson Street and Bruxner Highway intersection up in the electorate of Lismore—an election commitment in 2019, I think. Where is that up to, Minister? Those upgrades are pretty important to that community, as you would well be aware.

Mr PAUL TOOLE: Absolutely. I would have to take it on notice, Mr Veitch. I know I have got it here somewhere but I will take it on notice.

The Hon. MICK VEITCH: Okay. If you take it on notice, could you let us know essentially where that project is up to and how many dollars have been expended to date against that project?

Mr PAUL TOOLE: Yes, sure. Hang on, I have got something here. Here you go. Bruxner Highway, the Alstonville on-ramp is funded for \$5 million for construction. This project is an election commitment and the project will go out for community consultation in the coming weeks. Molesworth Street is funded for \$6 million for construction. This project is an election commitment. It is in response to community concerns regarding pedestrian safety in the Lismore town precinct. Transport for NSW is working with council to consider options for pedestrian improvements in the CBD as part of this project. A consultation submission report will be finalised by the end of 2021. Wollongbar to Goonellabah upgrade development funded only to gate one; major project estimated between \$300 million and \$350 million. There is no construction funding but a strategic business case for the project has been completed. Last cost estimate in 2020; current cost estimate is expected to be more than \$350 million. Cowlong Road, there is \$200,000 for investigations of minor safety improvements. This is an election commitment. The project is within the W-G section and is near Alphadale. Lismore to Casino, funding for planning for

overtaking lanes. Lismore to Casino, there are two smaller safety projects: Tatham Road intersection, shoulder widening, \$1.165 million for development and delivery by 2023—

The Hon. MICK VEITCH: Sorry, by 2023, so at the start of 2023, end of 2023?

Mr PAUL TOOLE: It is 2023.

The Hon. MICK VEITCH: That is 12 months, okay.

Mr PAUL TOOLE: Northcott, pavement rehabilitation and shoulder widening—\$4 million development and delivery by 2022.

The Hon. MICK VEITCH: The main thing, so December this year, that Dawson Street-Bruxner Highway, so in coming weeks—we have not many weeks left in the year so can I safely advise the local member that by December there should be community consultation taking place?

Mr PAUL TOOLE: Mick, we will come back to you definitely on that particular question

ANSWER

I am advised:

I refer you to the answer to LA 6394.