

**PORTFOLIO COMMITTEE NO. 6 – TRANSPORT AND ROADS – QUESTIONS ON
NOTICE – 2 November 2021**

QoN01

The Hon. DANIEL MOOKHEY: Can I just say at the outset as well that certainly the Opposition wishes to express its appreciation for the hard work of the entire Transport cluster during the 16-week lockdown period. Minister, can we start by talking about the Inner West Light Rail? How many light rail vehicles in the inner west have cracking defects or other defects?

Mr ROB STOKES: My understanding is that the entire fleet has some issues in relation to cracking.

I will refer you to the secretary for further—

The Hon. DANIEL MOOKHEY: Just before you do, can you pull your microphone forward, Minister?

Mr ROB STOKES: Sure

The Hon. DANIEL MOOKHEY: Mr Secretary?

Mr SHARP: Thank you for the question. Yes, the inspections have just been completed. All of the sets have cracks of varying significance.

The Hon. DANIEL MOOKHEY: All of the sets. And just how many sets are there?

Mr SHARP: I would have to take that on notice. Mr Collins, the number of train sets?

The Hon. DANIEL MOOKHEY: He is gesturing.

Mr COLLINS: There are 12 sets available and all of them have cracks.

ANSWER

I am advised:

I refer to the response provided by Mr Collins in the hearing.

QoN02

The Hon. DANIEL MOOKHEY: Sure. Minister, when we you first told that the 12 sets had cracks?

Mr ROB STOKES: From the best of my recollection, it was on Friday—not the 12. I am sorry. I heard about the cracking that had been identified in the routine inspection of one when the fleet was then comprehensively checked. It was over

the weekend that I became aware that the cracking was more significant and affected the entirety of the fleet.

The Hon. DANIEL MOOKHEY: So when were you told about the routine inspection?

Mr ROB STOKES: I would have to take it on notice, but I believe it was on Friday.

The Hon. DANIEL MOOKHEY: On Friday. But the network—

Mr ROB STOKES: It might have been Thursday evening.

The Hon. DANIEL MOOKHEY: The line was suspended on Thursday, correct?

Mr ROB STOKES: Yes. That is why I will have to check on the exact timing.

The Hon. DANIEL MOOKHEY: Mr Secretary, the line was suspended on Thursday, correct?

Mr SHARP: Yes. The Minister would have been advised the day before. This is because as the information came through we took the action to close it down and make sure—

The Hon. DANIEL MOOKHEY: So you were told on Thursday?

Mr ROB STOKES: Again, that is why I am taking it on notice. But it would have been effectively, as the secretary said, just prior to the decision to pull the trams off the track.

ANSWER

I am advised:

On 27 October 2021, Altrac, the accredited operator and maintainer of the fleet, decided to ground the fleet after to enable a full assessment of the extent of the cracking.

QoN03

The Hon. DANIEL MOOKHEY: What is the cost of suspending service on the light rail for more than a month?

Mr ROB STOKES: I will direct you to the secretary.

Mr SHARP: The cost would be the cost of the bus services. We would certainly be looking, under our contractual positions, to offset those costs. We have a supply arrangement and if they have not been honoured then obviously there will be contractual provisions—

The Hon. DANIEL MOOKHEY: Do you have a range, Mr Sharp, as to how much the bus services will cost us?

Mr SHARP: Mr Collins, the dollar amount for the 26 buses?

Mr COLLINS: I cannot give you that question directly. I will provide that, if necessary, on notice.

The Hon. DANIEL MOOKHEY: Well, it is necessary, so can you take it on notice?

Mr COLLINS: We may be able to find that figure prior to, but some of those answers are commercial, but it is several thousand dollars a day.

ANSWER

I am advised:

Costs relating to the Temporary Transport Plan are commercial in confidence.

QoN04

The CHAIR: Could you give me the assurance then that there are no deed polls being used in relation to temporary accommodation being provided that include any kind of gag?

Ms DROVER: I would need to go away and confirm exactly what is being used for temporary accommodation.

The CHAIR: My office is receiving information to the contrary so it would be very useful if you can take that on notice and even come back this afternoon.

ANSWER

I am advised:

Transport for NSW has instructed the contractor to remove confidentiality clauses from all Deed Polls with residents relating to respite measures including the provision of alternate temporary accommodation.

QoN05

The Hon. MARK BANASIAK: Who instructed KJA not to listen to references from the Portfolio Committee No. 6 report?

The Hon. SHAYNE MALLARD: No-one would do that.

Mr DE KOCK: As I mentioned before, it is a very important consultation process

and Transport for NSW engaged KJA to help design and deliver the consultation program. They were selected through a process. They have helped us run the consultation process. I am not aware of any instruction that you refer to. I would have to take that on notice.

ANSWER

I am advised:

On 8 June 2021, the NSW Government's response to the Legislative Council's Portfolio Committee No. 6 Inquiry into the Operation of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*.

On 9 June 2021, the NSW Government published its response to the Independent Review of Point to Point Transport. As part of finalising that response, the NSW Government committed to consulting with stakeholders on aspects of the reform, including on the design of an appropriate assistance scheme for taxi licence owners. Transport for NSW carried out consultation in September 2021 with the assistance of KJA.

QoN06

The Hon. MARK BANASIAK: Minister, a spokesperson from your office in a webinar hosted on Wednesday 15 September from 12.00 p.m. to 1.00 p.m. stated that next year Transport for NSW is going to cancel existing New South Wales taxi licences. That was the first time anyone in the industry had heard that announcement. Is this how we do consultation now? We come to people and say, "This is what we are doing. You may get \$50,000 in assistance, or you may not." Is that good consultation?

Mr ROB STOKES: Given that predates my time in office, I will direct you to the secretary, who might be able to shed some more light on it.

Mr SHARP: In respect of that particular question, what I do know is that there were a large number of consultation processes: five webinars, nearly 900 people attending, online surveys and stakeholder reviews. I am not sure which particular one of those consultation meetings you are referring to.

The Hon. MARK BANASIAK: Wednesday 15 September from 12.00 p.m. to 1.00 p.m.

Mr SHARP: Throughout September we had multiple meetings. I would have to take that on notice, unless Mr de Kock has information on that particular meeting.

ANSWER

I am advised:

The Independent Review of Point to Point Transport, released in February 2021, stated that ordinary taxi licences should be abolished, and recommended that taxi licence supply restrictions be removed. The Review also recommended that new arrangements be introduced to provide for renewable, non-transferable taxi licences to be issued on request for an administration fee, for operation anywhere in NSW. In June 2021, the NSW Government released its response to the Independent Review, which broadly supported all 24 recommendations. Transport for NSW consulted with industry throughout September 2021 on the implementation of the NSW Government's response to the Independent Review, which included multiple webinars seeking feedback on the possible design of the assistance scheme and the proposed transitional arrangements for taxi licensing.

QoN07

The Hon. JOHN GRAHAM: Some of the community concerns about this project are that the northern beaches link toll road project is greater than the cost of the Western Harbour Tunnel and the Warringah Freeway upgrade, and that the project definition and delivery report show that it might just carry 25 per cent of the traffic. Do you share those concerns or what would you say to those community concerns?

Mr ROB STOKES: Ultimately, these are matters for the planning process, which is going through its process at the moment. I understand we are up to the preferred infrastructure report that the Department of Transport has been asked to submit by Planning. The response to submissions, I think, we are up to that stage, but I would be happy to provide more details on notice. Obviously this will proceed for determination as—it is currently a State-significant infrastructure, which means that in my role as planning Minister, I will have a determinative role. I have obviously got to be appropriately impartial on that point, but I can confirm that the Government remains committed to the project.

ANSWER

I am advised:

On 9 November 2021, the submissions report and preferred infrastructure report for the Beaches Link and Gore Hill Freeway Connection project were released.

Transport for NSW has provided the submissions report and preferred infrastructure report to the Department of Primary Industries and the Environment to inform the Minister for Planning and Public Spaces when making a decision about approval of the project. A decision is expected in early 2022. Where approved, the project will be built and operated in line with the conditions of approval set by the Minister for Planning and Public Spaces.

QoN08

The Hon. JOHN GRAHAM: When this went to Cabinet, the benefit-cost ratio [BCR] of the Beaches Link component of this then single project was 1.2. When the wider economic benefits were measured, it did not shift the BCR at all; it was still 1.2—that is, there were no measurable wider economic benefits. Have you ever seen a project that has been approved where that is the case—there are simply no wider economic benefits?

Mr ROB STOKES: I will reflect on that on notice. That is actually not my recollection of what I saw, but I will take that on notice. Ultimately, a business case is a useful tool in guiding the Government decision-making. I am certainly aware of road projects that have been proceeded with that have had a negative BCR but, as you have indicated, this project has a positive BCR.

The Hon. JOHN GRAHAM: I am happy for you to take this on notice. I am asking about the wider economic benefits—not measuring the transport costs then adding the wider economic benefits simply did not shift the dial for this project? That is my question.

Mr ROB STOKES: Sure. I accept that and I will take that on notice. But I would say in any event, with or without wider economic benefits, my understanding is that there is a positive cost benefit.

The Hon. JOHN GRAHAM: Yes, understood. The local councils' position is they are happy to accept this \$10 billion transport project but they do not want to accept

a single extra resident or dwelling. You are the planning Minister as well as the transport Minister. Do you accept that as a reasonable position?

Mr ROB STOKES: My understanding of the councils' position—again, happy to reflect on this on notice—is that the planned precinct around Frenchs Forest is being considered at the moment on the basis of existing transport infrastructure connections, but there are further stages of that precinct that would be dependent upon the extra capacity provided by the Beaches Link project.

ANSWER

I am advised:

The investment decision for the Beaches Link has not been made and therefore the Benefit Cost Ratio has not been confirmed. Typically, the Benefit Cost Ratio including wider economic benefits for transport infrastructure projects is higher than that without wider economic benefits, so it is a reasonable expectation the case would be no different for the Beaches Link.

QoN09

The Hon. JOHN GRAHAM: We know how much drivers are paying per year. It is now about \$2.3 billion in tolls every year. We have now hit the rate of one million toll trips a day in Sydney. That is where we are right now, but these contracts extend to 2060. In total, how much is coming out of the pockets of drivers between now and 2060 under these toll contracts.

Mr ROB STOKES: It is not that I do not want to answer your question; it is more a case of that is a very complex question.

The Hon. JOHN GRAHAM: That distinguishes you from many of your colleagues.

