

PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS

Thursday 9 November 2023

Examination of proposed expenditure for the portfolio areas

SPECIAL MINISTER OF STATE, ROADS, ARTS, MUSIC AND THE NIGHT-TIME ECONOMY, AND JOBS AND TOURISM

CORRECTED

The Committee met at 9:15.

MEMBERS

Ms Cate Faehrmann (Chair)

The Hon. Mark Banasiak

Ms Abigail Boyd

The Hon. Susan Carter

The Hon. Anthony D'Adam

The Hon. Dr Sarah Kaine

The Hon. Tania Mihailuk

The Hon. Sarah Mitchell

The Hon. Bob Nanva

The Hon. Damien Tudehope

The Hon. Natalie Ward

PRESENT

The Hon. John Graham, *Special Minister of State, Minister for Roads, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

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

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The CHAIR: Welcome to the third hearing of the Committee's inquiry into budget estimates 2023-2024. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. My name is Cate Faehrmann, and I am the Chair of the Committee. I welcome Minister Graham and accompanying officials to this hearing.

Today the Committee will examine the proposed expenditure for the portfolios of Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism. I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today; however, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage committee members and witnesses to be mindful of these procedures. Welcome and thank you for making the time to give evidence. All witnesses will be sworn prior to giving evidence. Minister Graham, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

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

Ms TRUDI MARES, Acting Deputy Secretary, Greater Sydney, Transport for NSW, on former oath

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

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

Mr MICHAEL RODRIGUES, 24-Hour Economy Commissioner, sworn and examined

Mr HOWARD COLLINS, Coordinator General, Transport for NSW, on former oath

Ms ELIZABETH MILDWATER, Secretary, Department of Enterprise, Investment and Trade, affirmed and examined

Ms ANNETTE PITMAN, Chief Executive, Create NSW, affirmed and examined

Mr STEVE COX, Chief Executive Officer, Destination NSW, affirmed and examined

Ms KATE BOYD, Deputy Secretary and General Counsel, The Cabinet Office, affirmed and examined

Mr TAREK BARAKAT, Acting Chief Executive Officer, Hospitality and Racing, Department of Enterprise, Investment and Trade, affirmed and examined

Ms CAROLINE LAMB, Chair, Independent Liquor and Gaming Authority, affirmed and examined

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

The Hon. NATALIE WARD: Welcome, Minister Graham. Congratulations on your appointment. Thank you to you and your officials coming along today. Minister, in relation to DLO secondments in your office, have you or your office ever requested specific public servants to fill DLO roles in your office?

The Hon. JOHN GRAHAM: Firstly, it's a pleasure to be back at estimates, and I would also like to thank the officials who are joining us here today for the session and also for the afternoon. I can indicate to the Committee—I have noted that this question has been asked elsewhere—each of the DLOs that have served in my office have been offered by the agency, rather than requested by myself, into my office. A number of them have served previously—one for Minister Franklin; one for Minister Mitchell; one for Minister Griffin; concerningly, one for Minister Tudehope. I will also indicate that one served for Minister Gaye in 2014 to 2016.

The Hon. NATALIE WARD: Thank you very much. We might move on. As you would well know, Minister, we have very limited time. I am asking about you and your office, so we might confine it to that, but thank you for that answer and for your preparation in that respect. Can you confirm that DLOs seconded to your office have not undertaken work that would contravene the Cabinet memorandum?

The Hon. JOHN GRAHAM: I don't believe there are any instances—certainly, I'm not aware of anywhere they have contravened the DLO guidelines. I invite any evidence to the contrary, but I'm not aware of any instances.

The Hon. NATALIE WARD: Good to know. What's your relationship with Kieren Ash?

The Hon. JOHN GRAHAM: I have observed—he's obviously working in Minister Haylen's office. I have interacted with him there—probably not a great deal—but that's the key nature of my relationship.

The Hon. NATALIE WARD: Were you aware he was breaching his duties as a DLO?

The Hon. JOHN GRAHAM: Firstly, that matter is under investigation, so I'm not going to comment on whether he was or was not, but I was not particularly aware of the activities of Mr Ash in Minister Haylen's office.

The Hon. NATALIE WARD: When you say "not particularly", what do you mean by that?

The Hon. JOHN GRAHAM: I have seen no instances where he has been breaching his obligations as I understand them under the DLO guidelines.

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The Hon. NATALIE WARD: But you knew him prior to the election? He was a campaign manager for the Balmain campaign for the Labor Party. That's correct, isn't it?

The Hon. JOHN GRAHAM: I was aware of him. We wouldn't have particularly met. I don't really recall having many interactions with him.

The Hon. NATALIE WARD: He was sending emails to your deputy chief of staff and to your chief of staff. That's correct, isn't it?

The Hon. JOHN GRAHAM: I'm not sure what you are referring to.

The Hon. NATALIE WARD: I think the documents show, clearly, that he was sending emails from Minister Haylen's office to your office.

The Hon. JOHN GRAHAM: In the course of his activity in Minister Haylen's office, he was emailing my office. I've certainly seen media reports indicating that he emailed a copy of a *The Daily Telegraph* article to my office—correct.

The Hon. NATALIE WARD: Do you consider that that is appropriate work for a departmental liaison officer?

The Hon. JOHN GRAHAM: It's under investigation, so I encourage the investigation to consider that. I wouldn't particularly be concerned about a DLO emailing my office from another office. I would want to know that it was in accordance with the guidelines, so I think that's a reasonable question.

The Hon. NATALIE WARD: Do you expect for your portfolios when your chief of staff is briefed that you are briefed?

The Hon. JOHN GRAHAM: It would depend on the nature of the issue. For example, as a Minister, I have delegated my employer functions to my chief of staff. That's not unusual. Some Ministers would; some Ministers would not. I would expect the chief of staff to make a judgement about the nature of an issue and whether a Minister needed to be briefed.

The Hon. NATALIE WARD: You would expect, though, if there was something important in relation to your portfolio or your office or your conduct, that, if somebody had told your chief of staff, you would in the ordinary course expect that your chief of staff would convey that to you, would you not? That's just common sense, isn't it?

The Hon. JOHN GRAHAM: It would depend on the issue, but certainly in those senior chief of staff roles, that judgement is made all the time.

The Hon. NATALIE WARD: You're joined at the hip, aren't you?

The Hon. JOHN GRAHAM: That judgement is made all the time.

The Hon. NATALIE WARD: In March last year you said:

The Opposition simply says that in the Westminster system if you are asked, "When was the Minister briefed?" and your office was briefed and your chief of staff was told ... then perhaps it is a relevant fact to mention.

You said that, didn't you, last year?

The Hon. JOHN GRAHAM: I'm sure you are accurately conveying that. I don't recall my exact words, but I am not doubting you are conveying that accurately.

The Hon. NATALIE WARD: Minister, what's the road toll as of today?

The Hon. JOHN GRAHAM: The road toll as of today is 301 people who have died on our roads. Tragically, that is 65 up from where we were last time. That is as we come out of COVID. In the discussions I have had with my colleagues in other States, concerningly, that is the case around the country. That is one of the serious challenges that the Government has to tackle as we are dealing with our roads.

The Hon. NATALIE WARD: Correct. Do you accept that the road toll being higher than this time last year is of concern?

The Hon. JOHN GRAHAM: Yes, absolutely, that the road toll is up in New South Wales. When I met with my colleagues for the first road safety Ministers meeting nationally

The Hon. NATALIE WARD: Thank you. We will get to that.

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The Hon. JOHN GRAHAM: —earlier in the year one of the subjects of discussion was that, coming out of COVID in each State and in the Territories, there is a real concern that the road toll is rising. That has been the subject of serious discussion between the jurisdictions. It's also why we have accelerated action on the Road Safety Action Plan in New South Wales.

The Hon. NATALIE WARD: We will get to that. I want to focus on this. So COVID is to blame; is that right?

The Hon. JOHN GRAHAM: Absolutely not. The excellent evidence from the Centre for Road Safety—which really gives a very good sense of the data behind the reasons for each of these individual incidents but also the road toll in general—gives a very good picture of exactly what the causes are.

The Hon. NATALIE WARD: Can I turn to your diary? I notice in your diary disclosure that you didn't have time to meet with road safety advocates in your first three months in the job. I accept you are busy and have things to do, but I would have thought, given your emphasis on the road toll and your understanding of how it is up—can we take it from that that this is not a priority for you?

The Hon. JOHN GRAHAM: Absolutely not. I reject that. I have spoken to a range of road safety advocates since I have taken on the role. I am briefed weekly on road safety issues, and it generally occupies a standing item on the discussion.

The Hon. NATALIE WARD: Who have you met with?

The Hon. JOHN GRAHAM: My diaries have been disclosed.

The Hon. NATALIE WARD: That's the point. In your diary disclosure, there are no meetings with road safety advocates.

The Hon. JOHN GRAHAM: I have had discussions with road safety advocates since then and in my diary disclosures—

The Hon. NATALIE WARD: Sorry, can I be clear about this in your evidence: Your diary disclosures show there are no meetings with road safety advocates. Are you saying that you have met with them subsequently but for the first three months at least you have not met with them?

The Hon. JOHN GRAHAM: Let me give you some examples. I've certainly discussed a number of times with Peter Fraser, I've discussed with NRMA and I've met with the Gaffneys to discuss the tragic events in the Hunter—that tragic bus crash that I think shocked all of New South Wales—about what the potential changes are that might flow in the road safety space. As I have indicated, I have been to the very first road safety Ministers meeting in the country. One of the good things about this space in recent time is that the Federal Government is stepping into the space.

The Hon. NATALIE WARD: We might deal with your office, if I may.

The Hon. JOHN GRAHAM: I think that really holds out the prospect of much greater cooperation between the jurisdictions.

The Hon. NATALIE WARD: Just to be clear, you've had a meeting and a phone call. Is that an acceptable allocation of your time to road safety?

The Hon. JOHN GRAHAM: No, absolutely not. I would have had more discussions than that. But you've got my diaries, and I'm happy to run through that.

The Hon. NATALIE WARD: Minister, you might take it on notice because they are not in your diary disclosures. It seems from the documents that there haven't been meetings. You've told us today of two, but you might let us know if there's been others that haven't been disclosed, perhaps, or that we're not aware of from your diary disclosures. I will move on. You met with those groups since your last disclosure. Is that how we are to take your evidence?

The Hon. JOHN GRAHAM: You know how the diary disclosures work. I have spoken to a range of people. I have been briefed weekly. I have met with some people. I have attended the road safety Ministers meeting. This has been a regular item on the agenda. It's also why the Government is taking action.

The Hon. NATALIE WARD: When did you meet with Mr Fraser?

The Hon. JOHN GRAHAM: You can check my diary disclosures.

The Hon. NATALIE WARD: That's the point, Minister. It's not in there. That's my concern. I'm not seeing that you are prioritising meetings with road safety advocates and stakeholders. We know it's a priority; you

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have said that. But it doesn't seem that that is being exercised in your meeting allocation of time. You might come back to us on those. You have, however—

The Hon. JOHN GRAHAM: Mr Ward, what we are prioritising is action, including introducing the seatbelt legislation—

The Hon. NATALIE WARD: We will get to that, Minister. I have limited time, as you know.

The Hon. JOHN GRAHAM: —tightening up seatbelts in the Parliament, something we are hoping for the support of the Opposition on.

The Hon. NATALIE WARD: We will get to legislation, Minister.

The Hon. JOHN GRAHAM: Ms Ward, you have made a suggestion that I'm not prioritising this.

The Hon. NATALIE WARD: I have limited time, as you know.

The Hon. JOHN GRAHAM: I will indicate that the Government is taking action on these matters.

The Hon. NATALIE WARD: I will redirect.

The CHAIR: Order! At this point I will remind members to allow witnesses to generally complete their questions. Particularly when allegations are being raised in the questions, I think it's important that the Minister does have time. However, I will remind the Minister that if you are straying from the topic and deliberately filling time, then the member is absolutely obliged and in order to interrupt you for another question. That's the ground rules, if that's okay.

The Hon. JOHN GRAHAM: I accept those principles.

The Hon. NATALIE WARD: Minister, you managed to meet with Bluesfest twice and Groovin the Moo festival and the Country Music Festival. Festivals are very important to your arts portfolio, but surely road safety advocates are also important to you and you would have prioritised them. That's correct? You haven't met with them.

The Hon. JOHN GRAHAM: As I said, the Government's focus is on action—the seatbelt legislation is in place, weekly briefings on road safety, the demerit point reform, and trying for the first time the carrot and the stick in the road safety space. The former Government—

The Hon. NATALIE WARD: I will redirect you from there. I'm asking you about meetings in your diary and I would like to focus on those.

The Hon. JOHN GRAHAM: I'm giving you some important context, Ms Ward, about how important this is. I won't have the suggestion that road safety is not important to the Government. It's occupied quite a lot of my time as Minister.

The Hon. NATALIE WARD: It seems from the documents and your diary disclosure, Minister—I want to refocus on those—and the allocation of time in your diary to meeting with these advocates that the meeting with Bluesfest, Groovin the Moo festival and the Country Music Festival seem to have priority over community road safety groups. Minister, I asked you in a question on notice, No. 205, what your priorities are for the portfolio. In your response, you didn't mention road safety initiatives or keeping safe on the road. Can the people of New South Wales take from that that it's not a priority or did you mislead the House in your answer?

The Hon. JOHN GRAHAM: I reject the fact that this isn't a priority for the Government. It's one of the reasons I've directed the agency—

The Hon. NATALIE WARD: You said that in your answer.

The Hon. BOB NANVA: Point of order: I don't believe it's courteous for the witness for an answer to barely have commenced before an interjection is then taken by the member.

The CHAIR: I have heard the point of order. I kind of uphold it. I think we allow a decent amount of exchange in these committees. I will say to continue, bearing in mind what I said earlier.

The Hon. NATALIE WARD: Minister, has your position changed?

The Hon. JOHN GRAHAM: As I was saying, I reject the suggestion you are making. It's one of the reasons I have directed the agency to hold a road safety forum in the near future, with a range of road safety advocates. Ms Ward, you can expect an invitation. It's something that I would hope and expect the Opposition engages with directly. That will be one of the key forums. But, as I said, we're focused on action, including driving the 2026 Road Safety Action Plan faster. Eleven actions have now commenced, actions left uncommenced in the

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previous plan before we came to government. We're actually speeding up implementation because of our concerns—

The Hon. NATALIE WARD: "Speeding up" might be an interesting choice of words.

The Hon. JOHN GRAHAM: —like other States concerned about the road toll. That is the subject of serious discussion amongst the jurisdictions.

The Hon. NATALIE WARD: I would like to turn to my question. I will redirect you back to that. Minister, I asked you directly a question on notice in writing, No. 205. You had time to consider your answer and you had time to submit that back to the House, and you did not include road safety in your priorities. Why is that? It's clearly not a priority for you. Or did you mislead the House in providing that written answer?

The Hon. JOHN GRAHAM: Ms Ward, I reject the suggestion that this isn't a priority for the Government; clearly, it is. There are two serious legislative actions already in the House. We are hoping for the support of the Opposition on the seatbelt legislation. I look forward to your support and also the support of the crossbench to make that important change to turn on the cameras that we have that are currently enforcing mobile phone use to add to seatbelt use.

The Hon. NATALIE WARD: We will get to that.

The Hon. JOHN GRAHAM: Can I tell you why, though, Ms Ward?

The Hon. NATALIE WARD: No, I would like to redirect. I have limited time. I have six minutes left.

The Hon. JOHN GRAHAM: Up to 18 per cent of people, when you talk about the data, are dying because of this change. I think that is important to place on the record at estimates today. I want to place on the record that a key cause of why people are dying on our roads at the moment is because they are not wearing seatbelts. I think that will come as a shock to any of us.

The Hon. NATALIE WARD: We'll come to seatbelts in a moment. But I will redirect my question to you in relation to your answer that you provided. Was that answer right or wrong?

The Hon. JOHN GRAHAM: I stand by my answer to the House. I reject the assertion that this is not a priority for the Government. That's why we—

The Hon. NATALIE WARD: So your answer to the House—

The Hon. JOHN GRAHAM: Of the 94 actions in the Road Safety Action Plan, we have added 11 of those that have been left undisturbed by the former Government.

The Hon. NATALIE WARD: Thank you.

The Hon. JOHN GRAHAM: I want to recognise the work that the former Government did in this space.

The Hon. NATALIE WARD: Thank you.

The Hon. JOHN GRAHAM: I think it is best when road safety is bipartisan.

The Hon. NATALIE WARD: I will get to the questions in the five minutes. Thank you.

The Hon. JOHN GRAHAM: But we are certainly focused on action in this area.

The Hon. NATALIE WARD: You won't have disagreement on prioritisation of road safety from this side, but it seems from your answer that was not included as a priority. I'll take that, but I'll move on.

The Hon. JOHN GRAHAM: I want to reject that statement. It's why we've increased funding to road safety.

The Hon. NATALIE WARD: It wasn't included in your answer.

The Hon. JOHN GRAHAM: It's why we've increased road safety funding in the budget. That's quite important. I think that's a great indication—

The Hon. NATALIE WARD: We'll get to that.

The Hon. JOHN GRAHAM: —of what the priorities of this Government are: more action, more funding, weekly meetings. I reject the assertion you're making.

The Hon. NATALIE WARD: Let's turn to the demerit points scheme, Minister. On your Government's demerit points trial what are the specific success markers that you are looking for in order to continue the trial?

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The Hon. JOHN GRAHAM: As I have said, one of the great benefits of this area of government is that there's very good evidence and I want to pay tribute to the Centre for Road Safety and the work they do. As I have talked to my colleagues in other jurisdictions, one thing's become clear, which is that New South Wales is regarded as having a better—perhaps the best—evidence-based system, the best data, around road safety and that is really important to the decisions that are made. As I have said, that is one of the reasons we are making this seatbelt change. When it comes to the demerit reform, of course we will be guided by the Centre For Road Safety on assessing this trial.

The Hon. NATALIE WARD: So you will be guided by the—I want to get to—

The Hon. JOHN GRAHAM: It will include a range of measures as part of that, but crucial to that, of course, will be its impact on the road toll. We do want to know whether it impacts positively or negatively on the road toll.

The Hon. NATALIE WARD: We're all looking for that; that's the outcome. The specific success markers, though, that you are looking for—because the road toll is up 26 per cent under your watch. You are not meeting with road safety advocates. It doesn't seem to be a priority in your office. What exact data will you use to make a decision?

The Hon. JOHN GRAHAM: I don't agree with your figures.

The Hon. NATALIE WARD: You don't agree that the road toll is up?

The Hon. JOHN GRAHAM: I reject your assertion that this isn't a priority for the Government.

The Hon. NATALIE WARD: It's not in your answer to the House. It's not in your diary disclosures meeting with people, and the road toll is up. That's true, isn't it?

The Hon. JOHN GRAHAM: Ms Ward, we are focused on action, funding. This is taking up quite a bit of time in my focus as Minister, as it should, as it is with other jurisdictions. It's why we will be holding a forum with road safety advocates, with the Centre For Road Safety, with the Opposition, if the Opposition chooses to attend—and I'm confident you will, given your record of focusing on these issues.

The Hon. NATALIE WARD: Thank you.

The Hon. JOHN GRAHAM: I think that is one of the benefits we've had in this area. It's often been an area where there has been bipartisan discussion to support these measures.

The Hon. NATALIE WARD: Let's move to that, and what action you're taking. You said you will "closely watch the results to see if there is a net safety benefit for motorists, pedestrians and communities". Those are your words. That's correct, isn't it?

The Hon. JOHN GRAHAM: It's the sort of thing I would have said, yes.

The Hon. NATALIE WARD: It's your quote. I'm not trying to trick you on that. Are pedestrian fatality rates up or down this year?

The Hon. JOHN GRAHAM: Pedestrians, sadly, make up 17 per cent of our fatalities at the moment. It is something that we need to look at seriously.

The Hon. NATALIE WARD: Up or down?

The Hon. JOHN GRAHAM: It's one of the reasons that we've made changes.

The Hon. NATALIE WARD: Up?

The Hon. JOHN GRAHAM: It varies from time to time but it is 17 per cent at the moment. Those are the most—

The Hon. NATALIE WARD: Pedestrian fatality rates are up, for your information. Road fatalities are up or down?

The Hon. JOHN GRAHAM: Road fatalities are up in general, yes, as I've indicated to the Committee at the start.

The Hon. NATALIE WARD: So by your own measure, your program is failing. That's correct, isn't it, Minister?

The Hon. JOHN GRAHAM: Absolutely not because this is a complex area. We'll assess the trial properly. We won't be making a political judgement halfway through a trial before it's even finally concluded. We

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will be using the Centre For Road Safety to assess this. I think these judgements shouldn't be made in the upper House or by politics.

The Hon. NATALIE WARD: But you said you will closely watch the results.

The Hon. JOHN GRAHAM: We should be guided by the evidence. There's a complex range of factors going on, Ms Ward, as you know.

The Hon. NATALIE WARD: Pedestrian fatalities are up, road fatalities are up, and you haven't met with these groups and it is not a priority in your written answer.

The Hon. JOHN GRAHAM: I reject the fact I haven't met with them. I reject the fact this hasn't been a focus. Talking about pedestrian fatalities specifically, it's one of the reasons why we have moved to the speed zone standards that were approved but not launched by your Government. That does allow some more flexibility in neighbourhoods to drop speed zones if councils particularly desire to do so.

The Hon. NATALIE WARD: Thank you. I've got a few seconds left, so I'll move on.

The Hon. JOHN GRAHAM: Ms Ward, I do want to finish this. It actually is important. What the Government's approach will be to speed up, where we can, where we can get commuters home rapidly, say in the WestConnex tunnels, but allow councils to slow down—

The Hon. NATALIE WARD: A project you opposed.

The Hon. JOHN GRAHAM: —where pedestrians' lives may be at risk in some neighbourhoods. And I'm hopeful that that will be one of the changes that deals with the figures that you have raised and I am concerned about.

The Hon. NATALIE WARD: Thank you, Minister. You said, "We can't expect to keep doing the same thing and get different results." But you're doing a different thing and getting worse results. That's correct, isn't it?

The Hon. JOHN GRAHAM: I reject that statement. We are driving 11 actions out of the Road Safety Action Plan. Key legislative reforms are underway.

The CHAIR: Minister, in relation to music festivals, I note that with the Music Festival Roundtable, the outcome statement of 21 June 2023, one of the items of discussion was the fact that industry spoke about the increased festival costs in New South Wales, compared to States such as Queensland and Victoria. Industry spoke about the fact that festival costs are significantly higher in New South Wales, compared to other States. One of the main reasons for that, of course, is the fact that user-pays services from police in New South Wales are significantly higher, often two to three times as high as Queensland and Victoria are. What are you doing about that as Minister to reduce those costs?

The Hon. JOHN GRAHAM: It is a good observation and it is a concern that has been raised with me over some time. The facts are clear: Costs for equivalent festivals operating in New South Wales are higher than they would be if the same events were held in Victoria or Queensland, and that is a real concern. That does put significant pressure on the festival sector. It means good operators face high costs, and bad operators are tempted to cut costs. That is a real concern to the Government. We have commenced the Music Festivals Act review, so that is exactly the sort of issue I would expect to be raised in a systematic way with some of that evidence by the festival sector, and the Government will look closely at that. But I do accept it's not just the fees you have referred to, it's a range of other fees that are being applied to the festival sector that make their costs particularly high. We have had a fantastic festival sector in New South Wales. It is one of the bright spots. But it is under pressure.

The CHAIR: Thank you, Minister, but I do want to stick with user-pays policing. An example I have from the Australian Festival Association submission to the New South Wales Arts, Culture and Creative Industries Policy consultation shows that for the same festival in New South Wales the costs were \$107,000, compared to \$45,000 in both Victoria and Queensland. The user-pays policing was \$45,000 in New South Wales, compared to \$17,000 in Victoria, for example. Participants—pretty much the same. Another example in New South Wales, user-pays policing \$33,000 for 11,000 people, in Victoria zero for 15,000 people. This is quite significant.

You mentioned the Music Festivals Act but that doesn't really deal with policing, you will agree. What are you doing internally within the Government to advocate for less policing? The user-pays policing is just ridiculous in New South Wales, and in terms of the impact, it's the same number of participants, triple the cost of policing and drug detection dogs and everything else that goes with them. We are the only State that's having MDMA deaths. You need to wonder whether all of those things are linked, which clearly the coronial inquest into music festival deaths found that they were linked. What are you doing internally to advocate for an end to this ridiculous scheme in New South Wales?

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The Hon. JOHN GRAHAM: You've covered a fair bit of ground there. I might deal with each of those aspects. I do agree the costs for festivals, including the comparative costs for user-pays policing, are a concern for the viability of the festival sector. I don't agree we are the only jurisdiction with a problem with drug harm at festivals or with drug deaths. There are issues, I agree, in other jurisdictions. I agree that the evidence collected both by the coronial inquiry and the ice commissioner's report provides a very good evidence base to be able to look at some of the nuances of exactly what is going on here, and that has allowed some good consideration of these issues.

The Premier has been clear that any of the broader drug issues will be dealt with at the drug summit, and he's talked about the timing of that at estimates elsewhere. On the festival costs, though, I am concerned. The reason I draw attention to the Act is we'd like to recast the Act to see it be more supportive of festivals, rather than its genesis, which was very much about attacking—

The CHAIR: Sure, that's fine. We can get to questions on that. In terms of the user pays, there could be 100 or 50 or so police, for example, at a Defqon festival, and a certain amount of drug dogs and everything deployed—significant costs. Who decides that? Who decides how many police? Who decides the costs, and do you have any role? Does ILGA have any role?

The Hon. JOHN GRAHAM: Firstly, it has been the subject of discussions with my colleagues. It is something that I have spoken to a range of my colleagues about—my concern about the evidence that I am already aware of about the costs to festivals. As I understand it, the decisions about the number of police are largely based on the risk assessment by police. I accept police have got to do their job. My concern is the burden it is putting on the viability of festivals, the amount they are being charged at the moment.

The CHAIR: Do you see that as a conflict of interest with the police deciding? They get the money; they decide how many police are needed at the festivals. It's the police that go to these festivals and get paid significant pay in terms of overtime—double, triple the rate. Do you see that as a conflict of interest, the fact that this decision rests with the police?

The Hon. JOHN GRAHAM: Saying that's a conflict of interest is putting it too strongly. I do think we have to look at the viability of festivals. That is something that the Government is looking at. It has been a real bright spot for New South Wales—

The CHAIR: When you say "viability of festivals", do you mean the whole notion of user-pays policing?

The Hon. JOHN GRAHAM: The financial viability of festivals, driven by the range of charges. You're nominating one; I am drawing attention to all of them. That will be absolutely in scope for the music festival review. That's really the forum to have that discussion. Submissions are open at the moment, so I haven't received those from the industry. Obviously, I have had the same views you have referred to today put to me directly, and that's the way the Government will deal with those.

The CHAIR: There will be no changes, then? Because this review is kind of over the summer—no changes over the next few months in relation to what the music festival industry needs to do?

The Hon. JOHN GRAHAM: Yes, look, one of my concerns in doing the review was it's a busy time for the festival sector, so I wanted to make sure that there's time to get changes in place appropriately. I am certainly taking guidance from the industry about how rapidly they can be consulted. It won't be possible to make those changes ahead of this summer. There are other changes in the health area that the health Minister has referred to and has led on, largely in the health messaging space, working with festivals, that will be in place for this summer.

The CHAIR: There is the possibility, though, isn't there? Because I can't see that the policy around user-pays policing and the way in which those numbers are determined by the police themselves—there is a role, isn't there, within government, for you to advocate, perhaps with the police Minister, to reduce or pull back the scale of the number of police? Again, just the evidence—the facts speak for themselves. In Brisbane, in Melbourne—exactly the same festivals with one-third of the costs. There is some scope for you to advocate to the police Minister to have a word and, magically, those user-pays policing figures could halve. They don't need a review. They don't need changes in the Act. It just needs government will and possibly advocacy from yourself.

The Hon. JOHN GRAHAM: I'll answer your question very directly, but the first thing I want to make clear is that one thing we won't be doing is launching a war on music. That is where this started—a direct war on the festival sector in New South Wales, and we nearly lost some of the best operators in the State.

The CHAIR: Yes, I am aware of the history.

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The Hon. JOHN GRAHAM: So that's one thing we won't be doing. Yes, I'll certainly be advocating. The way I am indicating to the Committee that I am approaching that is to look at costs overall. We should be taking a holistic view about those costs and getting them down to a level where the other States are at, but doing it with safety in mind and doing it with festival viability in mind. We want a culture in New South Wales which welcomes these festivals and the community that they bring.

The CHAIR: In the very short time I have, just the time line for this review and changes to the Act—because there is a range of other issues, such as the fact that festivals have to get their safety management plan in 60 days before the festival to ILGA, and they get notified maybe with just 14 days to go until the festival whether it's approved. It is a bit ridiculous and onerous. When will these changes come into force? What is the review's time line?

The Hon. JOHN GRAHAM: The review has commenced. I expect it will close shortly, and you'll be able to ask Liquor and Gaming the precise timing. The only reason I am uncertain is I have given a direction that we should make sure that industry has actually got time to engage. But those measures will then be able to be in place following this season. There have been other health changes in the meantime ready for this summer.

The Hon. MARK BANASIAK: Welcome, Minister. Let's move over back to Roads. In your most recent budget, \$20 million was announced to investigate extending Memorial Drive at Bulli. Can you elucidate and break down what processes are involved in that investigation, and even a costs breakdown? For the average punter, \$20 million seems an expensive look-see.

The Hon. JOHN GRAHAM: This is an important project. It is one that has been discussed over the years in that community. We have committed funding towards it, as you have seen. That will really be to assess what is a very difficult, very constrained physical environment to be able to build a road in. It is very much a feasibility study. That is certainly how we were thinking about it when we committed to this, and that's been the advice subsequently from the agency. The reason for that is it is such a constrained environment. The community has called for this. We want a serious investigation—that is why the amount of money. This is not a desktop review or a small commitment. This is a very serious look at the viability of this project. I will indicate that the Government will take that review seriously. Sitting here today, I can't say categorically what form this will take, and the future will be very much guided by the advice of the agency, but I invite you to seek some further information today from the agency directly.

The Hon. MARK BANASIAK: Given that they are here now, I might ask. Is one of the proposals extending it to the point that it links up directly with Bulli Pass? Is that the ultimate aim? Based on discussions with community and long-held views of community, is that the ultimate aim to extend Memorial Drive to the point it directly links up with Bulli Pass?

The Hon. JOHN GRAHAM: Secretary?

JOSH MURRAY: Thank you, Minister. The next current stage of the traffic improvements plan for the Princes Highway through Bulli is on the smaller scopes of work. The parking space and the car park upgrades—they are removing the right turns in and out of Station Street, and introducing a dedicated right-turn arrow at the Park Road traffic lights. If we then look at the \$20 million that you have referenced—

The Hon. MARK BANASIAK: Can I just rewind—removing car parks where, sorry?

JOSH MURRAY: New parking spaces and car park upgrades on Railway and Station streets. Then it was removing right turns in Station Street. When we look at the \$20 million, though, that is a strategic options which won't be ready until 2025 in terms of looking at the overall program and obviously a business case, which will be 2025 as well. Those elements that you are asking about will be factored into that process.

The Hon. JOHN GRAHAM: It is certainly not off the table as we look at that, that idea of connecting to Bulli Pass. But we've still got to develop those options fully.

The Hon. MARK BANASIAK: Well, you understand the complexity of doing something like that, because the more recent upgrades that you did to that section of where Bulli Pass starts is a nightmare already. It confuses people that you have to be in the right lane to go to Bulli Pass, and there are always near misses—people scooting over into the right lane from the left. You've removed a truck arrester bed coming down the pass, so the only option trucks have if their brakes fail is to smash into a concrete wall and hope they don't go through it. The skid marks on those walls will tell you it has happened. Will this upgrade or extension, if it does extend to Bulli Pass, include fixing those clear issues that are currently sitting at the foot of Bulli Pass?

The Hon. JOHN GRAHAM: You're right to draw attention to the issues. This is a very difficult bit of road. There is no getting around that. It's one of the reasons the community has called for these upgrades, but in a highly constrained area it may or may not be possible. I'm certainly happy for those issues you're raising to be

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answered today, but that is of concern to me as Minister to hear that description. This is an important investigation, a serious investigation, a well-funded investigation but a highly constrained corridor, so it may or may not be possible to take a step forward here. That's exactly why we're doing this work. It has been the source of real community interest for all of the reasons that you have outlined.

The Hon. MARK BANASIAK: Yes, I drive it daily. It sounds like some work has already been done in this space to try and understand what you're grappling with. You would have looked at modelling in terms of where the traffic has been pushed from when you originally extended Memorial Drive. When you extended Memorial Drive the first time up to Bulli, all you did was move the bottleneck on the Princes Highway two kilometres. Are you concerned that by extending it further you're only moving the bottleneck perhaps another one, one-and-a-half kilometres down the road? Are we literally kicking the can down the road?

JOSH MURRAY: I would say that detailed survey data was done in May and June of this year to examine the performance of that part of the roadway and also the impact of the previous works. My colleague Ms Drover is at the end of the table; I wonder if she may have anything additional on the project.

The Hon. MARK BANASIAK: Is that data publicly available in terms of that survey work that you did?

JOSH MURRAY: That's the early planning data for the next stage of the project. I'm not sure it would be publicly available yet, but I'm happy to take that on notice.

The Hon. MARK BANASIAK: Ms Drover, do you have anything else to add?

CAMILLA DROVER: I have a bit more information. It doesn't actually sit in my portfolio yet but I'm happy to provide additional information. The \$20 million covers the strategic options report, which the secretary said, then a strategic business case will be done. Subject to that strategic business case, we will then go ahead and do a final business case. So the \$20 million is a budget to also complete the final business case but it's subject to the outcome of that strategic business case. And, yes, one of the options being considered is connecting it and effectively forming the Bulli bypass as well. Yes, we'll be looking at environmental and property impact assessments, concept designs, the traffic modelling et cetera, and community consultation and engagement et cetera. It will be a robust process given the complexity and the issues that you've raised.

The Hon. MARK BANASIAK: Minister, just moving to another road down in my neck of the woods, Mount Ousley Road and the Princes Highway intersection, in the budget there is \$277.8 million in joint funding. What is the breakdown of State versus Commonwealth funding for that project?

The Hon. JOHN GRAHAM: I'll have to ask one of the officials for the breakdown, but obviously, again, this is a very important project for the community. They've called for this upgrade for quite some time. It is the subject of discussion with the Commonwealth Government, obviously, given the Commonwealth Government has got its review of road funding underway. So they're yet to announce exactly what they're doing with projects right around the country, but I understand how important this project is to the community. It's certainly one of the projects that I am very conscious of as the Commonwealth is unveiling its Federal review.

JOSH MURRAY: And Ms Drover may have a breakdown.

CAMILLA DROVER: The current proposed funding is an 80/20 split, so the Federal Government providing 80 per cent of the funding, the State the balance of 20 per cent. But as the Minister said, that's subject to the infrastructure review the Federal Government is undertaking. We have done some preparatory works for that project, and the tender process is very well advanced.

The Hon. JOHN GRAHAM: I might take this opportunity, while we're here and you're asking the question, to say this is a really important project for the community. I'd really hope to see that we're able to continue that work.

The Hon. MARK BANASIAK: It is. There are numerous accidents on that roundabout quite regularly. It's a heavily used roundabout and it's not in a great state. What's the crux of the proposal in terms of improvements? What are we looking to do? Are we looking at putting traffic lights there? Making a traffic light roundabout? What's the overall crux of the plans?

The Hon. JOHN GRAHAM: I'll turn to Ms Drover on the details, but the case you've just made is the case that has been made very strongly to me by all the local members in the area as well, and I accept that's the strong view of the community. Ms Drover?

CAMILLA DROVER: The scope includes heavy vehicle bypass lanes for southbound travel. That will separate the cars from the heavy vehicles. There is a new heavy vehicle safety ramp. There are two new intersections and a bridge over the Princes Highway, and that will improve access to Mount Ousley Road and also

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the motorway and the University of Wollongong. We've got upgrades to the existing pedestrian bridge over the motorway. There is improved pedestrian and cycle connectivity, and there's construction of noise walls along the northern side of the Princes Motorway and the south side of Mount Ousley Road.

The Hon. MARK BANASIAK: In the 10 seconds I have left, there was some serious work done on Mount Ousley Road and it still seems to be ongoing midway up there due to the recent heavy rains. Do we have an update as to when that will be completed? It's still barricaded and still causing confusion for drivers coming down Mount Ousley Road. Do you have an update as to when that will be fully cleared and free to use?

