

# PORTFOLIO COMMITTEE NO. 6 - TRANSPORT

Tuesday, 1 March 2022

Examination of proposed expenditure for the portfolio area

## METROPOLITAN ROADS, WOMEN'S SAFETY AND THE PREVENTION OF DOMESTIC AND SEXUAL VIOLENCE

UNCORRECTED

The Committee met at 9:30

### MEMBERS

Ms Abigail Boyd (Chair)

The Hon. Lou Amato  
The Hon. Mark Banasiak (Deputy Chair)  
The Hon. Scott Farlow  
The Hon. John Graham  
The Hon. Don Harwin  
The Hon. Daniel Mookhey  
The Hon. Penny Sharpe

### PRESENT

**The Hon. Natalie Ward**, *Minister for Metropolitan Roads and Minister for Women's Safety and the Prevention of Domestic and Sexual Violence*

\* Please note:

[inaudible] is used when audio words cannot be deciphered.

[audio malfunction] is used when words are lost due to a technical malfunction.

[disorder] is used when members or witnesses speak over one another.



## **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**



---

UNCORRECTED

---

**The CHAIR:** Welcome to the additional public hearing for the inquiry of Budget Estimates 2021-2022. Before I commence I would like to acknowledge the Gadigal people of the Eora nation who are the traditional custodians of this land. I also pay respect to the Elders past, present and emerging of the Eora nation, and extend that respect to other Aboriginals present or who may be watching today. I welcome Minister Natalie Ward and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Metropolitan Roads, Women's Safety and the Prevention of Domestic and Sexual Violence.

Before I commence I would like to make brief comments about the procedures for today's hearing. Today's proceedings are being broadcast live from Parliament's website and a transcript will be placed on the Committee's website once it becomes available. In accordance with the broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018.

There may be some questions that a witness can only answer if they had more time or with certain documents to hand. In those circumstances witnesses are advised that they can take a question or notice and provide an answer within 21 days. If witnesses wish to hand up documents they should do so through the Committee staff. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisors seated at the table behind you. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing?

All witnesses will be sworn prior to giving evidence. Minister Ward, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I would also like to remind the following witnesses you do not need to be sworn as you have been sworn at an earlier budget estimates hearing before this Committee: Mr Rob Sharp, Mr Howard Collins, Ms Camilla Drover, Mr Bernard Carlon and Mr Joost de Kock. For all the other witnesses I ask you each in turn set your full position, title and agency, swear either an oath or an affirmation—and the words of both the oath or affirmation are on the cards in front of you.

UNCORRECTED

---

**Mr MICHAEL TIDBALL**, Secretary, Department of Communities and Justice, sworn and examined

**Ms ANNE CAMPBELL**, Acting Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice, sworn and examined

**Mr PAUL McKNIGHT**, Deputy Secretary, Law Reform and Legal Services, Department of Communities and Justice, affirmed and examined

**Mr ROB SHARP**, Secretary, Transport for NSW, on former affirmation

**Mr HOWARD COLLINS**, Chief Operations Officer, Greater Sydney, Transport for NSW, on former oath

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

**Mr BERNARD CARLON**, Executive Director, Centre for Road Safety, on former oath

**Mr JOOST de KOCK**, Deputy Secretary of Customer Strategy and Technology, Transport for NSW, on former oath

**Mr PETER DUNPHY**, Acting Deputy Secretary, Safety Environment and Regulation with Transport for NSW, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m. We will have a 15-minute break at around 11.00 a.m. We are joined by the Minister in the morning and in the afternoon we will hear from departmental witnesses from two o'clock to 5.15 p.m. Again we will have a 15-minute break at around 3.30 p.m. During these sessions there will be questions from the Opposition and crossbench members only. If required, an additional 15 minutes is allocated at the end of the morning and afternoon sessions for Government questions. Thank you for your attendance today. I hope you did not get too wet on your way in. We will begin with questions from the Opposition. Mr Graham.

**The Hon. JOHN GRAHAM:** Thank you, Chair. Thank you to all the Transport witnesses for appearing today and congratulations, Minister, on your appointment.

**The Hon. NATALIE WARD:** Thank you, Mr Graham.

**The Hon. JOHN GRAHAM:** I might ask, firstly, about the email we received from Mr Sharp's office last night at 7.09 p.m. with an urgent witness update, Metropolitan Roads, which indicated that Deputy Secretary Megan Bourke-O'Neil would not be attending today. Minister, what is the reason for her non-attendance?

**The Hon. NATALIE WARD:** Yes, I am aware of that. I might ask the secretary to speak to that.

**The Hon. JOHN GRAHAM:** We will come to Mr Sharp on that in a minute. What is your understanding of the reason for that?

**The Hon. NATALIE WARD:** My understanding is that Ms Bourke-O'Neil is on leave.

**The Hon. JOHN GRAHAM:** When were you made aware of that?

**The Hon. NATALIE WARD:** Last night.

**The Hon. JOHN GRAHAM:** At what time?

**The Hon. NATALIE WARD:** I would have to check—early evening.

**The Hon. JOHN GRAHAM:** Yes, thank you. Mr Sharp, if you could expand on that, what is the reason?

**ROB SHARP:** Ms Bourke-O'Neil is on leave, and our executives do, from time to time, take leave, particularly in the large operational areas and Ms Bourke-O'Neil is on leave.

**The Hon. JOHN GRAHAM:** Who initiated that leave?

**ROB SHARP:** I initiated that leave in conjunction with her.

**The Hon. JOHN GRAHAM:** Who is acting in the role?

**ROB SHARP:** Acting in the role is a very experienced deputy secretary, Trudi Mares, for the period of the leave.

**The Hon. JOHN GRAHAM:** What is the period of the leave? When is she currently scheduled to return?

**ROB SHARP:** It would be three weeks at this stage.

UNCORRECTED

---

**The Hon. JOHN GRAHAM:** Three weeks, so that makes it maybe 18 March. Would that be correct?

**ROB SHARP:** It will be whatever three weeks is—probably about the eighteenth, I would say.

**The Hon. JOHN GRAHAM:** What type of leave is Ms Bourke-O'Neil on?

**ROB SHARP:** I think it is inappropriate to talk about an individual's leave. She is on leave. Executives take leave and we have representatives here to talk—

**The Hon. JOHN GRAHAM:** Mr Sharp, you put her on leave is what you have told the Committee. What type of leave did you place Ms Bourke-O'Neil on?

**ROB SHARP:** She is on directed leave.

**The Hon. JOHN GRAHAM:** Directed leave. Thank you. There is speculation in the paper today that Ms Bourke-O'Neil has been terminated. Has Ms Bourke-O'Neil been terminated?

**ROB SHARP:** She is on leave.

**The Hon. JOHN GRAHAM:** Has Ms Bourke-O'Neil been terminated?

**ROB SHARP:** No, she is on leave.

**The Hon. JOHN GRAHAM:** Will she be terminated?

**ROB SHARP:** No. Ms Bourke-O'Neil is a very capable, experienced bureaucrat. She has my full support. She is on leave.

**The Hon. JOHN GRAHAM:** Yes. Minister, do you have concerns that Ms Bourke-O'Neil may be terminated, given the speculation in the paper today?

**The Hon. NATALIE WARD:** Look, I have seen that media reporting. My understanding is it is not correct. The secretary has given that evidence now and, no, I have no concern. She is very capable.

**The Hon. JOHN GRAHAM:** Mr Sharp, can you confirm that Ms Bourke-O'Neil was one of the key agency officials who was in contact with Minister Elliott's office during the current train shutdown?

**ROB SHARP:** Ms Bourke-O'Neil is the Deputy Secretary of Greater Sydney, so she deals with a number of Ministers, including Minister Elliott's office, and has done so for an extended period now—about six months—dealt with Minister Elliott's office since the formation of his department.

**The Hon. JOHN GRAHAM:** I am putting to you that she was one of the key Transport officials in contact with Minister Elliott's office during the train shutdown. Do you agree that is accurate?

**ROB SHARP:** Yes, indeed, in the executive team.

**The Hon. JOHN GRAHAM:** Finally, the period of leave Ms Bourke-O'Neil will be on will essentially see out precisely the estimates period. Do you agree with that?

**ROB SHARP:** It goes past the estimates period, correct.

**The Hon. JOHN GRAHAM:** Barely.

**ROB SHARP:** Well, three weeks is the leave.

**The Hon. DANIEL MOOKHEY:** Greetings to you, Minister, as well and congratulations on your appointment.

**The Hon. NATALIE WARD:** Thank you, Mr Mookhey. I appreciate the opportunity to assist the Committee today.

**The Hon. DANIEL MOOKHEY:** You can assist by bringing the microphone forward, actually. That would be great. I might just pursue that line of questioning. Mr Sharp, you said that this was a form of directed leave. Why did you direct—

**The Hon. NATALIE WARD:** Sorry, Mr Mookhey, I am not trying to be impolite. I am very happy to direct those questions, if I may.

**The Hon. DANIEL MOOKHEY:** Sorry, through you, Minister.

**The Hon. NATALIE WARD:** Can I just add that I reiterate Mr Sharp's comments that it would be inappropriate to comment further, particularly for Ms Bourke-O'Neil's circumstances. I am happy to speak to Metropolitan Roads in the forum of this Committee and our role in the Metropolitan Roads portfolio.

UNCORRECTED

---

**The Hon. DANIEL MOOKHEY:** I appreciate that, Minister, but Ms Bourke-O'Neil, certainly in terms of as far as this Committee goes, was incredibly helpful when it comes to Metropolitan Roads.

**The Hon. NATALIE WARD:** Yes, indeed.

**The Hon. DANIEL MOOKHEY:** Hence the questioning. But, Minister, through you or to you, as you see fit, I respect Ms Bourke-O'Neil's privacy so I will not ask about that but I will certainly be asking about the secretary's actions. Minister, through you, the secretary has said that he directed Ms Bourke-O'Neil to take leave. Why did the secretary direct Ms Bourke-O'Neil to take leave?

**The Hon. NATALIE WARD:** Thank you, Mr Mookhey. Can I just be clear that those are matters for the secretary. We are here to assist today in relation to Metropolitan Roads. She certainly is a key component of the executive team but we have a number of officials here today who are able to assist with any of those issues in relation to the portfolio committee. I believe he has answered the question but he may have something to add to that.

**The Hon. DANIEL MOOKHEY:** Thank you, Minister. Mr Secretary, why did you direct Ms Bourke-O'Neil to take leave?

**ROB SHARP:** I think it is inappropriate to talk about an individual's circumstances and, as I said, she is on leave. We do from time to time have executives go on leave, particularly from these large operational areas, and I believe I have answered the question, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Mr Sharp, I believe you believe you have answered the question but—

**The Hon. DON HARWIN:** Point of order: The question has been asked now twice. I presume it is about to be asked a third time. If a question has been asked and answered, then we should be moving on.

**The CHAIR:** In relation to the point of order, it is important that we rephrase the question if we think it has not been answered or understood. But if we could refrain from asking the same question over and over, that would be great.

**The Hon. DANIEL MOOKHEY:** Fair enough. Mr Secretary, did you seek advice before you issued a direction for Ms Bourke-O'Neil to take leave?

**ROB SHARP:** In regard to any employment matter internally, we would go through usual processes. When I say "usual processes" there are quite specific protocols for taking any action or communication with a staff member. I have a team that supports me in regard to those matters.

**The Hon. DANIEL MOOKHEY:** Is Ms Bourke-O'Neil being paid while she is on directed leave?

**ROB SHARP:** She is.

**The Hon. DANIEL MOOKHEY:** At full salary?

**ROB SHARP:** Yes, it would be at her normal salary level.

**The Hon. DANIEL MOOKHEY:** Prior to you directing her to take leave, did you indicate to her that it was your intention to terminate or that you were contemplating terminating her employment?

**ROB SHARP:** I do not think it is appropriate to talk about an individual's circumstances, Mr Mookhey. What I have indicated to you is that she is on leave, that she was asked to go on leave, and there is advice that I took in regard to that matter.

**The Hon. DANIEL MOOKHEY:** Minister, were you advised prior to last night that the secretary was contemplating directing Ms Bourke-O'Neil to take leave?

**The Hon. NATALIE WARD:** Was I advised last night?

**The Hon. DANIEL MOOKHEY:** That the secretary was contemplating—prior to last night.

**The Hon. DON HARWIN:** I think you need to restate the question.

**The Hon. DANIEL MOOKHEY:** I am restating the question. Prior to last night were you advised or given any warning, or was your office given any warning, that the secretary was intending to direct Ms Bourke-O'Neil to take leave?

**The Hon. NATALIE WARD:** Mr Mookhey, I would not expect that the internal mechanisms of the senior executive team within the Department of Transport is a matter that I would be advised of beforehand. That is the secretary's responsibility, and I would expect him to carry out that task. I believe he has answered the



## UNCORRECTED

question. We are attempting to assist the Committee as far as possible in relation to the circumstances of Ms Bourke-O'Neil, but I do not think it is fair to comment further on those particular circumstances. She is on leave, and I do not believe we have anything further to add to that.