Mr ROB STOKES: The challenge, of course, is it is a tremendously difficult question to answer. Then you would also have to factor in the value of money over time as well. I am happy to take it on notice and see what I can provide for you. I suspect that would be a very difficult answer to provide. I think if you are going to answer it genuinely, you also need to not just factor in the costs but also the benefits to motorists over the same period from having access to great new roads that are safer, more efficient and less congested.

The Hon. JOHN GRAHAM: Many Ministers spruik the benefits of these roads, and I am happy to hear about that. I simply want to know what the cost is to drivers. It is a very simple question. How much are drivers paying?

Mr ROB STOKES: Mr Graham, as you would appreciate, it is not a very simple question. I do not have that figure off the top of my head, as you would appreciate. I am happy to reflect on notice to see what I could usefully provide to you in terms of information.

The Hon. JOHN GRAHAM: You accept that it is not an unreasonable question to ask in the public interest. If we are weighing up the benefits—and I am happy to hear the benefits of these tolls roads—we also have to consider the costs. We know the cost that government pays, but the cost that drivers pay is in the public interest for that to be known. You would agree with that?

Mr ROB STOKES: I am not here to assess the quality of your questions, but I will do my best to answer them. In that spirit, I will do my best to provide information. As you would appreciate, there is a level of complexity because these relate to arrangements that have been made by various governments over a long period of time. I will refer you to the secretary though, who may be able to provide some assistance. He is looking eager.

Mr SHARP: In terms of the cost to the taxpayer, there is also the overlay of what the patronage might be in the future as well. As growth occurs, congestion occurs.

The Hon. JOHN GRAHAM: I do not want to know about the cost to the taxpayer; I do want to know about the cost to drivers, if you have got something to say on that.

Mr SHARP: The cost to drivers—then you have got to overlay the various relief measures that are in place. There are a number of toll relief measures and caps as well.

The Hon. JOHN GRAHAM: We have spoken extensively about toll relief.

Mr SHARP: Yes. I am not going into detail.

The Hon. JOHN GRAHAM: If you have got something to say on the cost to drivers—

Mr SHARP: I am not going into detail, but the drivers do get the cash back.

The Hon. JOHN GRAHAM: But I want to know how much is going out of their pocket, Mr Sharp.

That is a reasonable question. If you have got something to contribute on that now, you are very welcome to.

Mr SHARP: No, we do not at the moment. As the Minister indicated, this is very complex. We will take it on notice.

The Hon. JOHN GRAHAM: Minister, this information is estimated—it is known. It is in the data room for any company that bids for these toll roads. That information, up until now, Treasury has said is commercial in confidence, but it is not now that the road has been sold. Do you accept that? I do not accept there is a reason not to be able to talk about this total, but there might have been a commercial-in-confidence restriction around this information prior to a sale. This road has been sold—I am now referring to WestConnex—until 2060. There is no commercial-in-confidence reason to protect those estimates now, is there?

Mr ROB STOKES: I understand Treasury's reticence on this point comes from the fact that this information may be useful in terms of any future negotiations—

The Hon. JOHN GRAHAM: In 2061.

Mr ROB STOKES: —that any future government may want to enter into. I understand that there may be some commercial-in-confidence concerns. The last thing we would want to do is reduce the capacity for the taxpayer to seek the best possible value out of any future proposal that any future government may want to consider. Subject to that point, I agree with the fundamental premise about transparency. On notice, I will reflect on what information I can sensibly provide to you to provide answers to your questions on this front

ANSWER

I am advised:

A precise calculation of the dollar value of tolls collected to be collected in the future is not possible. Estimates contained in the base case financial model for each motorway are commercial-in-confidence.

QoN10

The Hon. DANIEL MOOKHEY: Thank you, Chair, and good to see you again, Minister. Minister, how many of the Emerald Class ferries are operational right now?

Mr ROB STOKES: In relation to the three of the new Emeralds, one has now entered into operation I think last Friday and the first three are in operation.

The Hon. DANIEL MOOKHEY: So one is in operation. When will the others be fully operational, including at night?

Mr ROB STOKES: I will refer you to the secretary.

Mr SHARP: They are progressively being rolled out and not at night at the moment, but there is a retrofit designed to address that and that will be progressively introduced.

The Hon. DANIEL MOOKHEY: We will get to that, Mr Secretary, but my question was: When will all of them be operational? Do we know?

Mr SHARP: I cannot give you a date.

The Hon. DANIEL MOOKHEY: Is that because there is no date?

Mr SHARP: They are going through their final testing stages to come in. I can revert with the anticipated dates.

The Hon. DANIEL MOOKHEY: Thank you. Has the Australian Maritime Safety Authority given certification for the Emerald Class Manly ferries?

Mr SHARP: I would have to take that on notice to Mr Collins

ANSWER

I am advised:

Of the fleet of three Second Generation Emerald Class ferries, Fairlight and Balmoral are in service, with the third vessel, the Clontarf, expected to be in service before the end of the year.

The vessels are able to operate without restriction at night-time and all three vessels have been issued with a Certificate of Survey and Operations by the Australian Maritime Safety Authority.

QoN11

Mr SHARP: We are looking at the bus lane and additional patronage. That plan is underway. In respect to the broader Parramatta Road, there is a continuation of the detailed review when the M4-M5 Link opens and it is connected with when the other infrastructure opens.

The Hon. JOHN GRAHAM: Mr Secretary, I will come back to you on this question, unless you can answer this: When will those conditions be satisfied? Can you answer that specifically?

Mr SHARP: Are you talking about the buses or the conditions generally?

The Hon. JOHN GRAHAM: I am talking about the conditions that were imposed by the—

Mr SHARP: I would have to refer to Ms Bourke-O'Neil in respect to the actual conditions.

The Hon. JOHN GRAHAM: Let us come back to that in the other session.

Mr ROB STOKES: Yes, and I am also happy to provide details on notice as well because it is my expectation that those conditions be fulfilled as quickly as possible.

ANSWER

I am advised:

TfNSW is investigating short, medium and long-term public transport initiatives along Parramatta Road between Granville and Camperdown. The short-term priority aim is to develop a package of improvements to enhance the reliability of bus journeys for customers travelling along and across the Parramatta Road Corridor. The community will be kept informed about the introduction of these changes.

QoN12

The Hon. DANIEL MOOKHEY: I am happy to pick that up with the secretary this afternoon. You have made mention to the EIS, and it is only now that money has been put aside for an EIS. When do you expect the EIS to (a) start and (b) complete?

Mr ROB STOKES: Again, I think, appropriately, because this did delve into operational matters, I would probably refer you to the secretary.

The Hon. DANIEL MOOKHEY: Minister, it is not an operational matter.

Mr ROB STOKES: It is.

The Hon. DANIEL MOOKHEY: Your budget put aside the money for the EIS.

When, as Minister, are you expecting the EIS to be with you and with the public?

Mr ROB STOKES: I will take that on notice.

ANSWER

I am advised:

Transport for NSW is focused on planning and development work, including utilities and geotechnical investigations and development of the project's Environmental Impact Statement (EIS). Timing for the delivery of the EIS is being assessed as part of this planning work, and the release of the EIS for public exhibition will be confirmed following the outcome of the further planning work.

QoN13

Ms CATE FAEHRMANN: Good morning, Minister. I just want to talk about cycling in relation to increasing injuries and deaths of cyclists on our roads. In 2020-21, according to the office of State revenue, 7,048 fines were issued to bike riders by New South Wales police for things like not having a bell and riding on the footpath. Over the same period, only 25 fines were issued to drivers for close-passing infringements. During that time, 14 bicycle riders died, 11 of whom were hit by cars, whilst a further 2,308 riders were seriously injured. I want to know from your point of view because you are new in the transport position, will you commit to taking cyclists' safety more seriously than perhaps your Government has done in the past?

Mr ROB STOKES: You had me right until the end. As you would expect, I would say that we do take cyclists' safety seriously. However, I otherwise agree with the premise of your question that there is, I believe, a longstanding cultural problem in this city in relation to cycling that we need to get over. Other cities have done it. We have some local challenges in terms of road widths and topography and all those sorts of issues, but nevertheless we need to do everything we can to facilitate a

greater take-up of active transport and make it safer. I should add, it is not just cyclists, but also, importantly, pedestrians. That will certainly be a focus that I will bring to bear in this portfolio. Of course there is always more we can do. I am very aware that cyclists are a particular vulnerability in relation to other transport users. We do need to do everything we can to make cycling as safe as possible because that will also make it more attractive for more people to take up. That also means that wherever we can safely do so within existing restraints—we are talking about retrofitting infrastructure here—we need to provide more opportunities for separated cycleways, wherever it is safe to do so.

ANSWER

I am advised:

In 2020, there were 13 pedal cyclists killed in crashes on NSW roads. Ten of these were involved in a collision with a motor vehicle. Of these motor vehicles, four were cars, four were light truck utilities and two were heavy trucks.

QoN14

Ms CATE FAEHRMANN: Yes, thank you. We will get to that. That statistic was 2,308 riders who were seriously injured in 2020. Do you know what proportion of the budget for road safety education is actually spent on driver awareness in terms of cyclists?

Mr ROB STOKES: I will refer you to the secretary.

Ms CATE FAEHRMANN: Do you have any idea of what proportion that is?

Mr SHARP: I would have to take the actual portion on notice and come back to you. To the Minister's point about separation, we are spending \$950 million on walk and cycleways over the next four years. All up that would be about \$1.5 billion. The ultimate answer is to separate, and we are investing on that front. We run multiple advertising campaigns on safety, and I will come back to you specifically on the portion geared to cyclists

ANSWER

I am advised:

In 2021-22, Transport for NSW is investing over \$809,000 to support bicycle safety through advertising and behavioural programs.

QoN15

Ms CATE FAEHRMANN: Fantastic. That is good. In terms of the cycling networks that you were just talking about, in 2018 Infrastructure Australia proposed a 300 kilometre network of cycleways. I understand that Transport for NSW began a project working with Sydney councils and Bicycle NSW to develop this network of connected cycleways. I think it is called the Principal Bicycle Network.

Mr ROB STOKES: That is right, yes.

Ms CATE FAEHRMANN: Earlier this year bike advocates were informed, however, that this network would not be delivered. Why is that the case? How much was spent on planning the network and what is going to happen now to ensure really safe, integrated and separated cycleways?