CAMILLA DROVER: I'll take that on notice because I think that's being delivered by our Regional and Outer Metropolitan colleagues, but I can come back to you later today.

The Hon. NATALIE WARD: Back to roads, Minister, you said to question on notice No. 204 that:

Combatting toll mania and supporting an overhaul of the toll road network and system to benefit the people of NSW and drive a fairer deal for drivers is my first priority.

Why, then, did you decide as part of your first budget to increase the Harbour Bridge and Tunnel tolls?

The Hon. JOHN GRAHAM: It certainly is my first priority, combating the toll mania. That was the description by the former Premier about the fever that had gripped Sydney, the rising cost of tolls right across Sydney.

The Hon. NATALIE WARD: It's rising under you, isn't it?

The Hon. JOHN GRAHAM: That has been a significant cost-of-living concern for drivers, particularly drivers in outer suburbs—

The Hon. NATALIE WARD: But under you it has risen on the Harbour Bridge and the Tunnel. That's correct, isn't it?

The Hon. JOHN GRAHAM: —particularly drivers who don't have options for public transport, and that's my real concern.

The Hon. NATALIE WARD: Yes, so my question is—

The Hon. JOHN GRAHAM: Through no fault of their own, I've been talking to teachers who have stopped teaching—

The Hon. NATALIE WARD: Yes. We're not going to talk about teachers; we're talking about roads. On the Harbour Bridge and the harbour tunnel—

The Hon. JOHN GRAHAM: —at schools they were working at because they simply can't afford to go to work, or health workers or care workers who have had to stop working with their clients who they love because they simply can't afford—

The Hon. NATALIE WARD: I'm going to redirect you now, Minister, because we want to talk about tolls.

The Hon. JOHN GRAHAM: I am answering your question.

The Hon. NATALIE WARD: No, you're talking about other things.

The Hon. JOHN GRAHAM: You asked me about my priorities. I'm answering that. I'll come to the—

The Hon. NATALIE WARD: I'm asking about the increase on the Harbour Bridge and the harbour tunnel when Chris Minns said, "With Labor, tolls will always be cheaper." That's not true, is it? You've increased the toll on the Harbour Bridge and the harbour tunnel in your first six months in office.

The Hon. JOHN GRAHAM: Ms Ward, I'm happy to answer your question.

The Hon. NATALIE WARD: Please do!

The Hon. JOHN GRAHAM: I was simply responding to the first part of your question, which asked, "Was this a priority?" I'm explaining why this is the key priority to me, dealing with cost-of-living pressures—

The Hon. NATALIE WARD: So why are you putting them up?

The Hon. JOHN GRAHAM: —given the high and rising cost of tolls. When it comes to the Harbour Bridge toll, this is the history: Each year under the former Government—

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The Hon. NATALIE WARD: Minister, I'm going to redirect. I'm not after the history; I'm asking why your Government has decided to increase the toll on the Harbour Bridge.

The Hon. ANTHONY D'ADAM: Point of order: The Minister has to be afforded an opportunity to give an answer. He was asked a specific question.

The Hon. NATALIE WARD: We don't need the history of the bridge.

The Hon. ANTHONY D'ADAM: He was in the middle of his answer. He needs the opportunity to be able to elaborate and give context as well.

The CHAIR: I won't uphold the point of order. I will again reiterate, if the Minister could as much as possible answer the question directly. This isn't the time for just general spiels about the portfolio. I have been listening, and I'll just ask the member to continue asking questions and ask the Minister to try and answer the question directly as you can.

The Hon. NATALIE WARD: If we can keep to the question, I have a number of them because this is of great concern. We're in a cost-of-living crisis, Minister. You have said that; you accept that. Your promise before the election was to make sure tolls will always be cheaper, and the fact is they're not. My question is this: Minister, was the decision to increase the tolls on the Sydney Harbour Bridge and the Tunnel the result of an increase in operating expenses to administer the two assets, or was that decision based on an increase in revenue?

The Hon. JOHN GRAHAM: The decision was made in the budget process because of the history here where that toll had not risen since 2009. Each year the agency was required under its legislation to recommend to the Minister an increase in the toll, taking into account the CPI, and each year, under the former Government, that claim was refused. So if you lived in Western Sydney, your tolls were going up 4 per cent or perhaps by the rate of inflation, 6.8 per cent, and if you lived somewhere where you drove over the Harbour Bridge or through the harbour tunnel, under 12 years of the Coalition Government, the tolls went up zero—for 12 years in a row, despite those recommendations by the agency, despite inflation, despite what drivers in Western Sydney were paying, and that was the reason why I felt—

The Hon. NATALIE WARD: But, Minister, you assured the people of New South Wales that tolls would not rise under you and, in your first six months, you have increased the tolls on the Harbour Bridge and the tunnel. You said they won't rise under you. In fact, you said, "Harbour tunnel toll arrangements expire in August this year, but the public has no idea what is proposed. The one thing we can guarantee with Dominic Perrottet is it will lead to higher tolls." The fact is it's gone up under you, not under the previous Government. It wasn't raised under the previous Government, but the first thing you do in six months is raise the tolls on the Harbour Bridge and on the tunnel. That's correct, isn't it?

The Hon. JOHN GRAHAM: Ms Ward, I don't object to you asking the question. But my real answer is that, as a Minister, I felt that it was fair, given that tolls just had not gone up for 12 years—more than 12 years—

The Hon. NATALIE WARD: Had the operating expenses gone up?

The Hon. JOHN GRAHAM: —on the Harbour Bridge and the harbour tunnel, but if you live in Western Sydney, if you've got no access to public transport—

The Hon. NATALIE WARD: Well, let's go there.

The Hon. JOHN GRAHAM: If your tolls are going up by 6.8 per cent under the contracts signed by the Coalition Government, then I did feel it was fair that this was the one toll that could increase and, of course, as you know, we've committed to toll revenue from the Harbour Bridge and the harbour tunnel going back into toll relief. I saw it as a fair decision, but one that helped us to get toll relief to drivers across the board.

The Hon. NATALIE WARD: But you said that you wouldn't increase it. Do you accept that people from Penrith, Camden or anywhere in Sydney, who are teachers or health workers, use the Sydney Harbour Bridge and use the Sydney Harbour Tunnel?

The Hon. JOHN GRAHAM: Look, I'm very conscious of the cost of tolls, so it's not a decision I'd take lightly, but there's got to be some fairness. There is really such a patchwork of tolls, depending on where you live. This money is going back into toll relief, but to me—and all I can tell you is my view as Minister—I took the view that it wasn't fair that your tolls went up at least 4 per cent, perhaps 6.8 per cent if you live in Western Sydney and, if you're travelling over those two routes, a Coalition Minister had refused every year and overruled any agency recommendations as required under the law to keep the tolls at zero.

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The Hon. NATALIE WARD: Which would be fine, Minister, if you had said so before the election, but you didn't. You expressly said that tolls would not go up under you—that's correct—and you've lied to the people of New South Wales. I will move on.

The Hon. JOHN GRAHAM: No, I want to reject that statement.

The Hon. NATALIE WARD: How do you reconcile it?

The Hon. JOHN GRAHAM: I simply can't make the claim that tolls won't go up under this Government because under the contracts you've signed—and I want to recognise also previous Labor governments have signed some of these contracts as well. This isn't a particularly partisan point, but the contracts require tolls to rise every year. Many of the contracts, as you know, for WestConnex—

The Hon. NATALIE WARD: But not these ones, not the Harbour Bridge and the tunnel.

The Hon. JOHN GRAHAM: —go till 2060.

The Hon. NATALIE WARD: But the Harbour Bridge and the tunnel do not. In fact, that money goes straight to maintenance, its operating expenses. Those operating expenses have not gone up. You are using this for revenue raising. That's correct, isn't it?

The Hon. JOHN GRAHAM: As we've indicated, we want to see money raised for toll relief, so this is part of the support for toll relief, but I'm making it very clear: This budget decision was made with fairness in mind. I simply didn't feel that it was fair that drivers across a vast swathe of Western Sydney were copping increased tolls every quarter or every year and this toll hadn't increased at all for 12 years.

The Hon. NATALIE WARD: Minister, do you accept that your signature number one priority is a budget blowout. That's correct, isn't it?

The Hon. JOHN GRAHAM: No, I don't accept that.

The Hon. NATALIE WARD: You said in a question on notice, 208, you defined a budget blowout as "a situation where the budget has been exceeded due to mismanagement". The budget has increased by nearly 266 per cent. You've put the tolls up. That's correct, isn't it?

The Hon. JOHN GRAHAM: I don't accept the premise of your question. When this was discussed during the campaign, when we announced our \$60 toll cap policy, the then Premier's answer was, "Is this it?" What a way to reflect on help for what we now know is more than 700,000 drivers—help and assistance dealing with toll mania.

The Hon. NATALIE WARD: I'll come to that. I just want to deal with the Harbour Bridge toll.

The Hon. JOHN GRAHAM: I absolutely stand by our commitment to the toll cap of \$60. I think it'll help.

The Hon. NATALIE WARD: You've mentioned that.

The Hon. JOHN GRAHAM: I think it will make a difference to these drivers who are under genuine cost-of-living pressure.

The Hon. NATALIE WARD: We will get to that, Minister. I'll redirect you now back to the Harbour Bridge and the toll.

The Hon. JOHN GRAHAM: And I thought that was a real miscue by the Premier, I have to say.

The Hon. NATALIE WARD: Do you disagree with the Premier when he said, "With Labor, tolls will always be cheaper"? They're not, are they? You've put them up in your first six months.

The Hon. JOHN GRAHAM: I am confident that we'll be able to meet the Premier's commitment.

The Hon. NATALIE WARD: You've already broken it, though.

The Hon. JOHN GRAHAM: Absolutely not, Ms Ward.

The Hon. NATALIE WARD: It's already a broken promise, in your first six months.

The Hon. JOHN GRAHAM: Absolutely not.

The Hon. NATALIE WARD: That must be a record. I'll move on.

The Hon. JOHN GRAHAM: As you know, tolls are under review.

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The Hon. BOB NANVA: Point of order: A significant amount of latitude has been afforded to Ms Ward in the questioning. A series of arguments and inferences have been made. I just ask that the same degree of latitude be afforded to the Minister in his answers and a more reasonable amount of time be given to the answer before redirection and interjection.

The CHAIR: I have heard the point of order. I won't uphold it literally. I think the Minister could probably talk for the entire 20 minutes unless the member interrupts to ask a question, so I am conscious of trying to talk it out, but I will also say to the member that, if allegations are being raised, the Minister should have the right to respond directly to that question.

The Hon. NATALIE WARD: I'll move on, but talking about the history of things is not, in my respectful submission, answering the question. I just ask that you direct those, given you know very well I have very limited time and these are very important questions to the people of New South Wales. What specifically changed that has resulted in the budget increasing by \$400 million on your toll cap?

The Hon. JOHN GRAHAM: Firstly, I apologise for my passion on this subject of the State's toll mania. We've had the benefit of greater certainty in the costings. As you know, there's serious work that has been going on behind the scenes between Treasury and Transport. One of the surprises to me, though, as we came into government, was that the cost modelling was being done with only half the data, so the E-Toll data about toll use was available to government. The Linkt data in the Transurban network was not available to government.

The Hon. NATALIE WARD: What changed?

The Hon. JOHN GRAHAM: We've now secured both of those datasets, we've got the best possible picture about actually what's going on on the toll network—information that wasn't available to the former Government—with those agreements now with Linkt and new modelling that shows, pleasingly, more than 700,000 drivers will benefit. And that's great news.

The Hon. NATALIE WARD: Let's get to that. Is it correct that the toll cap applies to every driver in New South Wales based on accounts?

The Hon. JOHN GRAHAM: Sorry, just repeat the question?

The Hon. NATALIE WARD: Toll cap, your signature policy—is it correct that that cap applies to every driver in New South Wales based on accounts?

The Hon. JOHN GRAHAM: We'll make announcements about exactly the operation of this closer to the time, so we haven't gone—

The Hon. NATALIE WARD: I'm asking you now. This is your opportunity. This is your landmark policy on toll mania—your number one priority—and you can't tell us, very simply, does it apply to every driver in New South Wales based on accounts. It's a really simple question, Minister.

The Hon. JOHN GRAHAM: I understand exactly the question—

The Hon. NATALIE WARD: Does every driver get the cap or not?

The Hon. JOHN GRAHAM: —and will make this clear. What we'll make clear is how drivers can register—

The Hon. NATALIE WARD: No, I'm asking about the cap very specifically.

The Hon. JOHN GRAHAM: —and all the arrangements closer to the time. We've got some time before this—

The Hon. NATALIE WARD: So you can't answer on your landmark policy, your number one priority as set out in your question on notice, and you can't tell us how it works. Does it apply?

The Hon. JOHN GRAHAM: Yes, I—

The Hon. NATALIE WARD: You can do it right now, you can clarify it for us, you can ask an official how your own policy works. Does every driver get the cap or not?

The Hon. JOHN GRAHAM: I thank you for your invitation to announce the arrangements about the Government's \$60 toll cap here.

The Hon. NATALIE WARD: You announced it in the election.

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The Hon. JOHN GRAHAM: We'll do so for drivers between now and 1 January. What we'll announce is how you can register. We're expecting a Service NSW-style engagement, a smooth engagement, with drivers, but we'll also talk through the terms and conditions, any of those arrangements you're asking about.

The Hon. NATALIE WARD: Minister, do you accept this is extraordinary that your landmark policy that you went to the election on—

The Hon. JOHN GRAHAM: We were clear during the election.

The Hon. NATALIE WARD: You've put up tolls already when you said you wouldn't, you said you'd cap the tolls for drivers and you haven't, and you can't tell us how it works. I mean is this just wilful ignorance, or do you not know how to manage this and roll it out?

The Hon. JOHN GRAHAM: No, absolutely not. We're on track for the rollout, that's the good news, confirmed in the budget for 1 January. We'll update drivers about exactly how to register, how to apply for the scheme, how to receive the scheme, and any of the details. We indicated in the election, after some of these issues were raised, that there would be audits, there would be careful administration around the scheme, and I'll be outlining those to the public in detail—

The Hon. NATALIE WARD: When?

The Hon. JOHN GRAHAM: —prior to 1 January.

The Hon. NATALIE WARD: So first year in office, your landmark policy, your number one priority, and you can't tell us how it works, and you say, "Watch this space, we'll let you know next year."

The Hon. JOHN GRAHAM: Before 1 January you'll know all the details, as will the public. We'll be taking them through the scheme. Of course it's complex delivering this toll relief. What I'd reject is the approach from the former Premier saying, "Is this it?" This is important help delivered—a \$60 toll cap for drivers in Sydney.

The Hon. NATALIE WARD: This is a policy that you announced in the election. You repeatedly asked questions about it. You asked me questions about tolls. This was your landmark policy and on your own admission your number one priority, and you can't tell us how it works. Will the cap work on accounts or on tax?

The Hon. Dr SARAH KAINE: Point of order—

The Hon. NATALIE WARD: Just running cover.

The Hon. Dr SARAH KAINE: The point of order is that the Hon. Natalie Ward has asked literally the same question four times.

The Hon. NATALIE WARD: That's rubbish. Stop running cover.

The CHAIR: It's not a point of order. I won't uphold it.

The Hon. Dr SARAH KAINE: It goes to badgering and treating the witness with respect.

The CHAIR: Members are able to ask whichever questions they see fit.

The Hon. NATALIE WARD: Thank you for wasting my time. They're different questions. Will the cap work on accounts or on tax?

The Hon. JOHN GRAHAM: I won't be announcing the arrangements—

The Hon. NATALIE WARD: It's very simple, Minister.

The Hon. JOHN GRAHAM: I won't be announcing the arrangements for—

The CHAIR: Order! I will remind the member—please allow the Minister to at least get something out in terms of a response.

The Hon. JOHN GRAHAM: I don't mind you—

The Hon. NATALIE WARD: Accounts or tax?

The CHAIR: Order!

The Hon. JOHN GRAHAM: —asking, Ms Ward, but I simply won't be announcing to the public the arrangements for how to register for the tolls today. We'll be doing it before 1 January, as we're entitled to do as a government. There'll be significant—

The Hon. NATALIE WARD: Okay, 1 January, thank you.

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The Hon. JOHN GRAHAM: —public interest in that.

The Hon. NATALIE WARD: I've got five minutes left.

The Hon. JOHN GRAHAM: With due respect to you and the Committee, I won't be doing that this morning.

The Hon. NATALIE WARD: You've said that, but I'd like to understand what you said going into the election and reconcile that with what may or may not be happening now.

The Hon. JOHN GRAHAM: Yes, you're entitled to ask.

The Hon. NATALIE WARD: Your Parliamentary Budget Office costing was based on accounts. That's correct, isn't it?

The Hon. JOHN GRAHAM: Correct.

The Hon. NATALIE WARD: Will that be the case? Because you said it was accounts when it was announced. You went to the public and said, "We'll have this toll cap and it will be on accounts." Is that still the case or has that policy position changed?

The Hon. JOHN GRAHAM: We'll make all those announcements closer to time—

The Hon. NATALIE WARD: I'm asking you now.

The Hon. JOHN GRAHAM: —as we invite people to register.

The Hon. NATALIE WARD: This is your landmark policy.

The Hon. JOHN GRAHAM: I won't be announcing those today for you

The Hon. NATALIE WARD: So no-one knows.

The Hon. JOHN GRAHAM: But we were up-front in the election about the fact that we would need significant audit for this. There would have to be some careful administration around a toll cap. That's not unusual for toll relief but it is important for this measure. I do want to ask the public as we do that—

The Hon. NATALIE WARD: You can do that in a press conference, Minister. You don't need to do it through estimates.

The Hon. JOHN GRAHAM: We want this in place. We want to get it to as many drivers as possible.

The Hon. NATALIE WARD: I have four minutes left so I'm going to move on. Do you accept that this is your landmark policy? How involved are you in this landmark policy now?

The Hon. JOHN GRAHAM: This is one of the key policies. It's on track. We confirmed that in the budget. I've been grateful for the assistance of Professor Allan Fels, a tough customer, who is assisting the Government. I'm grateful for the work of the Transport and Treasury officials doing this modelling. I'm grateful for the fact we've got better data than we've ever had as we approach this.

The Hon. NATALIE WARD: Let's go there.

The Hon. JOHN GRAHAM: I don't want to diminish your questions, but this is serious relief, serious reform.

The Hon. NATALIE WARD: And it's a serious matter—

The Hon. JOHN GRAHAM: Of course it's complex and we'll update the public—

The Hon. NATALIE WARD: —which was your landmark policy. I'll move on to Allan Fels. How much has Mr Fels been paid to conduct this review?

The Hon. JOHN GRAHAM: That information is on the public record.

The Hon. NATALIE WARD: I'm asking you now.

The Hon. JOHN GRAHAM: You can speak to the officials about it. But it is a significant amount.

The Hon. NATALIE WARD: How much is Mr Fels being paid to conduct the review, Minister?

The Hon. JOHN GRAHAM: I'll take that on notice but it's already public.

The Hon. NATALIE WARD: It's a lot, isn't it? You don't know the number now?

CORRECTED

The Hon. JOHN GRAHAM: I'm taking the number on notice. But, Ms Ward, it pales in significance—

The Hon. NATALIE WARD: No, I'm asking, Minister, what you are doing in your time—

The Hon. JOHN GRAHAM: —compared to the billions of dollars that drivers are paying in tolls. We've committed to telling the public—

The Hon. NATALIE WARD: I'm going to go back to the question. I'm going to redirect—

The Hon. JOHN GRAHAM: —exactly how many billions of dollars, and I guarantee Professor Allan Fels will be good value for money.

The Hon. NATALIE WARD: Minister, you've previously ruled out compensation to toll road operators. Do you stand by that statement?

The Hon. JOHN GRAHAM: We'll be guided by the advice, obviously, now we're in government. I am concerned that getting a better deal for drivers should not be the cause for a windfall gain to private toll operators. I think that's a really important principle.

The Hon. NATALIE WARD: Minister, in a future reformed network—

The Hon. JOHN GRAHAM: Ms Ward, I do want to conclude that answer because one of the reasons I'm hopeful that might be the case is the statements from former CEO of Transurban Scott Charlton, where he made it clear that Transurban wouldn't be looking to make a windfall gain out of this.

The Hon. NATALIE WARD: I appreciate that. I'll move on.

The Hon. JOHN GRAHAM: Obviously, that's an important public policy principle, though.

The Hon. NATALIE WARD: In a future reformed network—I'm not asking about Transurban; I'm asking you about you and I'm asking about the network that you intend to deal with. Do I understand correctly that you are ruling out taxpayers being required to contribute to any ongoing expenditure to support reform?

The Hon. JOHN GRAHAM: Firstly, I want to emphasise—

The Hon. NATALIE WARD: You're saying they're paying too much. We're just asking if they're going to be paying more.

The Hon. JOHN GRAHAM: Can you repeat that statement? Which of those questions would you like me to answer?

The Hon. NATALIE WARD: In any reformed network—you have said people are paying too much and you'll come in and people won't pay more under you. Can you give that guarantee to people now—that the taxpayers of New South Wales will not be paying more for your reformed network and they won't be expected to contribute more to expenditure to support reform?

The Hon. JOHN GRAHAM: Three slightly different questions—I'll do my best to answer each of them. The first thing to say is this is really significant reform. I don't underestimate how complex this will be. That's why I've valued the work of Transport and Treasury. That was work that started under the former Government. I want to acknowledge that. When we came to government, we found it was serious work that'll inform that reform work. It wasn't public work, so the first thing we did was release some of that information to the public. I think it's important to engage them in this discussion. But this will not be easy. However, it is really important to deal with the cost-of-living pressures people are under and I believe it's possible to do that. One of the principles that the Government will apply is we don't want this to be an excuse for a windfall gain for private toll operators. We want to help drivers; we don't want additional funding going to private toll operators.

The Hon. NATALIE WARD: Will taxpayers have to pay from the New South Wales budget to support your toll reform?

The Hon. JOHN GRAHAM: As is clear in the budget, there is significant budget funding going in toll relief. I'm referring to the M5 cashback. I'm referring to what's referred to as the—

The Hon. NATALIE WARD: Minister, I'm going to redirect you. I'm talking about the toll reform that you are proposing to put in place. Will you guarantee that taxpayers will not be worse off and they won't have to pay extra for your toll reform?

The Hon. JOHN GRAHAM: So will there be extra taxpayer costs as the result of—

The Hon. NATALIE WARD: Will taxpayers have to pay from the New South Wales budget for your toll reform?

CORRECTED

The Hon. JOHN GRAHAM: That's certainly not the intention.

The Hon. NATALIE WARD: Will you guarantee that?

The Hon. JOHN GRAHAM: It's certainly not the intention, Ms Ward, and you can understand why. We want to drive a better deal for drivers here, not a worse deal for taxpayers. We've been left with a complex situation—

The Hon. NATALIE WARD: Drivers are already worse off with the Harbour Bridge and the toll up, aren't they?

The Hon. JOHN GRAHAM: —under the contract signed by your Government.

The Hon. NATALIE WARD: They're already worse off.

The Hon. JOHN GRAHAM: But I would certainly hope that's the case.

The Hon. NATALIE WARD: They're already worse off. They didn't go up under the Harbour Bridge.

The CHAIR: Order! We'll move to questions now from the crossbench.

The Hon. MARK BANASIAK: Minister, let's turn to museums. Would you agree that the Powerhouse Museum has historically been a popular place for school excursions and family holiday visits?

The Hon. JOHN GRAHAM: Yes, it certainly has. I've seen for myself. My kids have seen for themselves just how popular the Powerhouse has been over the years, particularly with families. It is a much-loved institution.

The Hon. MARK BANASIAK: I note from the website it actually has a banner on it now saying "Hello Sydney kids" and "Keen to explore Sydney with kids? Come on, let's go!" And it says:

Plan your day out with the kids ... The Powerhouse Museum has become one of the most affordable attractions in Sydney for families that they are seeking educational but also interactive activities to do with their children.

I'm going to pass something up to you from a recent exhibit at the Powerhouse Museum. I want to get some of your comments as to whether this fits into the view of good family entertainment. For the benefit of those across the table and everyone else playing at home, recently there was a public exhibit which is best described as exhibits of sex, cosplay, video displays touting various forms—I'm using the exhibitor's words, not mine—of "poofter sex" and "dyke sex", and a kids video game that says, "It's time to live weirdo gay island life". The souvenir shop had explicit souvenirs, including phallic fruit, bondage items, and vulva and clitoris key rings. Minister, how does this fit in with technology and science and industry, in your view?

The Hon. JOHN GRAHAM: Probably three things worth saying. Firstly, it is true that there are far less families going to the Powerhouse at the moment. I think that's a pity overall given the history. In terms of the—

The Hon. MARK BANASIAK: You think this would encourage them to turn up?

The Hon. JOHN GRAHAM: In terms of the specific exhibition, I haven't seen these images before but I'm aware of the exhibition. One of the principles as arts Minister is I don't plan to intervene in particular exhibitions. However, the Government has been very clear what its vision is for the Powerhouse, and it's very much a museum. It's very much a science and technology museum and very much the institution that the Powerhouse has become known and loved for. I am a supporter of the creative industries, and there's a place for groundbreaking art, but I don't see—

The Hon. MARK BANASIAK: I agree, but is this the place for such groundbreaking art?

The Hon. JOHN GRAHAM: I'll just finish. There is a place for that. There is a place for the creative industries. The Government vision for the Powerhouse is very much what's it's become known and loved for, and that's very much a museum—a science and technology museum. That's the future direction that we have outlined.

The Hon. MARK BANASIAK: Does this fit in with that direction?

The Hon. JOHN GRAHAM: I have only just seen these images. I mean, this—

The Hon. MARK BANASIAK: Let's go through it then. I'll give you time to see it and comment on it. Look at some of the images of human silhouettes.

The Hon. JOHN GRAHAM: Mr Banasiak, I might be clear—I mean, the Government's direction in this area is a science and technology museum. This probably is straying outside of that remit. We'll take some

CORRECTED

time to work through that with the Powerhouse. I am not going to intervene in particular exhibitions, but the Government's been—

The Hon. MARK BANASIAK: Thankfully, this exhibit has since passed.

The Hon. JOHN GRAHAM: Understood.

The Hon. MARK BANASIAK: But isn't it concerning to you as a Minister? I accept that you're saying that you have a direction for the Powerhouse Museum, being technology and science et cetera, but clearly the leadership team of the Powerhouse Museum doesn't share that direction, do they? The former CEO was sacked because she was organising rave parties that damaged precious exhibits and now we have Ms Havilah running a sex shop out of the Powerhouse Museum. Clearly they don't share your vision or direction for the Powerhouse Museum, do they?

The Hon. JOHN GRAHAM: Well, I don't accept the description of how the Powerhouse has been run. I do endorse the chief executive of the Powerhouse.

The Hon. MARK BANASIAK: They were selling sexual-based items out of the souvenir shop.

The Hon. JOHN GRAHAM: Yes, and you've made the point strongly. It's up to the Government, in my view, to set the direction for the institution more broadly, and the Government certainly takes that seriously. That hasn't always been popular with all the groups around the Powerhouse, but part of the problem here is this has been an eight-year roller-coaster ride where the community, including the workforce, including the management, including the local community, including the broader arts community, has had very different views about the future of this institution. I want to recognise the fact that you and your colleague have really led some of the arguments about this. It's going to take some time to stitch back a vision for what this institution should be, and we'll step through that carefully. But I want to be very clear: It's about a science and technology museum.

The Hon. MARK BANASIAK: If you want to stitch up a vision I think you've got to have the right people in the positions, and clearly you don't because the former CEO was running rave parties and this CEO is running these sorts of exhibits and essentially a sex shop out of the souvenir shop. Perhaps, on notice—I know you don't intervene in actually exhibits, but was there an ID check for visitors going into this section of the exhibit, or were we wilfully exposing potentially children to what is adult material? Regardless of what denomination of sexual preference you are, this is adult material. Was there an ID check that allowed this exhibit to go ahead but with appropriate supervisory provisions in place?

The Hon. JOHN GRAHAM: Yes, I think that's a sensible question. I'm happy to check the arrangements that were in place for this exhibition.

The Hon. MARK BANASIAK: Will you have some conversations with Ms Havilah to reiterate that this is the direction that you want for the Powerhouse Museum and this exhibit that she has allowed to occur is not the direction?

The Hon. JOHN GRAHAM: Any of the issues that are raised by members of this Committee I would take seriously, and certainly I would discuss with the Powerhouse, and this is no different. With the CEO, I don't think the CEO's in any doubt about the Government's direction for this institution.

The Hon. MARK BANASIAK: The penis-shaped banana key rings may suggest otherwise, Mr Graham, I put to you. I'll leave it there and I'll leave it up to you to speak to Ms Havilah.

The Hon. JOHN GRAHAM: Thank you.

The Hon. MARK BANASIAK: Can I just go more to the Powerhouse project itself. Is the capital cost of the Powerhouse Parramatta project expected to exceed its original budget?

The Hon. JOHN GRAHAM: I might ask one of our officials to answer that. Ms Pitman?

ANNETTE PITMAN: The Powerhouse Parramatta project is on budget.

The Hon. MARK BANASIAK: What is that budget?

ANNETTE PITMAN: The budget for Powerhouse Parramatta is—the cost to Government is \$840 million, and that includes the work that we're doing developing a new building at Castle Hill for storage.

The Hon. MARK BANASIAK: So that includes the Castle Hill project as well?

ANNETTE PITMAN: Correct.

The Hon. MARK BANASIAK: Is there a breakdown between the two, in terms of how much of it's going towards Parramatta versus Castle Hill?

CORRECTED

ANNETTE PITMAN: Bear with me for one minute.

The Hon. JOHN GRAHAM: Let's get that for you. One of the things I have done as Minister is go out to the site of Parramatta. It is going to be a spectacular institution in Western Sydney. I'm really pleased with that.

The Hon. MARK BANASIAK: You could have paddled your kayak to it just recently.

The Hon. JOHN GRAHAM: The timing of the budget is an important question, but I've been really encouraged with the progress. Ms Pitman?

ANNETTE PITMAN: The Castle Hill project, the new building, Building J in Castle Hill, the budget for that is \$44 million, which comprises part of the \$840 million which I just described.

The Hon. MARK BANASIAK: Where are we up to with that project? My understanding is that the occupation certificate might be delayed.

ANNETTE PITMAN: Powerhouse Castle Hill, Building J—the building is complete. In the course of the final commissioning for the building, it became clear that there needed to be an upgrade for the whole main campus to the feeder that feeds the sprinkler system for the entire campus at Castle Hill. That work is being undertaken.

The Hon. MARK BANASIAK: Is that part of that \$44 million or is that separate?

ANNETTE PITMAN: I would have to take that on notice. We have used contingencies for that, yes.

The CHAIR: Minister, I want to turn to the Rozelle interchange. You told media recently that when a major piece of road infrastructure like Rozelle interchange opens, we expect drivers to take time to adjust to the new roads and route options. Victoria Road, particularly earlier this week, has been especially congested, more than usual. How long is that time when you say, "Take time to adjust"? What modelling has been done and when will the traffic reduce?

The Hon. JOHN GRAHAM: It's a really good question, and one I've been careful to warn the public about since August. The truth is that Rozelle interchange is a remarkable piece of infrastructure—16 kilometres of tunnels in a very constrained space—but, of course, WestConnex isn't going to solve every traffic problem in the city. In fact, in these local areas it will cause traffic congestion as people get used to that. You're drawing—

The CHAIR: How long does that take, though?

The Hon. JOHN GRAHAM: You're drawing attention to one of those examples. The advice to me is that it may take about six months as drivers become used to the settling-in period. Of course, that may be slightly quicker or longer, but it is an indication of the fact that it will take drivers a little while to get into that. I have seen my main obligation as really alerting the public to that fact, so that people know what's to come. It should clear up. The advice to me, after that, is it should improve.

The CHAIR: Within six months, you're saying. I wanted to turn to the issue of Victoria Road, which I know you are aware of because my colleague in the lower House the member for Balmain, Kobi Shetty, has written to you multiple times about the fact that the previous Government committed to making a section of Victoria Road between Iron Cove Bridge and The Crescent wider for footpaths, cycle lanes and native vegetation. This was a previous Government's commitment. I understand that the member has met with you to discuss this and written to you multiple times. Where was that project up to?

The Hon. JOHN GRAHAM: I'll mention this specific project, but the same applies to Parramatta Road. One of the challenges was that there were repeated promises that these roads will be turned into Parisian boulevards as WestConnex opened, and that simply wasn't the traffic modelling that was presented to me. It wasn't possible to reach the vision that was outlined—even in the weeks to the election—by some of the former Ministers about what might be rapidly possible in these corridors to beautify them, move towards more active transport and move towards greater pedestrian access. I've tried to be up-front with the public, and I want to recognise the fact that the member has raised this strongly, as have a number of other members in the local area and as have the councils. They're keen to see that vision take place. I am as well, but the traffic modelling makes it clear it may be some time. How much time? The opening of the Western Harbour Tunnel should give us an opportunity to reset in a more permanent way. In the meantime, we'll make the changes that we can.

The CHAIR: I understand that there has been a strategic business case developed for this Victoria Road vision. I don't know whether traffic modelling was incorporated into that. Are you saying that there's no commitment, then, to, for example, do a final business case into this, which would then incorporate modelling? Wouldn't that be the wise thing to do, to actually put it all on the table and allow the community to have their say?

CORRECTED

I understand there are something like 1,700—probably more than that now—members of the community who are asking for this. Why not just put it to a final business case and you can make a decision from there?

The Hon. JOHN GRAHAM: You've outlined the steps well. You've no doubt been well informed by your colleague. That's exactly the steps that the Government is keen to move through. We'll make the improvements we can immediately—

The CHAIR: But there's no funding allocated, for example, for the final business case. The final business case seems to be a long way off, but now is the time to act on this, isn't it? Now is the time. If this is going to happen, there at least needs to be some money for the final business case. Transport for NSW bureaucrats, as I understand, have advised the member that there's not even money allocated for a final business case. So it seems like you're a long way off from doing anything about it.

The Hon. JOHN GRAHAM: I don't agree with that last characterisation for the reason that I do regard this as an urgent priority for the Government. It certainly is one of the discussions I'm having—about allocating money towards these goals. I regard both the Parramatta Road—

The CHAIR: You're the Minister; it's within your power to allocate that money for a final business case. When you're saying having discussions, are you going to allocate money so a final business can be commenced very quickly? Is that going to happen anytime soon, Minister?

The Hon. JOHN GRAHAM: We'll update the community shortly, but we won't be waiting till the next budget. That's probably the best way to put it today in this hearing to deal with this. I accept the case you're making. I was just going to say that I regard that as the case for both Parramatta Road—Parramatta Road is in a similar situation—and for Victoria Road, where the next step in the business case process will be helpful to both directions. There have been some bold visions, but we actually need to move through the process and, as we came into government, that simply hadn't been done, despite the commentary of some Ministers. I'm not referring to Ms Ward, the roads Minister at the time; it was some of the other Ministers. But I do accept—

The CHAIR: Thank you. Minister—

The Hon. JOHN GRAHAM: I just want to put these two views. We'll make changes immediately that we can, and there are some, but the business—

The CHAIR: What are those changes?

The Hon. JOHN GRAHAM: The business case process is then important.

The CHAIR: What are those changes when you're saying "making the changes immediately that we can"?

The Hon. JOHN GRAHAM: I might get the officials to—

The CHAIR: Actually, let's get that later.

The Hon. JOHN GRAHAM: Yes, I think I would encourage you to ask about that with the officials.

The CHAIR: I will. We will come back to that. Minister, what discussions have you had with the mayor of Inner West Council regarding the exhibition of the council's master plan for Rozelle?

The Hon. JOHN GRAHAM: For the Rozelle Parklands?

The CHAIR: That's right.

The Hon. JOHN GRAHAM: Again, one of the issues, as we came into government, was the community's expectations about what might be possible, and what was funded and possible, at the Rozelle Parklands were apart. There was a gap between those two things. That is one of the things that I've worked with the council to do, and I've had a range of people also interested in the questions. Some examples related to particularly the playing fields in the area—in a number of courts, open playing fields, toilet facilities. All of those, the community had one expectation, and the funding and government position didn't meet that expectation. That's something we're working through.

The CHAIR: So you've had a number of conversations. Have those conversations extended to who will take responsibility for the management of Rozelle Parklands once they become operational?

The Hon. JOHN GRAHAM: So my view about the next steps here is that the council conducting a master plan is probably the helpful way to be able to resolve that. Council is best placed to resolve some of those community expectations and what's possible in this area. We're looking to open these parklands before the end of the year.

CORRECTED

The CHAIR: In relation to that plan, I am advised that the mayor has moved to make putting that plan on exhibition conditional on receipt of traffic modelling data that is potentially non-existent. Are you aware of that?