**The Hon. DANIEL MOOKHEY:** It is directed leave, Minister, and Ms Bourke-O'Neil was responsible for major projects in Sydney that affect the Roads portfolio, including major investment decisions that are coming before the Government.

**The Hon. NATALIE WARD:** And we have a number of officials—

**The Hon. SCOTT FARLOW:** And you have other witnesses who can answer those questions.

**The Hon. DANIEL MOOKHEY:** Hence, I am exploring the circumstances that led to the secretary directing the leave.

**The CHAIR:** Order! I remind all members that, rather than interjecting, they should take points of order through the Chair, which will then be ruled on. That would be appreciated. Please continue.

**The Hon. NATALIE WARD:** Mr Mookhey, I might assist, if I may, by answering this way: It is not my job, as responsible Minister, to direct or be involved in the leave arrangements of any staff member within the Department of Transport or Transport for NSW. That is a matter for the secretary and his executive team. It is very clear that that is not part of my portfolio responsibilities. I would expect him to carry out that task. I believe that we have assisted the Committee as far as possible in relation to Ms Bourke-O'Neil's arrangements, but I assure the Committee that we also have other officials here who are very capable of assisting today, providing information about metropolitan roads.

**The Hon. DANIEL MOOKHEY:** Indeed, I appreciate that, Minister. I want to be very clear here. I am not suggesting that it is your operational responsibility. I am firmly suggesting that it is the secretary's. Given the decision has a huge implication, I ask the secretary this: At the conclusion of Ms Bourke-O'Neil's leave period, are you considering reassigning her away from her existing responsibilities as deputy secretary to another role?

**The Hon. DON HARWIN:** Point of order—

**The Hon. NATALIE WARD:** I also do not think you can give conjecture.

**The CHAIR:** I will hear the point of order.

**The Hon. DON HARWIN:** This is now the fourth time the question has been asked.

**The Hon. DANIEL MOOKHEY:** To the point of order—

**The Hon. DON HARWIN:** Three times by the Hon. Daniel Mookhey and at least once—maybe more than once—by the Hon. John Graham.

**The Hon. DANIEL MOOKHEY:** It is a separate question. It not about termination; it is about reassignment. Secondly, it is important in a budget estimates hearing, especially given the public interest in this matter, that the Government try to answer these questions. Of course, I understand this may or may not lead to some embarrassment for certain members of the Government. The point is that we are asking a reasonable question about an official who is responsible for metropolitan roads and plays a big role to explore why it is the secretary made the relatively extraordinary decision to direct her to take leave. I think it is extraordinary that the Government would try to interfere in that line of questioning.

**The CHAIR:** The line of questioning is clearly not out of order under the terms of reference of this Committee and this inquiry. Again, I remind Opposition members to make sure you are asking different questions.

**The Hon. DANIEL MOOKHEY:** It is a different question. Secretary, the question is: Are you considering reassigning Ms Bourke-O'Neil away from the role of deputy secretary to any other role in the Transport portfolio at the conclusion of her leave period?

**ROB SHARP:** Mr Mookhey, she is on leave. She is the Deputy Secretary of Greater Sydney.

**The Hon. JOHN GRAHAM:** We might return to that issue, Mr Secretary, in the officials section. Minister, on Monday 21 February following the train shutdown, traffic was backed up 22 kilometres on the M2 motorway. There was gridlock on Victoria Road, the M5 and the Hume Highway. The city came to a standstill on its roads. When were you informed? When did you become aware of the train shutdown that occurred that morning?

**The Hon. NATALIE WARD:** Thank you, Mr Graham. Can I say, on that morning I empathised with all commuters impacted at that time and over the following days, not only as a result of the weather that we have

## UNCORRECTED

seen today and during that week but also as a result of that disruption. Can I say it was my priority to get people where they needed to go, knowing that that disruption—after two years of disruption, let us face it, families are trying to get back in a routine, people are trying to get back to work and get their kids to school often in that first week. So my focus was to get people where they needed to go as safely and quickly as I could in the circumstances. I spoke with the secretary early in the morning and quickly put into place a plan to do what we could in our space in metropolitan roads, which was to open up the transit lanes—the T2 and T3 transit lanes.

**The Hon. JOHN GRAHAM:** When you say you spoke to the secretary in the morning, that was when you first became aware—that morning?

**The Hon. NATALIE WARD:** Yes, that morning when there was—

**The Hon. JOHN GRAHAM:** How did you first become aware?

**The Hon. NATALIE WARD:** There was a flurry of activity, I have to say, Mr Graham. We had conversations—

**The Hon. JOHN GRAHAM:** How did you first become aware?

**The Hon. NATALIE WARD:** I have to say there was a combination of Mr Sharp and I speaking. There were, obviously, media reports. We were monitoring those. I was speaking with my staff. There was a range of activities. What we were focused on, Mr Graham, was getting people in those transit lanes so that we could ease that congestion.

**The Hon. JOHN GRAHAM:** I think you are saying you do not quite recall how you first became aware?

**The Hon. NATALIE WARD:** It was early in the morning. I would have to check my phone for the exact text message times. But certainly we were speaking early, as soon as we were aware.

**The Hon. JOHN GRAHAM:** Did you contact Mr Sharp or did he contact you?

**The Hon. NATALIE WARD:** I would have to check that.

**The Hon. JOHN GRAHAM:** Perhaps on notice?

**The Hon. NATALIE WARD:** Ordinarily, we would have media reports coming through. I would have staff text messages.

**The Hon. JOHN GRAHAM:** Yes. Are you happy to take that on notice?

**The Hon. NATALIE WARD:** If I can assist, yes, if there are specifics. But can I say, early in the morning we were speaking quickly about what steps we could take, and I was very keen and emphasised that it was my expectation that we would utilise those road networks that you have mentioned, Mr Graham, to ensure that we were opening up those transit lanes so that we could get people where they needed to go. We wanted to get the communications out.

**The Hon. JOHN GRAHAM:** I appreciate that. When was the first official advice that you received in writing relating to the train shutdown events?

**The Hon. NATALIE WARD:** I would have to say it was early in the morning. I would have to check my phone, and I can do that in the course of the morning, but it was first thing in the morning.

**The Hon. DANIEL MOOKHEY:** Just on that, Minister, how often do you meet with the secretary?

**The Hon. NATALIE WARD:** Very regularly.

**The Hon. DANIEL MOOKHEY:** How often do you speak to the secretary?

**The Hon. NATALIE WARD:** Regularly.

**The Hon. DANIEL MOOKHEY:** When you say "regularly", is it weekly, daily?

**The Hon. NATALIE WARD:** Yes, every couple of days. We would speak every day at least. We have regular meetings set up for updates. We have daily meetings set up for updates on a range of matters—so very regularly, depending on the particular portfolio issue. That might be on the big infrastructure matters. It might be on the day-to-day updates—particularly today at the moment with, as I say, the flurry of activity to try to ensure that we are adapting to the disruptions.

**The Hon. DANIEL MOOKHEY:** I presume you met the secretary as soon as you became Minister or soon thereafter?

## UNCORRECTED

**The Hon. NATALIE WARD:** I would have to check my diary in relation to the specific timing but certainly we have had many meetings since—

**The Hon. DANIEL MOOKHEY:** But within close proximity to your rise to power, you had met with the secretary.

**The Hon. NATALIE WARD:** I would not describe it as a "rise to power", Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Others would, Ms Ward.

**The Hon. NATALIE WARD:** I would certainly say it is a privilege to serve at this time and assist where I can. But I would have to check the exact time of those meetings, but certainly we had briefings early on and we have set up regular meetings in order to be updated on a range of matters, including the day-to-day functioning of our motorways.

**The Hon. DANIEL MOOKHEY:** I appreciate that, Minister. On notice, are you in a position to provide us with the dates of all meetings you have had directly with the secretary since you became Minister—face to face, over Zoom and in other forms?

**The Hon. NATALIE WARD:** Yes, I will endeavour to do that, of course.

**The Hon. JOHN GRAHAM:** Minister, I think you know you have responded in the House—

**The Hon. NATALIE WARD:** But I will add, Mr Mookhey, that, as you know, my diary is published, so it is very clear that all my meetings are published.

**The Hon. DANIEL MOOKHEY:** To be fair, though, not necessarily meetings with your officials.

**The Hon. NATALIE WARD:** Certainly, sure.

**The Hon. DANIEL MOOKHEY:** Your meetings with various interest groups are.

**The Hon. NATALIE WARD:** Yes, of course.

**The Hon. JOHN GRAHAM:** Minister, you have responded in the House to the Opposition's concerns that tolls in Sydney are significant and rising. Tolls are one thing but, Minister, are you concerned about the impact on drivers of the road-related taxes and charges that are going up under your Government?

**The Hon. NATALIE WARD:** I am happy to assist, but could you just clarify which ones you are referring to?

**The Hon. JOHN GRAHAM:** Yes, let me give you some examples. Over the life of this Government, vehicle registration fees are up 42.5 per cent in real terms. In real terms, driver licence fees are up 12 per cent and stamp duty on vehicles is up 7.2 per cent. Putting the tolls aside, are you concerned that drivers are having charge on charge piled on them as they just go about their business?

**The Hon. NATALIE WARD:** Thank you for raising it in the House, Mr Graham. I know it is something you have consistently advocated about. This is a Government that is very aware of cost-of-living pressures on families and on commuters using large infrastructure and motorways and also getting where they need to go. I am aware of the work that Transport for NSW is continuously working to provide a better and more affordable suite of mobility infrastructure services for the people of New South Wales. I am also aware of the Australia Automobile Association transport affordability report that was published over the weekend. That did highlight some of those issues. So—

**The Hon. JOHN GRAHAM:** Given you know about those cost-of-living pressures, why was your first act as Minister—you were appointed, I think, on 21 December. Literally your first act as Minister was to put up the tolls, on 1 January—up 4 per cent, for example, on the WestConnex. Given the cost of living, why are you putting up the tolls?

**The Hon. NATALIE WARD:** No, Mr Graham, I am not sure that is correct. I am not sure that is correct. But can I say that a number of those tolls—and I might get Ms Drover and others to speak to that. Those tolls go up as a matter of automatic increases. It is not something, as you assert, that I sit and direct in, as you say, my first days. They are a result of the concession agreements. But Ms Drover or others might speak to the specifics of that.

**The Hon. JOHN GRAHAM:** I will come to the officials in that session.

**The Hon. NATALIE WARD:** No, you have asked the question, Mr Graham. You have asked the question.

## UNCORRECTED

**The Hon. SCOTT FARLOW:** Point of order: The Minister was asked a question. The Minister is endeavouring to answer the question of Mr Graham by referring it to an official. That is completely allowed and the Minister should be allowed to continue.

**The CHAIR:** It is absolutely within a witness's right and within the Minister's right to refer to an official to give an answer, but it is also within the questioner's right to say that they will pick that up later, when it is just the officials. So it is up to the member, but I would not be pushing the Minister for a question that she is referring to someone else.

**The Hon. NATALIE WARD:** In relation to the specifics of the increase that you referred to on that tolling increase, which I am sure that somebody can speak to more succinctly than I, I would say, Mr Graham, that our tolling approach enables motorways to be delivered ahead of time, decades ahead of time—

**The Hon. JOHN GRAHAM:** You have made that case in the House, Minister.

**The Hon. NATALIE WARD:** —by the private sector absorbing that cost so that we can lower the burden on taxpayers, Mr Graham.

**The Hon. JOHN GRAHAM:** One of the other things you said in the House—and I might turn to this—

**The Hon. DON HARWIN:** Point of order: The Hon. John Graham is talking over the top of the Minister while she is still answering. She should be allowed to finish her answer. It was not a long answer. Then he should ask another question.

**The CHAIR:** Thank you. Let us try and deal with this one just once: question, then answer, so that Hansard can record it. Then we will not need any more points of order. Go ahead.

**The Hon. JOHN GRAHAM:** I might put my question. Minister—

**The Hon. NATALIE WARD:** If I might assist, Mr Graham, if I could just get some—

**The Hon. JOHN GRAHAM:** Minister, one of the things you have said in the House, in putting the case that you have just started putting then, is that the top 15 per cent of non-business motorists spend more than \$13 per week, per tag in tolls—more than \$2,000 a year, on top of these other charges. Do you consider that is becoming too much for the ordinary driver?

**The Hon. NATALIE WARD:** We are always aware of cost-of-living issues, Mr Graham. That is why we have a toll review in place, led by Treasury, supported by Transport for NSW. That work is being undertaken specifically to address the tolling issues. This is a Government that is well aware of cost-of-living measures. That is why we have over 70 rebates available from this Government—a number in transport alone, but across the board—because we know that cost-of-living pressures are an issue for our community. I would love to add to the specifics, but I will do that in the next session.