Mr ROB STOKES: There are two questions there. The first is: Why was it not progressed? I can take that on notice, but I can certainly talk about my intentions in the portfolio. I believe having a pipeline of projects in relation to cycling infrastructure is just as important as having a pipeline of projects in relation to other forms of transport infrastructure. I think one of the challenges here has been a lack of an identification of a pipeline of projects. A lot of the funding the secretary is referring to is provided to local councils and often they have not identified or planned a project beforehand. I understand a great deal of that money is ultimately refunded because it is not able to be expended on planned routes.

ANSWER

I am advised:

I refer you to the response to Budget Estimates November 2021 Supplementary Question Nine.

QoN16

Ms CATE FAEHRMANN: While I have time, I did ask the Minister for police the other day about our drug driving laws in the Road Transport Act and he assured me he had absolutely nothing to do with that and I had to come to you and ask you, so here I am. I just wanted to, firstly, know, Minister, whether you are aware that within the Road Transport Act there is a defence for somebody who has tested positive for morphine if it was caused by the consumption of a substance for

medicinal purposes. However, that is not the same as cannabis. But the Therapeutic Goods Administration has approved over 170,000 applications for medicinal cannabis, so there are a lot of people out there who are taking cannabis medicinally; our Road Transport Act does not reflect that. Do you commit to having a look at that and seeing whether we can at least ensure that those people who are taking cannabis medicinally are not charged for it and get a criminal record for something that is legal?

Mr ROB STOKES: I was anticipating that you may ask this and Bernard Carlon would be available. I appreciate time is of the essence, so perhaps we can provide some details on notice—unless he wants to answer now.

Ms CATE FAEHRMANN: If you will indulge me a couple of minutes to get the answer.

The Hon. MARK BANASIAK: Yes, that is fine.

The CHAIR: Go ahead.

Ms CATE FAEHRMANN: Great. Thank you. Mr Carlon?

Mr CARLON: Thank you for the question. The issue here is around the use of medicines and some cannabis medicines prescribed by a doctor do contain DHC, which is the psychoactive component of cannabis, which can impair the skills of an individual's safe driving. There are some cannabis medicines containing CBD only, which is also from cannabis but it is not psychoactive, and those medicines can be used lawfully in terms of driving and you are not impaired. I think the key here is for drivers taking cannabis medicine are advised to speak to their doctor about whether it contains DHC and what it means for their driving in the same way any other medicines prescribed that may impact on your ability to drive is treated in the same way. It is illegal for a driver to have DHC in their system, including when it is used as a medicine, and DHC can be detected currently through our roadside drug testing. There is no way to determine roadside whether DHC is—

Ms CATE FAEHRMANN: Thank you, Mr Carlon. That is the current system, yes, it is. Thank you very much for explaining that. Minister, will you commit to at least having a look at this situation?

Mr ROB STOKES: I am happy to provide further details on notice, and I am very happy to look at the issue.

ANSWER

I am advised:

Some cannabis medicines legally prescribed by a doctor contain Tetrahydrocannabinol (THC). THC is the psychoactive component of cannabis, which can impair the skills needed for safe driving. Under the *Road Transport Act 2013* it is illegal for a driver to have THC in their system, including when it has been lawfully prescribed by a doctor.

Between 2015-16 and 2019-20, there were 259 fatal crashes and 411 serious injuries involving drivers or riders with the presence of THC in their system at the time of the crashes.

There is no defence to the offences relating to presence and drive under the influence in the *Road Transport Act 2013* relating to THC. This position is consistent across Australian jurisdictions.

Some cannabis medicines contain cannabidiol (CBD) only. CBD is also from cannabis but is non-psychoactive. Drivers prescribed CBD-only medicines can lawfully drive if they are not impaired.

QoN17

The Hon. MARK BANASIAK: The report said that the freight has largely been ad hoc on the metro system. What are you doing to address the ad hoc-ness of freight on the metro system?

Mr ROB STOKES: Can I jump in here—sorry, I just conferred with my colleagues. We are reviewing, or just about to initiate a review, of the landside improvement strategy, which is effectively how we can look to better use resources on the port lands to increase efficiency. That has been something the industry has been calling for. We will commence consultation on that review imminently.

The Hon. MARK BANASIAK: Mr Sharp, did you have any comment about the ad hoc-ness and what you are doing to address that?

Mr SHARP: A lot of that freight is actually scheduled, but there are ad hoc freight services as well. During COVID, with the lower patronage, we have actually been able to manage that. Dynamic schedules have also assisted. We do acknowledge we can further improve that by having more live data and data information from our freight users. That is part of that process that we are putting in place with Sydney

Trains, which is to actually balance that passenger requirement with the freight. But having visibility and data is key. That is something we are looking to mature and improve.

The Hon. MARK BANASIAK: When will that live data system be operational, do you think?

Mr SHARP: I would have to take the actual operational date on notice, but we are already looking at the data elements and how we can operationalise that.

ANSWER

I am advised:

Transport for NSW's response to the Audit Office's report noted the importance of good data as a basis for determining and monitoring the performance requirements of both Sydney Trains and freight operators that use the metropolitan network.

The process for the development of the Freight Level of Service to be included in the Rail Operations Agreement between Transport for NSW and Sydney Trains includes assessing the required data needs to support improved freight service level monitoring and performance analysis.

This assessment will include how to better capture and utilise real-time data to improve management of freight on the metropolitan network. This work will be well advanced by April 2022, forming part of Transport for NSW's Freight Data Strategy.

QoN18

The CHAIR: Thank you. Minister, I wanted to ask you about New South Wales' compliance with the Disability Standards for Accessible Public Transport. These are the standards that New South Wales signed up to with the rest of Australia in 2002, where we are obliged to have a certain percentage of our public transport completely accessible by certain dates. They are meant to be fully accessible following that date, with a slightly different time line for train stations. When I raised this previously with your predecessor it took a while to find out, but then I eventually found out that the department actually did not know what it needed to do to become fully accessible, let alone to actually be fully accessible. Can you tell me where New South Wales is currently at with making all transport fully accessible?

Mr ROB STOKES: Certainly. These would be investments that are being made under the Transport Access Program. I can get you a full rundown. It is probably appropriate on notice because there will be quite a bit of detail in terms of progress to date but also remaining steps. I am not sure if there is anything the secretary wants to add to that.

Mr SHARP: It is very targeted at key rail stations and 90 per cent of customers' journeys now are from accessible locations. So good progress is being made, but there is a lot of detail in that program, which we can share.

The CHAIR: New South Wales is obliged to be at 100 per cent compliance with those standards by the end of next year, with the exception of trains. Are we going to meet that deadline?

Mr SHARP: I would have to take that on notice. I haven't got the final project deadline here. No, I will have to revert.

Mr ROB STOKES: We will take it on notice

ANSWER

I am advised:

In response to recommendations from the Audit Office of NSW, Transport for NSW completed accessibility audits across 421 train stations and ferry wharves. The audits, which were completed in 2020, highlighted the pivotal role the Transport Access Program (TAP) plays in achieving compliance targets established under the Disability Standards for Accessible Public Transport (DSAPT). Since 2012, more than \$2 billion has been spent to upgrade stations under TAP.

Transport for NSW has acknowledged it may not achieve full compliance with the prescriptive requirements under the DSAPT target timeframes for legacy infrastructure.

Based on the findings of the Accessibility Audit Findings Report, released in June 2021, Transport for NSW has revised its wheelchair accessibility classifications into Independent Access, Assisted Access and Not Accessible. These classifications are used on the transport network to assist customers in planning their journey. In addition to wheelchair accessibility, the Report also provides a breakdown of features including communication and mobility requirements across the train and ferry networks.

The current tranche of the TAP work program, known as TAP 3, seeks to improve access at train stations and ferry wharves for those with a disability, limited mobility, or parents with prams. Transport for NSW is currently upgrading, or planning to upgrade, 40 stations and 10 ferry wharves that are classified as Assisted Access or Not Accessible.

QoN19

The CHAIR: That would be very useful, thank you. A couple of questions about the Kamay ferry wharf—and I will raise some more questions this afternoon on this. I just wanted to check with you, Minister, your understanding of this project. We raised some questions about this in the last round of estimates, when we did not have the Minister here with us. This is a project, I understand, that sits within Scott Morrison's electorate but also was announced by Mark Speakman, the member for Cronulla. It has quite a lot of local support to it. Is it possible that the project has gained a bit of unwarranted momentum and, in view of current budgetary restraints, should perhaps be re-examined as to whether this is an appropriate project?

Mr ROB STOKES: I am more than happy to look at that. I am aware that the project is really one that sits more within the portfolio of Environment, but Transport is delivering it, I understand, on behalf of that agency. But I am more than happy to look into those issues surrounding the future delivery of the program.

ANSWER

I am advised:

Information about the current status of the Kamay Ferry Wharves project is publicly available on the Transport for NSW website.

QoN20

The CHAIR: Thank you. You may need to take this on notice as well. There has been quite a lot of concern from the community that this is part of a project which intends to commemorate Captain Cook in an area that is of great significance to local Indigenous people. If you could perhaps take a look at that as well, on notice?

ANSWER

I am advised:

Transport for NSW has engaged with the local Aboriginal community as part of the planning and design stages of the project. Details of this engagement is included in the Environmental Impact Statement and Response to Submissions Report, both of which are publicly available on the Department of Planning, Industry and Environment major projects portal.

QoN21

The Hon. MARK BANASIAK: Do we know what size of the area of koala habitat will be required to be extinguished as part of the blue line as opposed to the yellow option?

Mr SHARP: I am aware both options impact on koala habitat and there has been consideration of those in it. I would have to take on notice the exact impacts.

The Hon. MARK BANASIAK: Will heavy vehicles be required to use Bulli Pass to access Wollongong as a result of this blue-line selection?

Mr SHARP: I would have to take that on notice

ANSWER

I am advised:

Yes, the impact on the koala habitat was similar in both the yellow and blue option. Heavy vehicles will not be required to use Bulli Pass should infrastructure be constructed in the Outer Sydney Orbital Stage 2 Appin Road connection corridor. Although vehicles can use the M1 between Appin Road and Mt Ousley, it is expected that Picton Road will continue to be the main route in the future for heavy vehicles travelling between Western Sydney and the Illawarra-Shoalhaven region.

QoN22

The Hon. MARK BANASIAK: Thank you. Just going back to you, Minister, I resubmitted a question about Newgate Communications to your office because the answer from the former Minister was essentially, "I'm out of here. I'm not going to answer it"—

The Hon. SHAYNE MALLARD: Good on him.