The Hon. JOHN GRAHAM: We've certainly had discussions on the traffic modelling data, and Transport has offered to cooperate with the council to provide whatever traffic modelling data Transport has.

The CHAIR: Are you confident that the traffic modelling data that is being requested exists and, therefore, that that plan will be put on exhibition?

The Hon. JOHN GRAHAM: My understanding is that it does exist, but I would encourage you to check with the officials exactly the nature of it. But there's certainly—

The CHAIR: But are you trying to hurry that along internally?

The Hon. JOHN GRAHAM: My expectation is clear: If Transport has data, it should be shared with the council and the community in that way.

The CHAIR: Have you found out whether they do have that data, though?

The Hon. JOHN GRAHAM: My expectation is they do. That's my understanding, but I encourage you just to double-check the nature of that with the officials this afternoon. Can I just say that one of the problems has been that there hadn't been that level of engagement with the council, and that is something that I'm much more comfortable is on track.

The CHAIR: Will the Government filter the exhaust stacks at Rozelle Parklands and at the Iron Cove Bridge?

The Hon. JOHN GRAHAM: We've been clear about what the next step here is, which is we would like a review conducted into this issue. There has been serious work conducted before by the chief scientist.

The CHAIR: Yes. What does a review mean? This is very clear and, as you know, has been a strong community campaign for a long time. The local community do want these exhaust stacks filtered. There has been enough evidence, enough research that they need to be. Why do you need to undertake a review to get to a position, which ideally should be that your Government should filter the stacks?

The Hon. JOHN GRAHAM: I certainly accept the community concern. I don't accept that the evidence is clear-cut. That serious work by the chief scientist earlier showed there is some complexity here and that, in fact, that complex issue about air quality—we've learnt so much more about it over COVID—is not a simple thing. In fact, there will be pockets where this improves as a result of more efficient vehicle use. I know there's community—

The CHAIR: Just finally, what's the time line for that review you just mentioned? When is it commencing? What is that about?

The Hon. JOHN GRAHAM: I will have to either take that on notice or you're welcome to ask the officials today.

The CHAIR: Okay. I will come back.

The Hon. NATALIE WARD: Minister, I just want to be clear, while we seem to be very unclear about the toll cap. Let's take an example, to make it simpler. For example, a dad and son are both tradies. They're currently on separate accounts, under their tolls. Can they combine those accounts and get the \$60 cap benefit under one account?

The Hon. JOHN GRAHAM: I'm simply not going to go into the details of how to register—

The Hon. NATALIE WARD: It's very simple.

The Hon. JOHN GRAHAM: —or those arrangements that we'll place on the toll cap today, because we'll announce those to the public.

The Hon. NATALIE WARD: Why not?

The Hon. JOHN GRAHAM: We want to take the public into this discussion—how to register, how to get on that service for New South Wales—

The Hon. NATALIE WARD: You register online. That's really simple. We don't need to clarify that.

The Hon. JOHN GRAHAM: It will be the subject of a government announcement, Ms Ward.

CORRECTED

The Hon. NATALIE WARD: But it was the subject—

The Hon. JOHN GRAHAM: It just isn't a government announcement I'm prepared to make this morning.

The Hon. NATALIE WARD: It was very clearly enunciated by your team in the lead-up to the election. This is your landmark policy. You've said it's your number one priority. You can't seem to answer today. Is there something wrong with this policy? Is there a speed hump here or are we just going to go round and round the roundabout?

The Hon. JOHN GRAHAM: I was delighted in the budget to confirm that we're on track for 1 January, not just with this toll relief scheme but also the toll relief scheme that applies to truck drivers, where we will drop the toll cap. So we're on track.

The Hon. NATALIE WARD: I don't want to talk about truck drivers—

The Hon. JOHN GRAHAM: We were clear in the election that we would have to have close audit for this, and we'll outline all of that.

The Hon. NATALIE WARD: Yes, so there's an audit and a review and an announcement at some time, but you can't tell people—

The Hon. JOHN GRAHAM: Well, there's action.

The Hon. NATALIE WARD: Will it apply to every driver? You can tell us today. Will every driver get the cap?

The Hon. JOHN GRAHAM: I won't be accepting your invitation to make that government announcement on this occasion.

The Hon. NATALIE WARD: I will take that as a no.

The CHAIR: Minister, what was the cost of the recent community tunnel tour—I think it was somewhere in the Rozelle interchange—that saw members of the public, as I understand, invited to take a short bus ride into the new tunnels, walk about 50 metres into the tunnel and take a photograph of themselves holding a sign which, I understand, says, "I am a community tunnel VIP"? What was the cost of that?

The Hon. JOHN GRAHAM: I don't know the cost of that individual exercise. You'd be welcome to—

The CHAIR: If you could take that on notice.

The Hon. JOHN GRAHAM: Yes, I'm certainly happy to.

The CHAIR: What was the purpose of it and what is a community tunnel VIP?

The Hon. JOHN GRAHAM: This is the usual activity that's occurred as these tunnels open. What I would love to see is pedestrians and cyclists come out—

The CHAIR: Did you sign off on that? Was that your idea?

The Hon. MARK BANASIAK: Bottle service?

The Hon. NATALIE WARD: Do they sit up the front?

The Hon. JOHN GRAHAM: I was briefed on arrangements for the opening. I'm certainly keen to see more cyclists and pedestrians available. This is a very constrained tunnel.

The CHAIR: Minister, what is a community tunnel VIP? What is it? Who are these people now?

The Hon. JOHN GRAHAM: Possibly some of my vision for this opening was not possible to execute in this highly constrained area, but I'd invite Sydney's cycling community to come down to the active transport links as the Rozelle Parklands opens. It's going to be a fantastic park, in this community who's had to suffer a lot over the last five years from construction.

The CHAIR: What was the general community feedback about that community tunnel tour? The general sentiment was that it was a bit of a bad media stunt. I don't know whether it's gone down that well with the local community. Have you had feedback?

The Hon. JOHN GRAHAM: I haven't had strong feedback about it. I am open to suggestions about it. I invite people down to the parklands, though. I think that will be the real benefit to the local community.

CORRECTED

The Hon. Dr SARAH KAINE: Minister, could you please update the Committee on budget funding for road safety?

The Hon. JOHN GRAHAM: I certainly can do that. I might take a moment.

The Hon. NATALIE WARD: We know it's down. That's easy.

The CHAIR: I just want to go to morning tea earlier at this stage.

The Hon. NATALIE WARD: I'd let him go. Show him mercy and let him go.

The Hon. JOHN GRAHAM: I have noted some of the comments previously about road safety and I want to place some of the budget facts on the table, if that was helpful for the Committee, perhaps, to head off any misapprehensions that might exist on this subject.

The Hon. NATALIE WARD: Numbers don't lie.

The Hon. JOHN GRAHAM: As I have stated to the House, road safety funding has increased both in this financial year and over the four years over the forward estimates compared to the previous budget. Budget on budget, this has increased. I'll simply place on the record, briefly, Chair, what those figures are. The budget for 2023-24 had previously been \$590 million. It's now increased to \$669 million.

The Hon. NATALIE WARD: Not in the line item.

The Hon. JOHN GRAHAM: The previous budget for 2024-25 was \$475 million. It's now increased to \$703 million. The budget for 2025-26 had been \$482 million and has increased to \$643 million. Over the four years of the forward estimates, budget on budget, road safety funding has increased from \$2.4 billion to \$2.56 billion. The good news is that that doesn't accommodate all of the Commonwealth road safety funding, as the Commonwealth gets more serious about road safety funding under the leadership of Minister Carol Brown. That's because the particular program allocation hasn't occurred yet. We'll see more funding allocated, we believe, in this financial year and in the next financial year, in addition to the budget increases in road safety.

The CHAIR: Thank you, Minister. We'll go to morning tea now. We'll be back at quarter past eleven.

(Short adjournment)

The CHAIR: Welcome back. We'll go straight to questions from the Opposition.

The Hon. DAMIEN TUDEHOPE: Good morning, Minister. It's nice to be with you. I'm going to ask you a series of questions in relation to the Local Small Commitments Allocation. I have limited time and, as much as possible, I would like short answers. Minister, the Local Small Commitments Allocation program guidelines—the guidelines were established, I think, in July of this year and there was a document which sets out the guidelines which apply. It states, "All grants made through the Local Small Commitments Allocation program are one-off or ad hoc grants." I think you have acknowledged previously that they were treated that way. All the LSCA—which I will call them from now on—grants will be administered in accordance with the New South Wales *Grants Administration Guide*. Do you accept that?

The Hon. JOHN GRAHAM: Yes, you are correct about the data. It was 31 July. I agree that these will be administered in accordance with the guide.

The Hon. DAMIEN TUDEHOPE: So you would understand that section 6.1.5 of the *Grants Administration Guide* mandates this? It states:

Where a method other than a competitive merit-based selection process is to be used—

that is including one-off or ad hoc grants. Then it goes on to say, and this is the important component:

officials must document why that method will be used and outline the risk mitigation strategies. This must be approved by the relevant Minister (or head of agency or delegate) ...

My question to you, really, which is the key question, is have you approved that documentation and can you provide the Committee with a copy?

The Hon. JOHN GRAHAM: I can confirm that, yes, this is under that part of the guide. These guidelines were certainly put to me. They include a range of the risk mitigation measures which are in place for this scheme. I've certainly approved those guidelines, and that happened just shortly before 31 July.

The Hon. DAMIEN TUDEHOPE: No, it's more important than that, Minister. It is in relation to "officials must document"—that's you, in this case—"why you have approved this method and outline the risk

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mitigation strategies". That's a separate document from the program guidelines, which I indicated to you earlier. There is a separate document which the *Grants Administration Guide* requires you to put in place. Where is that document?

The Hon. JOHN GRAHAM: On the basis of a recommendation from the Premier's Department—the then DPC—I've certainly approved the administration of this. That's all been on the basis of agency advice. I am happy perhaps to ask Ms Boyd if she can outline the specific nature of this.

The Hon. DAMIEN TUDEHOPE: I don't want you to outline it. Does the document exist?

The Hon. JOHN GRAHAM: I was certainly given advice about the appropriate way to deal with this under the grant's guide.

The Hon. DAMIEN TUDEHOPE: Does the document exist?

The Hon. JOHN GRAHAM: The appropriate way—

The Hon. DAMIEN TUDEHOPE: You must document it, Minister. Have you documented it and does the document exist?

The Hon. JOHN GRAHAM: I was briefed on risk mitigation in those formal briefings. I'm happy for you to ask Ms Boyd now how that was incorporated in the documentation.

The Hon. DAMIEN TUDEHOPE: Is it the case that you can't answer that question, Minister? Does the document exist?

The Hon. JOHN GRAHAM: The issue you have raised has certainly been covered in the briefings I've received and have signed off on and approved.

The Hon. SARAH MITCHELL: So there's no document.

The Hon. DAMIEN TUDEHOPE: I will accept that there is no such document.

The Hon. JOHN GRAHAM: No, Mr Tudehope—

The Hon. SARAH MITCHELL: Table it.

The Hon. DAMIEN TUDEHOPE: If there is a document, I am asking you to table that document, Minister.

The Hon. JOHN GRAHAM: I am going to refer to Ms Boyd and will let her provide some information.

The Hon. DAMIEN TUDEHOPE: I am happy to ask Ms Boyd this afternoon in relation to that.

The Hon. JOHN GRAHAM: I certainly won't have you make those suggestions.

The Hon. DAMIEN TUDEHOPE: You were given an opportunity and you have failed to do so. What role did David Mehan, the Parliamentary Secretary to the Treasurer, play in confirming election commitments covered by the LSCA for each electorate?

The Hon. JOHN GRAHAM: Firstly, I am going to respond to your assertion, which is that those issues weren't covered. What I have indicated to you on the record is that all those risk mitigation issues required by the guide were recommended to me and were signed off in the approval paperwork. That's my understanding. But I invite you to have that discussion further with the relevant officials this afternoon.

The Hon. DAMIEN TUDEHOPE: Your evasiveness says everything, Minister.

The Hon. JOHN GRAHAM: Let me turn to your—

The Hon. ANTHONY D'ADAM: Point of order: Making suggestions about the Minister's conduct is inappropriate. The suggestion that the Minister is being evasive should be withdrawn. It's inappropriate.

The CHAIR: I will uphold the point of order in terms of reminding the member to please treat witnesses with respect and courtesy at all times.

The Hon. DAMIEN TUDEHOPE: I always do with this Minister.

The Hon. JOHN GRAHAM: I accept that.

The CHAIR: If you are making reflections, adverse mention, including of the witness, be very careful about that.

The Hon. DAMIEN TUDEHOPE: Thank you, Chair.

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The Hon. JOHN GRAHAM: Can I turn to answering your question, though—

The Hon. DAMIEN TUDEHOPE: About Mr Mehan?

The Hon. JOHN GRAHAM: The second part of your question. I've answered the assertion. I'll now answer the second part of the question. My understanding is David Mehan as a Parliamentary Secretary has provided some assistance in this program. The nature of that assistance you would probably have to direct to David Mehan the specifics that you are asking me about. I am not aware of exactly—

The Hon. DAMIEN TUDEHOPE: You don't know what role he played in confirming election commitments?

The Hon. JOHN GRAHAM: No, I'm not aware of precisely the role he played. He is assisting—

The Hon. DAMIEN TUDEHOPE: Imprecisely, have you got any idea?

The Hon. JOHN GRAHAM: I'm confirming that he has been involved as the Parliamentary Secretary in assisting on the program, but I actually can't shed more light than that. You would have to put that to the Parliamentary Secretary.

The Hon. DAMIEN TUDEHOPE: Well, I suppose then a similar question in relation to the role Cherie Burton, the senior adviser to the Premier's caucus liaison unit, played in confirming the election commitments? Is that the same sort of question? Who do I ask that question of?

The Hon. JOHN GRAHAM: I think if you want to ask questions about the role of the Premier's office, they are best directed to the Premier.

The Hon. DAMIEN TUDEHOPE: Do you have any idea what her role was?

The Hon. JOHN GRAHAM: I know the role of the Premier's office. They have certainly played a role. I won't be naming individual staff members. That is my general practice.

The Hon. DAMIEN TUDEHOPE: Well then, Minister, would you be able to table a list of the allocations given by Ms Burton to the Premier's Department?

The Hon. JOHN GRAHAM: You're saying the list of election commitments is really—

The Hon. DAMIEN TUDEHOPE: The allocations that she has identified.

The Hon. JOHN GRAHAM: As I understand it, that information has been supplied to the upper House and is available to members under a call for papers the Government supported.

The Hon. SARAH MITCHELL: Minister, good morning. Can you tell me what role the Labor Party head office played in relation to the commitments that were made prior to the election under that program?

The Hon. JOHN GRAHAM: I want to make it clear that this was a program conducted by the parliamentary Labor Party.

The Hon. SARAH MITCHELL: So no involvement of any head office staff, no-one who worked at Labor Party head office in Sussex Street prior to the election and you being in government was involved in this program in choosing the projects at all?

The Hon. JOHN GRAHAM: I am making it clear that these were election commitments made by the parliamentary Labor Party, oversighted by the shadow ERC in the normal—

The Hon. SARAH MITCHELL: They were made by candidates with respect to—many of whom didn't make it into Parliament.

The Hon. JOHN GRAHAM: These are election commitments made in the normal way. Those are the responsibility ultimately of the parliamentary Labor Party. That was the case with these arrangements.

The Hon. SARAH MITCHELL: Minister, just talk me through it. Let's pretend for a minute that hell's frozen over and I am a Labor candidate for you in the State election.

The Hon. JOHN GRAHAM: You would be very welcome.

The Hon. SARAH MITCHELL: No, but thank you. I'm very happy as a National.

The Hon. JOHN GRAHAM: We'd have to talk about a couple of aspects of your policy.

The Hon. SARAH MITCHELL: Very, very happy as a National. I am a candidate for you, say in the seat of Tamworth—that's where I live. I am told I get to spend \$400,000. I get to allocate that money as my

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election commitment. I decide that there are projects that I want to allocate that money to. Who provides me with guidance or assistance about that process?

The Hon. JOHN GRAHAM: I am the decision-maker for this program, so I can detail decisions I have made as Minister.

The Hon. SARAH MITCHELL: So you provided it. Who provided advice? These were election commitments, as you've just said in your previous answers, you had candidates in 93 seats across the State. What was the process for each of those candidates to identify those projects? Who did they seek guidance from? Where did they declare any conflicts of interest? What happened?

The Hon. JOHN GRAHAM: Those were election commitments made in the usual way. They were carefully collated, were costed by the Parliamentary Budget Office in the normal way, as is the case with election commitments usually. These are small commitments, so it means they have to be accounted for carefully.

The Hon. SARAH MITCHELL: What do you class as a small commitment, Minister?

The Hon. JOHN GRAHAM: These are smaller amounts of money.

The Hon. SARAH MITCHELL: Some of them aren't. Some of them are within hundreds of thousands of dollars. Do you think that's a small amount of money?

The Hon. JOHN GRAHAM: I'm not commenting on the individual grants, but I am just drawing attention to one of the key principles of the *Grants Administration Guide*. This is one that the Government has had some—

The Hon. SARAH MITCHELL: With respect, Minister, that was something that you've put in post the election. These were, in your words, election commitments. We know that they have been made by Labor candidates, many of whom were not elected to serve in this place. What I am trying to understand is what were the probative processes? What was the guidance given to those candidates? How did you make sure that there weren't any conflicts of interest? Or could candidates basically pick and choose where they wanted to divvy up that \$400,000 across their electorate and they just let Labor Party head office know?

The Hon. JOHN GRAHAM: You've drawn attention to the two processes, and you are exactly right about that. Let me explain why. The first is election commitments made in the normal way, as is the case for every political party. Secondly, on coming into government, an additional layer of protection, an additional layer of probity around this program, given some of the difficulties which had happened, that is a formal—

The Hon. SARAH MITCHELL: What do you mean some of the difficulties that have happened? What do you refer to?

The Hon. JOHN GRAHAM: I am referring to the pork-barrelling, the roting that occurred under the National Party—

The Hon. SARAH MITCHELL: Your candidates hand-picked projects that supported organisations that they are part of, so isn't that pork-barrelling?

The Hon. JOHN GRAHAM: —in particular, the former Deputy Premier, John Barilaro.

The Hon. SARAH MITCHELL: How is candidates hand-picking projects that they have personal interest in not a problem, Minister? Can't you see that there are probity issues with this?

The Hon. JOHN GRAHAM: I reject the description. I think you are asking about the conflict of interest process as part of this.

The Hon. SARAH MITCHELL: Yes. Was there any?

The Hon. JOHN GRAHAM: Yes, there's a conflict of interest process as part of the second layer of protection here.

The Hon. SARAH MITCHELL: I'm asking about the initial process, Minister.

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

The CHAIR: I know what the point of order is going to be, and I—

The Hon. ANTHONY D'ADAM: Well, I don't actually have the opportunity to elaborate what the point of order is.

The CHAIR: I know what it's going to be, in terms of interrupting the Minister.

CORRECTED

The Hon. ANTHONY D'ADAM: No, it's not about interrupting the Minister. My point of order—

The Hon. SARAH MITCHELL: I've got limited time.

The Hon. ANTHONY D'ADAM: —is this: The line of questioning is directed to matters that are outside the portfolio of responsibility.

The CHAIR: No, that's not—I don't uphold the point of order.

The Hon. ANTHONY D'ADAM: They are events that have occurred prior to the Minister—

The CHAIR: Order! Order! Mr D'Adam—

The Hon. ANTHONY D'ADAM: —taking office.

The CHAIR: I don't uphold the point of order. We have a wide latitude.

The Hon. ANTHONY D'ADAM: The Minister can be asked questions within the remit of his portfolio.

The CHAIR: Order! Mr D'Adam, I will no longer hear the point of order. Members have wide latitude to ask questions, particularly about grants, so please don't waste the time. We'll go back to Ms Mitchell. But please, Ms Mitchell, allow the Minister to answer the question, because you are making some allegations here. So please hear the Minister as well.

The Hon. SARAH MITCHELL: Thank you, Chair. I will keep it simple before I hand back to my colleague. One question, Minister, was there a conflict of interest process in place when projects were nominated by candidates prior to the election, yes or no?

The Hon. JOHN GRAHAM: I am advised the answer is yes.

The Hon. SARAH MITCHELL: What was that process?

The Hon. JOHN GRAHAM: Look, I can't go into further detail.

The Hon. SARAH MITCHELL: Why?

The Hon. JOHN GRAHAM: I can go into further detail about the conflicts of interests. There are a range of layers of protection. I am advised there was a conflict of interest process beforehand. There is a conflict of interest process as part of the second layer of protection.

The Hon. SARAH MITCHELL: Can I just redirect you back, Minister? What was the conflict of interest process before the election?

The Hon. JOHN GRAHAM: There was a process for candidates to nominate a conflict of interest.

The Hon. SARAH MITCHELL: Through whom? What did that look like and how did they do that? How many nominated? What was the process?

The Hon. JOHN GRAHAM: In the ordinary way that might apply with election commitments. These were election commitments made in the ordinary way. The usual checking applied.

The Hon. SARAH MITCHELL: Checking by whom?

The Hon. JOHN GRAHAM: By the parliamentary Labor Party.

The Hon. DAMIEN TUDEHOPE: Who authorised Kieren Ash to offer Leichhardt Public School P&C \$20,000 of taxpayers' money during the election campaign?

The Hon. JOHN GRAHAM: Well, I don't—I'm not sure. Can you repeat the question? Who authorised him?

The Hon. DAMIEN TUDEHOPE: Who authorised Kieren Ash to offer Leichhardt Public School P&C \$20,000 of taxpayers' money—

The Hon. ANTHONY D'ADAM: I'm going to have to take a point of order again.

The Hon. NATALIE WARD: No. Stop running cover.

The Hon. ANTHONY D'ADAM: This is a question—this does not relate to the Minister's portfolio of responsibilities.

The Hon. NATALIE WARD: It absolutely does.

The Hon. SARAH MITCHELL: It does. He's in charge of this grant program.

CORRECTED

The Hon. NATALIE WARD: Stop running cover.

The Hon. ANTHONY D'ADAM: It does not.

The CHAIR: Order! If we could just stop the interjections.

The Hon. ANTHONY D'ADAM: This is conduct before the Minister was a Minister of the Crown.

The Hon. NATALIE WARD: He's answering it.

The CHAIR: I have heard the point of order. Again, budget estimates questions range right across. That always has been the case. I won't uphold it. Continue, Mr Tudehope.

The Hon. JOHN GRAHAM: I can't shed a lot of light on who authorised Mr Ash.

The Hon. DAMIEN TUDEHOPE: Well, are you aware what role Mr Ash played in the nomination of the seven projects in Balmain, which are slated to receive \$250,000 in taxpayers' money?

The Hon. JOHN GRAHAM: Look, as far as I am aware—and I am happy to check now or for you to ask officials afterwards—those projects haven't come to me, so I haven't seen the paperwork or approved those grants.

The Hon. DAMIEN TUDEHOPE: In relation to that, of course, he was employed as a DLO in the office of the lead Minister for the Transport portfolio. Did Mr Ash speak, to the best of your knowledge, to anyone in your office about the Local Small Commitments Allocation program?

The Hon. JOHN GRAHAM: I don't believe so. One of the reasons I have some confidence about that is, as part of the guidelines—as you would be aware because I tabled them in the Parliament shortly after they were approved—I am keeping a register of any interactions I have as I approve these of people who might express a view to me or to my office that might be relevant to the decision.

The Hon. DAMIEN TUDEHOPE: Can you come back to us? Have you checked with your staff in relation to that, or can you check with your staff and take that on notice?

The Hon. JOHN GRAHAM: I am certainly happy to double-check for you. I would be happy to take that on notice is perhaps the best way to answer your question.

The Hon. SARAH MITCHELL: The Community Building Partnership program guidelines exclude an MP from involvement in selecting a project where a member of their family might be involved in a particular club or organisation. Can you explain to me then why it is okay for the member for Camden, who has a family member who is involved with the Camden Musical Society, to personally select that Camden Musical Society to receive \$75,000 of taxpayer money through the Local Small Commitments Allocation? Why are the rules okay for one grant but presumably go out the window for the other?

The Hon. JOHN GRAHAM: Ms Mitchell, I am happy to run through the conflict of interest arrangements, but I was interrupted as I was trying to explain to you what they are. That might perhaps be of assistance. On the decision-maker for this scheme, the department will send for the briefs. There is a conflict of interest process both for the assessors—

The Hon. SARAH MITCHELL: With respect, I don't mean to interrupt you, Minister, but we did go through this with the officials in the Premier's hearing. They made it clear that they receive a list from the Premier's office and they check whether those projects are worthy of money, but they don't look at any of those personal conflict of interest issues prior to the election or anything being nominated. So what you're saying actually isn't correct. I don't understand how somebody can personally allocate money to an organisation of which their family member can benefit, and that that's not a probity issue. Can you explain that to me?

The Hon. JOHN GRAHAM: I can. I was just interrupted as I was trying to do so. What I am saying is correct. In addition to that conflict of interest process for the assessors, there will be additional conflict of interest checks where issues have been raised, and there have been a number of questions raised. In addition to that, I will freely ask for additional conflicts of interest checks—

The Hon. SARAH MITCHELL: So you will just decide. It will come down to the ethical and moral guidance of John Graham as to whether these people get money?

The Hon. JOHN GRAHAM: Can I put the—

The Hon. BOB NANVA: Point of order—

The Hon. JOHN GRAHAM: I am happy to answer these questions.

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The CHAIR: A point of order has been taken by Mr Nanva.

The Hon. BOB NANVA: It is not courteous to a witness to interrupt as he is giving an answer that is directly relevant to the question that is being asked of him.

The CHAIR: I have heard the point of order. I think we know how it goes. I think that exchange was reasonably okay and we could hear what the Minister was responding to, but let's be mindful again to try and hear the witness and allow them to respond.

The Hon. SARAH MITCHELL: Minister, you have just said that you will look at it as the decision-maker. What will be that formal conflict of interest process that you'll consider as the decision-maker? Do you have that as a written document? Can you share that with the Committee?

The Hon. JOHN GRAHAM: In addition to those checks that I've outlined, I will request additional conflict of interest declarations if I have any concerns or if I'm aware of any issues. I have already done so in relation to some early projects. I will continue to do so.

The Hon. SARAH MITCHELL: But that'll just be at your discretion as Minister. Is that correct?

The Hon. JOHN GRAHAM: Members of the upper House have access to this list. If there are any concerns that members have, they're welcome to raise them and I'll ensure that the conflict process is applied.

The Hon. SARAH MITCHELL: With respect, Minister, shouldn't you be doing that as the Minister, and making sure that every single project—

The Hon. JOHN GRAHAM: I will be doing that as the Minister.

The Hon. SARAH MITCHELL: So for every single project, you will make sure there is no personal conflict of interest between the Labor candidate who nominated it and the recipient?

The Hon. JOHN GRAHAM: I am outlining a series of checks on election commitments in the usual way about conflicts of interests—checks by the department, checks by me as Minister. I am inviting you as a member with access to this information because the Government has provided it to identify any issues. So far you have not identified any issues.

The Hon. SARAH MITCHELL: Can I just go back? You said before that there was, you believe, a conflict of interest process by the parliamentary Labor Party prior to the election. Could you advise the Committee who led that conflict of interest declaration process within the parliamentary Labor Party? Who was responsible for that prior to the election?

The Hon. JOHN GRAHAM: These are election commitments in the ordinary way—

The Hon. ANTHONY D'ADAM: How does the Minister have control over that? He doesn't. It's a ludicrous question that's outside the remit of this Committee.

The CHAIR: Order!

The Hon. SARAH MITCHELL: Who was it? Someone must have. Who was it?

The Hon. JOHN GRAHAM: These are election commitments in the usual way. This was overlooked by the shadow ERC. I hope that John Barilaro was declaring his conflicts of interest.

The Hon. SARAH MITCHELL: I am not asking about the previous Government.

The Hon. Dr SARAH KAINE: Yes, you bet.

The Hon. JOHN GRAHAM: I hope you had a conflict of interest process.

The Hon. ANTHONY D'ADAM: The Minister can't be held responsible for a process that we had no control over.

The Hon. Dr SARAH KAINE: Ask reasonable questions.

The Hon. SARAH MITCHELL: I would like to know who was responsible. Who was responsible for that process within your parliamentary party?

The Hon. BOB NANVA: Point of order—

The CHAIR: Thank you, Ms Mitchell. Let's move on, because that last 10 seconds was just ridiculous.

Ms ABIGAIL BOYD: Good morning to you. I wanted to just pick up on the Local Small Commitments Allocation. Under the SO 52, a bunch of documents have been provided which have been really useful in

CORRECTED

understanding a little bit more about the pattern of the allocations across the different electorates. I think, for context—and you and I have had discussions about this—from a Greens perspective we are quite uncomfortable with the idea of a program that is both run during an election and then becomes a grants allocation program later on. Looking at the data provided in the SO 52, we can see that candidates in seats that Labor goes on to win were 50 per cent more likely to fully commit or mostly commit their \$400,000. The candidates in seats that Labor went on to win in the election committed one-fifth more money than candidates in non-Labor seats. There is a very clear distinction to indicate that those candidates in the seats that Labor held or went on to win were considerably more likely to allocate that full amount. Was it not communicated to Labor candidates in the seats that you were less keen on winning that they could allocate this money?

The Hon. JOHN GRAHAM: Two views might be useful. I have seen the fact that you, in other hearings, have drawn this distinction between the election commitments and then the subsequent grant scheme. I would describe those as additional protections for this scheme. It was designed to be equal for every electorate, and that was the commitment that was made. That was after some of the grant schemes we have all seen, where a huge amount, often up to 96 per cent, was going to Coalition electorates. This was designed to be the opposite of that—an equal amount to each electorate. I can't comment on the specifics about which candidates chose to do what, but the central idea was wherever you are in the State, whatever your electorate, you get the same amount. That is dramatically different.

Ms ABIGAIL BOYD: You would agree, though, wouldn't you, that the issue with pork-barrelling under the last Government is that what we were seeing were funds going to Coalition-held seats or seats that they were targeting because they wanted to win an election on the back of it. That is the problem with pork-barrelling. What we have in this case is Labor giving its candidates only the ability to allocate a chunk of money during an election. How is that anything but buying votes?

The Hon. JOHN GRAHAM: Let me explain why it was one of the principles. One key principle—an equal amount for each electorate. It didn't matter where you were in the State, you should have the same amount allocated to you. Secondly, there have been concerns in the past about candidates—and, look, this was the case with John Barilaro saying, "If you don't elect me, you don't get this commitment."

The Hon. DAMIEN TUDEHOPE: That's what's happening here.

The Hon. Dr SARAH KAINE: It's not the same.

The CHAIR: Order!

The Hon. JOHN GRAHAM: That is a concern. The commitment here is it doesn't matter whether the candidate wins or loses—win, lose or draw—the election commitment will be fulfilled. It is designed to actually provide some protection against some of that behaviour we have seen.

Ms ABIGAIL BOYD: With election commitments, election commitments are ordinarily made public, correct? As was made clear in earlier hearings, not all of these commitments were made public. They have also not all been made public yet. How is that an election commitment and not just a candidate going around saying, "Hey, vote for me and you'll get this"?

The Hon. JOHN GRAHAM: It is really a matter for the candidates how public they were made. I would have expected that, like most election commitments, they are made public.

Ms ABIGAIL BOYD: They weren't, though.

The Hon. JOHN GRAHAM: Many of them were. This was certainly costed in public and it's certainly now available to members of the upper House. That has been supplied by the Government.

Ms ABIGAIL BOYD: But it is not something that each member who has actually won the seat is able to freshly allocate. I think we're doing fancy footwork here around the principles. Certainly when Labor was in opposition, Labor and The Greens were very clear that what we didn't want to see was the use of public funds, either before an election or after an election, in a way to curry favour with voters to get votes. I wish I didn't have to say this, but this looks very much like a different form of pork-barrelling. Yes, it was for every electorate, but that is not the point. It was only for Labor candidates for the purposes of them campaigning to win an election. How is that at all consistent with what we've learnt about democratic elections in the last 12 years?

The Hon. JOHN GRAHAM: Parties ahead of elections are entitled to make election commitments, including small election commitments. That is consistent with those.

Ms ABIGAIL BOYD: It's not an election commitment if it's not public.

CORRECTED

The Hon. JOHN GRAHAM: The key protection here is equal for every electorate. It's \$400,000; that's not too dissimilar to, for example, some of the schemes which were in place anyway for members to allocate funds to their communities, and this is similar. But the key protection is an equal amount for every electorate, regardless of where you are in the State. That is dramatically different, as you know, to how these grant schemes operate.

Ms ABIGAIL BOYD: But it's deliberately avoiding the purpose of that. The reason that we say we want equality for all of the different electorates is because we don't want to see this money used in order to curry favour ahead of an election. That is the focus, that last bit, not the first bit.

The Hon. JOHN GRAHAM: I think it's an important discussion for the political system to have because if election commitments aren't made, these are decisions only made by the agencies. I'm a strong supporter of the public service. I'm a strong supporter of good advice being given, but I also think candidates and parties are entitled to make commitments ahead of an election—that's a fundamental protection—to stand for election based on it and then be judged according to their plan for the local area. That is really one of the ways to think about that, and the Premier has been clear about that.

Ms ABIGAIL BOYD: Let's move on to something in your portfolio but before your time. Hopefully we're on happier ground. I just wanted to talk about the Transurban unsolicited bid in relation to the M7 to M12 stage two. I understand that Transurban put in an unsolicited bid for that I think maybe in 2021—around then 2021/2022. It was reported on in 2022. I'm looking at an eTendering record that shows that PricewaterhouseCoopers won the contract to be the financial adviser in relation to assessing that unsolicited proposal for the Government. It was estimated originally at half a million dollars for PwC. It ends up being amended to \$1.5 million in order to get PwC to assess the quality of that unsolicited proposal from Transurban. Has this issue come to your attention at all already?

The Hon. JOHN GRAHAM: I am aware of the general issue. Certainly the decision was made prior to us being in government. I wasn't aware that PwC was part of the assessment process or the arrangements around the contract.

Ms ABIGAIL BOYD: Let me tell you. PwC have been Transurban's auditors for a very long time. In addition to Transurban's auditors, they have also provided consulting work to Transurban for a very long time, including for the period in which they were creating this unsolicited bid. Can I ask you to go and look back on the records and see if you have any concerns, knowing what we now know about consultants, on the conflict of interest of a company advising, auditing, consulting for Transurban and then being appointed to assess Transurban's unsolicited bid for a major piece of road infrastructure?

The Hon. JOHN GRAHAM: I'm certainly happy to do so. I'll just make a couple of comments in agreeing to that. Firstly, I want to recognise the work that has been done at a Federal level but also by this Parliament in dealing with some of these questions, and your particular role. I do want to recognise that. Secondly, I am certainly happy to have this issue looked at and any information you want to supply. I'm happy to. The third point is I don't make a judgement on the face of it because there are sometimes protections in place within these firms.

Ms ABIGAIL BOYD: It looks pretty damning.

The Hon. JOHN GRAHAM: But given what we've learnt, I certainly think it's appropriate to have the issue examined.

The Hon. MARK BANASIAK: I might go to the State Library, Minister. You're obviously an avid advocate for reading, noting your inaugural speech. Obviously in recent budget estimates, we heard, in terms of the multicultural portfolio, that obviously people coming with diverse language backgrounds and cultural backgrounds is on the rise, understandably. What investments are going to take place in the State Library to ensure that that great collection of multicultural material is not only maintained but improved upon? There is over 40 languages represented there. Is there a plan from your Government to grow that and expand that investment?

The Hon. JOHN GRAHAM: I'm very grateful for the question. I'm a strong supporter of the State Library, mainly because I think it is one of the key institutions in the State. I recognise the support it has had from the former Government, but I'm very excited about the new future of the State Library as it becomes a home for the State's readers and writers. There has been more investment in general in the State Library compared to, say, where we were prior to the pandemic. Funding in this budget is up 10 per cent, recognising the support that this Government has had for the State Library.

The Hon. MARK BANASIAK: Is any of that increased investment targeting our multicultural collection?

CORRECTED

The Hon. JOHN GRAHAM: One of the observations that the departing librarian had, Dr John Vallance, and I want to recognise his service—

The Hon. MARK BANASIAK: He is well respected.

The Hon. JOHN GRAHAM: Yes—was that that should be an increasingly important investment priority for the State Library.

The Hon. MARK BANASIAK: Does the new State Librarian share that view?

The Hon. JOHN GRAHAM: I don't recall specifically having that discussion with her, but it is certainly something that is important to the Government.