**The Hon. MARK BANASIAK:** Welcome, Minister. Change of topic—let's look at domestic violence. Minister, are you aware of the *Crime and Justice Bulletin* report *Improving police risk assessment of intimate partner violence*, which was published last month by BOCSAR?

**The Hon. NATALIE WARD:** I cannot say it is top of mind. I am sorry, Mr Banasiak. But I am happy for you to tell me what it contains. I am sure you are correct.

**The Hon. MARK BANASIAK:** I might pass this up so, as I am talking to it, you can have a look.

**The Hon. NATALIE WARD:** I am not really going to read on the run. I am happy to assist if you have something you would like to highlight in it. But I am not sure I can absorb the entire report and answer your questions and not waste your time.

**The Hon. MARK BANASIAK:** No, I do not expect that. So I will just give you, I guess, a brief summary of what it is saying. It is showing that NSW Police Force's domestic violence safety assessment tool has had and still has poor predictive accuracy in discriminating against those who experience intimate partner re-victimisation and those who do not. So police have been—

**The Hon. NATALIE WARD:** Sorry. Could you just repeat that sentence?

**The Hon. MARK BANASIAK:** It states that NSW Police Force's domestic violence safety assessment tool has poor predictive accuracy in identifying victims of domestic violence, essentially, and has had for many years. The study is fairly extensive. It looked at over 234,000 instances, so it is not just a narrow view of the world. It basically says the New South Wales model for predicting domestic violence is the poorest. Does that concern you as the new Minister for domestic and sexual violence?

## UNCORRECTED

**The Hon. NATALIE WARD:** Yes. Thank you for the question, Mr Banasiak. Can I say it is my absolute privilege to serve as the Minister for Women's Safety and the Prevention of Domestic and Sexual Violence. This is a role that I do have some background in. I am very privileged to work with frontline providers and the department and everybody working very hard in this space. We are committed to ensuring that victim-survivors receive appropriate assessments to understand the risks to their safety and the likelihood of future harm. That is a very important component of this area. Legal Aid NSW, the NSW Police Force and BOCSAR have undertaken significant research and reviews to understand the opportunities that may be available to improve the DVSAT, the risk assessment tool. That has been a component of the coercive control inquiry. We looked at that and had evidence about that as well and ways we can improve that.

I understand that Legal Aid New South Wales and the police force in New South Wales are anticipated to complete their review of the local coordination point DVSAT and police DVSAT early in this year—so I am looking forward to receiving that work from them—and that they will consider the findings from the BOCSAR study in the redesign of the DVSAT because it is important we get that right. But Mr Tidball might have something further to add to where that is up to—or Ms Campbell—in relation to where that review is up to. It is important that we get this right. You are absolutely spot-on, Mr Banasiak. The assessment tool is something that is critical when police are going out and making those assessments. We have seen, particularly in the coercive control inquiry, that there is opportunity for us to do better, to analyse and recognise and record those factors. But Mr Tidball might have something further to add to that particular question.

**MICHAEL TIDBALL:** Thank you, Minister. I will refer the question to Ms Campbell.

**ANNE CAMPBELL:** Thanks, Secretary. I will just add that the study also found that the optimal model can be simplified—

**The Hon. MARK BANASIAK:** Sorry. I might just stop you there. Could everyone just pull their microphones a bit closer.

**The CHAIR:** I do not know if the volume is a bit quiet today, but it does need to be quite close.

**The Hon. MARK BANASIAK:** If the light is not green, we are not hearing you.

**ANNE CAMPBELL:** Okay. I will try again. Is that better?

**The Hon. MARK BANASIAK:** Yes.

**ANNE CAMPBELL:** I was just going to add that the study also found that the optimal model can be simplified to only five predictors. The study demonstrated that a risk assessment instrument with a small number of variables can assist in identifying victims who are most at risk of future intimate partner violence. As the Minister indicated, we are working at the moment with Legal Aid and NSW Police Force to look at a revised tool. That is likely to be early this year.

**The Hon. NATALIE WARD:** I might add, if I may, just to assist with that, that we are looking to trial the revised tool in 2022. So we are looking to roll that out and trial that this year because that domestic violence safety assessment tool is a critical component of the work that we do in those frontline services.

**The Hon. MARK BANASIAK:** I think, Ms Campbell, picking up on the top five predictors, everything below that does not necessarily impact the accuracy of the prediction. I think you would agree, Minister, that police going to a victim of domestic violence and having to interview them for two hours to get through this set of questions that they have at the moment probably is not ideal in terms of supporting that victim, given that it could be done within the first five questions.

**The Hon. NATALIE WARD:** I think any opportunity for us to assist police to do what they do in those situations is something we should absolutely consider. But we have to ensure that we are obtaining information at that critical time that assists those victim-survivors in the circumstances and that we are accurately recording those measures. My job as Minister for Women's Safety and the Prevention of Domestic and Sexual Violence is to ensure that we are providing police with every opportunity to recognise what might be that evolving situation and the surrounding circumstances. It is a matter obviously for police and the police Minister in relation to how they roll that out, but we will partner very closely with them to ensure that we are providing those tools wherever possible.

As you rightly recognise, we need to do that in an efficient way and equip police with the education and the understanding and the tools to be able to capture that information as best we can so that both victim-survivors and perpetrators are held to account and victim-survivors are equipped with the ability to get through that situation, survive and ultimately prevent that situation occurring. If we can do that by the tool setting out discrete steps to be able to assist police to ask those questions or prompt for those questions, whether or not they have had that

## UNCORRECTED

---

training, that we have a robust system in place, I am very keen to ensure that we are doing everything we can in this space to progress that prevention.

**The Hon. MARK BANASIAK:** I might push a little further. Are you going to advocate further removal of those questions that do not fit into those top five predictors as a way of simplifying the tool for police?

**The Hon. NATALIE WARD:** I am very happy to work with the review and I think that the work that is being undertaken by those subject matter experts and the specialists, we should allow that to continue. Once the report comes through and they have the recommendations, I will look very closely. I will be interested to see that at the earliest opportunity, Mr Banasiak, so that we can, following that independent evaluation, look at the opportunities for us to improve so that we can assess the victim-survivors' likelihood of future harm, so that we can put in preventative measures. We know that it is important for police to be equipped with the opportunity to recognise the flags and for us to be able to work together with police and Legal Aid. I would be very happy to work with the Deputy Premier and the Minister for Police on this. This is my job and I am very keen to ensure that we get that balance right, as you identify.

**The Hon. MARK BANASIAK:** I think I might only have about a minute left now, so I will throw to the Chair.

**The CHAIR:** Thank you very much and thank you, Minister, for attending your first budget estimates as our new metropolitan roads Minister but also the Minister for Women's Safety and Prevention of Domestic and Sexual Violence.

**The Hon. NATALIE WARD:** Thank you. I might also point out that it is Mr Tidball's first estimates also.

**MICHAEL TIDBALL:** Yes and no.

**The CHAIR:** Welcome, Mr Tidball. Minister, I think many in the DV sector were quite pleased that somebody who had experience throughout the coercive control inquiry et cetera and had shown an interest in the prevention of domestic violence had been given the portfolio, but quite a few people were perplexed that you were also given Metropolitan Roads. That is a very odd mix of portfolios for you to have. What does that look like in practice in terms of the breakdown of your energy and resources?

**The Hon. NATALIE WARD:** Thank you. As I said, it is a privilege to serve in both portfolios given the background and the work that I had done in my previous life, having practised as a solicitor working with victim-survivors. I think I can bring to this portfolio my knowledge in practice of trauma-informed practice, of holding perpetrators to account, of the court system and the justice system and working together with frontline services to be able to avail ourselves of every opportunity to enforce the Premier's Priority to reduce recidivism, reduce domestic and sexual violence and really prioritise women's safety.

I think it is important that I continue the work of my predecessor the Attorney General, who was a strong advocate in this place and ensured record funding in this area. So continuing that work, obviously together with it being a Premier's Priority, is a privilege for me. The energy that I bring to it as a result of my prior work but also knowing that it is a priority for this Government and I can do all I can, I will get the balance—and I think your question will be as to the balance between roads and Women's Safety and the Prevention of Domestic and Sexual Violence—I will get that balance right as much as every inch of energy that I have I can put into both.

**The CHAIR:** I am sure you will, but what is the expectation when you were given those ministerial portfolios in terms of the split of your time and energy?

**The Hon. NATALIE WARD:** I think I am known for having a fair bit of energy and having some attention to detail. I will bring that to both portfolios with everything that I have. I think I can walk and chew gum, and it is a bit like asking me to choose my favourite child. It is really something that I have to work very hard on both.

**The CHAIR:** Again, I understand that, but, with respect, my question was what is the expectation on you? Obviously, when these multiple portfolios are given to a Minister there will be an expectation as to the sort of relative importance or balance. What was the expectation when these were given to you?

**The Hon. NATALIE WARD:** That they are both extremely important portfolios to the people of New South Wales and that I dedicate every bit of energy that I have to both of them given that the Premier's Priority is very clear about the Women's Safety and Prevention of Domestic and Sexual Violence portfolio. Obviously I work with both departments equally. In my prior role I had four portfolios areas and I was able to manage as best I could with all of those portfolios. It is a matter of very good time management and a lot of energy.

UNCORRECTED

---

**The CHAIR:** When I last had the opportunity to have the Attorney General before estimates, I did ask him about his opinions on the Premier's Priorities, particularly noting at that point we had understood that Premier Perrottet would be updating those priorities. I asked the Attorney General at that time whether he would be inputting into those Premier's Priorities and, given how poorly the Government's tracking against the reoffending target, that perhaps there would be a change in that priority. Is that something you were looking to take on board?

**The Hon. NATALIE WARD:** The priority has not changed, Ms Boyd. It is a Premier's Priority to reduce recidivism and reduce reoffending in Women's Safety and the Prevention of Domestic and Sexual Violence. That remains a priority. That is very clear in my portfolio area. I will be giving 100 per cent to that, as is the expectation of the Premier.

**The CHAIR:** Do you think though that that is the most appropriate priority to have within domestic violence, to have that focus on reducing, which is really a focus on the perpetrator as opposed to the victim? Could we not, for example—and I did put this to the Attorney General as well—be focusing on zero deaths—we still have one woman dying every week—or ensuring 100 per cent service delivery to those who are in need? That sort of victim-centred approach would, perhaps, finally reduce the incidence of domestic violence, as opposed to the reoffending priority, which has been in place for many years and we still have not seen any meaningful reduction.

**The Hon. NATALIE WARD:** Ms Boyd, you make a good point. There is some commentary around that, which I am interested, in reducing the narrative to the perpetrator as opposed to the victim survivor. I am very open to that conversation. I think it is important that we address this in any meaningful way that we can. What I would say in relation to my predecessor and to my role is that there is record funding in this area—\$484.3 million—record funding in this space to be able to address this issue. So I think that speaks volumes because it is a priority of this Government to support women and children experiencing domestic and family violence. That is why we are rolling out 75 extra women's refuges on top of the 86 currently operating. It is the largest funding commitment ever made in the domestic violence sector, and I think it is important that we continue to roll that out and continue to assist to focus on reducing this.

I wish I did not have to be the Minister in this role. I know that this Government has put this in place specifically—not just a women's Minister but a Minister for the Prevention of Domestic and Sexual Violence and Women's Safety—to really focus on this and raise the profile of what we are doing working together in this space. But I think it is important that I am always open to opportunities to do that better. I think the record funding certainly speaks to the Government's commitment to ensuring that we are addressing this and assisting and supporting those frontline services.

**The CHAIR:** I am glad that you mentioned funding. There obviously is a difference between a commitment to funding and funding getting where it is needed when it is needed. It was reported that funding that was committed to the Staying Home Leaving Violence program in June still has not been delivered to regional domestic violence services, despite the Attorney General saying in November's estimates hearing that they would be allocated before Christmas. What is happening with that funding?

**The Hon. NATALIE WARD:** That is not entirely correct. There was no delay in that funding. On 10 February I announced nearly \$20 million over four years to expand the Staying Home Leaving Violence program. We know that program works. That is why we have expanded that from the existing 33 locations to reach the 70 locations across the State, focusing on areas of high demand. Ms Campbell might speak further to that. It was important that we continue to roll that funding out. As you identify, that was a part of the \$32.5 million announcement in the 2021-22 budget to expand that program.

**The CHAIR:** Will you clarify, then, what the Attorney General was saying at the November estimates when the delay was raised with him and he said it would be delivered before Christmas? Are you saying there was no delay?

**The Hon. NATALIE WARD:** There was no delay. I cannot speak to the Attorney General's comments at that time, and I will ask Ms Campbell to speak to what has been done so that we can assist the Committee to understand what has been done in that time. I came in in December, and we committed to the expansion of that program. Ms Campbell might speak to the disbursement of that funding. I think it might have already gone out, but if you would like to clarify that to the Committee, that might be helpful.