The Hon. MARK BANASIAK: —two days before he left. So I am not going to re-prosecute that because I know it is due today, but it does raise the question about the total expenditure that your department is essentially spending on external consultants and whether you have a figure of that over potentially the last three years?

Mr ROB STOKES: We can provide that on notice.

ANSWER

I am advised:

Transport for NSW spent \$74.9 million on external consultants over the last three years, from FY2018-19 to FY2020-21, comprising of \$21.3 million in 2018-19, \$26.3 million in 2019-20 and \$27.3 million in 2020-21.

QoN23

The Hon. MARK BANASIAK: Just quickly going to some other questions on notice that I got back from your department last estimates around the lifejacket proposals, I asked for the source document that was behind some of the stats that were provided in terms of how this proposal will save lives, but was told that the source

document is Cabinet-in-confidence. I might try and skin this cat another way. The data talks about how over 10 years there were 98 deaths on marine vessels. Perhaps on notice, what was the spread of those 98 lives lost across the 10 years?

Mr ROB STOKES: I can take that on notice, but also to address your earlier comment, for the life of me I do not understand why it would be Cabinet-in-confidence.

The Hon. MARK BANASIAK: I am amazed as well, and so if you could take it on notice—

Mr ROB STOKES: I will look into that to the extent that I am able to. Obviously, Cabinet-in-confidence documents I cannot, but if there is another way to provide that data I do not think there is any public interest in not providing it to you. The Hon. MARK BANASIAK: Sure, no worries. Obviously if you cannot give me the document, these questions on notice may help paint the picture anyway.

Mr ROB STOKES: Sure.

ANSWER

I am advised:

Transport for NSW released a range of supporting material and data on the 'Have Your Say' portal as part of the consultation process. Over the 10-year period to 30 June 2020 there were 98 deaths associated with recreational vessels. The following table provides a breakdown by year as well as the likely contributory causes:

Financial year ending	Recreational drowning fatalities
2011	7
2012	12
2013	21
2014	4
2015	9
2016	7
2017	1
2018	7
2019	9

2020	21
Grand Total	98

Likely contributory causes associated with the 98 recreational presumed drowning fatalities: 10-year period to 30 June 2020

Likely contributory cause	Fatalities	% of total (N=98)
Weather conditions*	29	29.6
Cold water**	37	37.8
Inexperience	7	7.1
Overloading	5	5.1
Hazardous waters	57	58.2

Note: boating fatalities usually have more than one likely contributory cause.

* Weather conditions refer to local weather at the time of the incident. It does not include big seas coming from a distant weather system (which comes under hazardous waters). The overwhelming majority of 'hazardous waters' incidents relate to distant or recently past weather – e.g., swells from a distant low-pressure system or strong currents in a river because of past rainfall. For this reason, hazardous waters have been included, although not specifically requested.

** Cold water is attributed as a likely contributory cause on the basis of time of year and geographic location – rather than direct measurement of water temperature. Water colder than around 20 degrees is cold enough to hamper a person's response and survival if suddenly forced into the water – especially if not supported by a lifejacket or similar.

QoN24

The Hon. DANIEL MOOKHEY: I appreciate that, Minister, again. Going onto the broader evolving Transport restructure, as I understand it from your predecessor and/or Mr Sharp from a previous hearing, it is complete. Now that it is complete, how many payments were made to senior executives under section 41 of the Government Sector Employment Act?

Mr ROB STOKES: I will refer you to the secretary.

The Hon. DANIEL MOOKHEY: Mr Secretary, do you have that number?

Mr SHARP: I would have to take that exact number on notice

ANSWER

I am advised:

As at 11 November 2021, and as a result of the Evolving Transport program, 71 people in senior service roles have had their contract with Transport for NSW end. The focus has been on retaining the existing workforce and placing as many people as possible.

QoN025

The Hon. JOHN GRAHAM: We might return to that, Mr Sharp. Minister, can you confirm the status of the unsolicited proposal for widening the M7 and delivering the M7-M12 interchange? Has it now passed the third and final stage for the unsolicited proposals?

The Hon. SHAYNE MALLARD: You made it too narrow; that is the problem with the M7.

Mr ROB STOKES: I will provide you with an answer to that on notice.

ANSWER

I am advised:

As at 12 November 2021, the M7-M12 Integration and Delivery unsolicited proposal, which includes the potential widening of the M7, is in stage 2 of the unsolicited proposal process.

QoN26

The Hon. DANIEL MOOKHEY: That is helpful, but that strategy document is part of the reason why I want to ask my next question. I could not see any reference there to anything that resembles a domestic procurement strategy. There are people who can build these buses in New South Wales. Minister, what steps are we going to be taking to procure these buses from domestic manufacturers in New South Wales?

Mr ROB STOKES: I am not sure that we are at that stage yet, but I will refer you to the secretary in relation to procurement strategies.

The Hon. DANIEL MOOKHEY: Just before we do that—I will happily hear from the secretary—part of the reason why I am asking this to you, is to see if you have made this a policy requirement of the business case process that I am sure the

secretary is about to wax lyrical about. Is it actually a matter of government policy to include a domestic procurement strategy as part of buying the 8,000-odd buses we expect as we transition to net zero?

Mr ROB STOKES: I have not intervened in the processes that were already established in relation to this policy. The fundamental goal is to replace the diesel fleet with electric vehicles, and obviously we would look to any opportunities to engage for local procurement. In relation to the specifics, I will refer you to the secretary.

The Hon. DANIEL MOOKHEY: Before we do—because, again, we can pick it up with the secretary this afternoon—you say that you have not intervened.

Mr ROB STOKES: That is right.

The Hon. DANIEL MOOKHEY: Your predecessor did not specify any domestic procurement component.

Mr ROB STOKES: In relation to where it is at specifically, I do not have that at the top of my head and so I am happy to take it on notice.

The Hon. DANIEL MOOKHEY: Can you take it on notice and we will pick it up with the secretary this afternoon.

ANSWER

I am advised:

Transport for NSW complies with the NSW Government's procurement and policy guidelines, to ensure all tenders are competitive and transparent, to deliver the best outcomes for customers and value for NSW taxpayers. The NSW Government procurement and policy guidelines include a number of requirements including the Enforceable Procurement Provisions arising from international procurement agreements as well as social outcome drivers to support participation from Small to Medium Enterprises and Aboriginal businesses.

Transport's Procurement Policy stipulates a commitment to fair and ethical procurement that supports economic participation, social outcomes, skills development and creation of jobs for the citizens of NSW.

A range of measures are in place to promote domestic economic growth through procurement including specific requirements for Small to Medium Enterprises participation and Aboriginal Procurement Policy commitments.

QoN27

The Hon. DANIEL MOOKHEY: When did the review start?

Mr SHARP: I would have to take that on notice, but I would suspect a couple of weeks ago. I had a meeting with the kick-off probably about a month ago. If you want specific dates, I can get those.

ANSWER

I am advised:

On 4 September 2021, the then Minister for Transport and Roads, Andrew Constance, approved the request and scope for the advice. The review of the Transport Asset Holding Entity's (TAHE's) safety governance arrangements commenced on 8 September 2021 and Minister Constance was briefed on 15 October 2021. As the incoming Minister, I was briefed on 8 November 2021.

QoN28

The Hon. DANIEL MOOKHEY: Is it a report to the Minister is a report to the transport department?

Mr SHARP: I would have to take that on notice. I have not seen the report to where it is actually addressed.

ANSWER

I am advised:

The review was completed at the request of the then Minister for Transport and Roads, Andrew Constance.

QoN29

The Hon. DANIEL MOOKHEY: Have you or the Minister—either the current Minister, the previous Minister or yourself—asked OTSI to commence any other review?

Mr SHARP: We have. I cannot recollect exactly which one at the moment. I can take it on notice.

The Hon. DANIEL MOOKHEY: Yes, can you take it on notice and see what information we can come back with as to what else we have asked OTSI to look

into? I have a few more questions on TAHE. This might go to the CEO of TAHE, if you are okay with that.

ANSWER

I am advised:

Transport for NSW has not requested OTSI to commence any discretionary reviews.

QoN30

The Hon. DANIEL MOOKHEY: No. But have you asked OTSI or has the Minister asked OTSI to undertake any other discretionary review of anything?

Mr SHARP: I will revert to you—yes.

The Hon. DANIEL MOOKHEY: Yes or no?

Mr SHARP: Yes, I believe so.

The Hon. DANIEL MOOKHEY: You just do not know what.

Mr SHARP: I will come back to you with the exact example.

ANSWER

I am advised:

Transport for NSW has not requested OTSI to commence any discretionary reviews.

QoN31

The Hon. DANIEL MOOKHEY: Was the TAHE CEO told that Minister Constance had commissioned the review?

Mr SHARP: You would have to ask the CEO.

The Hon. DANIEL MOOKHEY: Well, she is here so I think I was asking her, to be fair, Mr Secretary. Ms Colin, were you advised prior to the Minister commissioning the review? Ms Colin, I am not sure you can properly understand it. She might need to come back to us on that particular question. Secretary, on notice can you provide us with the exchange of letters between the Minister and OTSI? Is the report meant to be public?

Mr SHARP: I have not seen the report. It would go directly to the Minister, so I would have to—

ANSWER

I am advised:

Transport for NSW was not privy to the exchange of letters between the Minister and OTSI.

QoN32

The Hon. JOHN GRAHAM: Thinking about that, can you give us any more detail about the timing of such briefings in late 2017?

Mr RAIMOND: I would have to take that on notice. I was not actually around at that time, but I can certainly take that on notice and get you those details.

ANSWER

I am advised:

Between August 2017 and March 2018 corridor preservation briefings were provided on 9 August 2017, 2 November 2017, 13 November 2017, 12 December 2017, 13 February 2018, 23 February 2018, and 14 March 2018.

QoN33

The Hon. JOHN GRAHAM: Mr Raimond, I might put the same question to you. Given what has now been revealed about the actions of Daryl Maguire and a former MP, do you believe it is still a sustainable position to say that further inquiries concluded that the information in these reports was publicly available?

Mr RAIMOND: I am not familiar with exactly the proceedings that have gone on, so I would need to familiarise myself with those to be able to make a call on it.

The Hon. JOHN GRAHAM: Mr Secretary, it would be helpful if you were able to investigate exactly that question on notice: Is that still the position of Transport for NSW? I take it that, along with the Minister, you have taken no steps at the moment to inquire further as to the evidence that is now on the public record?