The Hon. MARK BANASIAK: Can I just go to a previous program from the last Government around an arts hub. One of the former Ministers for the arts, the Hon. Don Harwin, set up some consultations around creating a solution for many of our smaller music and arts organisations and trying to give them a joint home and some structure. I'm just wondering whether that's a project that your Government is willing to continue or not. If you're not, what is your solution to supporting those smaller music and arts organisations that are really struggling with the costs of doing what they're doing?

The Hon. JOHN GRAHAM: Here is the way we're thinking about doing that. The Government is developing its arts, culture and creative industries policy, which will set the direction for the consultation right around the State—at the moment out before Christmas. One of the key issues I expect it to look at, in that policy, is to find homes for our creative communities, readers and writers at the State Library, for example—those natural places that these creative communities might find homes.

The Hon. MARK BANASIAK: Are you talking about permanent homes like permanent premises? Or are we talking about temporary floating—

The Hon. JOHN GRAHAM: We're thinking a little bit more broadly—places that those creative communities might feel at home, able to mix, to know where they can find the other people interested in reading and writing, for example. These were some of the questions being raised by the former Ministers, and I recognise that. We're certainly interested in this direction. Until the policy lands, I'm not committed to any specifics, but I've got no doubt, though, that idea of homes and also the need for creative spaces will be a big part of the policy.

The Hon. MARK BANASIAK: Just picking up on that policy, is Mob Tix part of that policy? In September there were some articles floating around about Mob Tix, and the Sydney Opera House was reported as advertising discounted tickets for First Nations people, not necessarily means tested in any way, which sort of goes against the process you put in place for all these other vouchers. First of all, was Mob Tix your Government's idea or did you have any involvement in Sydney Opera House adopting that policy?

The Hon. JOHN GRAHAM: Firstly, I'm not sure if they made a submission or not to the consultation, but they would certainly be welcome to. It's not too late if anyone's still got late views. Secondly, I don't know a whole lot about that particular organisation, although its goals sound worthy—

The Hon. MARK BANASIAK: You don't know much about Sydney Opera House?

The Hon. JOHN GRAHAM: —without going into the details of Mob Tix.

The Hon. MARK BANASIAK: Mob Tix was the principle that you would give discounted tickets to arts and cultural events, and music events, to people of First Nations—quite significant discounts.

The Hon. JOHN GRAHAM: Yes.

The Hon. MARK BANASIAK: But it wasn't means-tested in any way. There didn't seem to be any sort of regulations or controls around it, and Sydney Opera House, which is a government-run entity—

The Hon. JOHN GRAHAM: Understood.

The Hon. MARK BANASIAK: —was partaking in this. I'm just wondering if they did that without your direction and whether this is something that you want to continue looking at, noting that First Nations art and culture does feature heavily in this paper.

The Hon. JOHN GRAHAM: Yes. It certainly wasn't a direction. I'm broadly aware of it, as you mention it, but I certainly don't know the details, so I'd encourage you to put it to the Opera House directly, if that's possible, this afternoon, if the Committee has called them as witnesses, and I'd be happy to supply further information myself if you've got views.

CORRECTED

The Hon. MARK BANASIAK: Sure. Just looking at that policy and looking at the Create NSW website, I note that we have, seemingly, two organisations, one funded by the Government and one a government agency or government department, both focusing on contemporary music—one being Sound NSW, which is within your Government, and then there is also MusicNSW, which claims to be the State music body. It is non-profit, but it's funded by Create NSW. I'm just wondering why we have two bodies, seemingly, one funded directly by Create NSW and one being a government department, both focusing on the same issue of contemporary music, noting that contemporary music is very broad in its description, but there are other types of music within New South Wales. Why are we having two entities dedicated to that?

The Hon. JOHN GRAHAM: It's a good question. They are quite distinct organisations, though. MusicNSW has existed for, I think, about 22 years and was funded previously by the State Government over that time. It really plays an industry role—that is the best way to think about it—with government support. But until Sound NSW there hadn't been a government agency that had the primary responsibility for contemporary music. Create certainly played a role, and a valuable role, but one of the views that was put was, while there was good industry support from MusicNSW, there wasn't a deep understanding or specialist knowledge in government, and that's the role Sound NSW plays. There is a similar arrangement in place in other States.

The Hon. MARK BANASIAK: How are you making sure that they are pulling in the same direction with regards to contemporary music?

The Hon. JOHN GRAHAM: It's early days, but we'll develop a 10-year contemporary music plan that will drive the direction. The Government will take a close interest in that, including the details of it.

The Hon. MARK BANASIAK: When do you plan to develop a 10-year plan?

The Hon. JOHN GRAHAM: Step one, the Arts, Culture and Creative Industry policy out before the end of the year. Sound NSW has already been established and is commencing work. We'll appoint a board shortly. We're already in the process of doing that. It is imminent—that's probably the best way to describe its public status—and that will really guide the direction of that plan. I'd expect next year—I'd love to see it early next year—but that's really the next step, once we've got the board and the policy in place.

The Hon. MARK BANASIAK: You have appointed a night-time commissioner. I've gone to the website and it's a very flashy website with lots of beautiful pictures of Sydney. What is your vision for the 24-hour economy in our regions? It seems to be heavily focused on Sydney, understandably. It's probably easier to create a 24-hour economy in Sydney than in the regions. But what is your vision for how that plays out in the regions and what directions have you given to Mr Rodrigues to see that?

The Hon. JOHN GRAHAM: It's a really good question. Sadly, I didn't appoint Mr Rodrigues. I've given Stuart Ayres credit for appointing him. I think it was a good appointment—

The Hon. MARK BANASIAK: My apologies.

The Hon. JOHN GRAHAM: But I've given Stuart Ayres public credit for doing so, so I'd better not withdraw that this morning. That 24-hour team is doing good work. I certainly campaigned for a commissioner to be appointed by the former Government. The question of regions is an important one, though. We've expanded the remit from Sydney to Newcastle, Central Coast and Wollongong. I'd like to see the role go further and I think over time we probably will. In the bill that is coming before the House, it's also clear that the commissioner would have some advice capacity that would stretch right across the State. For me, that's important for places like Tamworth or places like Wagga, two councils and two communities that really are leading the way in some of these discussions, so I want that—

The Hon. MARK BANASIAK: Will he actually have any powers as a commissioner, or will it be like some of these other commissioners that get to look at things?

The Hon. JOHN GRAHAM: I'd commend the Government's bill before the House at the moment, which will strengthen the powers of the commissioner. This should be a small team, but it's got to be a team that's got some powers so it can engage with the big agencies, like transport and planning, to drive this agenda.

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

The Hon. SARAH MITCHELL: Minister, going back to the example I was giving you in relation to the Camden Musical Society under the Local Small Commitments Allocation, can you provide advice as to what probity checks or conflict of interest process you, as the decision-maker, will put in place given a member of that MP's immediate family is involved in that society?

The Hon. JOHN GRAHAM: Yes. It's a good example where something has been drawn to attention. I would expect that the agency will perform those checks before the paperwork comes up to me, and it hasn't yet—

CORRECTED

The Hon. SARAH MITCHELL: With respect, Minister—

The Hon. JOHN GRAHAM: Sorry, Ms Mitchell, I am actually answering the question. I want to come to your question very specifically if you'll let me. I would expect that before I even receive the paperwork the agency may well have performed those checks. However, in addition, I would certainly request that, given the issue has been raised, and I invite members to raise any other.

The Hon. SARAH MITCHELL: With respect, Minister, you're not answering my question. Earlier evidence that was given by some of the Premier's Department officials was that they didn't look at any of those personal conflicts of interest through their process. They got a list from the Premier's office and they're just checking that the projects stack up in terms of value for the community and what they'll provide. I would like you to detail how you will look at those conflicts of interest. What are you going to do? What is the process? How will that be consistently applied where members raise concern?

The Hon. JOHN GRAHAM: I can tell you what I've already done, which is perhaps one way to answer it, which is if I've got any concerns or if members have raised issues, I have requested a conflict of interest and sent things back prior to approval. I'll continue to do that. In addition, where issues have been raised publicly, I do think it's reasonable for the agency to provide some conflict of interest information if it can be made available, and my expectation is that should occur.

The Hon. SARAH MITCHELL: I'll give you another example. Dubbo Regional Council was allocated—it was never publicly announced prior to the election, so I'll just be clear on that—\$396,000 for the Regand Park upgrade. That was made by the Labor candidate Josh Black, who is a councillor on Dubbo council. I believe he's also a staff member to one of your Labor colleagues. What will be the probity that will be put in place there? When council actually discussed this project, the minutes show very clearly that Councillor Black removed himself from the discussion because of a significant conflict of interest. What will you apply to this particular project in your assessment as the decision-maker?

The Hon. JOHN GRAHAM: Firstly, I don't believe this has come to me, but happy to check with the agency officials and I'm happy to be corrected if I've got that wrong. However, the issue has been publicly raised. I would certainly request further conflict of interest information. I would expect that that will already occur via the agency, and I've asked for that to occur. It is just a commonsense proposition that, if members are raising issues in the Parliament, I'd expect advice, as a decision-maker, to be supplied to me. If it wasn't there, I'll request it, but I'd expect—it's just a commonsense proposition—that the agency might already do that, and I've asked for that to be the case.

The Hon. SARAH MITCHELL: These are two examples that I'm raising. I suspect there'll be hundreds of projects that will be funded. Are you saying that the process will have to rely on a member of the public or an MP raising concerns about a project with you in order for you to have this extra layer of accountability around conflicts of interest? If you went out on Macquarie Street and asked people right now about the two examples that I am referring to and the fact, particularly in Dubbo, that someone who was not elected to this place, did not come within a bull's roar of being elected to Parliament, has allocated \$396,000 to a council of which they're a member—that is quite an extraordinary proposition. From what you're saying to me, I don't think there appears to be a consistent method of looking at these. If members raise them with you, you'll ask for more information. Is that really the extent of your evidence?

The Hon. JOHN GRAHAM: No, it's absolutely not the extent of my evidence. I've detailed a series of conflict of interest checks that apply—

The Hon. SARAH MITCHELL: With respect, you haven't. What is the detail of that, Minister?

The Hon. JOHN GRAHAM: —one that I'll apply, one that the agency will apply, one that applies to the assessors. I'm inviting you to raise any of your concerns, and they'll be addressed. That's a series of checks that apply across this program.

The Hon. SARAH MITCHELL: So if no-one raises any concerns with you, there won't be a process to look at any potential conflicts of interest?

The Hon. JOHN GRAHAM: No, that's not correct. I will—

The Hon. SARAH MITCHELL: That's what you've just said.

The Hon. JOHN GRAHAM: That's not correct. You're misrepresenting my evidence. In addition, Ms Mitchell, I've agreed to supply all the approval paperwork to the upper House for the projects I've applied. I suggest look at that. That's in stark contrast to what we've seen previously when some of that approval paperwork, we were told, didn't exist—

CORRECTED

The Hon. SARAH MITCHELL: Is any of that information privileged?

The Hon. JOHN GRAHAM: —in fact, it was shredded.

The Hon. SARAH MITCHELL: Is there privileged information, though?

The Hon. JOHN GRAHAM: I actually don't know the answer to that. I'm happy to check now.

The Hon. SARAH MITCHELL: That would be good, thank you.

The Hon. JOHN GRAHAM: But I think the Government's intention is clear. I understand there's some interest in this and I'm very happy for the paperwork to be available to members. That's the approach I'm taking as Minister.

The Hon. NATALIE WARD: But the list you put into the upper House—you claimed privilege over.

The Hon. JOHN GRAHAM: I do think that's appropriate while we're rolling the program out.

The Hon. NATALIE WARD: That's not transparency.

The Hon. JOHN GRAHAM: But it's available to members. I encourage you to inspect it. If you do have concerns—

The Hon. NATALIE WARD: We do.

The Hon. JOHN GRAHAM: —they'll certainly be dealt with.

The Hon. DAMIEN TUDEHOPE: Minister, can I ask you this—

The Hon. JOHN GRAHAM: To Ms Mitchell's point, though—because I think it is important, Mr Tudehope. Any concerns I have, I will be requesting conflict of interest paperwork. And I have already done so.

The Hon. DAMIEN TUDEHOPE: Minister, earlier you gave an answer that all the projects which were the subject of commitments were available. Are you standing by that answer? Because my understanding is that the release of that list of projects has not been made available. Will you provide a complete list? Because if you are assessing them on the basis of submissions made by you, it'd be nice to be able to look at the list.

The Hon. JOHN GRAHAM: That's a good question. I am going to turn to Ms Boyd just to find out where we're up to in the process. I think it is fair to turn to Ms Boyd to clarify—

The Hon. DAMIEN TUDEHOPE: It's a yes or—will a list be available, Ms Boyd?

KATE BOYD: Yes, once the projects have been approved, a list will be published in accordance with the grants guide.

The Hon. DAMIEN TUDEHOPE: Minister, do you accept that that process does not allow for input before they're being approved in relation to concerns that members have?

KATE BOYD: I would also say the list is available to members of the upper House.

The Hon. NATALIE WARD: It's privileged; it is not available.

The CHAIR: Order!

KATE BOYD: It is available for members to view.

The CHAIR: Ms Ward, we will not address witnesses in that way.

The Hon. DAMIEN TUDEHOPE: I'll move on. Minister—

The Hon. JOHN GRAHAM: Mr Tudehope, I do want to clarify your question. I'm advised the list has been supplied to members of the upper House. That is in response to a call for papers that the Government agreed to. That is available. Unsurprisingly, it's under privilege. That would've applied under your Government. What wouldn't have applied under your Government is that list wouldn't have been—

The Hon. NATALIE WARD: We had to get a call for papers and you claimed privilege. It is not open.

The Hon. SARAH MITCHELL: It is not open and transparent at all.

The Hon. JOHN GRAHAM: Which the Government supported.

The Hon. NATALIE WARD: That is bollocks.

CORRECTED

The Hon. JOHN GRAHAM: That's very different to the approach under your Government—

The Hon. NATALIE WARD: Bollocks.

The Hon. JOHN GRAHAM: —particularly when the approval paperwork was shredded.

The Hon. DAMIEN TUDEHOPE: Minister, that answer is subject to considerable debate, but I'm not going to debate it with you in this forum.

The Hon. JOHN GRAHAM: I invite your debate.

The Hon. DAMIEN TUDEHOPE: What was the most marginal seat decided in the lower House in New South Wales at the last election?

The Hon. JOHN GRAHAM: I'll have to defer to your psephological knowledge on this one.

The Hon. DAMIEN TUDEHOPE: Would you accept from me that it was the seat of Ryde?

The Hon. JOHN GRAHAM: Yes, by 50 or 51 votes in both the count and the recount.

The Hon. DAMIEN TUDEHOPE: The seat of Ryde was that seat which in fact was the closest and most tightly fought seat in the State.

The Hon. JOHN GRAHAM: Now you prompt me, I do recall that.

The Hon. DAMIEN TUDEHOPE: Do you accept that the Labor candidate for Ryde posted on social media a statement authorised by the now Government Whip that Labor will build a new cultural centre in Eastwood? Her post stated, "I'm so proud that a Minns Government will build a new cultural community centre in Eastwood." Are you aware of this election commitment by the Labor candidate?

The Hon. JOHN GRAHAM: I don't recall that election commitment by the—

The Hon. DAMIEN TUDEHOPE: Are you aware that it was authorised by the Government Whip—probably not if you're not aware of the actual commitment—

The Hon. JOHN GRAHAM: No.

The Hon. DAMIEN TUDEHOPE: —to build a new cultural community centre in Eastwood? That was the commitment. You would accept, would you, that Labor will deliver on the commitments which it has made in relation to those projects?

The Hon. JOHN GRAHAM: Are you suggesting this was part of the Local Small Commitments Allocation?

The Hon. DAMIEN TUDEHOPE: I'll come to that.

The Hon. JOHN GRAHAM: You'll have to repeat your question. What is your question, Mr Tudehope?

The Hon. DAMIEN TUDEHOPE: If in fact, Minister, the Labor candidate said that they were committing \$400,000 to the establishment of this community centre, how is that commitment able to be assessed without the delivery of the community centre?

The Hon. JOHN GRAHAM: This isn't a project I've approved. I don't have advice from the agency on it. I can't shed a lot of light without that advice. I'm noting your concerns and I'll look at it closely when I get that advice and when I'm required to approve the project.

The Hon. DAMIEN TUDEHOPE: Will you accept from me, Minister, that there is nothing in the budget relating to the establishment of this community centre in Eastwood? I should declare that I live in Eastwood and I'm very aware of the commitment which was made, because I was at a community forum where the Labor member made this commitment in relation to the \$400,000. If, in fact, there is no commitment now by the Government to deliver this community centre, that \$400,000 which she promised was nothing more than a bribe, was it?

The Hon. JOHN GRAHAM: No, I reject your suggestion. As I've said, I don't know the details of the project, but I'm certainly—if this is a project that comes to me as a decision-maker, I'm certainly happy to consider your views that you've put this morning on it.

The Hon. DAMIEN TUDEHOPE: And I put this to you—

The Hon. JOHN GRAHAM: But I can't shed more light on the detail without advice, without more knowledge of the project.

CORRECTED

The Hon. DAMIEN TUDEHOPE: This was a commitment of \$400,000, which the Labor Party had allowed Labor candidates—

The Hon. JOHN GRAHAM: So you're confirming it was part of this?

The Hon. DAMIEN TUDEHOPE: —to commit, where Labor and Lyndal will build a new cultural centre in Eastwood. There is no prospect that Labor will deliver that cultural centre, is there?

The Hon. JOHN GRAHAM: Mr Tudehope, I think you're confirming that you believe it was a part of this program. Is that what you're saying?

The Hon. DAMIEN TUDEHOPE: Correct.

The Hon. NATALIE WARD: It doesn't matter.

The Hon. JOHN GRAHAM: Right, thank you. As I've said, I haven't received advice on it. I haven't approved this project. I'm happy to update further once I can to the House if I'm asked in the House, but I simply can't shed more light on the specifics of this one while we're at the—

The Hon. DAMIEN TUDEHOPE: In the material approved by the Government Whip as part of Labor's election commitments, Labor will invest \$400,000 in this project. This was the commitment being made by the candidate.

The Hon. JOHN GRAHAM: What's your question?

The Hon. DAMIEN TUDEHOPE: Is that appropriate in respect of—

The Hon. BOB NANVA: Point of order: Chair, we are now asking for a level of specificity and detail from a period that traverses well before Mr Graham was Minister. It is not relevant to the terms of reference of this inquiry. You can perhaps ask the question in a different way that is more relevant to the terms of reference.

The CHAIR: I won't uphold the point of order. I will note that a party's election commitments, particularly when that party wins government, are actually very much in line and have been traversed by multiple inquiries in the past. That's what election promises are. It's well within order. Continue, Mr Tudehope.

The Hon. DAMIEN TUDEHOPE: If the commitment being made by the Labor candidate was in respect of a project which the Government had no intention of committing to, is that an appropriate use of these small allocations?

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

The Hon. NATALIE WARD: Stop running cover and wasting time. This is a cover-up.

The CHAIR: We'll hear the point of order.

The Hon. ANTHONY D'ADAM: It has not been established—

The Hon. NATALIE WARD: You can see by the reaction that we're getting somewhere.

The CHAIR: Order!

The Hon. ANTHONY D'ADAM: —that this commitment—

The Hon. NATALIE WARD: There are questions to answer here. We are getting somewhere. Look at that.

The CHAIR: Ms Ward, the longer that you do that, the longer that we take trying to hear the point of order.

The Hon. ANTHONY D'ADAM: It hasn't been established—Mr Tudehope in his questioning is asserting without any supporting evidence that this project falls within the remit of the grants program—

The Hon. NATALIE WARD: He's answering the questions.

The Hon. ANTHONY D'ADAM: —that the Minister administers. The Minister has indicated that he is going to seek advice on that.

The CHAIR: Mr D'Adam, that is not a point of order. I won't uphold the point of order. It is clearly a question around potential expenditure within the Arts budget and a commitment Labor made before the election. It is completely within order.

CORRECTED

The Hon. DAMIEN TUDEHOPE: Minister, will you on notice come back and confirm whether this commitment made by this candidate comprises a commitment made by the candidate as part of the Local Small Commitments Allocation?

The Hon. JOHN GRAHAM: Mr Tudehope, I'm happy to come back as soon as I receive information about this project in the ordinary course of that. I will be happy to update you in the House.

The Hon. DAMIEN TUDEHOPE: But it's something you could do this afternoon, could you not?

The Hon. JOHN GRAHAM: No, I am not going to waive the usual rules and time lines on this one. But as soon as I've got information, I am open to providing further information.

The Hon. SARAH MITCHELL: Funny, that.

The Hon. NATALIE WARD: Yes, he can't answer it.

The Hon. DAMIEN TUDEHOPE: You have the list, Minister. You have the list.

The Hon. NATALIE WARD: Yes, go and look at it.

The CHAIR: Order!

The Hon. DAMIEN TUDEHOPE: You can go and look at the list of allocations which have been made by candidates.

The Hon. JOHN GRAHAM: The list has been supplied to the upper House.

The Hon. SARAH MITCHELL: Under privilege.

The Hon. JOHN GRAHAM: I invite you to make your own inquiries.

The Hon. DAMIEN TUDEHOPE: Ms Boyd, I will ask you this question, which I was invited to do earlier. This is a question in relation to the documentation which was required to be provided, pursuant to clause 6.1.5 of the *Grants Administration Guide*. I would ask you this: Has that documentation been prepared? Is it available?

KATE BOYD: Yes.

The Hon. DAMIEN TUDEHOPE: Yes or no?

KATE BOYD: Yes, it has been prepared.

The Hon. DAMIEN TUDEHOPE: Is it available?

KATE BOYD: I will have to take that on notice.

The Hon. DAMIEN TUDEHOPE: Minister, will you provide the document?

The Hon. JOHN GRAHAM: As I've stated—

The Hon. DAMIEN TUDEHOPE: It has been prepared, Minister. We've just heard that it has been prepared. Where is it?

The Hon. JOHN GRAHAM: As I told you earlier, this work has been done. I have approved it. The same position I put to you earlier is the same position I have today and it has been confirmed by Ms Boyd.

The Hon. DAMIEN TUDEHOPE: The document exists and you won't provide it to the Committee?

The Hon. JOHN GRAHAM: I'm happy to take that on notice. I have supplied much of the information and I am likely to supply this—

The Hon. NATALIE WARD: Wow!

The Hon. SARAH MITCHELL: That tells us everything we need to know.

The CHAIR: Order!

The Hon. JOHN GRAHAM: I'm likely to supply this information as well.

The Hon. NATALIE WARD: My question is to Ms Boyd. Have you seen the Labor Party's parliamentary conflict declaration?

The Hon. SARAH MITCHELL: For these projects.

The Hon. NATALIE WARD: For these projects.

CORRECTED

KATE BOYD: No.

The Hon. NATALIE WARD: Is that a—

The Hon. SARAH MITCHELL: Sorry, was that advice ever—

KATE BOYD: I don't administer this grant program. I work for the Cabinet Office. The Premier's Department is the agency responsible for administering the program. Ms Kate Meagher attended the Premier's hearing and gave details about the administration of the program, so if you have questions about that, I'd suggest you direct them to the Premier's Department.

The Hon. NATALIE WARD: We have already asked for it, but nobody seems to be able to see where it is. I'll move on. Minister, can I go back to the toll review? The cost for the Allan Fels review is a million dollars—a million dollars! You can't tell people if the toll cap will apply to every driver. So Opal card fees are up, car rego is up, Allan Fels is costing a million dollars and you have increased fees. So you have increased the Harbour Bridge, you've increased the Opal card, you've increased car rego and Fels is getting a million bucks, and you can't tell us who is going to get their cap. You can't tell us that every driver will get their cap. That's correct, isn't it?

The Hon. JOHN GRAHAM: I was waiting for your question there after that long statement, Ms Ward.

The Hon. NATALIE WARD: That's right, isn't it?

The Hon. Dr SARAH KAINE: It was a very long statement.

The Hon. JOHN GRAHAM: Which would you like me to deal with first, of all those assertions, most of which I reject?

The Hon. NATALIE WARD: Fees are up under Labor, the Harbour Bridge you pay more, your car rego you pay more, Allan Fels is a million bucks and you can't tell us when every driver will get any relief at all.

The Hon. Dr SARAH KAINE: Oh, she's on a roll! This is her grab.

The Hon. NATALIE WARD: You can't tell us that.

The Hon. JOHN GRAHAM: I reject that assertion. As you know, motorists are being asked to pay tens of billions of dollars, possibly more, and we will be clear with the public about that—

The Hon. NATALIE WARD: When?

The Hon. JOHN GRAHAM: —at some point soon. We will also be clear about the arrangements for this toll cap. It is going to make a huge difference to drivers in the western suburbs of Sydney. Can I give you one example? Kellyville—

The Hon. NATALIE WARD: No, I'll move on. I have two minutes left.

The Hon. JOHN GRAHAM: —that is where most drivers will benefit, by number.

The Hon. NATALIE WARD: But if you are coming from Kellyville you could use the Harbour Bridge. The only increase in tolls is under you, isn't that right? Every increase has been under you.

The Hon. JOHN GRAHAM: They are paying an average of \$399 a year each, and they need some help. We are on track to deliver that help.

The Hon. Dr SARAH KAINE: One day we will take you to Western Sydney, Natalie.

The Hon. NATALIE WARD: They sure do, because it is all up under you. I will move on. The Roxy Theatre—can I ask about that, Minister? Minister, have any funds been put aside in this State budget to meet your election commitment to acquire the Roxy Theatre by compulsory acquisition?

The Hon. JOHN GRAHAM: The first step in this—and this was our election commitment—was to complete the business case for the Roxy Theatre acquisition. Potential acquisition is potentially the best way to describe it. I was out there yesterday looking at the metro site out at the Roxy Theatre.

The Hon. NATALIE WARD: I will move on because I have one minute.

The Hon. JOHN GRAHAM: But we are doing that careful work to examine the options.

The Hon. NATALIE WARD: But it was an election commitment. You don't disagree with that, that it was an election commitment?

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The Hon. JOHN GRAHAM: I agree that we've committed to look at the future of the Roxy Theatre, yes.

The Hon. NATALIE WARD: And you said it was still on the table in March this year. Has any work been done by you or Create to progress that potential compulsory acquisition now? Has any work been done in that space?

The Hon. JOHN GRAHAM: Yes, it has certainly been discussed. There is certainly work underway. There is a range of ways this issue might be tackled. It is one of the important election commitments we made, and I look forward to providing further updates.

The Hon. NATALIE WARD: Minister, Mona Vale Road West—are you aware there was a crash on 9 October this year on that section of road involving a learner driver and his mother, where the learner driver was deemed not at fault? On 10 August there was a crash where a couple in their 70s were trapped in their car. Between 2.15 p.m. and 8.15 p.m., road traffic was closed. Thirty-thousand cars a day and you've confirmed that you'll defer this project for two years. Why hasn't funding been allocated in the forward estimates for this project?

The Hon. JOHN GRAHAM: I'm sorry to hear about those particular incidents. It's a reminder of the importance of road safety as people are moving around our network, and I'd urge people to be careful. I think it's quite public, the steps that the Government has taken that have led to the budget decisions. We have kicked the tyres on every single project in the pipeline, under the guidance of Ken Kanofski in the Kanofski review. We have made those decisions in the budget and increased funding across our capital expenditure as a result.

The Hon. NATALIE WARD: But in this project there is no funding. I want you to confirm that that's correct, isn't it? There is nothing in there. Why did you cut it?

The Hon. JOHN GRAHAM: I'd invite you to carefully confirm the details with the officials this afternoon of exactly—

The Hon. NATALIE WARD: I intend to. But it's sad, isn't it—

The Hon. Dr SARAH KAINED: It's post the bell. She does this every time post bell.

The Hon. NATALIE WARD: —when there have been these crashes, that this funding has been cut?

The Hon. JOHN GRAHAM: I reject your assertions, but I do indicate that the Government—

The Hon. NATALIE WARD: About the crashes or the need for funding?

The CHAIR: Order!

The Hon. MARK BANASIAK: I thought the Minister responded.

The CHAIR: Minister, I want to turn to the issue of wildlife strikes on our road, in particular koalas. There has been an extremely concerning increase in the number of koalas killed on roads, particularly over the last 12 months. There are a number of hotspots, as I'm sure you're aware. We have talked about Appin Road in south-west Sydney. There have been 30 koalas killed on that road in the last year. Another hotspot is the Northern Rivers. Between 1 July 2022 and 30 September 2023 Friends of the Koala have reported 102 adult koalas hit by cars on Northern Rivers roads, 35 females, of which 18 had joeys—so, all up, 120 koalas just in that area. These figures are pretty shocking. What are you doing? There's a fact sheet, I understand as well, that Transport for NSW has put out that says that even a small reduction in vehicle speeds can reduce the incidence of vehicle strikes when it comes to koalas and other wildlife. What are you doing to, firstly, stop these strikes in those koala hotspots?

The Hon. JOHN GRAHAM: Firstly, I want to recognise that it is a problem. It's even more of a problem after the losses to koala habitat and the losses of koalas during some of the natural disasters that have gripped the State. It is something, as you know, that has occupied the time of the House, its committees and, I know, Chair, your time. So I want to recognise that there is a serious issue here. It is one of the issues I've been engaged with as Minister. I'll turn to some of the specific areas but, as some examples of the sort of work that has been ongoing, signs—I've had requests from local communities for signage to encourage drivers, particularly during the koala breeding season, to slow down, and we have been working with certain members to do that.

The Government committed, during the election, to trial virtual fencing. There are new technology developments that may provide some assistance here, although the evidence is encouraging but not clear-cut, so it really needs further work. Turning to some of those specifics—and I know you've raised Appin Road before—there is more work to do here. I do want to indicate that it's very complex looking at a road like that. You've got both the wildlife issues, which are significant given the importance of this koala population, but also road safety

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issues. We had a terrible incident there recently with a young boy, which was just heartbreaking. Also, the housing pressures in this area—

The CHAIR: Just to interrupt you, with Appin Road we know that the solution is those two underpasses. Transport for NSW has had this before them for a long time, in discussions with Lendlease. I have spoken with you about this. I have spoken with the environment Minister about this. What is happening in terms of building those two underpasses? That's not to do with road safety. Why the delay?

The Hon. JOHN GRAHAM: This has been delayed for years, and I have indicated my public concern with that. I do think we need to take a step forward. I have received advice from Transport about the next steps. Prior to approving that, it's my intention to have some further discussions with interested parties. I'm open to additional views from yourself or other members. I'm certainly open to additional views from the EDO before I finally—

The CHAIR: Thirty koalas have been killed in the past 12 months. If you wait another six months, it's potentially another 15 koalas; if you wait another year, it's potentially another 30 koalas. Are you comfortable with that? Are you prepared to wait another year and see at least 30 more koalas killed on Appin Road?

The Hon. JOHN GRAHAM: No, I'm certainly not prepared to wait. I would like to see this issue brought to a head. Transport has had its own ecological assessments done in detail. There has been considerable work funded and performed.

The CHAIR: Yes, I'm aware.

The Hon. JOHN GRAHAM: As I understand it, there's still not agreement about the exact path forward. There's still a disagreement in some of that—what's required and may be possible—and I'd like to seek some further external advice before I approve a path forward. Your fundamental question of should we wait—I'd prefer to deal with this sooner rather than later.

The CHAIR: When can it be resolved? When can we expect to have those underpasses and Appin Road made safe?

The Hon. JOHN GRAHAM: I don't want to give a specific time line. It depends on those next couple of discussions to set the direction, and I would like to have those sooner rather than later.

The CHAIR: Will you consider—

The Hon. JOHN GRAHAM: We certainly wouldn't want to wait six months in the way you're—

The CHAIR: There are particular hotspots around the State which are essentially koala kill zones; some are other wildlife kill zones. Wombats, for example, cross particular areas. You see dead wombats in particular places around the State, and it's known that wombats cross there, for example. Will you consider legally reducing the speed in certain wildlife zones around the State? I know that wildlife advocates have been asking this for a long time. We know that it makes a big difference. For example, in the Northern Rivers, there are particular areas where koalas are being killed quite often. Will you consider reducing the speed to make it safer?

The Hon. JOHN GRAHAM: I'm certainly open to doing more work on safety in these wildlife strikes—koalas, wombats, other wildlife. There's a range of factors that come into place when setting speed limits. This should certainly be one of them, but it's also quite a complex process.

The CHAIR: Will you look at it? The data speaks for itself.

The Hon. JOHN GRAHAM: I'm certainly happy to—

The CHAIR: In many countries that happens and in other parts of the country it happens—for wildlife.

The Hon. JOHN GRAHAM: I'm open to views from members on this, and it's certainly an area that we'll do further work on.

The CHAIR: A very different topic now. I've been approached by members of the Indian Sikh community, who have been advocating for the ability to ride motorcycles without the requirement to wear helmets because of the turbans that Sikh men wear. Some of them are unable to ride a motorcycle because of their faith. Do you know about this issue, and will you meet with them to discuss this issue? They're asking for an exemption. New Zealand does it. Other jurisdictions do it. Many overseas countries do it. Would New South Wales also consider it?

The Hon. JOHN GRAHAM: I'm certainly happy to meet and discuss this issue some more. I can understand the point that's being made. It's not something that I have particularly had drawn to my attention in my time as Minister, but I am aware that in other areas of the law in New South Wales these distinctions are made for

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particular communities or religious views, and that includes for the Sikh community. I'm certainly open to discussing this some more.

The CHAIR: Would you meet with members of the Sikh community to discuss the issue?

The Hon. JOHN GRAHAM: Yes.

The CHAIR: Excellent. I wanted to turn to the Business Improvement Districts. Is there any difference between Business Improvement Districts and what I think is now Community Improvement Districts? Are they the same thing?

The Hon. JOHN GRAHAM: They're substantially the same thing. I want to recognise this was an agenda that originally Minister Stokes was advocating for, and he had the strong support from me as a member of the Opposition as an Opposition shadow Minister at the time. Work has progressed since then. This shows big potential to working with the precinct strategy that the Government is driving. It has been renamed. Perhaps the simplest way to describe it is that it now describes what is being built—that is, a community—rather than who is doing the building: business. I think that's important as part of the overall policy focus of the Government. We're recognising these districts are about small businesses and businesses in a community self-organising to improve their community.

The CHAIR: When you're saying small businesses—the New Sydney Waterfront Company is hardly small business.

The Hon. JOHN GRAHAM: You're entirely correct to pick me up there, Chair—both small and big businesses. It's going to vary from place to place. The Government is looking at a model which suits not just the—I'm aware of that particular proposal around the west harbour, but it has also got to suit towns and suburbs right across the State.

The CHAIR: In relation to the Business Improvement District that is now called—it was the Sydney Western Harbour Business Improvement District; I think it's the New Sydney Waterfront Company. On their website, they have a number of different working groups that they have established. These companies are The Star Casino, Crown Casino, Accor health group, Mirvac, Business Sydney and a number of different big companies. One of the groups is the precinct corporate affairs group, and one of their functions is "providing input and expertise to secure a positive BID ballot outcome in 2025". What's that ballot outcome?

The Hon. JOHN GRAHAM: I would be speculating but I'm happy to speculate, to be of assistance. I think the next step is that the Government is going to set up a framework. We'll go shortly to an exposure draft for how this might work. I assume that is referring to a ballot process that might take place, if we set up a framework, where businesses in the area would vote whether to have this in place or not.

The CHAIR: This suggests that that ballot is occurring.

The Hon. JOHN GRAHAM: It couldn't occur within a legislative framework till the Government changes the law. Certainly, that group is advocating to government—and it did to the former Government and also to us—that we should set up this sort of structure to allow such a ballot to take place. That hasn't yet occurred, but we'll certainly be consulting. My concern, though, is we've got to have a model that suits what you're describing as probably the bigger end of town, as well as small communities.

The CHAIR: We'll come back to that.

Ms ABIGAIL BOYD: I'm just going to ask you a few questions in the arts. In relation to South by Southwest, how much did Destination NSW or Treasury or government contribute to that?

The Hon. JOHN GRAHAM: The tradition has been that these amounts are commercial-in-confidence, and that is important to how these deals are struck. I have sometimes found that pretty frustrating, in opposition. I wouldn't mind if there's some more broad transparency about how this is dealt with. I haven't really had time as Minister to turn my mind for a framework for that. But it is commercial-in-confidence. That's the short answer.

Ms ABIGAIL BOYD: Understood. Do you know if the event broke even?

The Hon. JOHN GRAHAM: I don't know what the financial arrangements are. It's potentially a long-term deal for the State, and that was one of the reasons why I am supportive of it. It was a very positive first year that saw a range of creative industries come together. What I'm interested in is to see how this grows over time and we evolve our own version of this event.