**The CHAIR:** Thank you, Ms Campbell.

**ANNE CAMPBELL:** Thanks, Minister. When the budget was announced last year and there was the additional \$32.5 million, we had to work with each of those Staying Home Leaving Violence providers to look at what the additional enhancement would look like in terms of a footprint. It did take quite some time within the agency for us to actually pull that information together. But as the Minister indicated, that funding has gone out to date to about 11 of the 28 providers. We sent out letters to each of the providers with what in government we

UNCORRECTED

---

call variations to their contracts. We still are waiting for eight of those providers to come back to us so that we can issue the money, which is part of our government procurement approach. I think the rest of the providers who have provided their variation letters will be paid this Wednesday. About eight of them have already been paid to date.

**The CHAIR:** Thank you. No doubt we will follow up again in the next estimates to check on that progress.

**The Hon. NATALIE WARD:** Yes, thank you.

**The CHAIR:** The Hon. Mark Banasiak was asking some good questions about the approach of police and the improvements we could make to the police response to domestic violence. One of the really positive announcements over the past little while was the announcement that we had a sort of co-location project between police and DV experts, which was very welcomed by the sector. But my understanding is that there has not been any funding allocated to that and that it is expected to come from existing funding on the police side, and there is the expectation that domestic violence support services will also fund that themselves. Is there any independent funding coming for that pilot?

**The Hon. NATALIE WARD:** I might ask Ms Campbell to speak to that in relation to the Women's Domestic Violence Court Advocacy Services [WDVCASs] and where that is at and the support for those. That program has been around for some time and also is very successful. Partnering with victim-survivors throughout that process is an important component. I thank everybody who is in that space, able to assist, because it is important that we help and walk beside our victim-survivors throughout that court process and the justice process. They are brave enough come to forward in the first place to the WDVCASs, and can I thank all of those working in that space. It is incredibly important. Ms Campbell might speak more to that.

**The CHAIR:** Before you answer, Ms Campbell, just to clarify: I think there are two separate issues here. There is the issue of providing more funding to the WDVCAS; I understand that they are asking for a 50 per cent increase in baseline funding. There is also the co-location pilot, which I understand has not begun yet but is beginning this year and has not received any independent funding.

**ANNE CAMPBELL:** Yes, I can answer that question.

**The CHAIR:** Thank you.

**ANNE CAMPBELL:** As you indicated, a pilot program has been established by co-locating the WDVCAS within selected stations across New South Wales. The commencement of the co-location pilot has been delayed because of COVID, so I will be up-front about that. But New South Wales police and the WDVCAS propose to commence a pilot on 1 April 2022 and run the pilot for 12 months. There is no additional funding that has been provided for the pilot; it is funded from within existing resources.

**The CHAIR:** I will have to pick up on that at the end. Back to you, Mr Graham.

**The Hon. JOHN GRAHAM:** Minister, when traffic was backed up 22 kilometres on the M2 motorway due to the train shutdown, on that day Transport for NSW issued an apology to commuters. Minister Elliott has never apologised. Will you apologise to commuters for the appalling situation they faced on that morning?

**The Hon. NATALIE WARD:** Mr Graham, I too was very conscious of the disruption to commuters at that time. It was an extremely difficult time for families who were just trying to get to work, get their kids back to school and get in a routine again.

**The Hon. JOHN GRAHAM:** "Very conscious", but you will not apologise. Is that an accurate summary?

**The Hon. SCOTT FARLOW:** Let her finish.

**The Hon. NATALIE WARD:** I cannot be more clear, Mr Graham, that my role was to assist on the roads, and I was very conscious of assisting families wherever possible at that time to help them to get to where they needed to be. That is why I immediately spoke to the secretary on the day, to do whatever we could, and the first thing we did was to open up those two—

**The Hon. JOHN GRAHAM:** But the officials have apologised; they did so on the day. We are now more than a week later and you have never done so. Are you sorry for what happened to commuters? Will you apologise?

**The Hon. NATALIE WARD:** I think any disruption is absolutely dreadful. On that day there was not only terrible weather; people on a Monday morning were trying to get back to work and to get their kids to school. It was a terrible disruption, which is why my focus was on—



UNCORRECTED

**The Hon. JOHN GRAHAM:** Of course it is dreadful, but are you sorry, Minister? Are you apologising to commuters?

**The Hon. SCOTT FARLOW:** Point of order—

**The CHAIR:** I will hear the point of order.

**The Hon. SCOTT FARLOW:** The Hon. John Graham is asking the Minister a question. The Minister is endeavouring to answer his question, and the Hon. John Graham is just running over the top of her. Will you please call him to order?

**The Hon. JOHN GRAHAM:** To the point of order: The Minister has had a week to answer this question, and the fact she is not doing so now is only making things worse.

**The CHAIR:** I will rule on the point of order. I remind members when they ask a question to at least give the witness time to answer. I understand sometimes the answer might be very long, and you might want to try to interrupt to redirect. But the Minister has only just begun answering, and the Hon. John Graham will allow her to answer.

**The Hon. JOHN GRAHAM:** Minister, will you say sorry?

**The Hon. NATALIE WARD:** Mr Graham, can I just be clear? I am not trying to not answer your question. I am here to assist the Committee and I am very committed to doing so. As a member of the upper House, I value this process. I want to be very clear about my assistance to the Committee today. I was very concerned about the impact to commuters on that Monday morning, which is why I spoke with the secretary immediately. My job is to ensure that the roads run as smoothly as possible. I do not believe that I have an apology to make for the work that I did in doing my job, which was to ensure that we opened up the transit lanes and that we used the smart motorway opportunities with the cameras and the traffic management centre to monitor the on flow, the on ramps and off ramps—so that we could stage traffic lights, so we could assist people with the variable message signing and so that we could run as smoothly as possible in the circumstances. I used all the actions available to me to assist in that space on the day.

**The Hon. JOHN GRAHAM:** Thank you for that answer, Minister. I think you have answered the question. I turn to the issue of the rising costs for drivers across a whole range of categories. You are keen not to be associated with the 1 January toll increase, and I can understand why.

**The Hon. NATALIE WARD:** No, that is not the case. That is not a fair characterisation of my evidence today to the Committee, Mr Graham. I am very concerned and this Government is very concerned about cost-of-living measures. That is why we have a toll review in place, led by Treasury and supported by Transport for NSW. They are subject matter experts who are undertaking that work.

**The Hon. JOHN GRAHAM:** Is one of your concerns—

**The Hon. NATALIE WARD:** We are very proud of our opportunity, so I do not think it is fair to say that I am not concerned.

**The Hon. JOHN GRAHAM:** Minister, sorry, you are interrupting me asking the question. I want to put the question to you.

**The Hon. DON HARWIN:** You were interrupting her answering the question.

**The Hon. DANIEL MOOKHEY:** He actually did not ask the question.

**The CHAIR:** Order! There will be no interjecting from anyone, thank you.

**The Hon. JOHN GRAHAM:** Minister, tolls have increased four times under this Government since it came to power. Is that one of your concerns: that tolls are up so much over that period?

**The Hon. NATALIE WARD:** Mr Graham, this is a government that is rolling out record infrastructure: \$71.5 billion in transport and eight motorways either delivered or in delivery. This is a government that has a \$108.5 billion infrastructure pipeline. In doing so, we partner with the private sector to roll out this large infrastructure ahead of time, but we also are mindful of cost-of-living pressures on families. That is why, as I said, we offer over 70 rebates. We are very conscious of cost-of-living pressures on families and commuters. That is why we have a range of rebates available, and we are very proud of having those in place. We are continuing that.

**The Hon. JOHN GRAHAM:** I am familiar with those rebates, Minister. Are you concerned about new camera data released last week showing mobile speed camera revenue hit a record high of \$13 million for the last full month on record, in December 2021? It is not just the tolls or the other charges but also a record fine number

## UNCORRECTED

for mobile speed cameras, while mobile phone camera revenue in the same month hit its second highest month ever of \$6.8 million. Are you concerned about that cost going through the roof for drivers?

**The Hon. NATALIE WARD:** Mr Graham, I thank you for your interest in the area. We are always conscious of cost-of-living pressures on families. This is a government that has that top of mind. What I would say in relation to speeding fines is that it is not revenue. It is not appropriate to categorise it as revenue. It does not go into the government coffers; it goes into the Community Road Safety Fund, an \$800 million fund. I wish that there was not a single dollar in speeding fines, because when people obey the road rules they keep themselves and others safe, and that is our job. We want drivers to be aware of when they are speeding. We want them to slow down. Those signs are there for that very reason. We are very clear that signage is appropriate and signage is rolled out. That's why we have—

**The Hon. JOHN GRAHAM:** I will come to signage. Minister, how can you say that the Government is conscious of the cost of living when car rego is up, driver licence fees are up, stamp duty revenue is up, tolls are up and fines up are? Put aside the cost of petrol for ordinary people.

**The Hon. NATALIE WARD:** I cannot control that.

**The Hon. JOHN GRAHAM:** Do you accept that no State government has ever charged more for ordinary drivers? Do you accept that?

**The Hon. NATALIE WARD:** What I would say is that we have over 70 cost-of-living measures. This is a Government that is very clear that we are rolling out large infrastructure while putting measures in place to ensure we have a range of opportunities for drivers to be able to access those rebates. The toll refunds and the rebates—

**The Hon. JOHN GRAHAM:** But, Minister, this is getting worse by the day. You have only been in the job for 70 days. You have already set a record. No Minister has ever charged drivers this much. You have been in this job this short time.

**The Hon. NATALIE WARD:** Mr Graham, it is important to break that down. In relation to fines—

**The Hon. JOHN GRAHAM:** You personally hold the record for the most that drivers have ever been charged. Do you accept that?

**The Hon. NATALIE WARD:** I am not responsible for inflation, Mr Graham. I cannot control inflation. I cannot control petrol prices. What I can do—

**The Hon. JOHN GRAHAM:** These are up in real terms.

**The Hon. DON HARWIN:** Point of order—

**The CHAIR:** I will hear the point of order.

**The Hon. DON HARWIN:** The Hon. John Graham is not allowing the Minister to finish her answer and is continually talking over the top of her, and really he should be called to order. The Minister should be able to finish her answer.

**The CHAIR:** Minister, could you bring the microphone even closer because I think part of the problem is that Mr Graham is quite a lot louder. Mr Graham, if you could allow the Minister to finish her sentences, that would be appreciated.

**The Hon. NATALIE WARD:** Mr Graham, in relation to my portfolio areas—roads—we have toll relief. So we have free vehicle registration for those who have spent over that yearly threshold on tolls in the previous financial year. For the full free rego, it is \$1,462; for the half rego, it is \$877. We also have the M5 South-West Cashback Scheme, which allows New South Wales residents to claim back the value of tolls, including GST, that they have paid while using a vehicle registered in New South Wales for private, pensioner or charitable use. We have the Large Towed Recreational Vehicle Toll Rebate scheme for those drivers towing caravans, boats and horse floats.

**The Hon. JOHN GRAHAM:** Minister, these are all on the record—all these programs. They have been referred to by your officials before. You are avoiding the question I am putting to you: Do you accept you hold the record for the roads Minister around the country ever, charging drivers?

**The Hon. NATALIE WARD:** Mr Graham, there is a combination of factors for which I am responsible and which I take responsibility for.

**The Hon. JOHN GRAHAM:** But this is not one of them.

UNCORRECTED

---

**The Hon. NATALIE WARD:** I do not deny that I have a role to play. What I cannot control is inflation. What I cannot control is petrol prices. I can certainly indicate to the Committee that this is a Government that is absolutely committed to cost-of-living measures. That is why we have these in place. That is why we have undertaken a toll review by subject matter experts. Our tolling approach ensures that we can build large motorways and deliver those years ahead of time with the private sector absorbing that up-front initial cost, lowering the overall burden on taxpayers, freeing up capacity to invest in other essential services such as hospitals, schools, transport and police. Thousands of drivers every day benefit from roads, having their travel times slashed and getting to where they need to go quickly.

**The Hon. JOHN GRAHAM:** Minister, if that is your answer, I might turn to another issue.

**The Hon. NATALIE WARD:** Mr Graham, I have answered the question.

**The Hon. JOHN GRAHAM:** To be fair, you have answered the question to your satisfaction. I am moving on now to another issue. I want to ask about tolling on the Sydney Harbour Bridge and the Sydney Harbour Tunnel. On 12 November there was a report that the Government was considering two-way tolling. On 18 November the Treasurer said there was no plan for a northbound toll. On 23 November there were reports that Perrottet, as Treasurer, had blocked proposals for two-way tolling. Now there are reports that a two-way charge will be considered. In fact, we know that Treasury is modelling that, to put its advice to the Government. What is the Government's plan for tolling on the harbour bridge and the harbour tunnel?