ANSWER

I am advised:

I refer you to the answer to Question on Notice 42.

QoN34

The Hon. DANIEL MOOKHEY: Yes, but do you have the terms of reference of Minister Constance's request?

Mr SHARP: There would be a terms of reference.

The Hon. DANIEL MOOKHEY: But you do not have it?

Mr SHARP: I do not have it here, no.

The Hon. DANIEL MOOKHEY: Can you take it on notice or is it possible—if we can get it by today, that would be helpful.

Mr SHARP: Yes, take it on notice.

ANSWER

I am advised:

The scope of the review was outlined in the letter tabled during the hearing.

QoN35

The Hon. DANIEL MOOKHEY: What is the cost of those four vehicles? Mr COLLINS: I cannot give you that on notice. I may be able to provide you with that information. The Hon. DANIEL MOOKHEY: Do you have any range of cost? How much does one of these vehicles tend to cost? Mr COLLINS: We can probably provide that within this time frame. I will look that up now. I do not know whether any of my colleagues has that price, but we will have some commercial issues obviously about the full disclosure. But we may be able to give you a range.

ANSWER

I am advised:

The contract amount for the four additional vehicles is commercial in confidence.

QoN36

The Hon. DANIEL MOOKHEY: It certainly is thorough, Mr Collins, so thank you for that. What is the total maintenance budget for the Inner West Light Rail fleet in 2021?

Mr COLLINS: I cannot give you that total maintenance budget. It is something that Transdev and Alstom manage. We obviously can provide you with the overall cost of operations and the PPP arrangements, which we can give you on notice.

The Hon. DANIEL MOOKHEY: Yes. Mr COLLINS: Those individual costs, I will not have access to.

ANSWER

I am advised:

The Inner West Light Rail cost is incorporated in the Sydney Light Rail Public Private Partnership. This information is publicly available on the NSW Government eTendering website.

QoN37

The Hon. DANIEL MOOKHEY: I presume that this PPP contains a dispute resolution procedure to deal with such claims.

Mr SHARP: Yes. All contracts have a dispute resolution procedure. The Hon.

DANIEL MOOKHEY: You'd be surprised. Are there any liability caps in terms of what we can recover from them in this contract?

Mr SHARP: We would have to take that particular one on notice

ANSWER

I am advised:

Transport for NSW is focussing on completing the inspections and returning the vehicles into service. The commercial, legal and liability arrangements will be determined in due course.

QoN38

Mr SHARP: The next question was around separated cycleways. I will pass that one to Ms Bourke-O'Neil.

Ms BOURKE-O'NEIL: Good afternoon. I think the question was "How many separated cycleways are you delivering?" In our planned program we have 42.5 kilometres of separated cycleways on the program. That is 38 projects, and we can provide a list of those on notice.

ANSWER

I am advised:

This information is publicly available on the Transport for NSW website.

QoN39

The Hon. DANIEL MOOKHEY: Sorry, I do not doubt that, but just to be very clear, is this \$100 million sitting in a bank account? Is it sitting in Transport for NSW's bank account? Is it sitting in a Treasury bank account? Where is it?

Mr DE KOCK: No. The funds from all the point to point reforms come from the passenger service levy. To 1 July this year, \$207 million has been collected and \$145 million has been paid out.

The Hon. DANIEL MOOKHEY: I am not asking you to repeat your evidence. There is money left over; there has been money left over for years now. Physically, where is this money? Is it sitting in a bank account earning interest? What are we doing with it? Has it gone back to the Consolidated Fund? Is it in a special account?

The Hon. JOHN GRAHAM: Under whose control is it?

The Hon. DANIEL MOOKHEY: Who is controlling this money?

Mr DE KOCK: Let me just explain again. The original package was announced; it was funded by the passenger service levy, and that has been collected for every trip that has been undertaken.

Mr SHARP: We will take it on notice where the actual cash sits, if it is a bank account or—

ANSWER

I am advised:

The NSW Government's \$250 million financial assistance package for the point to point transport sector was funded via an appropriation from the Consolidated Fund, which is managed by NSW Treasury, to Transport for NSW. The Passenger Service Levy (PSL) was subsequently introduced in 2018 to recoup funding for the package. The PSL is collected by Revenue NSW and remitted to the Consolidated Fund.

Transport for NSW has paid more than \$145 million in assistance to the point to point transport industry. The NSW Government has committed to providing further assistance to taxi licence owners as part of its response to the Independent Review of Point to Point Transport.

QoN40

The Hon. DANIEL MOOKHEY: It says here, "Transport for NSW has several contractual disputes with a contingent liability of \$568 million." So it has gone up by \$169 million in the six months between that budget and this budget. Who is suing us for an additional \$169 million?

Mr SHARP: In terms of the detail, I certainly do not have that here. What I am aware of is we do have a very large program of activity, a budget of about \$33 billion, so there would be disputes. I will pass to Ms Drover to talk to anything that she might understand coming out of the projects.

The Hon. DANIEL MOOKHEY: I am inferring that between December 2020 and 23 June of this year we got an initial \$170 million worth of claims from contractors.

Mr SHARP: These numbers would be fluid, so they would close and then open depending on what is involved in there.

The Hon. DANIEL MOOKHEY: Rest assured, that is true.

Mr SHARP: So it would not be a claim for another \$160 million but it would be a mix of claims in there. I could certainly take on notice more detail and an explanation for that increase.

ANSWER

I am advised:

The increase relates to new claims which are partially offset by closed claims against Transport for NSW across its entire capital portfolio.

QoN41

The Hon. DANIEL MOOKHEY: When was the strategic business case undertaken for the Parramatta Light Rail Stage 2?

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

The Hon. DANIEL MOOKHEY: Has a strategic business case been produced for the Parramatta Light Rail Stage 2?

Ms DROVER: Again, I would have to take that on notice. All I am aware of is that we are doing further work, particularly onsite investigations, and further work to complete the final business case.

The Hon. DANIEL MOOKHEY: Secretary, it is the case that for all infrastructure projects over \$10 million, a business case needs to be prepared. Is that correct?

Mr SHARP: Correct.

The Hon. DANIEL MOOKHEY: I am interested in where we are formally at in the process. Was the strategic business case for Parramatta Light Rail Stage 2 done as a part of stage one?

Mr SHARP: As Ms Drover said, we would have to take that on notice. I am not privy to the strategic business case that she is referring to. We can confirm that. What we are doing is actually the work that is required to firm up the costings, and our final business case is the one that goes up through the assurance process.

ANSWER

I am advised:

Transport for NSW is focused on the planning and development work associated with Parramatta Light Rail Stage 2, including utilities and geotechnical investigations and development of the project's Environmental Impact Statement. The Final Business Case is being completed as part of these planning works.

QoN42

The Hon. JOHN GRAHAM: Secretary, I might return to where questioning was when we swapped, and I might encourage you to take these questions on notice. This is really just to wrap up those questions about the M9 route. If you are happy to take these on notice, please come back with the steps you have taken to investigate this or otherwise, or why you have not. Secondly, given that it now appears publicly that this information was transmitted to a commercial party, how did this occur, in the view of Transport for NSW? Thirdly, do you believe that the controls in place currently for containing this confidential information are sufficient? Fourthly—and choose to answer this in whichever way you want—who is the former MP who was assisting Daryl Maguire to obtain this information?

Mr SHARP: In respect to investigating this, I took on notice that I would actually get a full briefing and I have committed to do that. That briefing will inform me in terms of the next steps. In respect to the controls in place and whether they are sufficient, once again that would be a logical question to ask once I have the facts—

The Hon. JOHN GRAHAM: I am comfortable with you getting briefed first.

Mr SHARP: —and I will commit to asking that question. As secretary, having controls in place across the organisation is a key part of my role. Was it transmitted and what is the name of the Minister? Until I am briefed, I do not know whether we can even answer that and whether it is a matter for ICAC.

The Hon. JOHN GRAHAM: Secretary, I am comfortable with you taking all those things on notice. I am just clarifying what matters we would like you to come back on notice with.

Mr SHARP: Noted.

ANSWER

I am advised:

As the matter has been referred to ICAC it is not appropriate to comment.

QoN43

The Hon. JOHN GRAHAM: We now have a bit more time. I did not press it with the Minister, but I would have had we had more time. This is quite an important project. You must know whether or not it has passed the crucial final stage. Mr SHARP: It has not reached stage three, no.

The Hon. JOHN GRAHAM: No worries. If you can confirm on notice its status.

ANSWER

I am advised:

As at 12 November 2021, the M7-M12 Integration and Delivery unsolicited proposal is in stage 2 of the unsolicited proposal process.

QoN44

The Hon. JOHN GRAHAM: The specific questions that have been a flashpoint here are questions on notice Nos 7678, 7679 and 7680, all of which relate to toll relief. While we are here, could you obtain some information about those questions? I would like some assurance that Transport is going to answer them. Customer Service is quite clear this is your responsibility, not theirs. Treasury officials are very clear that this is up to Transport to answer and not up to them. They have a range of views about other aspects of tolling, particularly the transactions. They will

not answer these questions about toll relief. Are you happy to take on notice in this session those specific questions and whether they, in your view, lie within the ambit of your department?

Mr SHARP: I will take that on notice and see if we can revert with them. I do not know what the nature of those particular ones are, but we will revert with what we can.

ANSWER

I am advised:

I refer you to the answer given by Mr Sharp at the hearing.

QoN45

The Hon. JOHN GRAHAM: There are two points that are relevant. One is what the forecast is. The Government makes forecasts about what will be paid. Then there is what actually happens in real life, about which the Government is receiving information and about which Transport is receiving information—I understand daily. I would like to know both of those things: what was forecast and also what information you are receiving.

Mr SHARP: In regards to the forecast, you asked that question this morning and there was a commitment for us to look at how we could come back with that. It is very complex. In respect to your second part, I am suspecting it is probably commercial-in-confidence, if we are talking about a particular contract and how much is being collected. I am happy to take it on notice and assess that one as well.

The Hon. JOHN GRAHAM: No-one has tried that defence yet. I encourage you to at least move that far. At the moment, no-one will answer. Every department is pointing to another department. My question at the moment is—

Mr SHARP: Can you repeat the specific question of the second half?

The Hon. JOHN GRAHAM: My specific question is: Do you accept the question about how much drivers are actually paying in tolls is in the ambit of your department? Do you have that information? What is the answer to that?