Ms ABIGAIL BOYD: I might ask more questions in detail about that in supplementary questions.

The Hon. JOHN GRAHAM: Great.

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Ms ABIGAIL BOYD: Are you aware of the proposal to build an Indigenous cultural centre called Buruk in the Cutaway at Barangaroo, which was scrapped by the former Coalition Government a couple of years back?

The Hon. JOHN GRAHAM: Yes, I'm aware of the project.

Ms ABIGAIL BOYD: Do you have any plans to fund that?

The Hon. JOHN GRAHAM: This is a really important issue for New South Wales. Refurbishment of the Cutaway is unfolding, so that space will be upgraded. There have been advocates of the use of that space in the way you're describing, and I have certainly met with them previously. The former Government also talked about the Museum of Sydney being a place that might be particularly important as an Indigenous cultural centre. The steps we're working through are first to get in place this overall arts policy, but I would regard it as a really important question for New South Wales to resolve what I feel is an obvious gap in the cultural infrastructure and offering of the State.

Ms ABIGAIL BOYD: I understand that Infrastructure NSW lodged a DA earlier in the year, I think, prior to the election—yes, it was 2 March of this year at that Buruk site—and that that had a lot of criticism from First Nations leaders at the time. As you say, we don't have any commitment for funding in the budget for an Indigenous cultural centre at the Museum of Sydney either. Are there actual concrete plans to fund a dedicated Indigenous cultural centre?

The Hon. JOHN GRAHAM: I'm agreeing with you about the need. I'm setting out the steps. We want to get the policy in place first. I think it's also important that this discussion isn't rushed. I think there's an obvious need, but it's really important that we move through this really carefully.

Ms ABIGAIL BOYD: In relation to the 2019 Buruk proposal, there was an all Indigenous taskforce that was created to lead it. Will you commit to ensuring that any project for an Indigenous cultural centre in Sydney will be led by First Nations leaders?

The Hon. JOHN GRAHAM: I think this has got to be deeply engaged with the Indigenous community. It simply won't work if it isn't so. I don't have a particular model in mind. I'd want to consult some more on that. That work is yet to really begin in earnest, is the really the best update I can give you today. Following the policy, it's one of the obvious things that the Government but also the State and city need to turn to.

Ms ABIGAIL BOYD: But in principle you would agree that this needs Indigenous—huge amounts of not just consultation but leadership—involvement in the project?

The Hon. JOHN GRAHAM: The need is there. I think the opportunity will only be realised if this discussion is led by the Indigenous community.

Ms ABIGAIL BOYD: I've heard a lot from the arts industry and various stakeholders—they call it, I think, the cultural efficiency dividends or cultural efficiency. I can't remember. Basically, it's the idea of imposed efficiency dividends on cultural institutions. I understand that was potentially something that happened under the last Government. Under the current Government, are you imposing efficiency dividends on cultural institutions?

The Hon. JOHN GRAHAM: For the technical description, I might turn to the secretary. I will give you a couple of facts. I'm really pleased in the budget that we're able to see funding for Create up prior to the pandemic, for example, to 11 per cent and Destination NSW with its second highest funding ever since that organisation was created. We've also seen increases to the cultural institutions since those pre-pandemic days. I have talked about the State Library before, and it's true of a range of the other cultural institutions. I want to be careful about the specific budget language you're using. I'm happy to either turn to the secretary now or in the later session.

Ms ABIGAIL BOYD: I'm interested in this efficiency dividend. I understand it's been applied in previous years. Is it still being applied?

ELIZABETH MILDWATER: It probably is a longer answer because there's different budget approaches for different institutions this year. I think the Minister has outlined that the budgets are actually higher than in the past but, in terms of those line items, there's different ones for different institutions.

Ms ABIGAIL BOYD: Minister, I've been increasingly concerned by what appears to be—and it definitely started before your time, under the previous Government—a real drive on cultural institutions, whether it's everything from the Domain to the Art Gallery, basically having their funding cut with an expectation that they then go to the corporate sector and effectively privatise spaces and events in order to make up that funding shortfall. The Art Gallery of NSW has seen cuts of \$30 million, and I understand the budget was tight. I understand also that the Art Gallery has been set a target amount to raise from certain funds. Can you talk me through what

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your approach is to our cultural institutions and how we ensure that the budget cuts don't lead to an exclusion of the public from these places in favour of private?

The Hon. JOHN GRAHAM: I think you're entitled to draw attention to those pressures, and they have been pressures on each of those institutions. I do want to recognise the former Government and former Ministers for the support they provided to those institutions. It's also true that there's been significant support, crucially, and the Opposition really supported this support over COVID. Those organisations, particularly other small grassroots arts organisations, simply wouldn't have got through the pandemic without government support. When we look at the support now, as the COVID support washes out, it's true that funding is up for each of those institutions, in my view. The secretary can take you through the detail. But there are those pressures there. I have seen them for myself. I don't want a creeping privatisation through those pressures. That's a clear view from the Government. The way we're tackling this is to move through the policy. That policy will acknowledge the key role that our cultural institutions play. And then I think we need to have a discussion about how we source funding for the broad creative industries in New South Wales. That's certainly a discussion I would invite.

Ms ABIGAIL BOYD: Has the Government issued any—or are you aware of any that have been issued in the past—guidelines that ensure that we still have certain levels of public involvement and public access to these sorts of institutions? I'm sure you can acknowledge that the dangers of too much private funding can lead to things being ticketed that weren't before and institutions being booked out for private functions for more than is acceptable. Are there guidelines to make sure that doesn't happen?

The Hon. JOHN GRAHAM: One of the key budget decisions was—and I thank the Treasurer for this—that we have maintained free entry to our cultural institutions. That would have applied to some but not all, had that decision not been made. It was one of the benefits of that COVID moment, to see that extended by the former Government. To me, that's just so important. It can actually change people's lives to have access to that.

Ms ABIGAIL BOYD: I agree with you and that's great, but also often these institutions then get closed or the public can't access them even if it is free. Are there guidelines or would you be prepared to look into putting out guidelines to ensure that that doesn't happen?

The Hon. JOHN GRAHAM: I think the issue you're drawing attention to is a really important one. I'm acknowledging the pressure. I'm not certain if guidelines are the right way to tackle it. I have found these individual cultural institutions free spirited, as they should be, and not always open to central government guidelines. But I think it's an important discussion to have with the cultural institutions. I recognise the issue you're addressing.

Ms ABIGAIL BOYD: Where are we up to with the progress on giving an Indigenous name to the Art Gallery of NSW new modern wing?

The Hon. JOHN GRAHAM: As I think members would be aware—and this has been quite public—that is the aspiration. It's still the new Government's aspiration. The former Minister put in place a process. There were some changes along the way as part of that process, and I feel like he dealt with that very appropriately. We're still moving towards that. There's not a time line confirmed for it. It is important. It is also important not to rush these, but I can confirm it is still the Government's aspiration.

The Hon. SARAH MITCHELL: Minister, did you have any conversations with your Federal counterparts in relation to the decision to deny Qatar Airways' request for additional flights into Australia?

The Hon. JOHN GRAHAM: I don't recall having any discussions about this with my Federal counterparts. Obviously, it's been quite a big issue in the Federal Government in relation to the airline sector. I have certainly spoken to industry about it. But, as you will have noted, I haven't particularly intervened publicly in what is a Federal Government issue.

The Hon. SARAH MITCHELL: But you don't recall making any representations or having discussions about that?

The Hon. JOHN GRAHAM: I can't recall so.

The Hon. SARAH MITCHELL: Could you take it on notice and see whether you have?

The Hon. JOHN GRAHAM: Yes, I would be happy to take it on notice.

The Hon. SARAH MITCHELL: Just quickly, Minister, can you tell me how many applications received funding under the Regional Event Fund?

The Hon. JOHN GRAHAM: How many—

The Hon. SARAH MITCHELL: How many projects received funding?

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The Hon. JOHN GRAHAM: I'd prefer to take that on notice. I'd be happy to take that on notice.

The Hon. SARAH MITCHELL: While you're doing that, could you also take that on notice for the Tourism Product Development Fund?

The Hon. JOHN GRAHAM: Yes.

The Hon. SARAH MITCHELL: The Nature-Based Visitor Experience Development grants?

The Hon. JOHN GRAHAM: Yes.

The Hon. SARAH MITCHELL: And also the incubator stream of the Regional Event Fund?

The Hon. JOHN GRAHAM: Yes.

The Hon. SARAH MITCHELL: Do you know if any applications have been successful under those four programs?

The Hon. JOHN GRAHAM: Yes, I could give you some details of that perhaps on notice. But I might give you one example. Some quick background, without taking too much time. These programs were underway but in the current budget environment I didn't feel like I could approve all of those programs. In that Regional Event Fund I did approve the highest rated project, which was support for Primex. I didn't feel in the current budget environment, given what else was going on, I could approve all of these funds, but I'd be happy to supply details on notice.

The Hon. SARAH MITCHELL: If you took it on notice, that would be great.

The Hon. JOHN GRAHAM: Yes, of the number of applicants and the funds?

The Hon. SARAH MITCHELL: Number of applicants and successful applications in each of those four would be great.

The Hon. JOHN GRAHAM: Yes, I would be happy to do that.

The Hon. DAMIEN TUDEHOPE: Minister, I just want to come back to the document that we now understand does exist, but I expect to find that document amongst the documents contained in the order for papers which have been ordered by the SO 52?

The Hon. JOHN GRAHAM: I can't confirm whether it's in there or not. What I can confirm is the Government's view, which is you've asked a sensible question. I have indicated that issue is covered. I think it would be reasonable for the Government to make available to members the paperwork that covers off that assurance and I'll commit to doing so.

The Hon. DAMIEN TUDEHOPE: You can't certify here and now whether that document is amongst the papers?

The Hon. JOHN GRAHAM: I'm simply not aware.

The Hon. DAMIEN TUDEHOPE: Can I ask you this: I also asked for you to confirm whether the Ryde commitment was confirmed in the Local Small Commitments Allocation. You said you'd take that. Why can't you provide that this afternoon? You have that list available to you.

The Hon. JOHN GRAHAM: As I understand, I have taken that on notice. I'm happy to do so in the ordinary way.

The Hon. SARAH MITCHELL: It takes a couple of weeks to look at a list, does it?

The Hon. JOHN GRAHAM: I haven't had that project come to me with any paperwork, so I simply don't have the paperwork from—

The Hon. DAMIEN TUDEHOPE: Why does it take two weeks to do that?

The Hon. JOHN GRAHAM: That's the ordinary—look, it's upsetting—

The Hon. SARAH MITCHELL: You could do it sooner.

The Hon. DAMIEN TUDEHOPE: You could do it this afternoon, Minister.

The Hon. NATALIE WARD: Bring it after lunch.

The Hon. SARAH MITCHELL: What are you hiding? We'll come and get it.

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The Hon. JOHN GRAHAM: I know it's half-time and we've changed sides. I know it's upsetting, but we will use the usual process—

The Hon. NATALIE WARD: We'll come to 52 and collect it.

The Hon. JOHN GRAHAM: —of responding to questions on notice.

The Hon. SARAH MITCHELL: Damien will personally come and collect it.

The Hon. DAMIEN TUDEHOPE: I'll come and see you.

The Hon. NATALIE WARD: He'll come to 52. He knows where it is. He'll come pick it up.

The Hon. JOHN GRAHAM: It's a generous offer.

The Hon. DAMIEN TUDEHOPE: You know where it is.

The CHAIR: Order! One or two more questions. Minister, I am just wondering if we could go back to the Business Improvement Districts discussion. I understand that this group, New Sydney Waterfront Company, which has Crown Casino, The Star casino, UTS, Business Sydney, Powerhouse, Mirvac, Sydney Fish Market and others as board members, are advocating for a positive Business Improvement District ballot outcome in 2025, that they're advocating within government to secure a positive business—What does that mean? What is the ballot?

The Hon. JOHN GRAHAM: I believe what that's referring to is a ballot under this scheme. How this works in other jurisdictions is if you're setting up a Business Improvement District you might have a vote of the businesses to say, "Look, we do want to set up this scheme. We'll all contribute." There are various ways that's structured, and that's one of the requests from this group, amongst others: Could we set up that sort of approach in New South Wales? The way the Government will deal with that is carefully we'll put out an exposure draft of the approach that might work. I want to know—

The CHAIR: What are they voting on in terms of the ballot? What are they voting on?

The Hon. JOHN GRAHAM: It varies from jurisdiction to jurisdiction. But, essentially, you're voting on whether or not a district will be established and whether or not businesses would contribute to the projects that might flow from that.

The CHAIR: Who takes part in that ballot?

The Hon. JOHN GRAHAM: It varies from scheme to scheme. I don't have a view about how that would necessarily work in New South Wales, but you would be entitled to ask about that exposure draft this afternoon and we could probably get you some information. That exposure draft will go out, will have full consultation, and I have told you my priority, which is I want to make sure this works for a group like that but also for smaller communities.

The CHAIR: And have these businesses, as part of this group, the New Sydney Waterfront Company, met with you to advocate for this ballot to take place?

The Hon. JOHN GRAHAM: I have certainly met with them, and I have met with other groups who are interested in these potential arrangements. That's why we're going out to an exposure draft about this. This is potentially—

The CHAIR: Potentially, for example, the way in which the precinct operates, regulations, in terms of a ballot outcome?

The Hon. JOHN GRAHAM: No, I wouldn't say that. This is complex. But we're looking at a precinct-based approach in government. You know that's the case. Government will deal with regulation. It helps if actually businesses in the areas are organised as well. That's happening in a range of ways. There's some good 24-hour economy programs, for example, helping fund businesses to get organised. This is a much more developed model that works overseas, including in the UK, the US, other countries. We're looking at whether it might apply in New South Wales.

The CHAIR: It was done, as you said, under the former Coalition Government and it is giving these businesses a greater say in what happens in the area, including, as I said, companies like The Star and Crown Casino. What exactly do they need to vote in?

The Hon. JOHN GRAHAM: It's the businesses getting organised themselves. It varies place to place, but voting about the terms and conditions on which they organise themselves is the shortest way I can describe it.

The CHAIR: There's a bit more to it I think. Questions from Government members? No? Thank you very much, Minister, for appearing today.

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The Hon. JOHN GRAHAM: Thank you.

The CHAIR: The other witnesses know that we will come back at two o'clock for our afternoon session with the officials.

(The Minister withdrew.)

(Luncheon adjournment)

Ms SUSAN CARROLL, Chief of Staff, Transport for NSW, on former oath

Dr MICHAEL BRAND, Director, Art Gallery of NSW, affirmed and examined

Ms LISA HAVILAH, CEO, MAAS Trust, affirmed and examined

Ms MARY DARWELL, Interim CEO, Museums of History NSW, sworn and examined

Ms EMILY COLLINS, Interim Head, Sound NSW, affirmed and examined

Ms SALLY WEBB, Acting Deputy Secretary, Safety Environment, Transport for NSW, on former affirmation

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

The CHAIR: Welcome back from the lunch break. We will go straight to questions from the Opposition.

The Hon. NATALIE WARD: Welcome back, Ms Carroll. Thank you for your assistance today and this afternoon, and all of your hard work. You are a long-standing public servant. That is right, isn't it?

SUSAN CARROLL: Yes, it is.

The Hon. NATALIE WARD: I won't ask how many years, but it is well established that you have experience in this role. I wanted to put some questions to you in relation to this transition office issue. Just summarising your evidence from yesterday, and it will lead further into Transport—

The Hon. ANTHONY D'ADAM: Point of order: This is the budget estimates into the Roads portfolio. It is not a budget estimates into the broader Transport portfolio. Questions relating to matters that don't pertain to Roads are out of scope.

The Hon. NATALIE WARD: Chair, I would submit that this is Transport. It is leading on from evidence that relates to the Transport portfolio, which Roads is part of in the cluster. I am actually trying to assist, because there were some media reports this morning that I think are incorrect. I am asking Ms Carroll potentially if she would like to correct those and get some clear evidence for this Committee. I think that it's only procedural fairness to do so, and it arises out of the evidence that's been given. I think it's only fair this Committee has the fulsome evidence.

The Hon. ANTHONY D'ADAM: To the point of order: The opportunity to correct evidence is when we call supplementary estimates hearings on the Transport portfolio. That would be the chance where those issues can be addressed. That's the appropriate forum.

The Hon. NATALIE WARD: Can I add one more thing, Chair?

The CHAIR: One more.

The Hon. NATALIE WARD: The transition office affects the Roads portfolio directly.

The CHAIR: On that basis I won't uphold the point of order, but I will say to the member I will uphold part of the point of order. This session is not to correct records from previous sessions, but, if it's in relation to the broader Transport portfolio, you are entitled to ask questions.

The Hon. NATALIE WARD: Thank you. It's in relation to the transition office, Ms Carroll, which affects Roads as well, and a media report this morning. Just going on from that, there were some concerns raised and legal advice obtained. We've established that. That is not in dispute. That's correct, isn't it?

SUSAN CARROLL: That's correct.

The Hon. NATALIE WARD: Regarding a direction from Minister Haylen's chief of staff to employ a person in the position of executive director for the transition office—

The Hon. Dr SARAH KAINE: Point of order—

CORRECTED

The Hon. NATALIE WARD: It is not in dispute.

The Hon. Dr SARAH KAINE: It is in dispute, because that's a mischaracterisation of the evidence that we received yesterday about a direction or no direction. In fact, we received evidence from several of the witnesses that there wasn't a direction.

The CHAIR: I'll remind the member that this is budget estimates for the roads Minister, and questions really do need to pertain to what is within the roads Minister's ambit. She was just referring to something that happened in Minister Haylen's remit. That isn't in order for this Committee.

The Hon. NATALIE WARD: Thank you. Ms Carroll, *The Daily Telegraph* reported this morning regarding the transition office that:

Former point to point transport commissioner Barbara Wise was initially appointed, before a proper recruitment process took place. The Telegraph understands Ms Wise was not the name put forward by Ms Haylen's office.

Is that correct, that media report?

The Hon. ANTHONY D'ADAM: Point of order: You are flouting the ruling of the Chair. You are again asking a question relating to the operation of Ms Haylen's office, the Minister for Transport, and not the Minister for Roads.

The CHAIR: I will uphold that point of order. We have the option to do a supplementary budget estimates hearing for the portfolio that we heard two days ago. I will urge the member, if she does have questions for this witness, that they do need to be relevant to Minister Graham's portfolios and his department.

The Hon. NATALIE WARD: Thank you. Ms Carroll, in relation to the transition office and the Roads portfolio, is the transition office a division of Transport for NSW?

SUSAN CARROLL: We wouldn't characterise it as a division. It is a program management office that has been set up for a finite period of time.

The Hon. NATALIE WARD: So the transition office was set up as a program office within Transport for NSW? That's correct?

SUSAN CARROLL: That's correct.

The Hon. NATALIE WARD: Does that have remit across Roads?

SUSAN CARROLL: The transition office has supported a number of reviews, which have included some relating to the Roads portfolio.

The Hon. NATALIE WARD: In relation to the Roads portfolio and the transition office, which has some effect on the Roads portfolio, can I ask these questions? I am not seeking to recharacterise any evidence from yesterday; I am simply seeking to understand these things. We have established that it is related. It's a program office, otherwise called a transition office, which has been set up in this cluster. *The Daily Telegraph* reported that former point to point transport commissioner Barbara Wise was initially appointed before a proper recruitment process took place. It understands that Ms Wise was not the name put forward by Ms Haylen's office. Without naming the person, is that report—on the public record—correct?

SUSAN CARROLL: My evidence the other day was that the request that was made of the secretary at the meeting that I was at, the name was not provided on that occasion, so I cannot answer your question in that respect. A name was subsequently put forward whereby the former secretary made an appointment following inquiries.

The Hon. NATALIE WARD: So there was not only the name of Ms Wise. Is that correct?

SUSAN CARROLL: I'm not in a position to answer that question definitively because the individual that was originally suggested, the name was not provided. It may well have been the officer. I can't answer your question definitively.

The Hon. NATALIE WARD: Alright. I think we're there. I just wanted to be able to understand whether your perspective was whether that was correct or not in relation to this transition office. So the name was provided by the deputy chief of staff? Is that correct?

SUSAN CARROLL: The then deputy chief of staff.

The Hon. NATALIE WARD: The then deputy chief of staff provided the name to you of the person—

SUSAN CARROLL: Correct.

CORRECTED

The Hon. NATALIE WARD: —suggested for this role.

SUSAN CARROLL: Suggested for this role.

The Hon. NATALIE WARD: Was that person ultimately put into the first position or the subsequent after the recruitment process position?

SUSAN CARROLL: That name I shared with the former secretary. THE secretary made inquiries. The secretary then made a decision to put that officer into the role in an acting capacity until such time as the recruitment process concluded.

The Hon. NATALIE WARD: Did you have concerns about that name?

SUSAN CARROLL: I did not.

The Hon. NATALIE WARD: Did you have concerns about any of the names put forward, any of the suggested people for that role?

SUSAN CARROLL: No, I did not. I should be clear, there was only one name suggested by the Minister's office.

The Hon. NATALIE WARD: By the deputy chief of staff?

SUSAN CARROLL: That's correct.

The Hon. NATALIE WARD: There were not other suggestions and early on prior to that time?

SUSAN CARROLL: No, there were not.

The Hon. NATALIE WARD: Are you sure about that?

SUSAN CARROLL: Yes.

The CHAIR: I'll advise the member that the questions are becoming very specific to a Minister—

The Hon. NATALIE WARD: That's fine. I'll move on.

The CHAIR: —that is not part of this hearing today, so if she could make sure that the questions are relevant to the roads Minister.

The Hon. NATALIE WARD: Can I ask, then, across the portfolios and this portfolio, whether there were requests from other ministers or this Minister in the Roads portfolio for specific people to be placed either as DLOs or as senior public servants?

SUSAN CARROLL: No, there were no specific requests. The department went through the ordinary processes for the appointment of the DLOs.

The Hon. NATALIE WARD: Do you have any knowledge of requests from Ministers, or this Minister, to be involved in the recruitment of senior public service positions?

SUSAN CARROLL: No, there is no suggestion of that.

The Hon. NATALIE WARD: Perhaps to you or to any other relevant person, do you have knowledge or awareness within your purview of any other requests being made across other ministerial offices or this office for specific people to be placed into senior public service roles or the transition office role?

SUSAN CARROLL: I do not.

The Hon. NATALIE WARD: Was Kieren Ash one of the names that was raised?

SUSAN CARROLL: For the executive director role?

The Hon. NATALIE WARD: Yes.

SUSAN CARROLL: Not to my knowledge.

The Hon. NATALIE WARD: Was he suggested for any other Transport roles?

SUSAN CARROLL: The initial communication from Mr Ash's direct line manager to me suggested a transition office role. There was no communication to that effect to me from any of the ministerial offices.

The Hon. NATALIE WARD: Sorry, could you say that again? I just didn't hear the end. Sorry, it was very soft.

CORRECTED

SUSAN CARROLL: There was no communication of Mr Ash's name to me from any of the ministerial offices other than for the DLO role.

The Hon. NATALIE WARD: Are you aware of any communication to Transport or the former secretary about that name?

SUSAN CARROLL: As I indicated, the only other reference I have in relation to that officer was a text message from that officer's line manager to me, which, to my knowledge, never eventuated.

The Hon. NATALIE WARD: Yes, but there was a text message earlier on concerning an indication that a person would be requested.

SUSAN CARROLL: That officer. That officer was named in that text message.

The Hon. NATALIE WARD: I might go to the Arts in a moment. Finally on this, prior to last week did you have any knowledge or awareness of Transport for NSW engaging with the Public Service Commissioner in relation to the DLO request or requests from Ministers to be involved in the public service recruitment process?

SUSAN CARROLL: Can you repeat your question for me?

The Hon. NATALIE WARD: Prior to last week did you have any knowledge or awareness of Transport for NSW engaging with the Public Service Commissioner regarding DLO requests or requests from Ministers or ministerial offices to be involved in the selection or recruitment of executive positions?

The Hon. BOB NANVA: Point of order—

The Hon. NATALIE WARD: I'll finish on this.

The CHAIR: A point of order has been taken.

The Hon. BOB NANVA: To ensure the question is relevant to the terms of reference of this inquiry, could Ms Ward make clear the relevance of the question to the extent of this portfolio Minister?

The CHAIR: Yes, or cease the line of questioning.

The Hon. NATALIE WARD: Yes. That was my last question. The transition office relates to the Roads portfolio. I'm clarifying the evidence about that and in relation to staff knowledge.

The CHAIR: As long as that is happening, as opposed to what happened with the transport Minister.

The Hon. NATALIE WARD: Yes, I think we have established that.

SUSAN CARROLL: Can I just be clear that there was no involvement by this portfolio Minister or his office in relation to this matter, just for clarity. Yes, I am aware that there was engagement with the Public Service Commissioner.

The Hon. NATALIE WARD: I just wanted to clarify that with you. I think we heard from the Minister to that extent but I just wanted to clarify that, given the media this morning.

The Hon. SUSAN CARTER: Dr Brand, I wonder if I could ask you some questions, please? If you could come forward. I refer you to page 8.8 of the *Agency Financial Statements* for 2023-2024, which outlines the gallery's operating statement. Can I just confirm that the item "funding distribution from the department" is your principal recurrent funding from the State budget?

MICHAEL BRAND: I'm not sure I have that. I've got 8.1. I don't think I've got 8.8.

The Hon. SUSAN CARTER: I apologise if my reference is wrong. Can I just anyway confirm that the item "funding distribution from the department" is your principal recurrent funding from the State budget?

MICHAEL BRAND: Our budget is very complicated, I'm afraid to say. It's a mixture of private and public funding, and it fluctuates from year to year between sort of recurrent operating expenses, capital expenses, maintenance and also because we've just had the Sydney Modern project, which has brought capital in. So the numbers are quite hard to tie down.

The Hon. SUSAN CARTER: I understand all that, and we're trying to unpack them at the moment. In terms of recurrent funding from the State budget, that would be the item described as "funding distribution from the department". That would be where we would find your recurrent funding from the State budget, understanding there will be funding from other sources.

MICHAEL BRAND: The line you're referring to is the one where it says 71 million last year and 40 million this year. Is that correct?

CORRECTED

The Hon. SUSAN CARTER: Yes, so in 2021-22 the funding distribution from Department of Premier and Cabinet was approximately \$39.5 million. Does that sound right?

MICHAEL BRAND: That sounds about right, but on this page I can only see 2022-23.

The Hon. SUSAN CARTER: Apologies. Because then in the following year, it virtually doubled in size—

MICHAEL BRAND: Correct.

The Hon. SUSAN CARTER: —to 71.069 million, which was an increase in funding secured by the Minister. But, as you've indicated, it has gone down in this budget to 40.62 million. That's correct?

MICHAEL BRAND: Correct.

The Hon. SUSAN CARTER: That's quite a drop, isn't it?

MICHAEL BRAND: It is, but it isn't exactly what it—

The Hon. SUSAN CARTER: A 40 per cent drop, I think. Would that be correct? A 40 per cent drop in the Art Gallery's recurrent funding from the State Government?

MICHAEL BRAND: Yes, it could look that way but it's actually not that way. The thing with the \$71 million—

The Hon. SUSAN CARTER: So it's 40 per cent but it's not 40 per cent?

MICHAEL BRAND: I got a few condolence calls that morning when people thought that's what it meant—

The Hon. SUSAN CARTER: I can imagine!

MICHAEL BRAND: —but then I sort of had to recalibrate myself. But, in actual fact, what it is is the \$71 million also includes a number of one-off expenses. For example, there's \$17 million—

The Hon. SUSAN CARTER: So the \$71 million, you're arguing, was a one-off increase to meet temporary requirements only, bearing in mind that the Art Gallery has almost doubled in size?

MICHAEL BRAND: The \$71 million was the year FY23 in which we opened the new building, in December, so that year we operated the expanded campus for half the year. But in that \$71 million, for example, the biggest change above the 40-odd is \$17 million, which is re a short-term cash facility. Because of the private capital campaign donations coming in, which are pledged over multiple years, it covers the last two years of those pledges coming in. So it's really like a—

The Hon. SUSAN CARTER: So the Government doesn't need to fund you because of the success of the private capital campaign. Is that what I'm hearing?

MICHAEL BRAND: The Sydney Modern Project was funded basically as a public-private partnership: \$244 million from the State and then the deal was that we would raise \$100 million privately, which we did do. But that \$100 million—the pledges came in over a number of years.

The Hon. SUSAN CARTER: But, Dr Brand, you're talking about capital funding.

MICHAEL BRAND: Correct.

The Hon. SUSAN CARTER: And I'm talking about recurrent funding.

MICHAEL BRAND: Yes.

The Hon. SUSAN CARTER: So increased recurrent funding to pay the ongoing needs of the almost doubled-in-size Art Gallery.

MICHAEL BRAND: Yes.

The Hon. SUSAN CARTER: If I buy a house that's twice as big, my electricity bill doubles. If I have an art gallery that is twice as big, what happens to my recurrent costs?

MICHAEL BRAND: That is what we are currently discussing with the Minister and the department.

The Hon. SUSAN CARTER: You would agree that the recurrent funding has been reduced from the previous year to a number comparable to running a gallery half the size of the current gallery?

CORRECTED

MICHAEL BRAND: I'd say that it hasn't been reduced. The basic sort of baseline operating expenses or recurrent funding is about the same if you take away things like the—

The Hon. SUSAN CARTER: Sorry, can you take me through the maths? Because \$71 million and \$40.6 million—

MICHAEL BRAND: I know, it doesn't look good, but it's—

The Hon. SUSAN CARTER: I make no claims to be a mathematician, but I believe that \$71 million is a lot more than \$40.6 million.

MICHAEL BRAND: True.

The Hon. SUSAN CARTER: It's hard to argue that that is comparable funding.

MICHAEL BRAND: Yes, but if I can go through the numbers again a little bit. The \$71 million for FY23—you take away the \$17 million, which is a short-term loan facility, basically, as the final two years of capital campaign donations come in. So we pay that—that was provided to us—

The Hon. SUSAN CARTER: I'm sorry, there was a short-term loan facility as part of recurrent funding?

The Hon. Dr SARAH KAINE: Point of order—

MICHAEL BRAND: No, it's not.

The CHAIR: A point of order has been taken.

The Hon. Dr SARAH KAINE: I note the questions from the Hon. Susan Carter and appreciate them, but we haven't really been affording the witness the opportunity to answer. There has been quite a barrage of questions.

The CHAIR: I don't uphold the point of order because, for the main part, the witness has been able to respond. And you are seeking more information, but just hear the general sentiment of trying to allow the witness to finish what he is contributing.

MICHAEL BRAND: I appreciate the attempt to try to—these figures are complex. The \$71 million last financial year includes \$17 million of the short-term cash facility. There was a COVID-related recovery payment. There were also some Sydney Modern Project disruption costs. If you take those away, you're down to about \$43 million, which is similar to what, in actual fact, this year's operating budget is. But, agreed, last financial year we only operated the expanded campus for half the year.

The CHAIR: I just want to see whether somebody is able to answer some questions that I have regarding the Heathcote Road Bridge widening project. Is that too specific, or does somebody know the detail of that?

CAMILLA DROVER: Is that the Woronora bridge project?

The CHAIR: Heathcote Road Bridge is what I have.

The Hon. Dr SARAH KAINE: It's different.

The CHAIR: What I understand is that Heathcote Road—and this is about koala deaths as well—is a known vehicle strike hotspot for koalas. It is the bridge over the Woronora River. The review of environmental factors for that bridge-widening project noted potential threats to koalas and said that it could be mitigated, providing safeguards and management measures are implemented. I wanted to know whether there were any of those mitigation measures put in place to reduce the vehicle strike as a result of that work, including things like fencing to keep koalas off the road. Do you know the detail of that project?

CAMILLA DROVER: Yes, that project was completed in August this year. It was open to traffic much earlier, in March this year, and my understanding is, yes, there were measures put in place as part of that project to protect the koala population. I can take on notice exactly what those measures were—fencing et cetera. Hang on, my colleague has got that for me, but, yes, there was koala exclusion fencing put in place.

The CHAIR: Any other suggested mitigation?

CAMILLA DROVER: Yes, there's also new koala fencing either side of the bridge to help direct koalas away from the bridge and under the bridge, and to support the connectivity of the koalas across the Woronora River.

The CHAIR: I might put more detailed questions about that in as supplementary questions.

CORRECTED

CAMILLA DROVER: We also have put up six permanent signs to warn motorists of the potential for koalas in the area.

The CHAIR: So, those signs, as I understand—this is going to the question I asked the Minister earlier—would they be just general signs with koalas or whatever on them, just indicating that koalas are in the area, as opposed to signs that request that drivers reduce their speed at all?

CAMILLA DROVER: We've got electronic variable message signs. I think we've also got general signs as well. No, sorry, the six permanent signs are your standard signage, but I understand in the summer months, when it is the koala breeding season, we also put up variable message signs in addition to those six permanent signs.

The CHAIR: And the variable message signs, I take it, are just asking drivers to proceed with caution or something?

CAMILLA DROVER: Yes.

The CHAIR: Do you know what they say? But, again, it is not reducing the speed limit in terms of requiring drivers to reduce their speed.

CAMILLA DROVER: Yes, just awareness that koalas may be in the area and for motorists to take precautionary measures.

The CHAIR: Can I just ask on this issue, more broadly, what has taken place within the department in recent times—in the last six months to a year, say—in terms of developing advice or doing research on how to reduce wildlife death on roads, particularly in relation to recommended speed limit reductions?

CAMILLA DROVER: I might pass to my colleague, Ms Mares, who's got some information on that, because I've only got information on that particular Woronora bridge project.

TRUDI MARES: Probably specific to Appin Road, but certainly when we're conducting the review of environmental factors or looking at speed zone reviews, wildlife population is considered in the speed zone review itself. For Appin Road, in particular, for one section—because there are three sections of upgrade there—the Brian Road upgrade, there is a recommendation in the REF to extend the lower speed limit, so that wildlife protection has been taken into consideration along with other road safety criteria. More broadly, around the policy for reviewing speed zones, I would probably have to refer to Ms Webb or Mr Carlon, but I know that it is a criteria in all of our speed zone reviews where there's a wildlife population.

The CHAIR: Can you take on notice how many areas in the State have speed zones specifically reduced to cater for wildlife?

TRUDI MARES: I can check that, yes.

The CHAIR: I can't think of any myself, to be honest.

TRUDI MARES: That Brian Road one, I know. But I can check for others.

The CHAIR: Moving on to a completely different issue now, I've got a question about the tendering for a couple of properties that were compulsorily acquired on Lilyfield Road, Rozelle. There was a tender put out to lease numbers 78 and 84 Lilyfield Road, Rozelle. This is obviously two properties that were acquired as part of the WestConnex Rozelle interchange. I understand that Transport for NSW is seeking long-term lease agreements. They're seeking tenants for those two properties. Is there any update on that process and who has applied and whether those buildings will be for ongoing community use?

CAMILLA DROVER: I can respond to that. There are a number of properties along Lilyfield Road which were bought under the exceptional hardship scheme of Transport for NSW. They weren't required to construct the Rozelle interchange but, given the personal circumstances of those that lived in those homes, it was decided to acquire those properties. All of those are tenanted. It sounds as though those particular properties are up for lease. I can take on notice where that is in that process.

The CHAIR: You don't know the specifics in terms of exactly what type of tenants were being sought for that?

CAMILLA DROVER: No, but I'm happy take that on notice and come back with some information.

The CHAIR: This is businesses, not private residential. I wanted to turn to the Pyrmont Peninsula Place Strategy. It's a general question around why—the decision seems to have been made to press ahead with so-called improvements to the Western Distributor that have removed pedestrian infrastructure and resulted in the destruction of dozens of mature trees and canopy. In terms of those trees, in terms of creating that place in

CORRECTED

Pyrmont, what is the update for that? I've had quite a bit of contact from local communities, who are quite distressed at the state of things at the moment.

TRUDI MARES: We are engaging frequently. I think I can count eight engagements in the last month with different groups in the Pyrmont community, both around the place-based strategy but also the intended works that will occur early next year for the Western Distributor network integration. We have not got any definitive change to the approach. We're rather working through timing and how we can activate any of those place-making opportunities that the community wants a little sooner. So we're still engaging—would be the summary of the answer.

The CHAIR: What's the time line for that?

TRUDI MARES: For the works themselves?

The CHAIR: Yes.

TRUDI MARES: Let me just grab that. They will commence in quarter one, 2024—various works. I can go through them or provide them on notice, whatever you'd prefer.

The CHAIR: You're aware of concerns around how the network improvements will compromise pedestrian and cyclist safety? Just wondering, what considerations are being given to address that?