**The Hon. NATALIE WARD:** Thank you, Mr Graham. I have seen those reports. The Government has not made a decision on the future tolling strategy for the Sydney Harbour Bridge and tunnel, as has been expressed by the Premier. We want a regime that is fair across the board. That is why we have the tolling review being undertaken by Treasury—led by Treasury—and supported by Transport for NSW. A decision on the future tolling strategy for the Sydney Harbour Bridge and tunnel will be made in due course after assessing the merits of a variety of options that that review will put forward. The bridge toll revenue supports a number of Transport for NSW operational commitments, including maintenance of the bridge, repayment of the financing debt incurred for the construction of the harbour tunnel. Those are important components, but the toll is set by the Sydney Harbour Tunnel Company and must not exceed the toll price for the bridge. That concession is coming to an end and we are looking at opportunities to plan for the future management of the tunnel. That is in progress. That work is being undertaken and I welcome that work.

**The Hon. DANIEL MOOKHEY:** Minister, the Treasury have said that this tolling review that you refer to will be completed towards November and December. Are you saying the Government will not be making a decision on a northbound toll on the Sydney Harbour Bridge until the end of this year?

**The Hon. NATALIE WARD:** Mr Mookhey, I am very happy to assist the Committee in whatever way I can, but I cannot—

**The Hon. DANIEL MOOKHEY:** You can assist by answering the question.

**The Hon. NATALIE WARD:** I am trying to.

**The Hon. DON HARWIN:** I think she is trying to.

**The CHAIR:** Order!

**The Hon. DANIEL MOOKHEY:** To be fair, I can barely hear her. You need to bring the microphone well forward.

**The Hon. NATALIE WARD:** I am trying but we might need a technical person to look at the microphone, but I really am trying. I might just speak up. I am not able to provide the Committee with future conjecture about what the Government's position will be. What I can say and what I can assist with is that this work is being undertaken by Treasury. They are questions for the Treasurer. That work is being led by Treasury, supported by Transport for NSW. I cannot in a budget estimates subcommittee hearing—

**The Hon. DANIEL MOOKHEY:** Minister, it is an extraordinary position—

**The Hon. SCOTT FARLOW:** Point of order—

**The CHAIR:** Order! If we could let the Minister finish the question.

**The Hon. SCOTT FARLOW:** The Minister is trying to explain.

**The Hon. DANIEL MOOKHEY:** To the point of order: We are well entitled to ask the Minister to respond directly to our question, and we are entitled to draw the Minister—any Minister—back to the direct question that is being asked.

## UNCORRECTED

**The Hon. DON HARWIN:** To the point of order: In fact you are not. The Chair is entitled to, if you take a point of order. It is not for you to sit there and lecture the Minister on how she should answer her questions.

**The Hon. DANIEL MOOKHEY:** I do not know what the rules were last time you were there, Don—

**The CHAIR:** Order! We do not speak across the table. If there are comments, they are made to the Chair in relation to the point of order.

**The Hon. DON HARWIN:** I am sorry, it is not for the Hon. Daniel Mookhey to direct the Minister as to how she should answer questions.

**The CHAIR:** I remind witnesses and members that members are allowed to steer a witness back towards relevance, and I also remind the Minister to perhaps make your answers a bit more truncated.

**The Hon. DANIEL MOOKHEY:** Minister, it is an extraordinary position for a roads Minister to come to a Roads budget estimate and say you are not in a position to explain roads policy. The Treasury is undertaking a review. It says it will not complete until December. Are you saying, as roads Minister, you are not going to be turning your mind to the question of a northbound toll until December this year? Is that seriously the position you are advancing?

**The Hon. NATALIE WARD:** That was not my evidence, Mr Mookhey. I am trying to answer your question. That is not my evidence. I did not say I would not turn my mind to it. What I have said is that there are subject matter experts undertaking this work. We are absolutely conscious as a Government of cost-of-living pressures. That is why we have undertaken the toll review led by Treasury and supported by Transport NSW. The review is looking at a variety of options. My expectation is that that work should be completed as soon as possible and I welcome that work coming forward. I cannot provide future conjecture about what the outcome of that might be, what the recommendations might be and what our response to that will be.

**The Hon. DANIEL MOOKHEY:** Regardless, given the Government has had notice since 1987 that the Sydney Harbour Tunnel concession will expire in August 2022—

**The Hon. NATALIE WARD:** I think I was at school then, Mr Mookhey.

**The Hon. SCOTT FARLOW:** Why didn't you do it when you were in government? You should write a plan.

**The CHAIR:** Order!

**The Hon. DANIEL MOOKHEY:** Given you have had a good level of notice that concession is coming to an end—

**The Hon. NATALIE WARD:** I was not the Minister in 1987, Mr Mookhey.

**The Hon. SCOTT FARLOW:** It is Barrie Unsworth's fault.

**The Hon. DANIEL MOOKHEY:** You are now. Surely you would have a view as to what is going to be happening with the Sydney Harbour Tunnel when the concession expires in just a few months. What is the Government's policy when it comes to the expiry of the harbour tunnel in August of this year?

**The Hon. NATALIE WARD:** I have answered that question, Mr Mookhey. I refer to my earlier answer.

**The Hon. DANIEL MOOKHEY:** Fair enough. Equally we know now that when the concession expires you are going to be the recipient for \$222 million windfall, when the operator has to repay the interest-free loans. What are you going to do with that money?

**The Hon. NATALIE WARD:** Once again, I cannot provide conjecture in a budget estimate hearing about the Government's future policy. What I can say in relation to that issue, as I have indicated previously to the Committee, is there is a review being undertaken, led by Treasury and supported by Transport for NSW, in addition to our cost-of-living measures, which are top of mind for this Government.

**The Hon. DANIEL MOOKHEY:** I am not asking you for conjecture. I am asking you for an explanation of a policy.

**The Hon. NATALIE WARD:** You are asking me to provide conjecture.

**The Hon. DANIEL MOOKHEY:** Let me finish. I am asking you to explain your policy on a question that has been coming to you for at least 11 years—your Government.

**The Hon. NATALIE WARD:** I have not been the Minister for 11 years, Mr Mookhey.

UNCORRECTED

---

**The Hon. DANIEL MOOKHEY:** This is remarkable that you are not in a position to tell us what is going to be happening with the Sydney Harbour Tunnel when it expires in August of this year. Can we at least ask you this question—

**The Hon. DON HARWIN:** Point of order—

**The Hon. DANIEL MOOKHEY:** No, I have not finished the question.

**The CHAIR:** Sorry, I have to take the point of order.

**The Hon. DON HARWIN:** Point of order: The Hon. Daniel Mookhey, having been told that a policy has not been formed, is asking the Minister to announce new policy. It is against the standing orders of the House to request the Minister to make a policy announcement of new policies. His question is out of order.

**The Hon. DANIEL MOOKHEY:** To the point of order: I do not understand what rules the Hon. Don Harwin is referring to. Ordinarily, when a member takes a point of order, I have to actually complete the question, which I had not done.

**The Hon. DON HARWIN:** Actually, no, I do not.

**The Hon. DANIEL MOOKHEY:** If the Hon. Don Harwin wishes to take a point of order—

**The Hon. DON HARWIN:** You have been a member of the Legislative Council—

**The Hon. DANIEL MOOKHEY:** I accept the fact that a new Government Minister seems to require some protection, but I think the Minister is doing fine and can answer these questions.

**The CHAIR:** Order! I have heard enough. There is no point of order. The Hon. Daniel Mookhey will continue his questions.

**The Hon. DANIEL MOOKHEY:** Minister, are you going to be removing the Sydney Harbour Tunnel toll when the concession expires in three months?

**The Hon. NATALIE WARD:** I have answered this question, but I will do so again to provide assistance to the Committee. This is a Government that is conscious of cost-of-living pressures and the cost of tolling on household budgets. That is why we have over 70 rebates in place and why we have a review being undertaken by Treasury—

**The Hon. DANIEL MOOKHEY:** I was not asking about cost of living. Are you going to be removing the toll when the concession expires in four months' time. That was a good direct question. I would appreciate it if you could assist us by providing a direct answer.

**The Hon. NATALIE WARD:** I believe I have assisted the Committee by providing my answer three times, but I will do so again. The Government has no plans. We will await the recommendations of the subject matter experts and we will form a view once we have—

**The Hon. DANIEL MOOKHEY:** I appreciate that you answered, so I will move on. Are you considering extending the concession and then selling it as a way to raise finances for other road projects?

**The Hon. NATALIE WARD:** Once again, I am not able to provide conjecture about the future policy of the Government in a budget estimates hearing. What I can say is that we have no plans to change the tolls on the Sydney Harbour Bridge and the Sydney Harbour Tunnel. We are always looking at ways to reduce the overall cost to family budgets and increase and introduce cost-of-living saving measures. That is why we have over 70 rebates available.

**The Hon. DANIEL MOOKHEY:** I believe you when you say you have no plans. That is evident now. Are you contemplating privatising the Sydney Harbour Tunnel? Is that even being contemplated by your Government whatsoever? I am not asking for conjecture; I am asking for clarification of policy that only you as Minister can provide.

**The Hon. NATALIE WARD:** I have provided that clarification.

**The Hon. DANIEL MOOKHEY:** Are you considering privatising the Sydney Harbour Tunnel?

**The Hon. NATALIE WARD:** I do not have anything further to add. I would love to assist the Committee. I cannot invent policy on the run. I am very happy to provide the information that I have—

**The Hon. JOHN GRAHAM:** I might turn to another question. Give us your view on the Northern Beaches link, particularly given the low benefit-cost ratio and the scepticism of Infrastructure Australia.

**The Hon. NATALIE WARD:** I think it is a priority project under Infrastructure Australia. They have listed it as a priority project, as the fourth most congested road in Australia.

**The Hon. JOHN GRAHAM:** I am asking you what your view is on the Northern Beaches link. Should this road be built?

**The Hon. NATALIE WARD:** Yes.

**The Hon. JOHN GRAHAM:** When will it be built?

**The Hon. NATALIE WARD:** Obviously there is a process in place. The environmental impact statement—and Ms Drover might speak to the status of that more specifically. The environmental impact statement was available. We had a long consultation period for that, which I understand was also extended.

**The Hon. JOHN GRAHAM:** I am familiar with the process. I am asking about completion.

**The Hon. NATALIE WARD:** Part of that process is to undertake the planning steps and then undertake the investment gateway decisions through Infrastructure NSW. My understanding is that presently it is still in the planning stage following the EIS, but Ms Drover might speak to our response to that, which has been provided. My understanding is that it is presently with Planning.

**The Hon. JOHN GRAHAM:** Ms Drover will come to that in the officials' session.

**The Hon. NATALIE WARD:** No, I have asked her to assist me. I have asked her to provide that information because you have asked about timing. It is very important that we provide that to the Committee.

**The CHAIR:** Saved by the bell. Mr Banasiak?

**The Hon. MARK BANASIAK:** I will stick with my questions around domestic violence, Minister. Obviously, domestic violence in western New South Wales, particularly our river towns, is an issue. I am just wanting to find out what exactly the Government is doing to tackle domestic violence in our river towns in western New South Wales?

**The Hon. NATALIE WARD:** It is an important question. Across the board, with record funding in this space, we have been clear that putting funding behind those frontline services, with a record \$484 million, has been an important component. We are also ensuring that we are reaching out to communities and nuancing that response as is appropriate to each of those communities. There is not one simple answer when it comes to the prevention of domestic and sexual violence. We have to ensure that we are partnering with those on the front line to tell us what it is they need to provide those services, particularly in those areas you identified, for example, with the Staying Home Leaving Violence fund.

We know that works. We know we have the opportunity to extend that into remote and regional areas, which is what we are doing at the moment. Ms Campbell might speak to the specifics of the Riverina area and the primary prevention work that is being done out there to assist. It is important to me, and my expectation is as Minister, that we would be extending this work through the record funding that we have to be able to reach those communities and assist them. I might ask Ms Campbell if she could assist with the specifics.

**The Hon. MARK BANASIAK:** I know you mentioned the Riverina, but I will ask her to broaden that and also look at the river towns around the Darling River, like Walgett, Brewarrina, Bourke, Louth, Wilcannia and Menindee as well as the Riverina.

**ANNE CAMPBELL:** I will not go into the detail. I do not have that before me at the moment. In terms of the expansion of the Staying Home Leaving Violence program, we are looking at what the demand data is telling us in terms of the need for services in those locations. In addition to the \$484.3 million—the core and cluster—we are currently doing a lot of analysis and engagement with the sector. We hope to shortly start engaging with local providers and key stakeholders, particularly in some of the locations you are talking about, to look at co-designing that approach going forward. I am happy to take the rest of your question on notice.