Mr SHARP: You are after the actual dollar amount paid in tolls?

The Hon. JOHN GRAHAM: Yes. Say, for example, for the last financial year. Transport holds information about how much has been paid, I believe. I want to know, primarily, do you accept that is in the ambit of your agency?

Mr SHARP: I do not know at this stage, to be quite honest. I do not know what that number is. I have not seen it. I am not sure how it is accounted for so I would have to take that on notice.

ANSWER

I am advised:

Estimates contained in the base case financial model for each motorway are commercial-in-confidence.

Information about tolling in NSW is held by various companies and NSW Government agencies.

QoN46

The Hon. DANIEL MOOKHEY: Indeed. Mr Secretary, do you have the number for farebox revenue for the financial year ending 2020-21—for the last year?

Mr SHARP: The last year? Not handy, no.

The Hon. DANIEL MOOKHEY: Can you take that on notice?

Mr SHARP: Yes.

The Hon. DANIEL MOOKHEY: Can you also take on notice what it was for 2019-20?

Mr SHARP: Yes.

The Hon. DANIEL MOOKHEY: Then if we can get, on notice, any estimate of what the monthly farebox revenue was for the first three months of this year, that might allow us to properly appreciate the full impact of the 16-week lockdown on farebox revenue. Is that fair? Do you mind taking that on notice as well?

Mr SHARP: Yes.

ANSWER

I am advised:

The 2019-20 farebox revenue collected was \$1.29 billion. This includes COVID-19 impact between March 2020 and June 2020. The 2020-21 farebox revenue was

\$861 million. The actual farebox revenue collected between July 2021 and September 2021 was \$65 million.

QoN47

The Hon. DANIEL MOOKHEY: On page 4-17 of Budget Paper No. 1, it says: Sales of goods and services revenue is forecast to decline by 2.6 per cent, on average, over the four years to 2024-25. To be fair, that is across the Government. That is not just you guys, for context. The bit that is relevant is this: This is primarily due to the profile of the fee for service account line, which includes movements due to the change of the overall delivery schedule of new Transport Asset Holdings Corporation (TAHE) projects, including the New Intercity Fleet, Regional Fast Fleet and Commuter Car Park Program. What does that mean?

Mr SHARP: That is a good question.

The Hon. DANIEL MOOKHEY: I read it and I thought, "You know what? It's a good thing we have these budget estimates."

Mr SHARP: I would have to come back to you on the nuances of that particular comment in the budget papers.....

The Hon. DANIEL MOOKHEY: The budget says that there are changes to the overall delivery schedule of new Transport Asset Holdings Corporation projects, including the New Intercity Fleet, Regional Fast Fleet and Commuter Car Park Program. What exactly is that referring to?

Ms COLIN: I think it might be referring to some delays due, potentially, to COVID and the delivery of these programs being slower due to construction pause and other issues, but I am happy to take that question on notice.

The Hon. DANIEL MOOKHEY: When you say delays caused by COVID, has TAHE been advised that there are delays to the New Intercity Fleet? Ms COLIN: We have had a couple of updates in relation to that project and, yes, we have been advised that due to COVID and issues in terms of bringing the fleet into the country, as well as difficulties in terms of the commissioning and availabilities of the workforce, there might be delays, yes.

The Hon. DANIEL MOOKHEY: Okay. When were you given that advice?

Ms COLIN: Since I joined [disorder].

The Hon. DANIEL MOOKHEY: So from 1 September?

Ms COLIN: In September I would have heard. But again I am happy to take that on notice.

The Hon. DANIEL MOOKHEY: How long will the New Intercity Fleet be delayed for as a result of the factors you have just described?

Ms COLIN: I am aware there are currently discussions with the contractor to settle potential delays, but again happy to take that question on notice.

The Hon. DANIEL MOOKHEY: Ms Colin, if there are delays to the fleet—to be fair, COVID is creating huge disruptions to global supply chains; that is accepted. But when do we expect the NIF to be in operation—or the full delivery? Is it meaningful? Is it a minor delay? Is it three months, six months, 12 months? How severe is this delay?

Ms COLIN: I think we are talking potentially of longer delays, but again happy to take that question on notice.

The Hon. DANIEL MOOKHEY: So longer than 12 months?

Ms COLIN: I could not quantify the delays at this stage.

The Hon. DANIEL MOOKHEY: But there is a chance it is longer than a year?

Ms COLIN: Again, I am happy to take that question on notice.

ANSWER

I am advised:

There is a fee for service arrangement for Transport Asset Holdings Corporation (TAHE) projects that are delivered by Transport for NSW. Transport for NSW will recognise both an expense and revenue for these works as per the accounting standards. This transaction is budget neutral for the General Government sector. The reduction in fee for service from FY 2021-22 to FY 2024-25 is in line with the capital delivery schedule. The material reduction in FY 2024-25 is in line with the completion of major TAHE projects including More Trains More Services, Transport Access Program, Commuter Car Park, New Intercity Fleet and Automatic Train Protection.

There are no changes to the overall delivery schedule for Regional Fast Fleet and Commuter Car Park Program.

Regarding the New Intercity Fleet, I refer you to the answer given by Mr Rob Sharp at the hearing.

QoN48

The Hon. DANIEL MOOKHEY: Mr Regan, the Chair is reminding me that we are about to go on a break, so I am going to leave you with two questions that perhaps you can take on notice. The first question is: How many agreements has Sydney Metro entered into in the last 12 months that contain any form of a non-disclosure agreement and for which postcodes, so that we can understand in terms of the lines that you are building? Secondly, what is your response to residents who say that they otherwise would not have been able to reach a settlement with you if they had refused to sign a non-disclosure agreement?

Mr REGAN: That is fine. I am happy to take on notice the number of agreements. On the second one, I do not understand the premise of the question.

The Hon. DANIEL MOOKHEY: Residents have complained to me that they would not have been able to reach an agreement with you unless they signed a non-disclosure agreement. What is your response to that claim?

Mr REGAN: As I have said, it is our standard practice to request, for the reasons I advised. If unable to reach an agreement, then those property owners and our negotiations—if they are not concluded—get referred to the Valuer General and then the price determination is made there. Actually, I think I have answered your question.

The Hon. DANIEL MOOKHEY: I appreciate that.

ANSWER

I am advised:

For the 12 month period 1 November 2020 to 31 October 2021, Sydney Metro reached commercial agreement on 289 freehold and leasehold interests; 249 matters for Metro West and 40 matters for Metro Western Sydney Airport. The transactions were all entered into under standard commercial agreements.

QoN49

The Hon. JOHN GRAHAM: That \$198 million urban amenity fund, what is the goal of the agency to have expended that money by? When do you want to see that out the door—urban amenity improved?

Ms BOURKE-O'NEIL: I will have to come back to you on time frame. I know we are working with DPIE and the six councils on the development of 32 projects in and around Parramatta Road.

ANSWER

I am advised:

This is a matter for the Department of Planning, Industry and Environment as the program sponsor. Transport for NSW acts as a delivery partner, providing governance and support by engaging with Councils and providing technical input and approvals where required.

QoN50

The Hon. MICK VEITCH: One of the critical pieces of legislation in New South Wales is the Biosecurity Act. I was just wondering what training is provided to the employees of your agency around their obligations under the Biosecurity Act?

Mr SHARP: I would have to take that on notice, unless—Ms McCarthy, are you aware of that? You are on mute. No, still on mute. Sorry, we will have to take it on notice.

The Hon. MICK VEITCH: Could I ask you to take that on notice? Also, what training does take place around obligations for individuals in your agencies for biosecurity?

Mr SHARP: Yes.

The Hon. MICK VEITCH: The second thing is that in this space I would like to know how much the agencies respectively spend on weed control and pest control on the land that you are responsible for in the area that you look after, Greater Sydney. I should say that I do ask this question on a regular basis. Some agencies have actually started taking it seriously and are now putting in line items so they can work out just how much they do spend on this extremely important area. Just so you know, it is about a \$2 billion a year, every year, constraint on productivity to the State economy, so it is pretty big. I am not sure that your agency does that, so I would really appreciate if you could—

Mr SHARP: I will take that on notice.

The Hon. MICK VEITCH: —take it on notice and have a look so it is much easier to account and to work out how much the State Government spends across it

agencies on weed and pest control. I will put everyone out of their misery there. I will leave that. I think John has some more questions.

ANSWER

I am advised:

Transport for NSW takes its compliance obligations seriously, including for biosecurity. Transport for NSW provides policies that include requirements for training and how it meets the requirements of the *Biosecurity Act 2015*. Training to ensure staff align with these policy requirements is provided through on the ground training for maintenance teams to deliver their functions and duties. Where contractors are engaged for weed management and pesticides, this is managed through contract engagement protocols, where it is a requirement that contractors comply with legislative and policy requirements.

In Maintenance and Delivery, training plans are developed specifically for each project with environmental fact sheets are part of this training plan and depending on the location and risk of a project, weed management, herbicide application and vehicle hygiene training could be included in this plan.

In relation to expenditure on weed and pest control in Greater Sydney, I refer you to the answer to LC 2196.

QoN51

The Hon. JOHN GRAHAM: You have referred specifically to the Stoney Creek Road and Forest Road areas. They are two of the key areas where the community is concerned. They are not actually named in the planning approval. There are 11 other areas named where this study will take place. The two you mentioned—the two that the community is concerned about—are not in the approval, but they are in the study. Is that correct?

Ms BOURKE-O'NEIL: I will confirm. I will take that on notice and confirm for you.

The Hon. JOHN GRAHAM: Okay. Just to emphasise that point, residents want to know is this actually looking at the area where they are really seeing trucks on suburban streets?

Ms BOURKE-O'NEIL: Yes. I would just add to my evidence, we have already made improvements along Stoney Creek Road last year, when we observed heavy

vehicle increases. We implemented clearways. We made some adjustments to intersections. We are very aware of the community concern. I have taken on notice to come back and confirm that they are in the study.

The Hon. JOHN GRAHAM: On notice, could you set out the steps that you have already taken, including the areas where clearways have since been declared?

Ms BOURKE-O'NEIL: Yes, I will take that on notice

ANSWER

I am advised:

Stoney Creek Road and Forest Road are included in the M8 Road Network Performance Plan. Clearways were installed on Stoney Creek and Forest roads in February 2020, to help traffic flow and ease congestion.