TRUDI MARES: I can provide some specifics on notice, but certainly in all of the planning for road use allocation, including the changes for the off-ramp, which are some of the areas that have been raised as concerns by the Pyrmont residents, we look at the interface of the road for pedestrians, bikes and private vehicle users or other vehicle users. It's certainly in the assessments and safety assessments. That's all been taken into account.

The CHAIR: Has there been any reassessment of the project or consideration given to the fact that the Beaches Link has been cancelled—you know, there's the metro—in terms of reducing demand? Has there been any new modelling to suggest that this project may not be needed? Has any new information fed into the project?

TRUDI MARES: What we are progressing is what I would call the minimum works to ensure that we don't have banked-up traffic and safety risks as a result of Rozelle interchange opening. With regard to Beaches Link and Warringah Freeway, yes, we are remodelling. We are looking at what potential changes to surface traffic impacts and the network movement might occur as a result of the Beaches Link changes and how they might link in through to the Anzac Bridge. So we're redoing that modelling now. We have only progressed, really, for the distributor the minimum works for phase one and, once we get those modelling responses back on the overall network in that precinct and the broader north of the bridge precinct, we will look at any further adjustments that we need to make.

The CHAIR: Is part of the consideration not doing that project at all, given the changed circumstances over the past 12 months?

TRUDI MARES: No, because I would say that the works that we have got—the four items that we're actioning and we had gone out to consult on—are the minimum requirement to ensure network safety and movement.

The CHAIR: What impact will the project have on the planned new housing density in Pyrmont? Is that also factored into the revised modelling and consideration that the department's undertaking?

TRUDI MARES: Future growth would definitely be looked at, but what I would say is we have criteria that we look at when we're doing that traffic modelling, which also includes population, housing growth, other demographics that feed into that traffic modelling. When the original plan was done—and only went out to REF not too long ago and for consultation—it did include the current forecast. If they changed, we would obviously have to review and make amendments.

The CHAIR: I want to turn now to an issue that my office has been contacted about as well by a number of people in the community. It's in relation to the proposed new truck rest stops between Katoomba and Lithgow. I'll give you a bit of time to find that information. There are two new rest stops proposed for the Hartley Valley. They were subject to review of environmental factors. The rest stops, as I understand, have been overwhelmingly opposed by the local community. They're saying that these rest stops are entirely inconsistent with the zoning in the Hartley Valley. To what extent has Transport for NSW heard that community opposition? How are you taking the community's concerns into consideration and is there any consideration to potentially moving these rest stops to more appropriate places?

CORRECTED

JOSH MURRAY: Thank you, Chair, I might start on that one. Our rest stop strategy is being reviewed, as you may recall from our previous regional transport hearing, and our colleague Matt Fuller described the network integration map of rest stops as something that is currently being looked at. We did acknowledge some overall gaps in the strategy in terms of the quality of the upkeep. In regard to the Lithgow zone, we'd have to seek specific response around the community feedback on those. We have been prioritising a number of other rest stops around the Sydney Basin for those regional services coming into the metropolitan area. That's not one that is on my radar at the moment, but I'm happy to get that information unless any of my colleagues have that. We may be able to get that before the end of the session.

The CHAIR: I want to ask questions now about—see if anybody knows about this one—a new J store development at Castle Hill. There are, as I understand it, dangerous road access issues and a lack of public transport. Is this ringing any bells for anybody? Everybody is shrugging. That might be one I put in as a supplementary question.

TRUDI MARES: Powerhouse Museum?

The CHAIR: This is Castle Hill, yes.

TRUDI MARES: I don't know of anything.

The CHAIR: I'll come back. It's the Castle Hill discovery centre, yes.

TRUDI MARES: Happy to take any specifics for that and find out.

The CHAIR: It's just dangerous entryways. All good. I will put those on notice.

The Hon. NATALIE WARD: Perhaps, Mr Murray, we might start with you and you can direct it if you like.

JOSH MURRAY: Yes, Ms Ward.

The Hon. NATALIE WARD: Mr Murray, can I confirm, in relation to this portfolio, that it is responsible for the delivery of roads projects? Is that for all of New South Wales or for Greater Sydney?

JOSH MURRAY: For the Transport portfolio?

The Hon. NATALIE WARD: No, for this portfolio today.

JOSH MURRAY: For today, this is the Roads portfolio, but I think the convention is that Regional Transport and Roads was covered in the other session. As a result, the witnesses have been invited on that basis today.

The Hon. NATALIE WARD: So this portfolio, am I right in understanding, is Greater Sydney?

JOSH MURRAY: That is correct.

The Hon. NATALIE WARD: It is not a trick question; I am trying to define where it starts and ends.

JOSH MURRAY: That is generally correct, but we accept that there may be some crossover in some of the projects that sit in between the two regions.

The Hon. NATALIE WARD: How do you define Greater Sydney within this Roads portfolio—not regional?

JOSH MURRAY: Greater Sydney includes Newcastle, Wollongong and the Blue Mountains.

The Hon. NATALIE WARD: Can I ask what the total capital expenditure over the four-year forward estimates is for roads projects in this Roads portfolio?

JOSH MURRAY: I would be able to give you the overall Roads budget and then I would have to seek a further update.

The Hon. NATALIE WARD: I am interested in a breakdown for what we used to call metro, but I will call it Greater Sydney or however you'd like to define it.

JOSH MURRAY: Yes, we will be able to—

The Hon. NATALIE WARD: Newcastle, Wollongong and Blue Mountains.

JOSH MURRAY: We will be able to get that for you very shortly.

The Hon. NATALIE WARD: So that includes Newcastle?

CORRECTED

JOSH MURRAY: That's right.

TRUDI MARES: It might not in the budget. We'll get Ms Hoang to check.

JOSH MURRAY: Our portfolio shape is slightly different to the budget paper classification of regional and metropolitan.

The Hon. NATALIE WARD: That is what I am trying to get to, Mr Murray—to understand what is within this area, just for clarification. So it includes Wollongong, Blue Mountains and Newcastle, and you will take on notice or get me the total capital?

JOSH MURRAY: I think the CFO may be able to assist us shortly.

TRUDI MARES: It's the Restart boundaries, Ms Ward. Metropolitan is largely everywhere—it kind of stops at Wollongong and stops just before Newcastle, and then the rest of Greater Sydney out to the Blue Mountains, as the secretary mentioned.

The Hon. NATALIE WARD: Can I ask what the percentage of the capital expenditure in the roads projects is for—

TRUDI MARES: For GS?

The Hon. NATALIE WARD: Yes.

TRUDI MARES: We'll get that.

CAMILLA DROVER: I have that information.

JOSH MURRAY: Camilla can help.

The Hon. NATALIE WARD: Thank you, Ms Drover.

CAMILLA DROVER: Which period do you want?

The Hon. NATALIE WARD: For this budget.

CAMILLA DROVER: For this financial year or the full forwards?

The Hon. NATALIE WARD: The four years.

CAMILLA DROVER: So the four-year total for Roads—just capex?

The Hon. NATALIE WARD: Yes.

CAMILLA DROVER: I think it is \$34.8 billion, or 48 per cent of the Public Transport and Roads total capex budget. We can provide this on notice, if that's helpful.

The Hon. NATALIE WARD: That would be helpful, thank you very much. So 48 per cent of the Roads and Transport budget?

CAMILLA DROVER: Roads and Public Transport—it's 48 per cent of that.

The Hon. NATALIE WARD: Can you confirm for me—if you need to take it on notice, that's fine—what, of that, is new capital expenditure?

CAMILLA DROVER: We'd have to take that on notice and bring that back.

The Hon. NATALIE WARD: I think, as you'd be aware, I am just trying to get to—a lot of that would have been an allocation from the former Government. I'd like to understand—it is capex that has previously been allocated—what is the new capital allocation within that. If you could take that on notice and if we could have that defined clearly, what is the new capital and not just what is the existing, that would be helpful.

JOSH MURRAY: Yes.

The Hon. NATALIE WARD: A significant amount of the budget and what you have just referred to—are there any new projects in the Connecting Sydney Roads program from this budget?

JOSH MURRAY: Sorry—the question again?

The Hon. NATALIE WARD: The Connecting Sydney Roads program in this budget—are there any new projects in that, or were they all a rollover of the existing continuation of funding?

TRUDI MARES: The connecting Sydney budget is not listed as a specific budget item, but there is a range of new funding in this budget round. For example, a new statewide active transport fund for \$60 million

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and a commuter car park program, additional \$300 million—not roads, admittedly, Ms Ward. Appin Road upgrade—new funding for that has been allocated.

The Hon. NATALIE WARD: Ms Faehrmann will be happy about that, provided some is allocated to the koala.

The CHAIR: How about underpasses?

The Hon. NATALIE WARD: We're still doing community consultation.

TRUDI MARES: School crossings for Camden—funding allocated for that—a traffic light upgrade at Bank Street and Constitution Road, which is Ryde, if I am not incorrect—

The Hon. NATALIE WARD: They're all new?

TRUDI MARES: All new. Yes, there is a list.

The Hon. NATALIE WARD: Do you want to take it on notice? I don't want to take up your time. So they are all new?

TRUDI MARES: Yes, that's correct.

JOSH MURRAY: Ms Ward, I could also come back to you, if you wanted, on Mona Vale Road West, if you're interested.

The Hon. NATALIE WARD: That would be very helpful, yes. Actually, we might come—

JOSH MURRAY: Do it later?

The Hon. NATALIE WARD: We might stay on this capital while I've got a moment. I can come back to that if we've got time, thank you. So can we just go back to what is now called the Urban Roads Fund, at 4-63 of the *Infrastructure Statement*, if that's helpful? In the budget, the Urban Roads Fund has \$770 million allocated over four years. That is correct, isn't it?

TRUDI MARES: That's correct.

CAMILLA DROVER: That's correct.

TRUDI MARES: Duplicate! One team.

The Hon. NATALIE WARD: I've got you in stereo. In that project, I just want to break down the funding of that. Is that just for planning and delivery, that allocation, or is it for complete delivery of the projects? There are a number of projects within that fund. Is that funding for planning or is it for complete delivery of those projects?

TRUDI MARES: It's largely delivery funding—the Urban Roads Fund.

The Hon. NATALIE WARD: So all of those projects will be delivered for \$770 million. Is that correct?

TRUDI MARES: Yes, even though some of them are staged for parts of that road network. But, yes, that is—I would have to double-check.

CAMILLA DROVER: It is a mixture of planning and delivery funding. It depends on the particular project. The \$770 million includes the flood resilience plan as well, the \$200 million for that program.

The Hon. NATALIE WARD: Is that more in relation to the Pitt Town project?

CAMILLA DROVER: Yes, Garfield Road East, Richmond Road, Hill Road.

The Hon. NATALIE WARD: What's the breakdown of opex and capex for the fund?

TRUDI MARES: I don't have that.

CAMILLA DROVER: I have some of that information. In the full forwards, the opex is \$71.6 million and the capex component is the balance at \$698.4 million.

The Hon. NATALIE WARD: So \$698.4 million for capex, for actual delivery—

CAMILLA DROVER: And \$71.6 million for opex.

The Hon. NATALIE WARD: So about \$71 million for planning and preliminaries and \$698 million for delivery. Is that about right?

CAMILLA DROVER: No, it is opex and capex, not planning versus delivery.

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The Hon. NATALIE WARD: You say tomato, I say tomato. Can we go to the Pitt Town bypass? The cost for that, Ms Drover, is about \$100 million from my recollection. Is that right?

CAMILLA DROVER: The allocation under the Sydney roads flood resilience plan is \$100 million towards the Pitt Town bypass, yes.

The Hon. NATALIE WARD: Do you have this page in front of you? Have you got the budget page?

CAMILLA DROVER: I am not sure which page you are looking at. I have a summary.

The Hon. NATALIE WARD: At 4-63, if we can step through them, Pitt Town costs \$100 million. That's correct?

CAMILLA DROVER: There is \$100 million under that plan for that project.

TRUDI MARES: One hundred million allocated.

The Hon. NATALIE WARD: I'll come back to that. Richmond Road costs about \$285 million?

CAMILLA DROVER: There are two projects for Richmond Road under the flood resilience plan. There is \$285 million to widen Richmond Road between Townson Road and the M7, and then under the Urban Roads Fund there is another project, which is \$100 million to widen Richmond Road but between Elara Boulevard and Heritage Road.

The Hon. NATALIE WARD: So there are two of those, between the two different sections?

CAMILLA DROVER: Yes.

The Hon. NATALIE WARD: In the Western Sydney flood resilience—sorry, I'll go back to these. It's just these components in the Urban Roads Fund. Then also the Garfield Road?

CAMILLA DROVER: Garfield Road East at Riverstone?

The Hon. NATALIE WARD: Yes.

CAMILLA DROVER: There's \$100 million to upgrade that under the flood resilience plan.

The Hon. NATALIE WARD: Is the flood resilience plan funding within this Urban Roads Fund or are you saying they're sitting separately?

CAMILLA DROVER: The 770 includes 200 under the flood resilience plan.

The Hon. NATALIE WARD: So that sits within the Urban Roads Fund?

CAMILLA DROVER: It's a subset.

TRUDI MARES: That's correct.

CAMILLA DROVER: Yes.

The Hon. NATALIE WARD: Okay. I think that's making sense. Just to clarify, the 385 million for the urban roads—for those, we have \$300 million. Is that right? Is that where we're about for those three?

CAMILLA DROVER: Sorry, which three?

TRUDI MARES: Pitt Town and the two Richmond.

The Hon. NATALIE WARD: The flood—

TRUDI MARES: About 385 there.

The Hon. NATALIE WARD: Yes.

CAMILLA DROVER: No, there would be more likely to be 285 for the first Richmond program, another 100—so that's 385—and Pitt Town is another 100. So that would be 485.

The Hon. NATALIE WARD: So 485 for those projects, out of 770. I am just interested in how we are going to deliver all of those projects, because the media release on the Urban Roads Fund talks about 19 projects being delivered. There's not a lot of money left over after those.

TRUDI MARES: I can clarify that. The Urban Roads Fund has got that 200 million allocation for flood resilience. Those projects are a mix of required development to support growth in the north-west, and they do have flood resilience outcomes as well. The other projects—we have got the 33 million that we are working through two final business cases, one for local and regional roads in the Hawkesbury-Nepean and one for State

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roads. That will provide us with a high number of projects that will contribute towards the road resilience plan under the disaster adaptation plan required for Hawkesbury-Nepean.

The Hon. NATALIE WARD: You're very good at getting the names of all the plans.

TRUDI MARES: Basically, we've done a road resilience plan. We've got some in planning. The urban roads—Hawkesbury-Nepean roads do have flood resilience outcomes as part of them.

The Hon. NATALIE WARD: That's pleasing to hear, because it's important to these communities, and, obviously, flooding is something that we have talked about a lot. Can I ask for, perhaps on notice, a breakdown of the Urban Roads Fund? I'm trying to follow it and just see what the allocation is, but it seems to me there are a lot of projects there and potentially not quite the funding to get them across the line, if it is delivery. If I could get the breakdown for the urban roads funding over the forwards, that would be really helpful—on each of those.

TRUDI MARES: No problem.

The Hon. NATALIE WARD: And of those, the 33 million, how much—if that is the component of the 200 million flood resilience. If we can just get the breakdown of them—

TRUDI MARES: Separate?

The Hon. NATALIE WARD: Yes, and just separate them out.

TRUDI MARES: Yes, give you the breakdown. No problem.

The Hon. NATALIE WARD: I can see what's in the budget, but just breaking it down to see how they will be delivered would be very helpful. We're, obviously, alongside you in wanting those to happen. Can I just ask about Heathcote Road? Is there \$185 million in the budget for Heathcote Road in the Urban Roads Fund? I can't see that.

TRUDI MARES: No, that's not part of the urban roads package.

The Hon. NATALIE WARD: So where does that come from?

TRUDI MARES: There's separate funding for that.

The Hon. NATALIE WARD: Separate?

TRUDI MARES: Yes.

The Hon. NATALIE WARD: Whereabouts?

BRENDA HOANG: Is this the \$180 million you're referring to?

The Hon. NATALIE WARD: Yes.

BRENDA HOANG: It is. It is part of the urban roads.

TRUDI MARES: Apologies.

The Hon. NATALIE WARD: So it's 180 or 185?

BRENDA HOANG: It is 185 in the urban roads.

The Hon. NATALIE WARD: We lost a five there. So 185 for Heathcote Road. Sorry, where did you say that is? In the Urban Roads Fund or not?

BRENDA HOANG: It's in the Urban Roads Fund, yes.

CAMILLA DROVER: Can I just clarify?

The Hon. NATALIE WARD: I can't see it there, though.

CAMILLA DROVER: There are a number of Heathcote Road projects. One of them is in the Urban Roads Fund—

TRUDI MARES: That's right.

CAMILLA DROVER: —and that is \$180 million.

The Hon. NATALIE WARD: Thank you, Ms Drover. But that's not what it says—maybe I've got a budget paper with a typo in it. All right. The 185 is not the one under the Urban Roads Fund for duplicate sections of Heathcote Road. Is that correct?

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TRUDI MARES: That's the Urban Roads Fund, Heathcote Road section. That's right.

The Hon. NATALIE WARD: So where's the rest of it, the widening?

TRUDI MARES: The widening, and the bridge, which is delivered. There were two other Heathcote projects.

The Hon. NATALIE WARD: Yes. So widening of Heathcote Road, election commitment of 185—I can only see five here.

TRUDI MARES: One is in delivery—Ms Drover might comment on that—and one is delivered, and this is funding for extension of further section of Heathcote Road.

The Hon. NATALIE WARD: I am talking about the election commitment of 185. Where do I find that?

TRUDI MARES: That's the one under the Urban Roads Fund. I've got 180—Ms Hoang, if you have got that—for duplicate sections of Heathcote Road.

BRENDA HOANG: Ms Ward, can I just check you are looking at chapter 4 of *Budget Paper No. 03*?

The Hon. NATALIE WARD: Yes.

BRENDA HOANG: That only indicates the current year spend. It doesn't indicate the full project.

The Hon. NATALIE WARD: I understand.

BRENDA HOANG: So the five million—

The Hon. NATALIE WARD: I'm just wondering where it's coming from. The allocation is the thing, isn't it? We can put numbers anywhere we like, but it's how much is actually allocated to deliver it.

BRENDA HOANG: Yes. Currently, it's 180 million, five million to be spent this year, and that's what you're seeing in the budget papers. But not the whole project is included.

The Hon. NATALIE WARD: So we're going to spend 180 over the next three years?

CAMILLA DROVER: I have got the profile, if you need.

BRENDA HOANG: No. We have, over the next three years, 60 million. So the plan is to spend \$65 million.

The Hon. NATALIE WARD: Sixty-five over four years to deliver a \$185 million project?

BRENDA HOANG: That's right.

The Hon. NATALIE WARD: So it's not going to be completed, is it?

BRENDA HOANG: No. We do have some money in the planning years as well to complete the project.

The Hon. NATALIE WARD: Has final business case been completed for that project?

TRUDI MARES: It's still being worked through.

The Hon. NATALIE WARD: When is it anticipated that that might be—

TRUDI MARES: I would have to check, but I would say we have another year, 18 months on the FBC.

The Hon. NATALIE WARD: So we've got 24 kilometres of road. We have got two years on a final business case, five million this year.

TRUDI MARES: Sorry, that's for a different section. I will correct that. We—can I take that one on notice? As you said, there are a number of projects. I just want to check I've got the right one.

The Hon. NATALIE WARD: All right. Ms Drover, how much of this 24-kilometre road will be widened, realistically, in delivery?

CAMILLA DROVER: I might clarify. There are a number of projects, as Ms Mares said. The first one is the Woronora Bridge project, which is complete. It was open to traffic in March this year and completed in August this year. The project that is still in delivery is the Infantry Parade at Holsworthy to The Avenue at Voyager Point project.

The Hon. NATALIE WARD: Sorry, if I can just interrupt you. I'm asking about the election commitment, 185 for Heathcote Road, so whichever part is relevant to that. If you need to take it on notice, that's

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fine. But there was an election commitment of 185 to do Heathcote Road. There are a number of projects, and we can't seem to get to the bottom of how this is going to be delivered in time.

CAMILLA DROVER: As Ms Hoang said, there's the \$5 million this financial year, and then there's \$20 million in the forward years. That's to look at, is my understanding, the balance of Heathcote Road and which sections will be widened, but we can take on notice the exact details of that.

The Hon. NATALIE WARD: Yes.

TRUDI MARES: I can give a tiny bit more clarification. The election commitment, Ms Ward, was to invest 180 million over four years towards duplicating key sections of Heathcote Road. Funding will be additional. So this is additional funding to what was allocated on the projects that Ms Drover mentioned, the bridge and the other approaches.

The Hon. NATALIE WARD: So just the Heathcote Road, 180—

TRUDI MARES: So it is being worked through what that will deliver, because the commitment was to duplicate sections of it.

The Hon. NATALIE WARD: Yes, 24 kilometres.

TRUDI MARES: We are providing that advice to government.

The Hon. NATALIE WARD: Can we clarify where that's at, what is allocated and what we will get for that allocation? It's looking like it's a long way off, but we've just been told that 65 million is in the budget. Will that have any prospect of being spent on delivery?

TRUDI MARES: We will take that on notice.

The Hon. NATALIE WARD: Okay. I don't think that can be completed in time. Maybe that's just me. Thank you. We may, Mr Murray, come back to Mona Vale Road West, if that's convenient.

JOSH MURRAY: Yes, very happy to. Just coming back to your earlier question, Ms Ward. The project, as you mentioned, has been deferred. It has been pushed two years in the budget allocations. The funding is being held, or some funding is being held, within the project time line. So it is in the forward plan in the planning years, and it will include an escalation percentage increase as we look to that. That's for Mona Vale Road West, the section between Harvey Road and Powder Works Road. Mona Vale Road East is in final completion.

The Hon. NATALIE WARD: Yes. No, we did that. I get that one. Thank you. Sorry, what were the words that you used?

JOSH MURRAY: I said it has been deferred for two years, and we are going to hold money in the planning years against that project.

The Hon. NATALIE WARD: And then there was some sentence after that.

JOSH MURRAY: Yes, that we would also aim to cover any escalation as we look towards the future of the project.

The Hon. NATALIE WARD: So what are the next steps in that? When can that community expect—given the road crash statistics and the 30,000 people that are being held up there, when will work recommence on that part?

JOSH MURRAY: We will continue with the planning assessment at this stage but, as there is no current funding, it won't go into any delivery works.

The Hon. NATALIE WARD: So there is no allocation, is short answer.

JOSH MURRAY: Correct, not within two years.

The Hon. NATALIE WARD: I go back to the Urban Roads Fund. Chapter 4 at page 63 doesn't list the 23 projects for the Urban Roads Fund. Is it possible to get that provided on notice to the Committee? Can we have a list of those? It's obviously an important fund.

BRENDA HOANG: Happy to. We've got a list of the projects that make up the \$770 million.

The Hon. NATALIE WARD: The claim is that 23 projects will be delivered for that fund for the \$770 million. We would just like to clarify which of those are likely to get there. Can I go to the toll review, Mr Murray? Can you clarify for the Committee what the toll review is going to cost?

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JOSH MURRAY: I will ask my colleague Ms Mares to come in on that, including the work with the tolling review, which has been obviously a key part of the department's focus. The Minister obviously referred to much of that this morning but, if we can provide further detail, Trudi will be able to do that.

The Hon. NATALIE WARD: Can I can understand if you've met with Transurban about the progressing of the plans for that reform?

TRUDI MARES: I can answer that. Yes, we have had a large number of engagements with a range of stakeholders, including the community, and have had a number of engagements and meetings with Transurban. They also presented at one of our public inquiries.

The Hon. NATALIE WARD: It was normal expectation you would be meeting with them and the community. What is the time line towards delivery of that, given that the understanding is that it should be delivered by 2027?

TRUDI MARES: The reviewers will provide their final report to Government in mid-2024.

The Hon. NATALIE WARD: Can I go to whoever is dealing with Fifteenth Avenue? My old favourites.

TRUDI MARES: That's me.

The Hon. NATALIE WARD: Can I understand what specific infrastructure upgrade will be delivered and provided for in the \$50 million for Fifteenth Avenue?

TRUDI MARES: As you mentioned, we've received a \$50 million allocation as part of Western Sydney Aerotropolis for Fifteenth Avenue. We are looking at developing the business case for what it will deliver, so I can't definitively tell you that, though we are looking at connections commencing out towards Liverpool. Some acquisition would be required as part of that funding and extension into Bradfield.

The Hon. NATALIE WARD: The final business case?

TRUDI MARES: The commencement of works, yes—SBC.

The Hon. NATALIE WARD: So \$50 million is only really going to get us through the first stages, isn't it?

TRUDI MARES: We intend to get to FBC with that funding as well over the four years. So SBC, FBC—

The Hon. NATALIE WARD: And complete the final business case?

TRUDI MARES: Correct.

The Hon. NATALIE WARD: So over four years we will have—no disrespect to anybody—a whole lot of paperwork saying we should be doing it.

TRUDI MARES: And potentially some early works. We are just working out the funding allocation.

The Hon. NATALIE WARD: To say we can deliver the upgrade of Fifteenth Avenue is probably not quite accurate. It's the preliminary work, the business cases and potentially some early works.

TRUDI MARES: It's commencement of work on Fifteenth Avenue.

The Hon. NATALIE WARD: Early works. Do we know the construction cost for that project?

TRUDI MARES: For the whole of Fifteenth Avenue? No, I don't have that.

The Hon. NATALIE WARD: Do we have a delivery strategy at all for that?

TRUDI MARES: Obviously, Western Sydney Aerotropolis is a 30-year city, so we are focused on the short-term staging towards airport opening for 2026. We have business cases either in final business case. We've got funding for Elizabeth Drive and Mamre this budget round and we've got seven strategic business cases progressing for our priority roads and building out, then, the medium-term and longer term strategy for Western Sydney.

The Hon. NATALIE WARD: But on Fifteenth, I just don't think we can deliver that for \$50 million, can we, realistically?

TRUDI MARES: For the length of the alignment, no, we couldn't. This is the beginning of the works for Fifteenth Avenue.

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The CHAIR: I have some questions now around the 24-hour economy, Mr Rodrigues. Firstly, how's the position going? That's just a general question.

MICHAEL RODRIGUES: I welcome it. I'm enjoying it. I hope we're making impact. It was an interesting time to come in with a specific remit to get people out of the house when, indeed, we were in the middle of a lockdown during COVID. But, notwithstanding that, it's been a good opportunity to really rely on stakeholders around the importance of coming together in community, really.

The CHAIR: What are the resources financially, budget-wise, that are available to you and the number of staff positions that the commission has?

MICHAEL RODRIGUES: We're currently staffed at 26 people, with \$26.551 million in this FY budget.

The CHAIR: I wanted to ask some questions around the Data After Dark initiative. What's the type of data that's being pulled together for that initiative?

MICHAEL RODRIGUES: This project is being done in partnership with the Data Analytics Centre, and it's not yet complete; it's in the build.

The CHAIR: So it hasn't in any way hit the field, so to speak, when you say—

MICHAEL RODRIGUES: It hasn't hit the—sorry.

The CHAIR: The field.

MICHAEL RODRIGUES: No. We are in the process of user testing. It combines data across, I understand, mobility, expenditure, demographics, data from BOCSAR and transport data. If you give me a second, I can confirm that.

The CHAIR: While you are looking for it, in terms of pulling all of this together, what's the objective of the program?

MICHAEL RODRIGUES: I guess the night-time economy is still a relatively new area, globally. I would say that we haven't reached the stage of what I would describe as universal measurement of the factors that we talk about with night-time economy. The purpose of it, really, is to have a good understanding of what is actually going on at any point in time across the area of our remit and, by "what is going on", really, what are consumers doing. In context of the work of our office, it is really understanding and hoping to get a line of sight on are we being able to achieve the objectives of the 24-hour Economy Strategy—i.e., getting people out and about in the city and making the place vibrant—but without seeing a rise in that antisocial behaviour or—if you want to use the terminology which we are familiar with, as you are—alcohol-related violence, really. Because the State's put in place a strategy and asked me to oversee that work, it's incumbent to make sure the interventions are working through measurement and that the vibrancy isn't coming at the expense of public safety.

The CHAIR: I'm glad you mentioned alcohol-related violence because I was going to ask a question along those lines. In terms of staffing that you have and the staff roles and positions, is there anybody that has the specific responsibility for alcohol-related harm? For example, do you have people within your area—what is it? A unit, an area, a department, an agency? What do you call it?

MICHAEL RODRIGUES: I don't want to get the terminology wrong. We are in the department of Enterprise, Investment and Trade.

The CHAIR: And it's a unit?

MICHAEL RODRIGUES: We're an office. Maybe the secretary might clarify.

TRUDI MARES: Office will do.

The CHAIR: Office sounds good. We'll use office.

MICHAEL RODRIGUES: Let's go with office. The construct of the office, really, is a coordination function in government. If I could explain what that means, many government departments have a bearing on the going-out experience. Some of them are at the table today, with Transport colleagues here, but obviously destination marketing, place management, planning, Office of Local Government and, importantly, police and Health. The purpose of our office is to try to coordinate, really, across all of those agencies to deliver better outcomes than if we weren't there.

In terms of the specifics around harm, there are a couple of things to mention, first of which is that in our government structures there is a safety, wellbeing and mobility group, I think in direct response to the history on

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the issue. That group meets regularly, involves representation from police and Health, amongst others, and is one of the forums where there is an ongoing dialogue to, I guess, achieve the ambitions of the strategy, which is a good going-out economy. If I can comment—because you asked specifically around alcohol-related harm, and I just want to make it clear that I am not an expert on all of what that involves. The harm, so to speak, that we, I guess, have been asked most to think about is the on-street antisocial behaviour, as distinct from harm that may be occasioned by the consumption of alcohol more broadly.

The CHAIR: Yes, sure. So, for example, we know that there is legislation coming that will enable certain venues to operate longer and different trading hours, which generally is a good thing in my opinion. But is there anything that requires the balancing of creating, for example, more opportunities in certain areas for people to consume alcohol with more opportunities to do other cultural activities or other things that don't necessarily include alcohol? It's always something that governments talk about as a nice idea and vision, but is there anything in terms of policy that is able to ensure that there is a balance—because we are starting to see things open up and we are starting to see regulatory change in that way. Is there anything that your office is doing to ensure that when you open something that people are going to drink at, there's got to be something over here where they can do something else as an option without alcohol, for example?

MICHAEL RODRIGUES: In the interests of not misleading in my response, I will explain what the intention behind all the work we do is, which is really to ensure a diversification of the night-time economy. Diversification, the implication is away from alcohol-only related entertainment. Again, the history, you are very well familiar with, and with the case study really being what went wrong when we had lockout in Kings Cross. Embedded in the thinking in the strategy is the concept of good, diverse going-out districts. One of the specific measures is the Purple Flag program, which is an accreditation program, which draws on best international practice and has a specific requirement around diversity of area. So in terms of the intention it is to promote those experiences and areas to grow and provide that diverse range of experiences.

Of course, on a case-by-case basis, individual businesses may open in places or take advantage of a new legislative change, as you have identified—for example, extended trade. The overlay of this is what the Minister previously referred to as the precinct strategy and you touched on with some questions around BID's earlier, which is really, if you can think through that Data After Dark project that we talked about a second ago, and the ability to then see what is going on in these districts, you start being able to measure and work the industry towards that diverse range of experiences. With the Data After Dark project—just confirming my answer to your previous question—it will contain as a pilot, expenditure business composition, demographics, consumer sentiment, mobility, crime statistics and transport data. It is that business composition piece that if you are me in the role of commissioner I'll be looking at to understand if you are seeing an overconcentration of licences without that balanced approach.

The CHAIR: Thank you. That's useful. With the data, who ultimately has access to that?

MICHAEL RODRIGUES: As it currently stands, the dashboard will be limited to government and council users, which is really a function of data licensing. The issue here is that some of the datasets are proprietary and therefore they are being incorporated, but they have licensing restrictions. In an ideal world, for example, that data might be made more publicly available, but we will be limited just by the nature of the way the data market works—councils and government agencies in the first instance. We are exploring opportunities to share insights with industry and the community, and we will be taking information from the dashboard ultimately for reporting purposes, monitoring, sharing with colleagues through some of those working groups that I mentioned, the safety, wellbeing, mobility, basically to keep an eye on how the city is functioning.

The CHAIR: Because there could be community concerns, could there not, about the use of that data if it got—for example, I mentioned earlier, yes, the Business Improvement District, which is the western harbour one that has The Star casino, Crown Casino, a hell of a lot of very big players. If they got a hold of that data, for example, to target people, to gamble—there are concerns that that could be used by business to just drive their business operations. I can see that it is potentially good for small businesses in certain precincts and let's make it all busy, but right now the really big Business Improvement District, which is very organised, is the one with Crown, with Star, is it not?

MICHAEL RODRIGUES: That is a specific district.

The CHAIR: Are they involved in this Data After Dark?

MICHAEL RODRIGUES: No. This is, I guess, outside of—we're running it and there is no other external forces on it. In terms of where your questions might be going, we are working in partnership with the Data Analytics Centre under Department of Customer Service. I don't want to speak on their behalf, but I can only

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imagine that there are safeguards in terms of privacy and some of those issues. I am happy to take any question on notice on that if it's helpful, to confirm.

The CHAIR: Okay, I can put more questions in about that. I wanted to ask about the Uptown Grant Program as well. I understand that that program is in relation to—there is the Business Improvement District, the Community Improvement District, and now what is before us is precincts. Are they just all kind of blending into one, or are there distinct separations?

MICHAEL RODRIGUES: You would be forgiven for thinking that there are a lot of words like precinct and district being thrown around, I think. They mean different things to different people. If it's helpful, I can try and explain them in a certain logic, particularly around the Community Improvement District/Business Improvement District, and also the special entertainment precinct that is partly in scope.

The CHAIR: They actually are three separate things?

MICHAEL RODRIGUES: At the moment. There is also another one.

The CHAIR: Interesting.

MICHAEL RODRIGUES: State-owned precincts and other things. But, as far as the conversation for our office is concerned, I guess there is a concept in the 24-hour Economy Strategy called The Neon Grid, the opposite of one place to go out, model places to go out across Greater Sydney. We've got amazing beaches, through to mountains, 60,000 years of continuous storytelling, and the most multicultural city on the planet. We should have different going-out districts. How do you make that happen? You need businesses and communities to care about their areas and start telling their stories. We are more than just two famous landmarks—well, let's hear it.

So Uptown is an enabler of that business collaboration, if you want to call it that. In some ways, if it's helpful, just think about a high street or an old-school business chamber, and their early evolution. That business collaboration piece is really what Uptown's aimed at. What follows from that is over time a maturation, if I can call it that. Or if you like, another way, what regulatory interventions can you overlay to strengthen those districts? In the case of a going-out district, like Enmore Road Special Entertainment Precinct, other things to bring to your imagination might be Chippendale, might be Burwood, might be Haldon Street, Lakemba—these areas that people are visiting frequently. That's the regulatory overlay for potentially a special entertainment precinct. The Business Improvement District—so, Community Improvement District—is another version of the same thinking, but perhaps not—and this is the language. Sorry I am being so specific. With the business mindset, it doesn't necessarily include the cultural, creative storytelling that Uptown is hoping to get us to and the special entertainment precincts are hoping to get us to.

The CHAIR: Thank you, that's useful. Getting back to the Business Improvement District, the Sydney Western Harbour Business Improvement District board members—Lendlease, Markham, Mirvac, Sydney Fish Market, The GPT Group, The Star, UTS, Accor, Business Sydney, Crown, Powerhouse and ICC Sydney—got a grant in this Uptown Grant Program of \$200,000. Who assessed that?

MICHAEL RODRIGUES: There was an independent panel of senior government representatives who made the assessment on all those applications.

The CHAIR: Did all of those get signed off by the Minister or the secretary, do you know?

MICHAEL RODRIGUES: I might have to take that on notice as to who the final approver on that program is, but we should be able to confirm that to you during this session.

The CHAIR: All of those companies that are part of this Business Improvement District that is now New Sydney Waterfront Company—they have received \$200,000 of government support. I understand that is on the back of an additional \$450,000 earlier. Are you aware of that one as well?

MICHAEL RODRIGUES: I am aware of that one, yes.

The CHAIR: So, all up, \$650,000 of taxpayers' money. Are you aware of anything else going to them?

MICHAEL RODRIGUES: Yes, I am. They also applied and were successful under the CBDs Revitalisation Program, which was administered by our office. They received—I imagine your next question is going to be—\$747,217. That was for a major activation called the Sydney Waterfront Whale Tales.

The CHAIR: What was the time frame for that grant? When was that awarded?

MICHAEL RODRIGUES: I might take that on notice, but again I would advise you—

The CHAIR: That went straight to that New Sydney Waterfront Company?