**The Hon. MARK BANASIAK:** Are you able to isolate—there was \$182 million? Was that the figure that I heard, Minister?

**The Hon. NATALIE WARD:** Four hundred and eighty four million.

**The Hon. MARK BANASIAK:** Sorry, \$484 million.

**The Hon. NATALIE WARD:** I can assist with some of those numbers, particularly in the regions, if it might help. We can get the specifics for you and take that on notice. We will try to get that for you today.

UNCORRECTED

**The Hon. MARK BANASIAK:** That might be best. I would just like an isolation in terms of where the \$484 million is going. Constituents are coming up to us in towns like Walgett and saying that there are apparently five domestic violence NGOs working in Walgett but they cannot see the impact. I think you would agree that is a concern.

**The Hon. NATALIE WARD:** It is always a concern for me that we are reaching out to communities as far and wide as possible, so that we are reaching as many vulnerable women, victim-survivors, families and children as we possibly can. We have taken proactive steps to improve the system for people in regional New South Wales. I note that the Domestic and Family Violence and Sexual Assault Council provides information to me directly to assist in providing that policy and reform and recognising those unique challenges faced by regional communities. We expanded the membership of that council last year to ensure that council represents the views of people from rural and regional communities.

I note that Danica Leys, the CEO of the Country Women's Association, was appointed to fill that role. I appreciate the opportunity to hear directly from her and others who can provide that information to us to inform our decisions. In relation specifically to Staying Home Leaving Violence, it was important that we recognise and we heard from the sector that there were some of those gaps in those areas. That program is presently delivered in 33 locations. That provides that intensive case management to support women and children who have experienced domestic and family violence to stay in their own homes. We know that it is not always easy to find another home or location to go to, particularly in regional and rural areas. That program assists to change the narrative, remove the perpetrator from the situation and assist women, children and families to stay at home.

Twenty-five of the 33 current service locations are in regional New South Wales. With the expansion of Staying Home Leaving Violence, we are increasing that to 70 locations, with a high proportion of that funding allocated to regional New South Wales. Over 70 per cent of the funding allocated to those services are in regional locations. It is important that we are clear across that and that we have not only services for victim-survivors, including the case management, the referral, the triage and the immediate helpline to victim-survivors, but that they are also targeting men's behaviour change programs in those areas, the evidence-based perpetrator interventions, and partnering with housing and homelessness services to provide that assistance. We are trying to address this coming at it each way, Mr Banasiak, so that we can address those particular nuances that are required. It is bespoke in particular areas. There are different challenges for space and availability and that is what we are trying to really target. Ms Campbell might speak to the regional aspect further.

**ANNE CAMPBELL:** Thank you, Minister. I also add that the Integrated Domestic and Family Violence Services Program is available in 11 sites across New South Wales and that includes five regional sites. There is also the Return to Work Grants Program support, which supports women across New South Wales to access goods and services that will help them return to the workforce after a period of absence. The Minister talked about the Men's Behaviour Change Program. That is located in 44 locations across New South Wales and we currently fund five of these providers, which are delivering programs across six regional locations.

**The Hon. MARK BANASIAK:** Minister, you mentioned it was going from 33 to 70. On notice, are you able to provide what those new locations will be?

**The Hon. NATALIE WARD:** We are currently working through. The aim of expansion of this program is exactly that, to target those areas where we have received feedback from the sector that there are gaps. We are working with the sector to identify where and how we can provide that outreach program. We are doing that to co-design that with those providers. That might not be something we can get you immediately, other than to say that we are working with those providers to identify where we can get into those gaps. It might be an existing provider that does an outreach service to reach that particular location, and we are targeting that on the basis of where we know there is high unmet demand, with a focus on the regional and rural areas. We are making sure that we are working with those people on the ground who are doing that work to provide that intensive case management. Certainly we will get you the information we can but I anticipate the answer will say that we are working with the sector, which I acknowledge. Did you have anything further to add, Ms Campbell?

**ANNE CAMPBELL:** No, that is correct.

**The Hon. MARK BANASIAK:** Is this all part of the Safer Pathways program that we see on the Communities and Justice website? I am trying to see where it fits.

**The Hon. NATALIE WARD:** Yes. That is more the housing. That would be the responsibility of Minister Maclaren-Jones. In relation to this funding, Ms Campbell might speak to that further.

**ANNE CAMPBELL:** You are talking about Safer Pathways?

**The Hon. MARK BANASIAK:** Yes.

## UNCORRECTED

**ANNE CAMPBELL:** As you know, that is a multi-agency response. Obviously the new Staying Home Leaving Violence expansion will need to link in with existing pathways. Typically, Staying Home Leaving Violence providers would work very closely with the local referral system, work very closely with police, particularly to make sure that women and children are safe in their home.

**The Hon. MARK BANASIAK:** But that is more of a Minister Maclaren-Jones portfolio. I might follow up with her. Tackling Violence program, is that still running? The website says it is updated, but it still has data only from 2019.

**The Hon. NATALIE WARD:** Ms Campbell might speak to the status of that program. What we are trying to do is across the board find ways to be innovative in our approach and engage the community in doing so. We have a range of programs. That is one among many where we can try to partner together to do that. Ms Campbell might speak to the specifics.

**ANNE CAMPBELL:** That program is still operating, but I will take it on notice in terms of the details and the numbers.

**The Hon. MARK BANASIAK:** That would be great. You mentioned the Men's Behaviour Change Program. That was reviewed by the University of New South Wales in 2019 and there were 16 recommendations, but there does not seem to be any evidence of a response from the New South Wales Government on that. I would like to find out how many of those recommendations the New South Wales Government is supporting.

**The Hon. NATALIE WARD:** Thank you. They are a really important component of the response as well, predominantly those group-based programs that focus on working with the perpetrators to recognise their violent behaviour, support behaviour change. The DCJ and perhaps the secretary might add further to that specific one. I know that we are starting a competitive tender process to commission further services and that will increase those services, because there is increased funding by this Government. Those new contracts will commence on 1 July 2020 for up to two years, so we are ensuring that we are supporting that sector.

**MICHAEL TIDBALL:** I take it the question is in relation to the Reinvest Program?

**The CHAIR:** No.

**The Hon. MARK BANASIAK:** No. This is the Men's Behaviour Change Program.

**The CHAIR:** Just the opposite.

**The Hon. MARK BANASIAK:** That was reviewed in 2019.

**MICHAEL TIDBALL:** Ms Campbell?

**ANNE CAMPBELL:** I am happy to add to that. Obviously you are talking about the evaluation by the University of New South Wales.

**The Hon. MARK BANASIAK:** Yes.

**ANNE CAMPBELL:** That was conducted based on the pilots in south-western Sydney, Central Coast, northern New South Wales and mid North Coast between May 2017 and October 2019. Those evaluation findings included that this particular program, participants reported the program provided a deeper understanding of the negative effects of their behaviours and what that had on their partners and their children. Clients' attendance rating varied across providers. Most clients attended 50 per cent more of the sessions of the programs, with about 38 per cent attending 80 per cent.

**The Hon. MARK BANASIAK:** Sorry, Ms Campbell, I am hesitant to cut you off, because I have read the evaluation as well. More specifically, the recommendations that came from that that were put to the Government in 2019. I am wondering what has happened with them. There does not seem to be any response back from the Government. I note that this is supposed to be funded until 2021, which is last year.

**The Hon. NATALIE WARD:** Can I add to that in terms of the funding?

**The Hon. MARK BANASIAK:** Yes.

**The Hon. NATALIE WARD:** We will take on notice the specifics of the response to that report, that evaluation. I note that in 2021-22 we will invest \$10 million through DVF for reoffending support victims to support those Men's Behaviour Change programs and other services for men who choose to undertake them. We have 17 registered non-government organisation community-based Men's Behaviour Change Program providers running programs in 44 locations throughout the State. We currently fund five of those providers that are delivering programs across the 15 locations. That is the sketch from the perspective as you have asked, rightly, about the budget perspective. But, Ms Campbell, do you want to speak to the program itself?



UNCORRECTED

---

**ANNE CAMPBELL:** Yes. I can just add—

**The Hon. MARK BANASIAK:** I am conscious that I am eating into another member's time.

**The CHAIR:** Perhaps we will come back to that, because Mr Banasiak's time has expired. Before we left off we were talking about the co-location pilot and we had confirmation that there was no additional funding to be provided for that when it begins in April. Minister, have you visited one of these WDVCS services that have a space within a court, such as Downing Street?

**The Hon. NATALIE WARD:** Yes, thank you. In my prior role as a solicitor practising in the area I was obviously familiar with the arrangements in the courts and familiar—obviously not in my capacity at that time—but certainly I am aware of the co-location and the work that has been done. It is important that we support that. It is important that that continues. I would very much like to continue that engagement, but Ms Campbell might speak to the funding.

**The CHAIR:** With respect, we can come back to the funding. I have some specific questions I would like to ask you, Minister.

**The Hon. NATALIE WARD:** Sure.

**The CHAIR:** The WDVCS service that we see in Downing Street is clearly the best practice, I guess.

**The Hon. NATALIE WARD:** Yes, absolutely.

**The CHAIR:** And I have spoken with you about the benefits that I witnessed firsthand between WDVCS and police being able to share information and to get a better understanding of domestic violence. Clearly this is one of the reasons why the co-pilot is such a good idea. But without funding are these WDVCS workers expected to just add that co-pilot responsibility into their other duties? Won't that mean that they then will not be available at the courts to the same extent?

**The Hon. NATALIE WARD:** In relation to the funding specifically, I note that no additional funding has been provided for the pilot, but it is supposed to be funded from existing resources from WDVCSs; however, I have asked the department to consider whether that pilot could receive funding under the family domestic violence national partnership agreement. That has been raised with me and we have discussed briefly the opportunity to look at other funding options, whether that can be done under that program from 2021-23. Ms Campbell might speak to that specifically, but we are absolutely looking at opportunities for us to assist victim survivors through the justice system and through getting consistent treatment and being able to have trauma-informed assistance along the way. Supporting the police to consider opportunities to provide that in-house support is something that we know works and so we know that having those WDVCSs there is important, but Ms Campbell might speak to that one.

**The CHAIR:** Again, I have limited time. I will come back to you. Questions are really directed towards the policy in this area. This is a pilot program?

**The Hon. NATALIE WARD:** Yes.

**The CHAIR:** In order to have good results from it that we can take on board, be able to analyse and view as being sufficient, would you not agree that it needs to be properly funded, otherwise we will end up with a failed program?

**The Hon. NATALIE WARD:** I agree that this is an important program that we know has had some success. That is why I think the pilot was put in place to see whether we could look at that co-location service. Not under me but under my predecessor the design of that pilot was that it would be funded from existing resources for WDVCSs but it has been brought to my attention, since I have had responsibility in this role, and I have asked the Department Communities and Justice to consider whether that pilot could receive funding under the national partnership agreement. Ms Campbell might speak to that.

**The CHAIR:** I do appreciate that. I appreciate that you are not responsible for what occurred prior to you being Minister, but something like the ReINVEST program is based on pretty dubious science. It was referred to by BOCSAR as throwing good money after bad, et cetera. Apparently in the last financial we still funded it an extra \$1.2 million. How can a program like that end up with \$7.1 million worth of funding over four or five years, whereas this evidence-based WDVCS co-pilot which requires \$850,000 in funding has not been granted? Why do we get that disconnect?

**The Hon. NATALIE WARD:** I cannot speak for my predecessor. I certainly am responsible now and I will take every opportunity to support that program, as I have indicated. I cannot speak to the balancing of priorities prior to me but I can say Ms Campbell might assist about where there might be other opportunities.

## UNCORRECTED

I certainly take it on board and I thank you and others for their advocacy. Clearly it is a program that could benefit from further resources. It is one that we are looking at. As with any pilot, the idea is that it is piloted and then you form a view about additional funding. We are doing that, under the national partnership agreement. Potentially, there might be other opportunities for us to do so within the band of funding that we have. Ms Campbell might add to that.

**The CHAIR:** With respect, my question was very much about the Government's decision-making. We will come back to where the sources of funding might come from.

**The Hon. NATALIE WARD:** Yes, I am taking it on board.

**The CHAIR:** Given that the ReINVEST program was seeking an extra \$5.2 million and it ended up getting \$1.2 million on the basis that the results had not been forthcoming and things were not going as planned, is the expectation that it will be granted more funding in the next financial year, or are we cutting it off?

**The Hon. NATALIE WARD:** I am not able to provide that information to the Committee at this time. It is obviously part of the process. But the secretary might speak to the specifics of that ReINVEST program. I am certainly happy always to advocate in this space for more funding. That is why we had record funding under my predecessor—I will not take credit for his work—but I certainly will indicate that I will be a strong advocate to the Treasurer, given it is a Premier's priority—

**The CHAIR:** Just to clarify, on the ReINVEST program you will advocate for funding, Minister?

**The Hon. NATALIE WARD:** No. We were going to clarify that.

**MICHAEL TIDBALL:** I was just going to clarify the question of evaluation. I am not sure that is your question.

**The CHAIR:** Perhaps we can pick this up this afternoon—whether there has been an evaluation of that program so far and what funding is being sought for the next financial year?