QoN52

The Hon. MICK VEITCH: How many people do you have allocated within the agency just solely for cybersecurity? Mr SHARP: I would have to take that on notice, but we do have a specific team. I will revert with the number. The Hon. MICK VEITCH: Across both agencies or just within Transport for NSW? Mr SHARP: There is a broader whole-of-government team as well and we meet regularly and present in terms of where we are at with our maturity path line. So there is quite a bit of coordination across whole of government, but we have a team specifically within Transport. We are one of the larger, more complex IT systems around, so we have our own team.

The Hon. MICK VEITCH: I am happy for you to take it on notice and get back to us at some stage about the numbers, the FTEs.

ANSWER

I am advised:

Approximately 200 staff are dedicated to cyber security across the Transport cluster. This number includes both regular employees and contractors.

QoN53

The Hon. MICK VEITCH: When you say "regularly reviewed" can you maybe give us an indication? Are you talking quarterly or half yearly? Mr SHARP: I get a

monthly update and there are updates from the head of cybersecurity to my executive team on a regular basis along with safety. This is a high priority for us. In terms of the actual process itself, I need Ms McCarthy to talk to that but I am not sure her system is up and running yet. The Hon. MICK VEITCH: If her system is not up and running, I am happy for you to take that on notice.

Mr SHARP: Okay.

ANSWER

I am advised:

The Chief Information Security Officer has a standing agenda item each month at Transport for NSW's Secretary's executive committee. Further briefings take place as required.

QoN54

The Hon. MICK VEITCH: Do you in any way de-identify your data analytical results and onsell them?

Mr DE KOCK: In terms of the data, there are different types of data. Some of our data we actually make available through our open data hub and people can use that for innovation and it can be used by society more broadly. Obviously we do not provide any personalised information in that area. We do not onsell that information and that is free of charge, but it is de-identified so there is no personal identifiable information in that.

The Hon. MICK VEITCH: Is that treated almost like a community service obligation [CSO]?

Mr SHARP: Yes, it has actually had its 11 billionth download. It has a large amount of usage.

The Hon. MICK VEITCH: I guess what I am asking is: If it is a CSO, do you bring it to account as a community service obligation in your financial accounts?

Mr SHARP: I am not sure where it gets reported up to. I am not sure, Mr de Kock, if you are familiar with that.

Mr DE KOCK: I will have to take on notice how that gets reported and the financials but, as the secretary says, it is something that we offer as a free service and about 11 billion API hits have used these data sources including ourselves and there is a

[audio malfunction] community of developers who actually leverage this information. We are continuously uploading further datasets for the benefit of the community as well as larger and smaller corporations to innovate in the transport technology space.

ANSWER

I am advised:

In line with other data assets, Transport for NSW does not report into financial accounts, the cost of individual data sets or the Open Data service generally.

QoN55

The Hon. JOHN GRAHAM: I understand it may have been 3,500 trees in the EIS. On notice, could you confirm an updated number of trees given the process you are describing?

Ms DROVER: Yes. I can also say that on our website for the Warringah Freeway upgrade early works, which are the only works that are currently on site, that information is provided on the website and is updated.

The Hon. JOHN GRAHAM: Can you also confirm either now or on notice that you are looking to replace those on a two-for-one basis?

ANSWER

I am advised:

As the Western Harbour Tunnel and Warringah Freeway projects are at different phases of development and delivery, the exact number of trees across the entire program of works will be confirmed during the respective project's detailed design phase. The Warringah Freeway early and enabling works identified a total of 570 trees which were likely to be directly impacted and removed. Through ongoing improvements to the construction methodology and detailed design, only 250 trees are likely to be removed during early works.

Trees and plantings will be replaced on a two for one basis and Transport for NSW is working closely with North Sydney Council to identify potential areas where offset trees can be planted. Further information about vegetation and tree removal is available on the project's website.

QoN56

The Hon. JOHN GRAHAM: There was information provided at a North Sydney Council meeting about a land swap deal between Berrys Bay and Crown land at Cammeray Park or Cammeray golf course. Can you give us any information about what is proposed here?

Ms DROVER: I might need to take that on notice, unless you can give me a little further information. It was at Berrys Bay, did you say?

The Hon. JOHN GRAHAM: Yes. There has been community discussion about two areas, Berrys Bay and Crown land at Cammeray Park and around the golf course there. It now looks like one site will be exchanged for the other.

Ms DROVER: I can talk to Berrys Bay. We are obviously using that as a tunnelling site for the Western Harbour Tunnel. In fact, we have already got a community reference group established and the plan is to work with that community to work out what will be left at Berrys Bay when we have finished construction activity. I gather the community is quite pleased about the plans, as are North Sydney Council, because when we finish there is an opportunity to return that space for public open space. It will also mean that the historic shed there would also be available for development.

The Hon. JOHN GRAHAM: Could you perhaps, on notice, provide the Committee with the latest information on both of those sites?

Ms DROVER: Yes, can do.

ANSWER

I am advised:

The Western Harbour Tunnel project will provide new public open space at Berrys Bay. Transport for NSW is working with the representatives of the community, Metropolitan Local Aboriginal Land Council and North Sydney Council on the future layout of Berrys Bay. Transport for NSW is also in discussions with Council, as a valued partner, on future property arrangements for the land at Berrys Bay. Transport for NSW respectfully notes some of the land remains subject to an unresolved Aboriginal Land Claim.

The public open space being returned to the community is consistent with that presented in the Environmental Impact Statement for Western Harbour Tunnel and Warringah Freeway Upgrade. Transport for NSW is working with North Sydney Council and Cammeray Golf Club on the design of a reconfigured golf course, consistent with the conditions of approval for the Western Harbour Tunnel and Warringah Freeway Upgrade project.

QoN57

The Hon. JOHN GRAHAM: Could we get the details of that contract on notice, please? Ms DROVER: The original contract would have been disclosed on the eTender website and, therefore, the variation should have been as well. As I said, there was some sensitivity around the works of that alliance, given it was associated with the Sydney Harbour Bridge, so I will just need to check what was actually publicly disclosed

The Hon. JOHN GRAHAM: I would be happy for you to provide the details of the contract on notice, including the variation. I would not object if you provide some of that on a confidential basis, if that is required. The Committee could deal with it in that way.

Ms DROVER: That might be appropriate.

ANSWER

I am advised:

The Sydney Program Alliance was originally contracted to undertake work associated with the Sydney Harbour Bridge. The work was assessed as requiring protected security classification under the Australian Government Security Classification System and the associated contract was therefore not disclosed on the Government Contracts Register.

QoN58

We were given what I took as a partial update for October for the fines issued in the Acusensus contract region, and I wanted a further update as it stands today for October for those regions. Who is best to answer that?

Mr SHARP: Is that you, Mr Carlon?

Mr CARLON: I do not have the breakdown of the fines up to date. I do have the hours of operation, if you would like me to provide that.

The Hon. JOHN GRAHAM: Thank you.

Mr CARLON: For the update in October, the total statewide is up to 13,709 hours of enforcement. So you can see that is on track to meet the 21,000-hour requirement. For the area covered by Redflex, the total is 7,978 hours delivered. For the area covered by Acusensus, there were 5,731 hours of enforcement during October.

The Hon. JOHN GRAHAM: Great. Thank you. So that is the hours, but you said you do not have updated information for the penalties for October.

Mr CARLON: We can provide that on notice.

The Hon. JOHN GRAHAM: If you could provide that on notice, as you previously did. I appreciate you providing that information. If you are able to give us a completed October number for both penalties and revenues for each of those regions.

ANSWER

I am advised:

Penalty notice data is available on the Revenue NSW website and is typically updated once a month. Revenue NSW is also responsible for finalising penalty notice processing and further information is available on their website.

The latest advice from Revenue NSW, which includes data that is yet to be finalised and subject to change, is that just under 15,300 penalties have been issued for offences committed in the Acusensus contract regions for October 2021.

The face value of these penalties, which will reduce once company owned vehicles nominate drivers, is currently around \$4 million. Penalty notices issued to companies are five times the amount applicable to an individual. Once the driver responsible is nominated within the specified timeframe, a notice is issued in that driver's name and the amount reduces to the applicable amount for an individual.

QoN59

The Hon. JOHN GRAHAM: How long does the court process normally take?

Mr CARLON: I would have to get that information on notice for you.

ANSWER

I am advised:

The length of time it can take for a failure to nominate matter to progress through the court process varies according to what plea is entered and when as well as the case workload of a Court. Currently the process may take around six months, although many matters are finalised much more quickly.

Capacity to manage an increase in case load, resulting from a strengthening of the failure to nominate policy, has lengthened the process. Revenue NSW is currently listing failure to nominate matters into March 2022.

Transport for NSW, Revenue NSW and Communities and Justice have worked together to increase the volume of matters to progress through the court system with the objective of increasing capacity further.

QoN60

The Hon. JOHN GRAHAM: Yes. How many court attendance notices were issued in each of July, August and September?

Mr CARLON: I do not have that information at hand, but I can provide that to you on notice.

The Hon. JOHN GRAHAM: Great. Thank you.

ANSWER

I am advised:

In July 2021, there were a total of 167 court attendance notices issued. 143 were issued as a direct result for failure to nominate and the other 24 were court elected penalty notices.

In August 2021, there were a total of 225 court attendance notices issued including 205 for failure to nominate and another 20 court elected penalty notices.

In September 2021, there were a total of 380 court attendance notices issued including 344 for failure to nominate and another 36 court elected penalty notices.

QoN61

The Hon. MICK VEITCH: Mr Sharp, as I understand it, there was a \$29.5 million program to trial bus electrification out of the Leichhardt depot. Can I just get a status report, I guess, on where that is up to?

Ms BOURKE-O'NEIL: Thanks, Ms Fontana. Can I just get you to repeat the question? Was it about the trial at the Leichhardt depot? The Hon. MICK VEITCH: Yes, the Leichhardt depot; the \$29.5 million that was, I believe, sourced from the Clean Energy Finance Corporation and the Australian Renewable Energy Agency for a trial. Ms BOURKE-O'NEIL: Yes. I will take your question on notice. I think the part that I can answer is I am aware of the trial, I am aware of the upgraded infrastructure and all the trial partners are commissioning vehicles, but I do not have the details.

ANSWER

I am advised:

The pilot will see Transport for NSW trial innovative infrastructure solutions and bring 40 additional zero emission buses to the Leichhardt depot. It is designed to inform Transport for NSW's transition to a zero emission bus fleet.