CORRECTED

MICHAEL RODRIGUES: That would have been straight to the New Sydney Waterfront Company.

The CHAIR: For—when you are saying "activation"—whale tales?

MICHAEL RODRIGUES: If it is helpful, I can explain the CBDs Revitalisation Program.

The CHAIR: Maybe just that particular grant, actually. What was that for? This \$750,000 was on top of the \$650,000—

MICHAEL RODRIGUES: I remember the installation was—

The CHAIR: We have got \$1.4 million so far going to this Business Improvement District company with Star, Crown, Mirvac, Lendlease. This is quite extraordinary. Sorry, Mr Rodrigues, I know you are not the Minister and it's not your policy decision.

MICHAEL RODRIGUES: If I can just—that fund was for 17 urban areas, which include the CBD of Sydney. The idea was to draw people back out of their homes after COVID—during COVID I guess. The activation, and again, we can provide further details, but I recall it as a series of curated art pieces on a walk around the waterfront. I'm reserving any artistic judgement on it, but it is akin to the cow exhibitions and things that you see in other parts of the world, if that helps paint the visual, over I think a six-week period. But, again, I feel like I should provide you more detail of that.

The CHAIR: That would be very useful. What is your knowledge of what a Business Improvement District ballot would be all about, to be conducted in 2025? What discussions have you had about that?

MICHAEL RODRIGUES: I haven't had discussions around a ballot. I am aware of Business Improvement Districts, in terms of the concept, because, as I mentioned, the business collaboration bit is the piece that we've picked up and reflected in Uptown.

The CHAIR: I am just asking in terms of that ballot concept—well, not a concept, a thing they are advocating to happen in 2025. This is really the only one so far that is working actively to have a ballot where the business has a vote?

MICHAEL RODRIGUES: To my knowledge, but I am also aware that, for example, in Newcastle there are business improvement associations. I am not familiar exactly with the way in which they run. My understanding is that sometimes the terms can be used interchangeably, as we are finding here with Business Improvement Districts and Community Improvement Districts. If it is helpful, the Cities and Active Transport team are the part of government that are overseeing that exposure draft legislation.

JOSH MURRAY: Chair, I have some further information when you have time.

The CHAIR: No time like the present, Mr Murray.

JOSH MURRAY: On Mr Rodrigues' comments around the ballot, I am advised that international experience is that for these improvement districts to be successful they need to have strong local support from the businesses and landowners who may be required, as it progresses, to pay for it. Most jurisdictions demonstrate this rapport by requiring what in this case is termed a ballot, and the effect is parties come together and have a share of that process going forward so that they can have some responsibility in maintaining it and progressing it.

In terms of how we take this forward and really define what the ballot is in this scenario and for New South Wales' progression of this policy, an exposure draft will be released before the end of the year detailing the proposed governance framework, and that would spell out how the ballots would operate. The community will have the opportunity to provide feedback on the exposure draft and the concepts contained within, and we would propose to use apps and other community engagement activities to ensure that we get everyone's buy-in on the way that these districts would work and the ballots. The exposure draft is expected to include content on how the districts will be established and the voting processes that would enable businesses to pledge their support through a ballot.

The CHAIR: Very useful, thank you.

The Hon. SUSAN CARTER: Mr Rodrigues, I just have a couple of questions for you. I noticed your discussion of your role in diversification. Do you have a role in trying to diversify areas for creating opportunities for artists and creatives, and creating employment opportunities for these people as part of our 24-hour economy?

MICHAEL RODRIGUES: I would say that we do. The broad objective is to get people out of the House, and without—

The Hon. SUSAN CARTER: Could you maybe provide an example of where you have been able to promote this type of diversification which has led to an increase in job opportunities for creatives?

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MICHAEL RODRIGUES: In terms of specifics, the program that we were talking about a moment ago, Uptown, is probably the best lens to look through it. A number of those districts have been funded alongside the previous reference that Ms Fachrmann had to New Sydney Waterfront. An example would be Brookvale Arts District, which is in the northern beaches, which is an emerging going-out district. It combines an area known for music and production, but which has emerged again as a centre of craft brewing and distilling. As an example, our support of that has led, in conjunction with the Northern Beaches Council, to Groundswell Festival, which happened a couple of weeks ago. I won't opine as to the exact outcomes from that but, bearing in mind the early stage that this program is at, it's an example of how the office is working to achieve that encouragement of diversification.

The Hon. SUSAN CARTER: Perhaps you could take on notice the opportunity to provide any other examples of where you have been able to create work opportunities.

MICHAEL RODRIGUES: Happy to.

The Hon. SUSAN CARTER: One last quick question. The 24-hour Economy Commissioner Bill that is currently before the House will increase your responsibilities to include Newcastle, Wollongong and the Central Coast. Why just these areas? Are there plans for a broad expansion and a stimulation of the economy throughout regional New South Wales?

MICHAEL RODRIGUES: If I can make a couple of comments, the overall remit is really a question for government. The history of this is that the strategy was designed only for Greater Sydney. The pandemic impacted the whole State. We began working in other areas including Newcastle and Wollongong, for example, through the CBDs Revitalisation Program. Where we've been able to—and a couple of examples include the Vibrancy Reforms package itself but also our local council acceleration program—we try and extend where we can across the State. But the specific remit of the strategy—originally Greater Sydney and now it has been expanded to Newcastle, Wollongong and Central Coast. The way that we're working, to my way of thinking, is relatively universal and these principles can be adopted. It's great if government can get behind it and deliver it, but the theory applies more broadly. But it's really a policy question for government as to whether they—

The Hon. SUSAN CARTER: But the regions might have to wait for a good party on Friday night?

MICHAEL RODRIGUES: Say again.

The Hon. SUSAN CARTER: The regions might have to wait for a good party on Friday night.

MICHAEL RODRIGUES: I've been to many parties in many regions on Fridays and Saturdays—and Mondays on occasion.

The CHAIR: On that note, we will break for 15 minutes and come back at a quarter to four.

(Short adjournment)

The Hon. SUSAN CARTER: Welcome back, everybody. I'm temporarily chairing in the absence of the Chair for a short period of time. Dr Brand, if I could continue to ask you some questions.

MICHAEL BRAND: Sure.

The Hon. SUSAN CARTER: I think we were discussing your recurrent funding.

MICHAEL BRAND: Correct.

The Hon. SUSAN CARTER: Sydney Modern, was that meant to facilitate a new normal in art gallery operations, more activity in a bigger space, bringing more of the people of New South Wales into the gallery?

MICHAEL BRAND: Correct. We completed the Sydney Modern project, opening to the public on 3 December last year. We delivered the project on time and on budget, and now we have 10 months of operation, which is fantastic.

The Hon. SUSAN CARTER: So this increased activity would have been contingent on a higher new normal of recurrent funding, would it not?

MICHAEL BRAND: In the future, when we double our size, effectively, there will be additional funding needs.

The Hon. SUSAN CARTER: If you're doing more, you need more to pay the lights and pay the staff. We were having a disagreement about the exact cut in the funding, and I would appreciate it if you could provide, on notice, your breakdown of your analysis.

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MICHAEL BRAND: Certainly.

The Hon. SUSAN CARTER: What we're looking at is a reduction in funding to run an institution that's twice as big, in a climate of rising inflation, so increasing costs, and on the budget figures 40 per cent less, on your figures about 10 per cent less than the previous recurrent funding. Is that right?

MICHAEL BRAND: Again, these figures are very complicated because they mix in sometimes capital expenses with recurring expenses, and we have private funding—

The Hon. SUSAN CARTER: We're just looking at recurring expenses. We're just looking at how much money you have for the ongoing expenses. What is the actual sum in recurrent funding the gallery has been given to run its operations?

MICHAEL BRAND: If you pull away the figures I was mentioning earlier on, it's roughly 40 million, 41 million per year at the moment.

The Hon. SUSAN CARTER: And that compares to roughly 43 million two years ago, doesn't it?

MICHAEL BRAND: In effect. It's sort of roughly the same, and that's about 40 per cent of our total expenses because we have public-private operation.

The Hon. SUSAN CARTER: So there has been a reduction. What impact will this have on your ability to run the Art Gallery?

MICHAEL BRAND: We're still in discussions with the Government. Now that we've been running the building for a number of months and we have a clearer idea of the full costs, and also as you said taking into account inflation and other issues—that's why we're still in discussion with the Government to get a final figure for future operations.

The Hon. SUSAN CARTER: So the budget figure is not the final figure? You're looking for more money to be able to pay your ongoing bills?

MICHAEL BRAND: We're still in discussions with the Government, correct.

The Hon. SUSAN CARTER: If the figure doesn't change, will staff lose their jobs?

MICHAEL BRAND: That would be speculation.

The Hon. SUSAN CARTER: Let's speculate. How many jobs would you speculate would go if the figure doesn't change?

MICHAEL BRAND: Again, I believe that's speculation.

The Hon. SUSAN CARTER: Absolutely. If it's not job cuts, what impact will there be on exhibitions?

MICHAEL BRAND: Again, we're in discussion with the Government to ensure we do have a budget that allows us to keep the building open seven days a week and free of charge to the public, as I think the Minister mentioned this morning, but until we know the results of those discussions it would be pure speculation to start talking about job cuts and—

The Hon. SUSAN CARTER: Okay, so you're flagging that the changes that might be on the table are that the Art Gallery won't be able to open seven days a week and there will be an admission charge payable by the public to cover the shortfall in funding?

MICHAEL BRAND: Again, we're in the midst of discussions and that's not something that anyone is aiming for.

The Hon. SUSAN CARTER: But that's what you've just flagged as possible ways in which you will have to recover the shortfall: shorter opening hours, less availability. So we've just built this fantastic facility which doubles the space, activates that whole area, but it won't be open seven days a week as it is now and people will have to pay to enter.

ELIZABETH MILDWATER: Chair, perhaps I can help, because the Minister has been pretty explicit with us about keeping free entry and public access opening. As Michael said, the department is working with him to understand the base budget now and how we help.

The Hon. SUSAN CARTER: As I understand it, what you've just said, Ms Mildwater, is that you are working to be able to ensure that you will be able to keep the Art Gallery open as it currently is, given the reduced funding?

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ELIZABETH MILDWATER: No, it will stay open. We're just working with Michael about what is needed for the future.

The Hon. SUSAN CARTER: As I understand it, the \$40.632 million funding distribution from the department covers about 85 per cent of employee-related expenses. That doesn't include things like lights and air conditioning. How will you keep the gallery operating if this is the level of funding that is provided?

MICHAEL BRAND: I think it's the same answer. We are currently in discussions with the Government to ensure that we continue operating and serving the public as we always have. It's a complex mixture of government funding, philanthropy, self-generated revenue—for example, ticket sales for exhibitions, commercial revenue from the shop, function hire, grants, sponsorship. We have to balance all of that to make it all work.

The Hon. SUSAN CARTER: What you're saying to me is that you can't rely on recurrent funding and you need to look to grants, philanthropy, sales, functions—other sources of income—to be able to fund the Art Gallery?

MICHAEL BRAND: I think that has always been the situation, for many years now. It has never been, or not for many years has it been, a fully government-funded organisation. It's always been a mixture of recurrent funding from the State and then these additional funds. That is the challenge we have, to balance that all out. Luckily, in Sydney—and New South Wales—we have very generous benefactors and we have a lot of public support in terms of coming to exhibitions and coming to events, so that's how we balance it.

The Hon. SUSAN CARTER: The operating statement suggests that you've budgeted to almost quadruple the revenue you obtain from the sale of goods and services, from just over \$10 million to just under \$40 million. Was that the estimate you provided Treasury of your own projections as to what is possible?

MICHAEL BRAND: They are figures that we would have provided.

The Hon. SUSAN CARTER: On what were those figures based—that quadrupling of revenue?

MICHAEL BRAND: Based on calculations on—going from years of COVID, from shutdown to gradually reopening, from having one building to having two buildings.

The Hon. SUSAN CARTER: How much of this quadrupling would be coming from the gift shop?

MICHAEL BRAND: I'd have to take that question on notice, I'm afraid. I'm very happy to provide that.

The Hon. SUSAN CARTER: What was the total received from the sale of merchandise and publications through the gift shops in the most recent financial year?

MICHAEL BRAND: That I'd have to take on notice too. I'd be very happy to. We have two shops at the moment and, when we have our two blockbuster exhibitions over the summer, we'll have special shops for that too, which is why I'm optimistic.

The Hon. SUSAN CARTER: I am very simple at maths. Two shops I can understand doubling. Two shops quadrupling? It's hard to see the basis of these figures being relied on to fund staff at the Art Gallery.

MICHAEL BRAND: Yes.

The Hon. SUSAN CARTER: What contribution has been made to the target by increased income from holding private events at the gallery?

MICHAEL BRAND: I have to take the detail on notice, but we now have two spaces. We have two buildings, so we have additional spaces we can hire out for functions. Remember, those functions generally take place in the evening after public opening hours. We close at 5 o'clock six days a week, but we're open till 10.00 p.m. on Wednesday evenings, so the other six nights a week we can have functions now in two spaces. That is definitely part of the calculation for our self-generated revenue.

The Hon. SUSAN CARTER: If your funding remains at its current lower levels and you keep the gallery operating as it is, will you have to sell paintings to fund the recurrent expenditure?

MICHAEL BRAND: We would never sell paintings to cover operating costs. That would go against all the basic principles of international art museums. There is a sort of agreement between art museums that you cannot do that.

The Hon. SUSAN CARTER: Where else will you get the money from?

MICHAEL BRAND: The same way we always have, a balance of private and public funding.

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The Hon. SUSAN CARTER: So you're essentially looking to philanthropy to fill the shortfall in the funding?

MICHAEL BRAND: We can't talk about a shortfall until we've concluded our discussions with the Government.

The Hon. SUSAN CARTER: We're talking about the budget figures.

MICHAEL BRAND: Yes.

The Hon. SUSAN CARTER: There is a shortfall on the current budget figures. I understand that you are in talks with the Government to try and get a necessary increase in those budget figures, but on the budget papers there is a significant shortfall. We are exploring how, if that doesn't change, the Art Gallery will be able to maintain its services to the people of New South Wales and to act as a cultural magnet to draw in people from outside of New South Wales. It is hard to see how that is going to happen without additional government funding.

MICHAEL BRAND: Yes.

The Hon. SUSAN CARTER: You've mentioned your blockbuster exhibitions. Are you planning to increase the ticket price to those special exhibitions?

MICHAEL BRAND: We have increased ticket prices very slightly over the last couple of years. If I am correct, I believe the price is just over the sum of \$30 for full entry ticket price.

The Hon. SUSAN CARTER: What percentage increase does that represent?

MICHAEL BRAND: I think in the past—I will have to check this—it might have been \$27 or \$28. It's a small increase.

The Hon. SUSAN CARTER: We heard from the Minister and the secretary that there are efficiency dividends of sorts that have resulted in cuts to your funding this year. What is the dollar value of these efficiency dividends?

MICHAEL BRAND: It's probably best if I refer that back to our department secretary because I think those calculations aren't final yet.

The Hon. SUSAN CARTER: So you don't know the dollar value of the efficiency dividend that has been levied on your funding?

MICHAEL BRAND: We have always been subject to efficiency dividends, but this year things are a bit more complicated.

The Hon. SUSAN CARTER: Is it \$3 million, Dr Brand?

MICHAEL BRAND: My understanding is it's around that number.

The Hon. SUSAN CARTER: Your understanding is around \$3 million in efficiency dividends.

ELIZABETH MILDWATER: Just to confirm what Dr Brand was saying, the efficiency dividends, by that definition that are applied, are ones that have been carried forward from previous budgets. They have started over various years, including this year, but they were part of last year's budgeting process.

The Hon. SUSAN CARTER: Thank you for that confirmation of the efficiency dividend of \$3 million levied against the Art Gallery.

The Hon. Dr SARAH KAINE: That started before our Government.

ELIZABETH MILDWATER: I'm not confirming the number; I'm just confirming that the reason it's complex is it's from a series of years being added up.

The Hon. SUSAN CARTER: I'm grateful for that. I'm wondering, if you need to find savings, will the regular travelling Archibald exhibition be cut, making it harder for people in New South Wales, in the regions, to have access to these important works?

MICHAEL BRAND: There are no plans to curtail the travelling Archibald exhibition. It's one of the most successful programs, as you say, sharing art experience with regional New South Wales. We also receive funding for that, sponsorship through ANZ, and we're very, very grateful for that over a number of years now.

The Hon. SUSAN CARTER: Again, philanthropic funding—

The Hon. BOB NANVA: Point of order: Accepting the complexity in ruling on a point of order at the moment—and I've refrained from seeking a point of order—a number of questions have been asked that are

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predicated on a range of hypothetical matters. The *Legislative Council Practice* does suggest that guidance can be taken from House procedure, and I would suggest that a series of questions that have hypothetical matters contained in them would not be in order.

The Hon. SUSAN CARTER: I understand that you're referring to hypothetical questions in relation to possible funding cuts and what might have to be cut. Are they the hypotheticals that you're referring to?

The Hon. BOB NANVA: Yes, and potential measures to be taken, which are also hypothetical, so there's a series of hypothetical questions upon a hypothetical assertion.

The Hon. NATALIE WARD: To the point of order: I don't know if it is a point of order, but I indicate that, where there are cuts, if you're seeking clarification on those cuts, it's normal to ask what the consequence of those is and are there other things in line. I think it's just a general line of inquiry, isn't it? You're not asking—

The Hon. BOB NANVA: Further to the point of order: I don't know that that is the evidence that has been given this afternoon—that there are cuts. I am following it and it seems to me as though there is an ongoing discussion currently underway.

The Hon. NATALIE WARD: I'm sure the witness is very capable.

The Hon. SUSAN CARTER: I think perhaps the best practice in this unusual situation is if perhaps there are no more questions in relation to possible ways in which any shortfall which may exist may be recovered—if everyone's happy with that. Dr Brand, can I take you to philanthropy, recognising the very important role that philanthropy has always played in funding of the arts. Government is a major donor but many other members of the community are as well. In fact, if we look at the gallery's expansion—I think you indicated these figures before—very generous donors of the Art Gallery have provided over \$150 million for the gallery's expansion. However, this State Government has removed the funding the previous State Government provided the gallery to cover staff and operational costs for the new north wing. Can you appreciate that many of the donors to the Sydney Modern campaign will feel that there has been a breach of faith by the State Government doing this?

MICHAEL BRAND: Again, thank you for recognising the contribution of benefactors to the Art Gallery of NSW and this history of philanthropy here. But, again, that's really speculation. We are hoping—we are discussing with the Government our budget right now but, yes, that would be speculation.

The Hon. SUSAN CARTER: It's speculation that the donors will feel there's been a breach of faith if funding isn't maintained?

MICHAEL BRAND: Well, it's a hypothetical situation.

The Hon. SUSAN CARTER: Do you think that any funding cuts will make it harder to attract philanthropy for the gallery in the future?

MICHAEL BRAND: It's very clear that benefactors like to contribute to a successful and popular institution and that is really—I think the reason behind the success of the Sydney Modern Project is the ambition of our vision. It's our long track record of delivering a fantastic public art museum for Sydney. That's why they've got on board. It is true that a successful institution attracts more support.

The Hon. SUSAN CARTER: If donors feel that the institution that they gave money to, the project they gave money to, is not being supported in the way that they understood it would be, do you think that will make it harder to attract philanthropy in the future?

MICHAEL BRAND: Hypothetically, yes.

The Hon. SUSAN CARTER: And we've acknowledged the really critical role that philanthropy plays in the Art Gallery—and the great role.

MICHAEL BRAND: Yes.

The Hon. SUSAN CARTER: The Sydney International Art Series, funded by Destination NSW, has been, I think you'd agree, an important source of funds for the gallery in past years. Are you concerned that cuts of \$109 million to the Destination NSW budget will result in fewer funded projects? Are you convinced that beyond this present year and future years the summer international arts series will continue to receive funding from Destination NSW?

MICHAEL BRAND: We have received very strong support from the Government through Destination NSW and also through Create blockbuster funding and that allows us to do the Kandinsky show we

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opened last Friday and in two weeks' time it'll open the Louise Bourgeois exhibition in the new building. We hope to be able to continue those successes in the future.

The Hon. NATALIE WARD: Mr Murray—I think, unless someone else can assist—I wanted to ask about decision point signage. Has that been discussed with you or with the Minister?

JOSH MURRAY: Decision point signage? You'd have to explain, sorry.

The Hon. NATALIE WARD: Labor's policy to put decision point signage on the toll roads—making a decision about whether you enter a toll road or you don't—where you go. I'm assuming that your answer is you haven't discussed that with the Minister, Mr Murray?

JOSH MURRAY: No, I have not discussed it.

The Hon. NATALIE WARD: Anyone? No-one? Decision point signage not happening?

TRUDI MARES: No particular discussions about that. Obviously, the—Ms Drover may have comments on the way signage is set up in our toll roads as part of construction, but we have not made any adjustments to policy that I'm aware of.

HOWARD COLLINS: The only thing I can remember is—I don't think it was in this Government. It was about ensuring that the price of tolling was available before you made your decision to either take the toll route or take an alternative. But I don't believe we have discussed that with the Minister to date.

The Hon. NATALIE WARD: There was talk of that being something that would be added, brought in by the Government—no? No discussion, no progress on that?

HOWARD COLLINS: Not as been raised in operations.

The Hon. NATALIE WARD: Can I clarify whether the toll cap will apply to every driver? Is that the intent?

JOSH MURRAY: I think, as we heard this morning, the Minister will be making some further announcements around that. We'd have to take—happy to assist wherever we can pending those Government announcements but we need to take that on notice.

The Hon. NATALIE WARD: So that hasn't been decided. The Western Distributor road network improvements—what's the status of the Western Distributor road network improvements?

JOSH MURRAY: Yes, Ms Mares gave a summary of that earlier today, but I'm sure she could provide some additional detail.

The Hon. NATALIE WARD: Yes—just where that's up to.

TRUDI MARES: As you know, the Western Distributor network improvement project is looking at traffic flow and improving congestion flowing on the Anzac Bridge from the Western Distributor and is an integral part of our works with Rozelle interchange. The changes that we're making, which will commence construction early 2024—improvements to the off-ramps at Allen Street and Pyrmont Bridge Road and the new access point ramp exiting Fig Street to deal with the weave across that area as well and refurbishing of the Anzac Memorial.

The Hon. NATALIE WARD: I was just going to finish that topic by asking is that related to the Rozelle interchange project?

TRUDI MARES: Yes, it is.

The CHAIR: I've just got some questions now for Ms Lamb—so ILGA in relation to music festivals, specifically in relation to subject festivals and ILGA's role in that. Are there defined criteria that the authority operates under in terms of determining what is a subject festival specifically?

CAROLINE LAMB: There are, in the sense that the legislation requires us to take certain matters into account in our determination.

The CHAIR: Are there written guidelines?

CAROLINE LAMB: Yes.

The CHAIR: Do you publish those annually? What festivals are determined as subject festivals and the reasons behind it?

CAROLINE LAMB: Do you mean do we publish the decisions that we've taken and why we've taken them?

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The CHAIR: Yes, that's right.

CAROLINE LAMB: No, we don't do that but, of course, the festival organisers themselves have that information.

The CHAIR: Has ILGA rejected safety management plans? I understand that festivals—is it just subject festivals put in a safety management plan?

CAROLINE LAMB: That's correct.

The CHAIR: Has ILGA rejected any safety management plans that have—

CAROLINE LAMB: I think in reality, the process is that, before a safety management plan is approved by ILGA, we seek input from both Health and the police in terms of the adequacy of that plan. So the answer to your question is once we've received that assurance—the answer is no, we don't refuse it.

The CHAIR: Who do you get the assurance from, did you say?

CAROLINE LAMB: From the department of health and from the police.

The CHAIR: So for every music festival that has been determined by ILGA, because you've made the determination against criteria—

CAROLINE LAMB: Yes.

The CHAIR: —that it should be a subject festival and they've put in a safety management plan, have any been rejected?

CAROLINE LAMB: Not rejected as such. When we are proposing to—or if we have any concerns about a safety management plan, we always discuss that with the organisers. So there's a sort of two-way communication process. ILGA is obliged to approve a safety management plan within 14 days of the event so that by the time of the 14 days, it's fairly clear what the safety management plan will contain.

The CHAIR: This has been in place—is it three or four years now?

CAROLINE LAMB: Yes, that's correct. Since 2021, I believe.

The CHAIR: Yes, and I'm aware of, obviously, COVID in between. So have festivals been able to move off being declared a subject festival over a number of years in terms of not having deaths and meeting other criteria?

CAROLINE LAMB: Yes, you raise a very important point, Ms Faehrmann, because what we are doing now is, rather than categorising a festival as either subject or not subject according to what they're called, we're actually looking at each event anew because, of course, the circumstances that pertain this year may not be the same as those that pertained a year or so ago. For example, the climate might be different, it might be being held at a different time of year, it might be different numbers of people, it might be different types of events. So what we're doing is we're looking at each event as a standalone festival. So the answer to your question is, because we look at each event as a standalone festival now, the categorisation of some festivals has changed—not in many cases, but in one or two cases I believe it has changed.

The CHAIR: Have New South Wales police ever recommended for a festival not to be deemed a subject festival?

CAROLINE LAMB: Since I've been in the role, which is only since December last year, I don't recall a circumstance in which the police didn't recommend it be a subject festival and ILGA determined that it should be.

The CHAIR: At what point does the police—where do they engage with you when you're saying "their recommendation"? Do they receive the application first? Is that the process?

CAROLINE LAMB: Yes, Liquor and Gaming—and my colleague Mr Barakat is here—basically do the interaction with police and Health, and they provide that information to ILGA to support ILGA's decision-making process.

The CHAIR: At what time—did you say? I've got this big chart here of the process, which is incredibly complicated. I really do pity anybody wanting to operate a music festival in this State, I have to say. At what point of that process are the police involved? Is it the very beginning?

CAROLINE LAMB: It can be early on. We encourage festival organisers to notify Liquor and Gaming early on and ILGA early on. There is an electronic notification process. If they choose to do that, it tends to

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expedite the processing of an application. If they do put it in an ENF, there is a time period of 60 days before ILGA is required to make a determination, and then ILGA makes a determination within no later than 14 days before the event takes place, and I understand there are no circumstances in which that 14 days has been breached.

The CHAIR: With those 14 days, I mean, that's a tight time frame. Has it often been quite close to the 14 days?

CAROLINE LAMB: Yes, it has. That's quite true.

The CHAIR: They have to start with you—is it 90 days or 60 days? I think I said 60 before but it's 90.

CAROLINE LAMB: If they do put in an electronic notification, it's 60 days, and then Liquor and Gaming will need to engage with not only the organisers but also stakeholders—particularly, as I say, Health and the police.

The CHAIR: How much time does it take? I mean, do you think the system or the process is working? Have you been potentially recommending improvements? I know that there's a review, which the Minister mentioned this morning, but from ILGA's point of view, what's working and what isn't with this?

CAROLINE LAMB: We are being invited to contribute to the review, and we're looking forward to doing that. We at ILGA are very keen to promote the development of the music festivals in New South Wales, and we acknowledge that currently, the process—a lot of organisers find it cumbersome. We've already put in place some measures to streamline the process that's involved. We're not sure that we've got it perfectly right yet, and we engage regularly with the music festivals industries to get their input into what we do and how we do it because we really are very committed to improving. We think the process is good, but we think it can always be improved. We're very interested in listening to festival organisers to hear their views as to what would help to make things work better for the industry.

The CHAIR: Do the organisers have to pay ILGA anything for this work?

CAROLINE LAMB: I think you should probably refer that to my colleague Mr Barakat because if there is a payment for the application process that would all be attended to in Liquor and Gaming, and I don't know what that is.

The CHAIR: Why don't we—if you're not able to answer—spread the load around in terms of who's answering questions.

CAROLINE LAMB: I'd be delighted.

The CHAIR: Maybe stay there, Ms Lamb, because I might come back to you.

CAROLINE LAMB: Yes, sure.

TAREK BARAKAT: It's a rather inauspicious answer to my first question today. I'd have to take that on notice, I think. If I can get the detail this afternoon, I will, but off the top of my head, I don't know the exact fee.

The CHAIR: I've also heard concerns that there are issues in relation to—that there's no review process. I assume that if organisers are being told 14 days before—if they're having certain conditions or whatever imposed on them, there's no review process because they're told so late. Is that being factored in? Do they have an opportunity to feed in if there is any—

CAROLINE LAMB: I don't want you to get the misapprehension that they only know whether they're a subject music festival 14 days before the event. What they have to do is, if they are a subject festival, they have to provide their safety management plan and that has to be approved 14 days beforehand. So there's quite a lot of work that goes on before that 14-day period.

The CHAIR: There are festivals, I think, that want to be able to appeal or get an independent review undertaken of the entire assessment of them as being a subject festival. There's no avenue for that, is there?

TAREK BARAKAT: I think, if I may, Ms Faehrmann, there was a process—correct me if I'm wrong, Ms Lamb—this year whereby organisers who had had their festivals classified as subject were given the opportunity through the Music Festival Roundtable to make submissions as to why they should no longer be classified as subject, and then those organisers I think then came to present to ILGA as well.

CAROLINE LAMB: That's correct, and that is consistent with the approach that we have taken this year—to look at every festival as a discrete event, notwithstanding the fact that they may have been classified one way or the other in previous years.

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The CHAIR: What happened with those festivals that requested that their status as subject festivals be reviewed? Was that accepted by ILGA?

CAROLINE LAMB: It was reconsidered. It was quite a separate exercise. So quite apart from any assessment that was made in previous years, we did a new assessment and I think most of them remain unchanged. But I can't tell you there were none that were changed.

The CHAIR: Ms Lamb, with ILGA signing off on what is ultimately a safety management plan, with very serious responsibilities and consequences at these festivals—they set out the level of medical and peer-based harm reduction, as you know. What happens in those medical tents and who conducts it is extremely important, as the coronial inquest, in fact, found. Isn't NSW Health the better agency to sign off on these plans?

CAROLINE LAMB: That would be a matter for government, Ms Faehrmann. At the moment, under the legislation, it's ILGA's responsibility, and I'm not in a position to say what the Government's position might be once the review of the festivals legislation is complete.

The CHAIR: How much input and at what point, again, does NSW Health have input into the safety management plan?

CAROLINE LAMB: It's part of the overall—the background work that Liquor and Gaming does on behalf of ILGA in order to present an application to us for determination.

The CHAIR: You said that the assessments go back to the festival operator/promotor. So there's no public list as such in terms of which festivals have been deemed to be subject music festivals?

CAROLINE LAMB: I don't believe there is such a list, no.

The CHAIR: Thank you. I think I've exhausted all my questions.

The Hon. NATALIE WARD: Can I just come back to the Western Distributor Road Network Improvements? I might start with you, Mr Murray. Has the Minister been briefed on the impacts of the Rozelle interchange opening to the Anzac Bridge corridor?

JOSH MURRAY: Yes, the Minister has been heavily involved in the work getting ready. In fact, just last week the Minister and Mr Collins were on site to begin explaining that to the users as it begins to come online.

The Hon. NATALIE WARD: Is Transport confident that it can manage those challenges on the corridor when the Rozelle interchange opens?

JOSH MURRAY: I will throw to the coordinator general in a moment, except to say that I think it has been part of the overall concern that the first six months we do expect that there will be some disruption to drivers, particularly on the lead-up to the Anzac Bridge, approaching the city, as the network begins to come online and build up its patronage. We are asking for patience, obviously, in that area, and we will work out any glitches as it works through. But we are expecting that, for at least the first six months, there will be some tensions.

The Hon. NATALIE WARD: Before we go to Mr Collins, can I just ask you: Has the Minister been briefed on the opening plan and the ability to mitigate those risks?

JOSH MURRAY: The opening plan and the commissioning strategy is a regular matter that is briefed within the department and also to the Minister.

The Hon. NATALIE WARD: Thank you. I might come back if there are any further details.

HOWARD COLLINS: Just very quickly to say we have a specialist team, customer journey planning and customer journey management. They have been briefing the Minister and the Minister's office and the secretary on a regular basis, almost minute-by-minute plans, and we set up our joint operations command. We did last week when we opened The Crescent.

The Hon. NATALIE WARD: Thank you. I'm sure it's well in hand. Do you anticipate, Mr Murray, any impact to the operation of the Rozelle interchange?

JOSH MURRAY: Nothing that wouldn't be factored in in terms of the planning. We have the independent verifier doing the work on the connections now to ensure that that commissioning program can run to plan. But these elements, as the coordinator general just said, are now in the domain of our customer journey planning teams to make sure that the on-ramps and off-ramps and the customer use of the network are able to be brought online as smoothly as possible, but we do expect some delays.

The Hon. NATALIE WARD: And the Minister has been briefed on those expectations and the potential challenges around that?

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JOSH MURRAY: Yes, and the Minister has—

The Hon. NATALIE WARD: She's clear about those?

JOSH MURRAY: This is Minister Graham in terms of the Roads portfolio.

The Hon. NATALIE WARD: Sorry—Mr Graham, of course.

JOSH MURRAY: He has spoken publicly about these issues, yes.

The Hon. NATALIE WARD: Good. Thank you. When is the Sydney Gateway scheduled to open?

JOSH MURRAY: I might come to Ms Drover.

CAMILLA DROVER: There is actually a staged opening of Sydney Gateway, but the whole project is due for completion by the end of 2024. As we announced earlier this week, the flyover into the domestic terminal is due to open very shortly.

The Hon. NATALIE WARD: Thank you, Ms Drover. And M6 Stage 1, Mr Murray—when is that scheduled to open?

JOSH MURRAY: Again, I'd have to—

CAMILLA DROVER: Yes, that is due to open by the end of 2025. It's on track for that completion date.

The Hon. NATALIE WARD: Is it on track for that completion date?

CAMILLA DROVER: Yes, on track. I think we must be approaching 40 per cent of the tunnelling complete for the M6 Stage 1. The project is also on budget as well.

The Hon. NATALIE WARD: Thank you. Again, Mr Murray, when is the Western Harbour Tunnel scheduled to open?

JOSH MURRAY: Western Harbour Tunnel—we have the portals now as part of the process that has just been signed off. Ms Drover, could you give up an update on the tunnelling portion?

CAMILLA DROVER: As you'd be aware, we awarded the contract for that in November 2022—so just about a year ago—and we said that would take about five years of tunnelling. Tunnelling for the package 1, which was awarded earlier in early 2022, is well advanced. I think by next year they will be under Birchgrove, and tunnelling for package 2 will start next year.

The Hon. NATALIE WARD: Mr Murray, which of those three will be tolled—Gateway, M6 and Western Harbour Tunnel?

TRUDI MARES: So Gateway is not a toll road network. M6 is planned to be tolled. Western Harbour Tunnel will be considered.

The Hon. NATALIE WARD: What's the progress on consideration of the toll on the Western Harbour Tunnel?

TRUDI MARES: All of that forms part of the toll review considerations. So no decision has been made by government yet.

JOSH MURRAY: Also, just to your earlier question on decision point tolling, signage and technology is one of the reference points of the tolling review. So we anticipate that will be picked up there.

The Hon. NATALIE WARD: Okay. Mr Murray, what's the delivery strategy for the Western Harbour Tunnel?

JOSH MURRAY: I would go to Ms Drover on that question.

CAMILLA DROVER: So we've ordered the package 1, which was a variation to the Rozelle interchange. Package 2 was awarded, as I said, November 2022. That's an incentivised target cost contract arrangement. Both packages have been delivered directly by the New South Wales Government.

The Hon. NATALIE WARD: Mr Murray, last one for you: When will the WestConnex speed limit increase?

JOSH MURRAY: That's being looked at at the moment. We have to ensure that the integration works with the Anzac Bridge are all flowing smoothly. As I said, the first focus is the integration of that network, the six

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months of running. We are looking at that in the process to see then how we can retrofit the speed limit considerations back into that integration piece.

The Hon. NATALIE WARD: Is that likely to delay the rollout of the speed increase?

JOSH MURRAY: That's not going to delay. It's just we have to ensure that's running smoothly before we then change the speed limit further down the roadway, which would then accelerate the cars arriving at the Anzac Bridge.

The Hon. NATALIE WARD: Will it be in place by the end of this year?

JOSH MURRAY: I couldn't give that time line. We will be still monitoring the impacts of the network. That would only be a short time after opening.

The Hon. NATALIE WARD: End of next year?

CAMILLA DROVER: Can I just clarify? Was your question about the speed limit within the Rozelle interchange?

The Hon. NATALIE WARD: WestConnex.

CAMILLA DROVER: Yes. So we are focused at the moment on completing and getting the Rozelle interchange open. There's a lot of testing and commissioning that needs to be completed. That's the focus, and then the changes to the posted speed limit within WestConnex will follow.