**The Hon. NATALIE WARD:** I take your point, Ms Boyd. I understand exactly what you are saying. Please know that I will take that very seriously, and I will be a strong advocate for increased funding for that area and any other programs that will assist victim-survivors who are brave enough to come forward and assist through that journey to hold perpetrators to account.

**The CHAIR:** Thank you. In the time that we have remaining, I will ask about the NSW Sexual Violence Helpline. I am sure you have been similarly bombarded with emails in relation to people concerned about the funding for this 24/7 service. Given that sexual assault is, as I understand it, the only major crime category to continue to increase for quite a number of years now—

**The Hon. NATALIE WARD:** Sorry can you say that again?

**The CHAIR:** My understanding is that sexual assault is one of those crimes that is continuing in its incidence over a number of years. The NSW Sexual Violence Helpline was formerly NSW Rape Crisis but I understand it has to rely upon corporate and community donations in order to provide a 24/7 service.

**The Hon. NATALIE WARD:** You are saying that the NSW Sexual Violence Helpline does?

**The CHAIR:** Yes. With the recent very positive change to our sexual consent laws, and the publicity and ongoing education around that, we may expect more and more people to be reaching out for help. Will the New South Wales Government provide funding for that service?

**The Hon. NATALIE WARD:** I am advised that the department which oversees the Women's Safety portfolio, the Department of Communities and Justice, does not provide funding to—I think it is now—Full Stop Australia. I think that question does sit with Health. I am happy to address that to Minister Hazzard, or for you to ask a question of Minister Hazzard in relation to funding. However, I am advised that all New South Wales Government funding to the organisation is provided and administered through Health through the Sydney local health districts so that is where it sits. I am happy to speak to them or for you to do so. Health provides, as I understand it, funding to Full Stop Australia for the delivery of the NSW Sexual Violence Helpline, as you have indicated. That is the online counselling service for anyone in New South Wales who has experienced sexual assault, along with their supporters. Health funds Full Stop Australia to deliver that community-based counselling service which is critically important at women's health centres across New South Wales, for women who experience sexual assault in childhood. That is an important component of our response and I fully support that.

**The CHAIR:** I have one final question before we break for morning tea. I refer to the 75 new refugees that were announced last year. I asked how many of that core and cluster model would be pet friendly. The answer

UNCORRECTED

we got back on notice was not particularly helpful. Do you have an answer as to whether that accommodation will be pet friendly?

**The Hon. NATALIE WARD:** I might take that on notice and come back to you after the break, if I may, just to be clear on that. I would not want to contradict the answer that you received, so I will take that on notice.

**The CHAIR:** That would be very useful.

**The Hon. NATALIE WARD:** I indicate that has not been raised with me directly so I will look at that.

**(Short adjournment)**

**The CHAIR:** Thank you all for returning so promptly. We will commence with questions from the Hon. Penny Sharpe.

**The Hon. NATALIE WARD:** Chair, may I just very quickly assist the Committee by coming back with an answer to a question asked of me earlier?

**The CHAIR:** Please do.

**The Hon. NATALIE WARD:** I can confirm for the Committee that my first meeting with the secretary, Mr Sharp, occurred at 2.00 p.m. on Wednesday 22 December. Prior to that, there may well have been a welcome text or a phone call—I am not sure—but our first official meeting was on the twenty-second, noting that was very soon after the reshuffle on 20 December.

**The CHAIR:** Thank you. Ms Sharpe?

**The Hon. PENNY SHARPE:** Congratulations, Minister, on your new portfolios.

**The Hon. NATALIE WARD:** Thank you, Ms Sharpe.

**The Hon. PENNY SHARPE:** I am very aware that I was not here for the earlier session. I am hoping not to double up. I have been well briefed by our shadow Minister but if I do, I apologise.

**The Hon. NATALIE WARD:** Happy to double the answers.

**The Hon. PENNY SHARPE:** Thank you. Minister, I would like to ask you about Staying Home Leaving Violence, which I know has been touched on. I want to confirm with you particularly the issues of the funding agreements and the fact that there is an expectation that those contracts will be for four years. Are all of those contracts indeed going to be for four years?

**The Hon. NATALIE WARD:** Can I say in relation to that program that it is a program that works. That is why we have expanded it—because we know that it does work, and changing the narrative to remove the perpetrator and assist the victim-survivor to stay in place has been a critical component in stability and assisting them to keep those support networks in place. I can confirm that on 10 February we announced nearly \$20 million over four years, so that does confirm—

**The Hon. PENNY SHARPE:** Just to stop you there—

**The Hon. NATALIE WARD:** That is the expansion.

**The Hon. PENNY SHARPE:** That \$19.8 million is part of the already announced \$32.5 million?

**The Hon. NATALIE WARD:** Correct.

**The Hon. PENNY SHARPE:** It is part of that; it is not additional to it.

**The Hon. NATALIE WARD:** That is correct. There is the \$32.5 million in the 2021-22 budget to expand Staying Home Leaving Violence. The \$20 million is to assist those 33 locations to reach further to 70 locations across the State focusing on those areas with high demand. We heard from the sector that there were gaps in areas that we were reaching, so partnering with those existing providers to be able to reach out to those areas was something that we focused on under my predecessor. Again, I can confirm that was part of the \$32.5 million. Just in terms of the expansion of that program, those details are forthcoming as we co-design that expansion with those providers in those areas, and Ms Campbell and the department will continue to work with those providers this year and subsequent years through the expansion plan as we roll that out.

**The Hon. PENNY SHARPE:** Yes, that is great, but can we go back to my question. There is an expectation, I understand, from the sector that those funding agreements are for four years. Can you confirm that those funding contracts are for four years, or are they short? We have some suggestion that some providers are being offered only 16-month contracts.

## UNCORRECTED

**The Hon. NATALIE WARD:** Ms Campbell?

**ANNE CAMPBELL:** My understanding is that it is over four years, but the funding comes in each financial year. So this financial year we have, obviously, currently allocated those funds to those organisations for this financial year, and then next financial year we will be doing the same thing. It is called a variation in the contract. We did not go out to a new tender process because we had the existing 28 providers, who were clearly doing fabulous work and really needed additional funding to expand their reach.

**The Hon. PENNY SHARPE:** But are you guaranteeing that those services will have four years' worth of funding? It is pretty important when you are trying to recruit staff into those positions that are sometimes very difficult to staff.

**The Hon. NATALIE WARD:** Yes.

**The Hon. PENNY SHARPE:** Basically, they are getting four lots of one-year contracts. Is that what you are saying?

**ANNE CAMPBELL:** That is right.

**The Hon. PENNY SHARPE:** Why are you doing that?

**ANNE CAMPBELL:** Because the funding flows through each financial year through the budget.

**The Hon. PENNY SHARPE:** Yes, but that is not unusual, but often the contract—that is quite unusual. Over many years there have been moves, particularly within the community sector, to give certainty of funding and so the contracts are for a four-year period. The idea that you would make them sign up again every year for one year provides a great deal of uncertainty for the sector. Why are you doing that?

**ANNE CAMPBELL:** Maybe I can take that on notice and come back to you.

**The Hon. NATALIE WARD:** Can I assist just to clarify that the funding is in place for the four years, Ms Sharpe. We have been absolutely clear on that. My understanding is—and we will take the specifics on notice—in order to not have to re-tender on each occasion the funding is in place and it is a variation to those existing contracts. So it is not a new contract. As I think Ms Campbell might have said, it is not a new contract. It is a variation to their provision—also noting that as we go through the expansion that might necessitate going into new areas and having those agreements—but that funding is absolutely in place, and that is—

**The Hon. PENNY SHARPE:** So those services can go ahead and employ staff for four years on the basis of doing this work?

**The Hon. NATALIE WARD:** Those that are expanding will obviously be able to employ additional staff. I accept what you say. It is a very difficult challenge to be able to recruit and retain staff in this area. That is a huge challenge. As they roll out and we co-design that program with them to get into those additional locations—noting we are going from the 33 to the 70—we will absolutely need more staff. I hope that they are retained for that entire period. We will absolutely need them. Ms Campbell will provide further information about that wherever possible.

**The Hon. PENNY SHARPE:** I apologise if this was asked before. Are you able to give us a list of the new locations?

**The Hon. NATALIE WARD:** I will take it on notice. Ms Campbell might assist. What we are trying to do is assist those gap areas that have been identified where there may not be an existing service. Where we can reach into those areas, based on highest demand, that work is being done as we speak with the department, together with those providers. Ms Campbell, did you have something further to add?

**ANNE CAMPBELL:** I would just add to the first part of that question that, obviously, the funding has been allocated this financial year, and that is what is occurring at the moment. But, in turn, once we have done the next part, which we are currently about to go into, in terms of commissioning those services, we would be then looking at ongoing contracts from June 2023 for the remaining three years, subject to the market testing that we will be doing and the co-design that we will be doing with those providers.

**The Hon. PENNY SHARPE:** Have you had to do that as a result of the delays in getting the money out the door? Is that why you have to do these in one year and then three years?

**The Hon. NATALIE WARD:** Can I be very clear in our evidence to the Committee, Ms Sharpe. There has been no delay in rolling out that funding. That commitment was made and that funding has been distributed, or some are in the process of being distributed.

## UNCORRECTED

**The Hon. PENNY SHARPE:** Minister, do you think it is reasonable that services signed contracts in August last year and they are only getting funding in March this year? Are you saying that is not a delay?

**The Hon. NATALIE WARD:** I am saying there was no delay in the rollout of this additional funding to those providers. That was clear, and we have got that funding out the door, Ms Sharpe. But, Ms Campbell, you might speak to that.

**The Hon. PENNY SHARPE:** Just to be clear, services signed off on this money in August last year and they are only just now getting the funding. Have all the services got their funding?

**The Hon. NATALIE WARD:** Ms Campbell?

**ANNE CAMPBELL:** I answered this a bit earlier today. In terms of in August, September last year, they were not formal contracts last year. They were agreements between the providers and the department to inform how we would allocate that money. We have subsequently been working very closely with the providers to look at what they could expand to where within their existing resources.

**The Hon. PENNY SHARPE:** Can you let the Committee know how many organisations have received their funding?

**ANNE CAMPBELL:** Letters of variation to their existing contracts were all sent out. I think it was the day after the Minister announced it.

**The Hon. PENNY SHARPE:** So that is February.

**ANNE CAMPBELL:** Yes. Out of the 28 providers, 18 providers have sent back their variation letters. A number—I think 10—were paid on 23 February and five are scheduled to be paid tomorrow. We also met with the providers last Friday just to remind those providers who had not sent in their variations to their contracts that we actually needed that as part of government approach to procurement—to ensure that they sent in signed agreements—and then we will issue the money immediately.

**The Hon. PENNY SHARPE:** So 10 out of 28 have been paid?

**ANNE CAMPBELL:** Ten out of 28—

**The Hon. PENNY SHARPE:** They have got money in their bank accounts?

**ANNE CAMPBELL:** Correct.

**The Hon. NATALIE WARD:** Can I clarify, Ms Sharpe, this is additional funding. This is an ongoing program. We know Staying Home Leaving Violence works, and that is a program that, obviously, has been supported and is ongoing. We have continued that ongoing funding in addition to the increased funding of the \$150,000 to those existing 33—to those service locations—to expand that geographical coverage. This funding was to expand the programs in addition to the ongoing funding from those.

**The Hon. PENNY SHARPE:** That is terrific. Thank you, Minister. I do understand all of that. I am just trying to understand when the money is in the bank account, so that there are actually workers on the ground doing the job. That is why those questions.

**The Hon. NATALIE WARD:** Yes, I understand.

**The Hon. PENNY SHARPE:** If I can move on to the Joint Select Committee on Coercive Control. I thank you for your work that you did in relation to this extremely difficult and important issue. I know that there is concern, given that the previous Minister did not support all of the recommendations by the committee. Now that is part of your role, are you looking at reviewing the Government's response to that committee report?

**The Hon. NATALIE WARD:** Thank you, Ms Sharpe. Can I say it was a great privilege to be able to work with members in both Houses, both Chambers on that inquiry. I sit in this position having chaired the inquiry and now being the Minister responsible, which is a great privilege. Obviously, the committee made those recommendations and tabled its report on 30 June. There were 23 recommendations as to how we could better respond to coercive control. The committee's response was made and released on 18 December, before my time in this role, as you rightly point out, noting that the Government supported in full, in principle or in part 17 of the committee's recommendations and noted the remaining further six for consideration.