Solar panels, large scale power storage, smart electric chargers and proprietary software to optimise time of charge and speed of charge of buses to allow for effective fleet management will also be trialled.

The pilot is being undertaken in partnership with bus operator Transit Systems and a joint venture between Transgrid and Zenobe Australia, with support from the Australian Government. Currently, 12 buses are in service.

QoN62

The Hon. JOHN GRAHAM: Again, referring to my colleague's question, have you been able to look at what cost this has meant in other jurisdictions?

Ms DROVER: We have done some work in that area, but obviously we will need to look at what it will cost in Australia and also the cost of green energy in Australia.

That is quite different across different jurisdictions.

The Hon. JOHN GRAHAM: Acknowledging those differences and acknowledging that this certainly will not bind the business case, just give the Committee some sense of what those costs are in other jurisdictions.

Ms DROVER: I do not have that at hand. We are only at the strategic business case, so it probably would be incorrect to provide clear guidance on that at this stage.

The Hon. JOHN GRAHAM: I agree it would be incorrect to provide the strategic business case to the Committee. I do not agree that it would be incorrect to provide some guidance to the Committee or the Parliament about the order of magnitude of these costs in relation to other jurisdictions. I think that would be appropriate information for the agency to provide. That is really what I am asking for. Could you give us some sense of that either now or on notice?

Mr SHARP: Just to clarify the cost because, for example, there is the cost of procuring an e-bus, but then the maintenance is a lot lower. You are looking at the whole-of-life asset when you are comparing a new energy piece of equipment versus what is currently used. We are also then looking at is it just the capital cost? It is quite complex in terms of what number you are after.

Ms DROVER: The other consideration is the time frame. Obviously, if you replaced all the buses tomorrow, we would be replacing fairly new buses. If you replace buses at the end of their useful life—for a diesel bus—that will have a different cost associated with it. There are a couple of complicated dimensions to what the actual cost will be.

The Hon. JOHN GRAHAM: I totally acknowledge that.

Ms DROVER: That is why the strategic business case will provide options to government.

The Hon. JOHN GRAHAM: That is why I am not asking you what the strategic business case says, but I am asking you for guidance about what other jurisdictions have found. I think it is appropriate that you are able to provide that advice to the Parliament on notice.

Ms DROVER: We can take that away and see what we can bring back in terms of information that might be available.

ANSWER

I am advised:

Based on Transport for NSW's collaboration to date with other jurisdictions in Australia and New Zealand, there are currently no order of magnitude costs to use as benchmarking.

Through the development of the Strategic Business Case, Transport for NSW is well advanced in comparison to other jurisdictions in planning for the transition to zero emission buses. This planning has included bus acquisition, depot conversions, depot construction, grid power supply upgrades to depots and green energy procurement.

QoN63

The Hon. MICK VEITCH: Are these new buses or are these existing buses converted to the technology? I am talking about the hydrogen buses here. Mr DE KOCK: I think that is still part of the work that the team is working on right now. I can take it on notice to provide you some more detail on that.

ANSWER

I am advised:

Internal combustion and zero emission vehicles are fundamentally different. There are a number of technical and operational challenges involved in retrofitting an existing fleet. For this reason, zero emission buses, including hydrogen fuel cell electric buses, are likely to be new buses. However, technologies are evolving rapidly and Transport for NSW will continue to evaluate appropriate options for the transition of the fleet.

QoN064

The Hon. JOHN GRAHAM: I might just ask you if you have yet got an answer to whether the transport agency is in charge of providing information on tolling or on toll relief?

Mr SHARP: Yes. Let me refer to the feedback. The first question was in regards to toll revenue collected by Linkt. Linkt is actually a private entity and we do not have responsibility in regards to Linkt. Who administers Toll Relief? It is administered by Service NSW. I have been asked to note that there was a similar question on notice to the Minister for Customer Service. He has apparently provided details on

the total amount of toll relief paid by postcode and electorate, as well as the total number of customers who were eligible for free or reduced registration. I am not sure if you have got that. In respect to toll relief information by tag and account type, our understanding is that Service NSW does not hold that information. That is the amount that is paid to the Linkt customers, because it is a separate entity. It is a private entity.

The Hon. JOHN GRAHAM: Working through those, it is correct, isn't it, that that information is Linkt data but you agree it is provided to the New South Wales Government?

Mr SHARP: The traffic data, I know we get traffic data, but revenue is information that goes through to the actual recipients. In fact, I will ask Ms Drover to talk to that aspect of it in terms of how that element flows.

Ms DROVER: We do receive the traffic data. There are loops and other traffic measurement data and we get that. I believe that is publicly disclosed by the concession holders on their websites. In terms of the revenue, the revenue is collected by the retail toll collectors. Linkt is a major brand in the market obviously, which is privately held. They collect the revenue and then they disburse it to the relevant concession holder, the concessionaire.

The Hon. JOHN GRAHAM: They are providing the information about every toll road to the New South Wales Government on a daily basis. That is how I can go to Service NSW and plug in my toll account and check whether I am eligible for Toll Relief. The information that has been provided on notice previously says that information is flowing to Transport and to Customer Service. Do you agree with that?

Ms DROVER: We definitely receive the traffic count data. I am not aware that we receive the revenue data.

The Hon. JOHN GRAHAM: But you agree that it has to be provided to government. Customer Service is saying on notice that you do receive it, but you are saying you are unaware of whether Transport is receiving that or not.

Ms DROVER: I am only aware that we receive the traffic count data.

The Hon. JOHN GRAHAM: If you could take on notice whether you are getting that data and whether you disagree with the answers that have been provided, that would be helpful. That is information provided to government about all toll roads,

that is the roads operated by Transurban or otherwise—that is all flowing to the New South Wales Government, is the information we have been provided. Do you agree or disagree with that?

Ms DROVER: Just to be clear, there are a number of toll roads or, in fact, there are many toll roads where Transurban has an interest in those toll roads. They are not generally 100 per cent equity holder.

ANSWER

I am advised:

Information about tolling in NSW is held by various companies and NSW Government agencies.

Information concerning the revenue generated by the Sydney Harbour Bridge is held by Transport for NSW. Information about the revenue of the private motorways is held by the companies that own each of them.

Transurban publicly releases the value of tolls that are collected and the traffic numbers using toll roads where they have an ownership interest.

The NSW Government Toll Relief Scheme is administered by Service NSW. Data, such as plate, trip, and toll road, gets sent by toll road operators to Transport for NSW where eligibility is validated. The validated information is then passed to Service NSW so that calculations to determine the correct amount of relief can be performed.

In the 2020-21 financial year, more than 198,508 customers benefited from the Toll Relief scheme, with about 111,043 getting free registration and 87,465 receiving 50 per cent off their registration. This adds up to nearly \$69 million in total benefits paid at an average of around \$350.

QoN65

The Hon. JOHN GRAHAM: How do you calculate the toll relief that is eligible to me as a driver? How do you know when I have hit the \$800 or the \$1,300 toll limit if you do not know the revenue?

Mr SHARP: I do not know. Service NSW does the calculations. I would have to take that on notice. We are not aware of the revenue data coming to us, but the open question in terms of that other question, I do not know that—

ANSWER

I am advised:

I refer you to the answer to Question on Notice 64.

QoN66

Ms DROVER: Can we just clarify, are you trying to ascertain who is eligible for toll relief or the revenue arising out of toll concessions?

The Hon. JOHN GRAHAM: Essentially the two key questions, and I am very happy to actually provide these after the session on notice. I think that is probably the best way to deal with this.

Ms DROVER: Yes, we are keen to answer, we are just not quite sure which problem we are trying to answer.

The Hon. JOHN GRAHAM: It is essentially the two issues, total toll burden and then we have got a set of detailed questions about toll relief at the moment.

Mr SHARP: In terms of your burden question, you raised that this morning and I mentioned that there are a number of elements to it. As we indicated, the revenue actually goes back to the actual concessionaires and would be disclosed through their accounts. It is not something where the revenue comes to us and we can go to our set of accounts and say, "Here is the toll revenue." We will take the question on notice and just see what we can do.

ANSWER

I am advised:

I refer you to the answer to Question on Notice 64.

QoN67

The Hon. JOHN GRAHAM: Are you also able to take on notice the maintenance budgets for each of the divisions of Transport, that is the total maintenance budget for 2021 for at least the Sydney Trains network, the NSW Trains network, the Sydney ferry network, the STA buses, the metro network, the Sydney Light Rail networks and any of the Roads divisions in whatever administrative way that makes sense—I imagine both regional and Greater Sydney.

Mr SHARP: Yes, correct. The Hon. JOHN GRAHAM: Thank you

ANSWER

I am advised:

Please refer to the response in Supplementary Question 1 through 6.

QoN68

The Hon. MICK VEITCH: Just a quick question about disability employment within your agencies. I know you report against that. It is a requirement of the public sector. If you could just take on notice and provide the profile across your respective agencies the disability make-up.

Mr SHARP: Yes, we will take that on notice.

ANSWER

I am advised:

Transport is committed to ensuring that NSW has a world class public service that works hard to drive improved outcomes for the people of NSW. To do this we need to build a workforce with diverse people, which drives creativity and innovation. Having a diverse and inclusive workforce also ensures that the NSW Government represents the community. This gives us a deeper understanding of the communities we serve and allows us to deliver better outcomes through our wide range of expertise, perspectives and innovative ideas.

Transport has teams and staff networks in place to support the delivery of the Premier's Priorities focused on delivering a world class public service supporting diversity and inclusion matters. The duties of these roles include strategy and program development, implementation and reporting, community engagement, organisational development and recruitment activities.

Representation of employees with disability

Transport Cluster	1.9%
TfNSW	2.1%
Sydney Metro	1.6%
Sydney Trains	1.8%
State Transit Authority	0.8%
NSW TrainLink	2.3%

This data is current as at end of October 2021 and includes participants from the Entry Level Talent Program. The data excludes labour hire, TAHE and OTSI.

QoN69

The Hon. JOHN GRAHAM: In relation to the Accellion breach, the questions that my colleague was asking about cyber security, Cyber Security NSW has answered a question about when they were notified by Transport, but you might like to confirm that is also Transport's view, that you agree with that date of notification. Could you also confirm on notice, or now, the date at which Transport became aware of that breach?

Mr SHARP: We will revert with those details.

ANSWER

I am advised:

Transport for NSW became aware that its Accellion servers had been breached on 21 January 2021. Cyber Security NSW was notified and reporting to the NSW Police Force occurred through Cyber Security NSW.