The Hon. NATALIE WARD: Thank you, Ms Drover. I might turn to some other questions. Mr Murray, in relation to tourism, just for a change of scene, the Ultimate Fighting Championship to be held in September—was this event funded from the tourism budget or the sport budget?

JOSH MURRAY: I'm sorry, I wouldn't have that detail. That's not within my purview.

ELIZABETH MILDWATER: I think that's our department.

The Hon. NATALIE WARD: Tourism? Destination?

ELIZABETH MILDWATER: Yes, Destination NSW can answer those questions.

The Hon. NATALIE WARD: Whoever is appropriate.

The CHAIR: So that's Mr Cox.

The Hon. NATALIE WARD: Mr Cox, was there a business case prepared for this funding opportunity?

STEVE COX: Good afternoon, Ms Ward. Yes, there was a business case, as is always the process for Destination NSW. It was, however, of course, an election commitment. But we did go through our due diligence with relation to the return and the investments that it would make.

The Hon. NATALIE WARD: Sorry, you did or you didn't?

STEVE COX: We did.

The Hon. NATALIE WARD: Initially, that was, I think, an election commitment, as you mentioned, for some \$8 million. That then became \$16 million. Can you just inform the Committee of how that doubled?

STEVE COX: The investments that we make specifically are commercial-in-confidence with relation to events, as has been the practice for some time, so I can't go into the detail around exactly what was invested.

The Hon. NATALIE WARD: You can confirm, though, the election commitment was \$8 million and it's now costing New South Wales \$16 million. That's correct, isn't it?

STEVE COX: I think the election commitment that I have on my records here is up to \$16 million for three UFC pay-per-view events.

The Hon. NATALIE WARD: Given the controversial nature of the participants and president of the UFC—and we've had this discussion with you and with the Minister; thank you for the briefing—is there any capacity in that budget to include trigger warnings or warnings about domestic violence or to warn people about that? Given the investment of the Government in prevention of domestic violence and the history of those participants, is there any component in that for funding warnings about domestic violence?

STEVE COX: Not specifically, but it is something that we can discuss with the UFC in the next couple of events that are scheduled.

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The Hon. NATALIE WARD: When is that? When is the opportunity?

STEVE COX: I don't have the date. I think the dates haven't necessarily been set for the next two events. But I'd need to take that on notice to be 100 per cent sure about that.

The Hon. NATALIE WARD: About when the events are?

STEVE COX: Yes, specifically when the events are. It would need to be with agreement with the UFC, of course.

The Hon. NATALIE WARD: Given a number of women have tragically been killed only in recent weeks and the emphasis on prevention of domestic violence and the investment by the Government—and I accept that's a different portfolio to here—there have been community concerns raised. I've raised them repeatedly in the House and directly with you. I would have thought that, following our earlier discussion, that was going to be taken up. Are you saying that no progress has been made on that at all?

STEVE COX: We've certainly communicated with UFC with relation to the behaviour of their athletes and their code of conduct, but there hasn't been progress on specific advertising you're asking about. There was insufficient lead time with the first event, but future events can certainly be considered.

The Hon. NATALIE WARD: Did you sign off on the business case?

STEVE COX: Yes, I sign off. It goes to our board. We've got a process. The events go through a detailed process of assessment. They go to the board for information. They go through myself and then, ultimately, they're provided to the Minister.

The Hon. NATALIE WARD: And you're comfortable with that spend for those events?

STEVE COX: Yes, I am.

The Hon. NATALIE WARD: And the return on investment?

STEVE COX: Yes, I am.

The Hon. NATALIE WARD: As a Destination NSW event that would bring people to New South Wales, or is it focused on people that are in New South Wales?

STEVE COX: No, it's focused on people coming—ex-region visitation. All that we do is—people from outside of New South Wales, so outside of 50 kilometres. Obviously, the further, generally the better. They tend to stay longer and spend more. The event itself was very successful. It was in fact the largest ever take of an indoor event in Australia's history.

The Hon. NATALIE WARD: Concerning to some. I won't comment. I won't go there further.

The Hon. SUSAN CARTER: Perhaps if I could ask Ms Pitman some questions. Hello, Ms Pitman. Thank you for being here. I wonder if you could tell the Committee the total allocation that's been made by the Minister from the State budget for the Arts and Cultural Funding Program.

ANNETTE PITMAN: In 2023-24 there is \$68,561,000—sorry, wrong line. There is \$68,381,000 for the Arts and Cultural Funding Program.

The Hon. SUSAN CARTER: So let's say roughly \$68 million.

ANNETTE PITMAN: Yes.

The Hon. SUSAN CARTER: How does that compare to what was allocated in 2022-23?

ANNETTE PITMAN: In 2022-23 the Arts and Cultural Funding Program was allocated \$71,940,000.

The Hon. SUSAN CARTER: And in 2021-22? Do you have those figures?

ANNETTE PITMAN: In 2021-22 the allocation for the Arts and Cultural Funding Program was \$73,409,000.

The Hon. SUSAN CARTER: Can you tell the Committee why the assessment of multi-year funding for organisations was suspended earlier in the year?

ANNETTE PITMAN: The Arts and Cultural Funding Program's multi-year funding—an expression of interest was run, commencing in February of this year. That expression of interest process was open to everyone except for existing multi-year clients, which did not need to apply through that expression of interest. Those applications were received. However, there was a decision made to align the multi-year funding program with the

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arts, culture and creative industries policy, which is currently being developed. Applicants were notified of that through the course of this year.

The Hon. SUSAN CARTER: Ms Pitman, whose decision was that?

ANNETTE PITMAN: That decision was taken in consultation with the Minister.

The Hon. SUSAN CARTER: So the Minister decided to suspend the open process for an alignment with a policy that's currently under development?

ANNETTE PITMAN: We provided a variety of options, as you would normally do in the case of a large policy on foot, like the development of the arts, culture and creative industries policy.

The Hon. SUSAN CARTER: Sorry, just to clarify, these were options you provided to the Minister?

ANNETTE PITMAN: Yes, that's correct.

The Hon. SUSAN CARTER: Was the process of this review public forums? What's the process of this review—the arts, culture and creative industries policy?

ANNETTE PITMAN: We have undertaken, over the course of the last four months or so, a large-scale consultation program, which included the conduct of 16 town hall forums. Twelve of those were face to face in different parts of New South Wales and four of those were online. Those forums were attended by over 1,000 parties. The program also involved one-on-one meetings with key organisations in the arts and cultural and creative industries. We also had an open "Have your say" program and we received 775 submissions through "Have your say".

The Hon. SUSAN CARTER: How many of the public forums did you attend?

ANNETTE PITMAN: I believe I attended six. We split them up between a number of the Create senior staff, and I believe I attended six.

The Hon. SUSAN CARTER: What feedback was there in this review process about the Arts and Cultural Funding Program?

ANNETTE PITMAN: We received a significant amount of feedback through that consultation process. It was quite a significant amount of feedback across everything from funding to education, arts education to infrastructure for arts, culture and creative industries. In terms of funding, we received feedback around the structure of our programs, the methodology, the time lines et cetera. So it was quite wideranging feedback that we received.

The Hon. SUSAN CARTER: Was it positive or negative?

ANNETTE PITMAN: It was both. There's a lot of appreciation for the Arts and Cultural Funding Program in particular, being the core arts funding program that New South Wales provides. There certainly was a lot of appreciation for the funding that that program provides, but there were an awful lot of recommendations for how we can improve that, which we gratefully accepted.

The Hon. SUSAN CARTER: So, recommendations. Discontent with the structure of the funding programs?

ANNETTE PITMAN: Yes, it was broad-ranging recommendations—everything from how we communicate with parties to how frequently the different open rounds are run and how much certainty organisations have in terms of multi-year funding. It was broad ranging.

The Hon. SUSAN CARTER: The bodies and individuals making submissions—did they seek change to the multi-year funding arrangements?

ANNETTE PITMAN: Yes, I think there were specific comments around multi-year funding as well as broader ranging comments around the breadth of the programs that are run through the Arts and Cultural Funding Program.

The Hon. SUSAN CARTER: When can people in the sector look forward to assessment of the existing applications commencing and funding decisions being made?

ANNETTE PITMAN: We have notified the parties that submitted through that process that we would be providing more information in early 2024. We have extended the existing multi-year clients' agreements. We're in the process of extending those—

The Hon. SUSAN CARTER: Right.

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ANNETTE PITMAN: —until 31 December 2025. And there are other avenues for funding in the lead-up to that for organisations that are not already in that program.

The Hon. SUSAN CARTER: I think I understood you to say that those people who were able to apply in February of this year did not include existing multi-year. So anybody who has an existing multi-year grant, they will be extended through to December 2025.

ANNETTE PITMAN: That's correct.

The Hon. SUSAN CARTER: But anybody who applied in February this year, they have to wait till early next year to even have their application, potentially, processed?

ANNETTE PITMAN: They were encouraged to apply through the open rounds that we have so that there was a potential for them to be funded before then.

The Hon. SUSAN CARTER: And when do the open rounds open?

ANNETTE PITMAN: Let me see if I have that here. There are two open rounds per year. Round one opened on 20 July and closed 29 August. Sorry, that was 2022—apologies. I do not have the 2023 dates here.

The Hon. SUSAN CARTER: But they have opened in 2023?

ANNETTE PITMAN: I can take that on notice.

The Hon. SUSAN CARTER: That would be good of you. Thank you very much. We heard this morning from the Minister that there is work going on progressing the reopening of the Roxy Theatre at Parramatta. Is Create NSW involved in that work?

ANNETTE PITMAN: We are.

The Hon. SUSAN CARTER: And how many of your staff are working on that?

ANNETTE PITMAN: I would say there are two to three staff working on that.

The Hon. SUSAN CARTER: Full-time, part-time?

ANNETTE PITMAN: Our staff work on a number of projects. We have specialised staff with expertise in theatre and theatre development, so we've assigned those specialised staff to this project.

The Hon. SUSAN CARTER: Perhaps you can take on notice what the full-time equivalent number of staff members are there. That would be great.

ANNETTE PITMAN: I can do that, yes.

The Hon. SUSAN CARTER: Is there a working group involving other agencies and Parramatta Council in place?

ANNETTE PITMAN: I will have to take that on notice.

The Hon. SUSAN CARTER: Thank you. That's great.

ANNETTE PITMAN: There is a steering committee that oversees all of our projects, including one for this. We have regular and wide-ranging discussions with Parramatta Council, which includes Roxy as a standing item.

The Hon. SUSAN CARTER: Can you tell me what's been achieved since April this year?

ANNETTE PITMAN: We're in the process of doing a final business case.

The Hon. SUSAN CARTER: Right.

ANNETTE PITMAN: That final business case work will provide the Government with options, both in terms of what the Roxy could potentially achieve as a cultural venue, as well as scales of potential development, as well as potential options for investment.

The Hon. SUSAN CARTER: And the time line then would depend on which of the options the Government chooses?

ANNETTE PITMAN: That's correct.

The Hon. SUSAN CARTER: I wonder, can I take you to the Registrar General's Building. You're involved in this work?

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ANNETTE PITMAN: Yes.

The Hon. SUSAN CARTER: I understand from public reports that work will be complete by October 2024. Is that your understanding?

ANNETTE PITMAN: The Registrar General's Building works are being managed by the Property and Development team in Department of Planning and Environment. We work very closely with them, and the early works are underway, as you say.

The Hon. SUSAN CARTER: Has an advisory forum been established?

ANNETTE PITMAN: Yes. There is a steering committee and a governance structure that oversees that, yes.

The Hon. SUSAN CARTER: Who are the members of the steering committee?

ANNETTE PITMAN: I don't have the list in front of me.

The Hon. SUSAN CARTER: If you could take it on notice I would be very grateful.

ANNETTE PITMAN: But I can take that on notice, yes.

The Hon. SUSAN CARTER: Thank you very much.

The Hon. NATALIE WARD: Just on BCRs, Mr Murray, and the major roads projects which are coming up—obviously large and important projects. In your words, how do you balance a BCR with the broader benefits and government priorities when advising the roads Minister on capital allocation? What are the key things you're looking for?

JOSH MURRAY: Ms Ward, obviously, we fall into the government processes with Infrastructure NSW. We have set processes to go through with those gateways, and that involves involving the ERC and the Cabinet as we go through it. I wouldn't want to go into any further detail than that here, unless Ms Drover wanted to comment on the process.

The Hon. NATALIE WARD: Sure. You've come from an infrastructure background. I would have thought there are some key drivers that you would have been emphasising, given that background. What are the key drivers of a BCR for you?

JOSH MURRAY: It's clear on where you're going with the question. I'm very comfortable with the processes. There is a set government process that we abide by, and I work with my team to implement that.

The Hon. NATALIE WARD: Just on those priorities, there's obviously a lot of pressure on infrastructure spend and cost at the moment. What specific steps does Transport intend to take to manage those cost projects for delivery of these major projects already in delivery?

JOSH MURRAY: One of the key things we're looking at, at the moment, obviously, is the de-escalation of the industry. It's one of the reasons why the capital program of Transport has been shifted. We are looking at that deliberate strategy to come down from the mega-project tier into dealing with our tier 1, 2 and 3 delivery providers much more fairly. That's one of the reasons why we had all of that group together just a week ago and briefing them, over the course of a day, on what the pipeline will look like and how they can best do that.

The Hon. NATALIE WARD: For the projects in delivery right now, with your experience and key influence and input in this, what do you see as the key issues and challenges right now, and what specific steps are you taking to manage those? These are big projects. They're important. They must be delivered. For the ones that are ongoing now, what steps are you taking?

JOSH MURRAY: I understand that. The issue we're really looking at, at the moment, is that skills pipeline, because of the current stand-off between different State and Federal projects. We are waiting, obviously, on the Federal infrastructure review, but that's not stopping us getting on with the certainty around those projects we need.

The Hon. NATALIE WARD: With respect, the Federal review doesn't affect some of these projects that I just asked about.

JOSH MURRAY: You asked me, though, what the factors were that we were considering in our current project delivery timeline. What we are looking for is to ensure we have the right skills base that can apply to those projects. We have talked about that with the major—

The Hon. NATALIE WARD: So you're saying the skills shortage is the biggest cost.

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JOSH MURRAY: We have talked about the need to give certainty to the marketplace so that, as the change in projects that is currently happening is sized up, we get the right selection of delivery partners, and they can bring their best skills into that delivery.

The Hon. SUSAN CARTER: Just for the information of the Committee, the Opposition's time has expired, but, in the absence of the crossbench, Ms Faehrmann has indicated she's happy for the Opposition to use her time, so we'll go straight into another Opposition block of questions.

The Hon. NATALIE WARD: Coming back to that, Mr Murray, in your experience—I'm just interested in the specific cost drivers—you're saying that skills shortage is the biggest cost driver at the moment?

JOSH MURRAY: No, I said one of the areas of certainty that we needed to ensure—and I was with a briefing from the Australian Constructors Association only in the last couple of weeks—is we will not get that certainty of teams bidding those projects if they cannot see the right pipeline in place in New South Wales. The States are all reimagining their infrastructure pipelines at the moment. We have to be in the right zone to give them the certainty to come and prioritise New South Wales. That's what I have seen and spoken with my colleagues about since joining this organisation 12 weeks ago.

The other elements we need to look at are how the inflationary impacts, which are still present in the marketplace and haven't abated, are flowing through our forward pipeline, and we've spoken about that today, and, with the forward impacts on the budget—you mentioned the western distributor program—how we're going to right-size that program, going forward, to ensure that it's deliverable and it fits in with the rest of the plan.

The Hon. NATALIE WARD: The pipeline doesn't affect the current projects that are in delivery, does it?

JOSH MURRAY: No, the projects that are in delivery are the subject of our reviews. We have a regular project delivery review with the Infrastructure and Place division in Sydney Metro to ensure that all of those project packages are tracking to plan and, if we need to make any changes around the contingency, that can be done within the agency.

The Hon. NATALIE WARD: The Western Sydney metro is quite controversial. What are the key drivers of cost escalation in projects that are in delivery in Transport at the moment?

JOSH MURRAY: I think one of the biggest issues has obviously been materials over the past few years. That's well documented—the inflationary impacts of just the construction inputs. It has been the ability to get the teams as each State has poured more and more people into the infrastructure market. I'm sure Ms Drover could give some of the impacts that we've worked on with the ACA and with Consult Australia as we try and improve the procurement pipeline into a more sustainable level.

The Hon. NATALIE WARD: Mr Murray, I'm not talking about the pipeline that's coming. I'm talking about those projects that are in delivery right now and, from your infrastructure background, what steps you're taking to manage those risks right now on those projects.

JOSH MURRAY: Ms Drover can give us some more information on how that's being done with the projects that are currently in delivery.

The Hon. NATALIE WARD: Mr Murray, you're the head of Transport. I'm interested in your steps that you're taking in this role to mitigate those risks.

JOSH MURRAY: Yes. Like I said, we have a regular—it's every two weeks. We have all projects in delivery and we go through and examine how they are tracking against the project delivery time line and cost.

The Hon. NATALIE WARD: And the BCRs on those projects—can you talk me through the BCR on the Sydney Gateway project?

JOSH MURRAY: I don't have that to hand, but I'm sure Ms Drover would have it in her file.

The Hon. NATALIE WARD: Yes, sure. We're happy to take that on notice, Ms Drover, because I think Ms Faehrmann would like her time.

CAMILLA DROVER: It's 2.8.

The CHAIR: Ms Lamb, I might just come back to you if I can. Just a few more questions to wrap up the music festival assessments at ILGA. During this whole assessment process—the safety management plans with subject festivals—what is the role of music festival organisers in the assessment? Are they able to argue their case? Are they able to present to you in any way?

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CAROLINE LAMB: On occasion they can and they do. ILGA can always make an opportunity for an organiser to come and talk to us if they wish to do so. Sometimes that does happen. It has happened in the last few months. I wouldn't say it's the regular process, though.

The CHAIR: Have you rejected attempts by festival organisers to come and meet with you to basically challenge their assessment of a subject festival?

CAROLINE LAMB: I recall one occasion where that's happened in the last few months, yes.

The CHAIR: Why is that?

CAROLINE LAMB: I think there were some time constraints, to be perfectly frank.

The CHAIR: I understand as well that once they're deemed to be a subject festival, that imposes a hell of a lot more costs onto that festival. Wouldn't it seem fair to enable those organisers to have a say in the process and to be actually able to come to ILGA and put their case?

CAROLINE LAMB: Yes, well, they do have an opportunity to have a say throughout the process because they're engaging with Liquor and Gaming. When we're considering an application or we're considering a safety management plan, we have the benefit of receiving a report of their input. Now, if you're saying should they have an opportunity in addition to that—sometimes we do talk to music festival organisers where we have that opportunity. I think on the particular occasion you may be referring to, my recollection is there was a time constraint and it simply wasn't possible in the context of other commitments that ILGA had at the time.

The CHAIR: Just to be clear, the time constraint—the festival organisers have to abide by putting their application in within 60 days online, or 90 days—

CAROLINE LAMB: If it's not online.

The CHAIR: They've done that, but then, within that two-month period, ILGA isn't able to find time for a festival organiser to be able to have a meeting to come and plead their case as to why they should not be deemed a subject festival.

CAROLINE LAMB: I can't imagine, in circumstances where there was that amount of time, we would not be able to find a time for them to come and talk to us. I think on the particular occasion you're referring to—ILGA meets once a month for board meetings. I think the festival organisers—my recollection was that they wanted to come and talk to the full board, and there was not a board meeting in the period of time which would have enabled us to have their input in that way.

The CHAIR: Are you able to provide on notice, perhaps, the number of festivals that have been assessed by ILGA and how many of those festival organisers have been able to appear in person to speak to ILGA about their application?

CAROLINE LAMB: Yes, certainly, I can take that on notice.

The CHAIR: Thank you. I understand it's basically just, largely, paperwork. They submit on paper, you assess. Most of them, I would think, I don't know, because you're saying it's almost like a proactive step if people want to talk to ILGA. If those organisers want to talk to ILGA, you've said some get through. You've said a couple have had a meeting. How do they do that? What's the process?

CAROLINE LAMB: For example, we do regional visits every year. Recently we went to Kingscliff for a regional visit. We spoke to a number of festival organisers, including the festivals association, when we were up in Kingscliff and there were a number of festival organisers at that on that occasion. There was some discussion about the characterisation of one particular festival up there during the course of that engagement. So it wouldn't be correct to say that we don't engage regularly with festival organisers. We do, and we have. I myself attended a music festival in Wollongong recently and spoke extensively with the organisers there. So we're well aware of the issues and concerns that festival organisers have—

The CHAIR: You said you just attended a festival in Wollongong. Do you attend them regularly?

CAROLINE LAMB: That's the first one I've been to.

The CHAIR: Right. So you have a process where festival organisers submit these applications—again something that is going to cost them a lot of money—and there is nothing in that process that provides them the ability to have a meeting where they can plead their case to not be considered subject. There is no ability in the process, as it stands, for that to happen. Do you think that process, therefore, needs to change to give the festival organisers more agency in this whole process?

CAROLINE LAMB: I'm sure they feel that that's something they would like.

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The CHAIR: I'm sure they do.

CAROLINE LAMB: And where we've been able to accommodate that, we have. But I would say that most of the engagement is engagement with Liquor and Gaming, who put together the paper that ILGA considers in terms of making a determination. So that's where most of the engagement occurs and that is very direct engagement with Liquor and Gaming.

The CHAIR: Mr Barakat, I might ask you then, now that you've just been thrown into it, if most of the engagement happens with Liquor and Gaming what in-person assessment meetings do you have with each of the festival organisers? As I understand, a number of them are pleading their case to avoid this subject festival—

TAREK BARAKAT: Yes. I personally wouldn't necessarily be involved in those meetings, but our licensing division is in regular contact with festival organisers throughout the entirety of the application process. I would say that the issue you're raising now is a known issue. It has been ventilated at the Music Festival Roundtable. I co-chair that round table with the AFA, the industry association. In response to that, the process I spoke about earlier, where organisers of subject music festivals were able to come and present to ILGA and make submissions and make their case as to why that subject status was removed, was a response to some of those concerns.

I think, going forward—I mean, you know better than I do, but I'd be surprised if some of these issues weren't raised as part of the review that's currently underway. One of the things that we've discussed at the round table is the potential for that body to have more of a say in the assessment process that ILGA undertakes. So at the moment submissions are received from—

The CHAIR: Which body?

TAREK BARAKAT: The Music Festival Roundtable that the Government's established. In the same way the police and Health make submissions for ILGA to consider, there is probably a question as to whether the industry representatives on that round table could also make submissions in relation to subject music festivals for ILGA to take into consideration during that decision-making process. Some of those discussions have already commenced, and I think they'll be borne out through the review that's currently underway.

Just on that, I know you asked the question of the Minister this morning about the time frames for that. That opened up on 18 October and submissions will be received until 13 December.

But, as the Minister said, we're very mindful that it's in the midst of the festival season, so if industry wants longer, we're very happy to provide that. And then, from there, assuming those time frames are adhered to, we'd be open to provide some advice and options back to government about the legislative framework going forward in the first quarter of next year for government to consider.

The CHAIR: First quarter, okay. That's very useful.

TAREK BARAKAT: Just on the fee issue, music festival organisers, when they want to sell liquor, there'll be relevant liquor licence fees they'll need to pay. But as to the assessment of the actual application, there is no fee incurred for that process.

The CHAIR: In terms of all the agencies that are benefiting in terms of the money, it's really the police. In terms of any agencies or departments that have any kind of a say in those applications, it's the police who are making the money out of it.

TAREK BARAKAT: Again, I don't want to speculate on what might come out of the review, but to some of the questions you were putting to the Minister this morning, as you said, some of the costs—police, health, associated costs—come out of the fact that those safety management plans are required when a festival is deemed subject.

The CHAIR: Exactly.

TAREK BARAKAT: So all of that will be considered as part of the review and, depending on the outcome, you might see some impact on what's actually required in a safety management plan and therefore what costs are incurred by festivals who have to have them.

The CHAIR: Are there any guidelines that exist that you're aware of in terms of the assessment by the police around the numbers of police, what police are charging in terms of user pays? Are there any guidelines? I'll ask the same in terms of ambulance as well because I've seen differing charges for different festivals. Have you seen anything?

TAREK BARAKAT: I haven't seen anything but I can certainly take that on notice to see if that's something we have. We have guidelines on our website for festival organisers, but they, to my knowledge, don't

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go to the costs incurred for user-pays ambulance or police, but we can see if we have any information on that for you.

The CHAIR: That would be useful. My hunch is, no, you're not going to find anything, but if you could search very thoroughly, that'd be great.

TAREK BARAKAT: Happy to search, Ms Faehrmann.

The CHAIR: I will turn to a different issue now—not music festivals. It is Transport for NSW. It's a local issue in the inner west in relation to the Rozelle interchange construction. I understand that there have been community requests for some time for a—this is in relation to a safety issue that is at Johnston Street and The Crescent, and I understand that there has been quite a bit of community requests and feedback to reinstate a right-hand turn at Johnston Street at The Crescent. There has been, as I understand, confusion in terms of where to stop with cars. It's a dangerous intersection, and Transport for NSW has backflipped on an earlier decision to reinstate this right-hand turn at Johnston Street and The Crescent. Can anybody talk to that? Mr Murray, who can I direct that to?

JOSH MURRAY: The intersection that you talk about has absolutely been a very complex staging point for the broader project and including the overpass from The Crescent into the Anzac Bridge. That has been the main construction entry zone for that place. I know that your colleague the member for Balmain and also the inner west mayor have been on site many times over the course of construction. That overpass opened on Monday in terms of traffic, which unlocks the next stage of delivery and enables us to focus on the staged changeover of that intersection. I might just ask Ms Drover if there is any further update to that piece of the puzzle.

The CHAIR: Yes, because maybe now that the overpass is open, what the projected time frame is, considering how much the community wants this change to happen and needs it to—

CAMILLA DROVER: I don't have a huge amount of additional information other than to say that we have opened the overpass. There will be some temporary changes to that precinct until we open the full Rozelle interchange because we've still got to do some surface staging works, but I am happy to take on notice to see exactly what we are doing at that particular intersection. But I am hoping now that we've opened that overpass it will alleviate some of the issues. But as I said, there are some temporary traffic changes whilst we complete the Rozelle interchange and particularly those surface works.

The CHAIR: Can I just check, then, with that response? Is it Transport for NSW's position that you will reinstate the right-hand turn there at Johnston Street and The Crescent, or are there a range of options that you're looking at and that's not necessarily one of them now?

CAMILLA DROVER: I might take that on notice, given there's quite a few right-hand turns and it's quite a complicated set of intersections.

The CHAIR: Okay.

CAMILLA DROVER: Yes. I can take that on notice, and particularly provide perhaps the staging, because things are changing with time between now and the end of the year.

HOWARD COLLINS: Yes. If I may add, obviously our operations safety team, CRS-TO, are working with the construction of the project. As Ms Drover suggested, at the moment in the next few weeks we're doing almost nightly changes and lane marking. Once we get the full interchange open, I know my team working with the project is looking at how the traffic pans out, what are the real practical safety implications of various turns, left and right, and we'll work through that. And we'll certainly want to consult with the local community.

CAMILLA DROVER: The other thing I will mention is that we have to do a road management plan before we open the Rozelle interchange. That's obviously been done. And of course as part of our conditions of approval we'll do a similar network review 12 months after the opening and then again five years after. We'll look at how the surrounding network is performing, given that infrastructure has opened.

The CHAIR: Okay, thank you. In relation to Rozelle Parklands I understand that there are issues with the number of large truck movements currently coming in and out and around Lilyfield Road. I just want to know whether there's any noise mitigation action that is being undertaken at Rozelle Parklands as a result of what is a huge increase in the number of large truck movements and nearby residents complaining about that?

JOSH MURRAY: We are getting very close to the culmination of works in that zone. That, again, has been the access point on Lilyfield Road to get in behind the Rozelle Parklands. In terms of noise mitigation, I'm not sure if that's—

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CAMILLA DROVER: I might just comment. During construction we generally did not have heavy vehicles on Lilyfield Road because the tunnelling trucks did not travel on Lilyfield Road. We're obviously finishing the park at the moment, heading towards its opening by the end of the year, so perhaps in recent weeks there has been the odd truck delivering turf and soil—

JOSH MURRAY: Yes.

CAMILLA DROVER: —topsoil et cetera. That's probably a bit of a change to what we've seen in the last years of construction.

HOWARD COLLINS: Yes. I think I've been there two or three times in the last two weeks. Certainly there's been—to get the parkland's soil, topsoil, trees, turf, there have been an unusual amount of trucks, but they are managed.

CAMILLA DROVER: Yes.

HOWARD COLLINS: There is still a safety barrier where the interchange information centre is. We're trying to maintain the movements. Most of the heavy trucks actually come out through the portal.

CAMILLA DROVER: Yes. All the tunnelling spoil trucks come out onto City West Link and none have ever come out onto Lilyfield Road. But the only access into the park for the parkland finishing works is via Lilyfield Road, so it's a short-term impact.

The CHAIR: Okay, thank you.

JOSH MURRAY: If I could, I might just pick up on your earlier question about the community day that was held last Sunday.

The CHAIR: Oh, yes, please, and what the VIPs are.

JOSH MURRAY: Yes. We did get 2,000 attendees, actually, at the event. People were asked to sign up and they could come and have a look at the tunnel. There were probably some expectations from some of the attendees that they might be able to walk more of the motorway than they were able to see. It was also very heavy rain last Sunday, as you'd be aware, so that further restricted movements. But we did have 2,000 people, positive overall. And your question about VIP tunnel community members was, I believe, a social media post that people could do once they were inside the tunnel.

The CHAIR: Did you raise people's expectations, do you think, Mr Murray, that they might have been getting more by signing up to be a tunnel VIP—maybe a toll-free year?

JOSH MURRAY: I think some people may have had higher expectations when they went in.

HOWARD COLLINS: Sort of Santa's Grotto.

The Hon. NATALIE WARD: The WestConnex Lounge.

JOSH MURRAY: Having said that, I think there were a lot of tunnel aficionados who also made their way to the site.

The CHAIR: Wow, okay. Thank you.

The Hon. SUSAN CARTER: I have two questions for Ms Darwell in relation to the Museums of History. The funding distribution from the department last year fully funded employee-related expenses. However, with a \$33.9 million funding distribution from the department this year, covering less than 80 per cent of employee-related costs, will you have to reduce staffing levels during the current financial year?

MARY DARWELL: Thank you for the question. The Museums of History was established on 31 December last year, so it's very difficult to compare previous budgets with the current budgets because what you're comparing it to is the previous budget from Sydney Living Museums, (the Historic Houses Trust) and the State Archives and Records Authority, subtracting the regulatory component of that. In general terms, the budget that we've received this year is on par with the amalgamated institutions minus the regulatory function from previous years, except the sort of one-off initiatives, for example, the funding received for the establishment of the Museums of History NSW. In general terms, the budget provided by the Government for a number of years has been supplemented by the revenue from the Government Records Repository. As an amalgamated institution the Government Records Repository delivers a substantial amount of commercial revenue, and then also we have revenue from venues hire and philanthropy and a number of other aspects of commercial business. So there's no material change year on year.

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The Hon. SUSAN CARTER: Thank you, it's a very full answer. I was really asking about the funding distribution from the department, not all the other sources of income.

MARY DARWELL: The funding from the department this year is \$34 million, of which \$24 million is operational funds and about \$9 million to \$10 million is capital. There's rounding in that.

The Hon. SUSAN CARTER: Could you tell us what the efficiency dividend is that's been levied?

MARY DARWELL: Again, I repeat, this is a new institution and so the efficiency dividends that were marked three years ago, as I understand it, of the Historic Houses Trust—it's been hard to track.

The Hon. SUSAN CARTER: I'm not looking historically. This year, what is the efficiency dividend?

MARY DARWELL: This year we're funding savings which are the Government election commitment savings in relation to marketing and so on.

The Hon. SUSAN CARTER: And that totals—what?—about \$3 million?

MARY DARWELL: About 188.

The Hon. SUSAN CARTER: So, \$188 million?

MARY DARWELL: \$188K.

The Hon. NATALIE WARD: Mr Murray, in relation to Transport landholdings, Transport is obviously a landowner for properties. Has a direction been given to or from Transport to increase its yield that it receives from its landholdings?

JOSH MURRAY: No, it hasn't.

The Hon. NATALIE WARD: Not at all?

JOSH MURRAY: No.

The Hon. NATALIE WARD: For example, are you aware of any increases in rent on Transport for NSW owned properties?

JOSH MURRAY: Do you have specific properties in mind? I'm not aware of any general increases in rent. We obviously manage our properties through—we've discussed several others today in the course of projects where we have projects that have been acquired through the process and then we do put commercial tenants or residential tenants into those while we hold them as Transport landholdings. We're also auditing, as we always do, the holdings that we have and providing that into central government so that we have an accurate picture of the properties held across the sector.

The Hon. NATALIE WARD: Mr Cox, just in relation to the Regional Event Fund, the Tourism Product Development Fund and the Nature-based Visitor Experience Development grants, has the Minister's office advised Destination NSW on the status of these programs?

STEVE COX: Yes.

The Hon. NATALIE WARD: What is that advice?

STEVE COX: Sorry, I was getting my notes as I was listening to you. The Regional Event Fund—we have \$917,000 in the FY24 budget commitments and 38 successful applicants. The incubator stream was cancelled. The flagship stream is progressing; that's \$580,000 with 27 successful applicants. The event development stream is progressing at \$37,434, with one successful applicant. There are triennial grants, which are ongoing commitments from previously—so where an incubator then moves into another fund. There are 10 of those ongoing at \$300,000. The Regional Business Event Development Fund—I think you asked for that one?

The Hon. NATALIE WARD: Yes.

STEVE COX: There is \$30,000 in the FY24 budget commitment.

The Hon. NATALIE WARD: Sorry, mine was—I don't know if it is the same thing—the Nature-Based Visitor Experience fund. Same?

STEVE COX: The nature-based visitor fund was cancelled. There are no successful applicants and zero in the budget.

The Hon. NATALIE WARD: Have those applicants been contacted by Destination NSW in regard to the status of their applications?

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STEVE COX: Yes. As soon as we were advised, the process gets put forward. I couldn't tell you if each individual one has necessarily received a call or the communication, but I certainly know that my team has gone out and advised through their processes—their usual processes—to successful applicants and other applicants. I would have to take on notice the specifics around—

The Hon. NATALIE WARD: If you could take on notice, please, whether those applicants have been contacted by Destination NSW in regard to the status of their applications? That would be helpful.

STEVE COX: Yes. The usual processes were certainly put in place.

The Hon. NATALIE WARD: If that's the case, and they have been contacted, could you also let us know what information has been provided to those businesses in regard to the status of their application—so successful or not?

STEVE COX: Sure.

The Hon. NATALIE WARD: Where it hasn't completed or has been cancelled, has Destination NSW advised those applicants that the program will not be proceeding at this time for those that have been cancelled?

STEVE COX: Sorry, I've just flicked through some of the notes, Ms Ward, so a bit more information. On 4 September, Destination NSW advised—this is for the Regional Business Event Development Fund, as an example—all applicants that the regional business event fund would not proceed as planned. Applicants were encouraged to keep in touch about the range of programs et cetera, et cetera. Successful grant program applicants are directly notified of the outcomes of their submissions, and public announcements are made.

The Hon. NATALIE WARD: Alright. But I note that you've taken on notice—just for clarity—that you'll provide that.

STEVE COX: Sure, I'll come back and do a double-check.

The Hon. Dr SARAH KAINE: I have a question for Ms Boyd. Sorry to bring you up at the last minute. Could you tell us what scope Ministers have to advise on the roles and structures of a department, and would requesting a transition office be a reasonable thing?

KATE BOYD: Yes, they can do that. I think the only prohibition under the GSE Act is on directing a secretary in relation to their employer functions. While you can't direct or tell a secretary what to do in terms of hiring or firing somebody, Ministers are, under our Westminster system, responsible to Parliament for the way that departments operate and the actions of their departments. In that context it would be reasonable and appropriate for a Minister to have conversations with a secretary about the structure of the department, the performance of the department and individuals within that department. I think the second reading speech for the recent GSE Act amendments explains that and says that it is reasonable for a Minister—while they can't direct a secretary on employment, they can certainly give feedback on performance and make suggestions. They're certainly not able to direct. Does that answer your question?

The Hon. Dr SARAH KAINE: Yes, thanks very much, Ms Boyd.

The CHAIR: Thank you so much for appearing today. I think that's the end of a few hearings for you, Mr Murray, and your team. Thanks again. The secretariat will obviously be in touch with questions you have taken on notice and any supplementary questions. Enjoy the rest of your evening and week.

(The witnesses withdrew.)

The Committee proceeded to deliberate.