Our support of criminalisation of coercive control is something that is being worked through presently. We will develop and consult on the drafting of that with stakeholders. It is something that I will be very keen to ensure happens in this term, as soon as we are able to work with stakeholders through a draft of that legislation. I am thankful for everybody that has worked so hard on that. We have a challenge ahead of us to consult with

## UNCORRECTED

everybody and get that through, but we do not want to hold that up. We want to do that as quickly as we can so that we can recognise that ongoing pattern and legislate to—

**The Hon. PENNY SHARPE:** Sure. That is terrific, Minister. But if I can bring you just back to the question. As you have rightly identified, there were six recommendations in that report that the Government says it notes, that is, it is not really going to take any action on. It is terrific that you actually get to follow through on some of this work, now being the Minister. Are you in a position as the Minister to revisit some of those matters? Some of them are changing the penalties for contravening apprehended violence orders, issues around stalking and intimidation, advocating for national Federation reform for more nationally consistent definitions. These are quite important; some of them are easier. I would have thought advocating through the Federal reform council would be something that you would be able to do as the Minister, given you will be sitting on that body now. I am trying to understand, do you feel as the new Minister that you are going to be in a position to revisit some of these issues, or do you believe that the Government has made a decision and that is the end of it and you will work within their initial response?

**The Hon. NATALIE WARD:** Thank you. That is an important question. I will always advocate within my remit to do whatever I can to progress these important reforms. That is clear. In relation to the Government-led response, that is still the responsibility of the Attorney General. He is leading the Government's response in that space. That is a matter that you might put to him. But certainly I am committed to undertaking reform and advocating wherever I can to increase services, to work through the recommendations that we have made, knowing that this is an area that we need to address this year. The primary focus, of course, will be on the legislation and recognising those patterns of behaviour so that, wherever possible, we can include those in our criminal justice system in order to provide better responses, to recognise that this is not an incident-based issue, this is a pattern of behaviour which we know is a red flag for murder. The Domestic Violence Death Review Team undertook the review and found that 99 per cent of those murders had red flags before of coercive control. We must do something in this space. We are committed to doing that. That will be my primary focus. But I am always open to advocating for other opportunities for us to do better in this space and look at reforms wherever I may.

**The Hon. PENNY SHARPE:** That will include advocating within your own Cabinet then, Minister.

**The Hon. NATALIE WARD:** Certainly, absolutely.

**The Hon. PENNY SHARPE:** Thank you. You have acknowledged this in part of your answer. The Government response to recommendation 1, which is:

That the NSW Government should respond to the Domestic Violence Death Review Team evidence, by criminalising coercive control.

There are obviously a lot of recommendations though that go into education and training, as you rightly have identified. This is where coercive control has been introduced in places like Scotland and other places. That has been an important part. Would you expect that beyond legislation there will be a package of funding that would go into education and training as part of this?

**The Hon. NATALIE WARD:** That is an excellent question. Obviously, as Mr Mookhey and Mr Graham know, I am not able to provide conjecture about future government policy. I am, however, very clear in my evidence today that I will be a strong advocate for where we can assist and support these important education campaigns. Because we heard evidence during the course of the committee inquiry and we know from the examples what worked in Scotland and what has worked where this has been implemented is education.

**The Hon. PENNY SHARPE:** That is great. Sorry, I am conscious that I have a bunch of other questions. So I am going to push you along.

**The Hon. NATALIE WARD:** The answer is yes. Thank you.

**The Hon. PENNY SHARPE:** Thank you. So you are working on it. It is going to come. Let us be honest, it could take quite a while. What education and training do you know is being undertaken with police and other frontline workers at this point on coercive control?

**The Hon. NATALIE WARD:** I might have to take that on notice, given that I am not responsible for police, and respond via that avenue. Certainly I am very supportive of education of police. I think that is an ongoing challenge for police. But we might direct that question or take it on notice as far as possible.

**The Hon. PENNY SHARPE:** That would be terrific. Your secretary—

**MICHAEL TIDBALL:** Hello.

**The Hon. PENNY SHARPE:** Congratulations on your new role.

UNCORRECTED

**MICHAEL TIDBALL:** Thank you.

**The Hon. PENNY SHARPE:** Obviously there are a lot of different agencies in the mix. It is going to require cluster involvement. One of the recommendations again is building that inter-organisation support. What action has been taken in relation to this? It is police, health, education, justice, housing and First Nations agencies. Has work started?

**MICHAEL TIDBALL:** I will refer the question to Ms Campbell, thank you.

**ANNE CAMPBELL:** I am happy to answer that. Currently we have actually set up a coercive control departmental group. That is coordinating training and education needs for coercive control. I am happy to provide further information.

**The Hon. PENNY SHARPE:** If you could provide that on notice, that would be really useful, in terms of who is on that and those kind of things. I believe again there have been questions asked about this this morning in relation to sexual assault. It is my understanding that there is a lot of money, millions of dollars, federally that is coming to New South Wales for the sexual and domestic violence sector but that none is being invested in sexual violence services in New South Wales. Can you confirm that, Minister?

**The Hon. NATALIE WARD:** In relation to those specifics I might take that on notice, unless the secretary or Ms Campbell have something to add. Can I say our response is in relation to the sexual assault strategy, which was our most recent whole-of-government strategy to address sexual violence. That set out our coordinated approach to sexual assault in New South Wales with those 26 activities under five key priority areas.

**The Hon. PENNY SHARPE:** That is terrific, Minister, thank you for that. I again welcome the investment. But the specific question, and I think it is obviously being raised in the sector. We know that sexual assault reporting has increased massively over the last 10 years. There has not been an ongoing increase in funding to support services that do that, particularly not commensurate with the increase in the number of calls that they have to take. We are in a situation now where they basically suggest that only one in three people who pick up the phone to seek support after a sexual assault are actually getting answered. I do not need to tell you that it is a big thing for someone to actually pick up the phone in the first place. The last thing we want them to do is to have a call that is not answered. So I am particularly asking about the national partnership agreement. My understanding is that so far no money from the national partnership agreement is going into New South Wales sexual violence services. If I am wrong, I am happy to be corrected. Do you expect or anticipate that there will be some, if there is not any at the moment?

**The Hon. NATALIE WARD:** I will ask Ms Campbell to speak to that.

**ANNE CAMPBELL:** Thanks, Minister. As you know, Health fund all the sexual assault services, so it might be worth referring to NSW Health. But in terms of the national partnership's money, we are currently looking at that funding. Obviously we will be looking at both domestic and family violence as well as sexual assault.

**The Hon. NATALIE WARD:** And our package—

**The Hon. PENNY SHARPE:** Just to be clear, in your mind, though, sexual assault is a Health issue and domestic violence sits within Communities, is that the way—

**The Hon. NATALIE WARD:** No, I think—sorry, Ms Campbell, you might clarify your answer.

**ANNE CAMPBELL:** I am happy to clarify. Obviously, for domestic and family violence and sexual assault it sits not just within DCJ; it sits within other agencies in terms of responding to women and children escaping domestic and family violence and people and sexual abuse. So the NPA funding is considering initiatives for sexual violence as well as domestic and family violence and there is also a focus on prevention, though not so much on direct service provision. I am happy to take that on notice, but NSW Health—

**The Hon. NATALIE WARD:** Could I just speak to that, just to clarify, if I might assist? To be clear, the helpline is funded by Health. So that is absolutely clear. In our response we committed in New South Wales—because obviously we will be aligning with the national plan; so once we see where that is we will form our view to be in line with that—but we committed a further \$60 million to funding over the two years of the National Partnership Agreement and that brings our additional investment or our total additional investment to a total of \$140 million over the two years of the agreement. So that funding is in place. The first tranche of that funding to support DV service providers was announced in November and the \$20 million was allocated to more than 80 specialist frontline services.

UNCORRECTED

**The Hon. PENNY SHARPE:** Thank you, Minister, our time is up and I have one quick one that I wanted to ask you. The Government last year made a commitment to fund specialist domestic and family violence children's workers in children's refuges. Have these workers been employed and, if so, where are they based?

**The Hon. NATALIE WARD:** Thank you. I might ask Ms Campbell to speak to those or perhaps we can get those numbers on notice or today.

**ANNE CAMPBELL:** I can just add that we are currently working to allocate that funding, but I am happy to take that one on notice and come back.

**The Hon. PENNY SHARPE:** So just to be clear, there is not one additional child worker in any refuge at the moment?

**ANNE CAMPBELL:** I would need to take that on notice.

**The Hon. PENNY SHARPE:** Thank you.

**The Hon. MARK BANASIAK:** I have probably got one final question, Minister, before I hand back over to the Chair, and it is to do with the domestic and family violence blueprint for reform. Given that that reform has now ended—2021—and the report cards say still more work to do, you are clearly doing more work, but I am just wondering is there going to be a guiding document that, I guess, outlines this work and you can point to and it could be measured against. There is a lot of good stuff going on that we are hearing but if it is all haphazard and there is interagency involvement, if there is not a guiding document that essentially controls that it raises concerns in my mind that it is just going to be haphazard and not targeted the way it should be. Is there a document in the works or is there something that you can point to that will be used to measure the performance against?

**The Hon. NATALIE WARD:** Thank you, Mr Banasiak. It is an excellent question. Of course, the *Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children*, that blueprint that you refer to was the most recent whole-of-government strategy to address domestic and family violence. That included those strategies to intervene earlier, for prevention and to hold perpetrators to account. That, of course, includes the Premier's Priority to target reducing a number of domestic violence reoffenders by 25 per cent by 2023. That was evaluated in 2020 and it found that it was largely implemented in line with its initial design in accordance to its planned time frames and within budget, and access to services for victims and perpetrators of domestic and family violence improved under the blueprint, as did collaboration, information exchange and service coordination. So that was the evaluation.

Just in relation to the specifics of your question, the blueprint will be replaced, I am happy to say, by a new whole-of-government response, a new domestic and family violence response, which will, of course, align with the national plan. So we have the national plan in place. We are looking to implement our new blueprint, revised and reviewed, in align with that plan so we are getting some consistency across the two.

**The Hon. MARK BANASIAK:** Just quickly, do we have an ETA on when that new whole-of-government response will be?

**The Hon. NATALIE WARD:** We are working to align that with the national plan. So seeing where that lands will assist to be able to provide that; obviously we want that as soon as we are able to align that.

**The Hon. MARK BANASIAK:** Thank you. I will pass back to the Chair.

**The CHAIR:** Thank you. Just a couple more questions in relation to your domestic violence responsibilities and then I will move to your other portfolio.

**The Hon. NATALIE WARD:** Certainly.

**The CHAIR:** The need for a highly skilled workforce in domestic and family violence was something that we identified during the committee inquiry into coercive control but is well understood. Has the New South Wales Government funded a workplace strategy for the specialist domestic and family violence sector and, if not, is the plan to do so?

**The Hon. NATALIE WARD:** Thank you. I have had roundtable meetings where that has been raised. I know it is particularly an issue in the sector for longevity and ensuring that we have that workplace in place and we can support that going forward. Certainly I am aware there is a need for recruitment and retention to be put in place and we have had some discussions around that already. Ms Campbell might speak to programs that are presently in place or take on notice—we can get that information for you about anything that might be in place at the moment. But I am very much aware, particularly as we expand and we put this record funding behind expanding programs, that we need people on the ground to be able to roll that out. That requires recruitment, retention, training and a range of—obviously we are challenged at the moment because of COVID. That is no



UNCORRECTED

excuse, but we are challenged by the sheer numbers of workforce. So we need to ensure that we are prioritising that, but Ms Campbell might speak to what we are presently doing on the ground.

**The CHAIR:** That would be useful, yes, if you could focus on whether there is a workforce strategy and, if not, if one is being developed.

**The Hon. NATALIE WARD:** I think that does exist with the service providers. Whether we as a government—

**The CHAIR:** But as a government, yes.

**ANNE CAMPBELL:** I think that is an area that we recognise we need to do more on. We are certainly looking at some of the national partnerships funding at the moment to look at a workforce strategy. We have also been working closely with DVNSW, who have some really great ideas in terms of how we can kind of roll that out to support services. So I am happy to take that on notice about any existing initiatives, but I do not think they probably go far enough in terms of ensuring we have got a really robust workforce strategy.

**The Hon. NATALIE WARD:** I know we are working through that with the Domestic and Family Violence and Sexual Assault Council—so the peak organisations attend that. We discuss ways and priorities and what we can be dealing with, but I know that that has been raised and it is something that we are looking at closely. How we can fund that or how we can assist them to do that better is certainly something we need to look at.

**The CHAIR:** Thank you. Another, I guess, learning from the coercive control inquiry was—and I think it was a great privilege to go on the site visits we went on and to really understand the individual circumstances impacting women in particular of different backgrounds and in different locations—core among them was the particular challenges that First Nations women experience when it comes to domestic and family violence and the need to really approach the work that we all do in this space in a sort of, I guess, culturally appropriate manner. What is the New South Wales Government doing to ensure that in this space it ensures that it will engage with First Nations people in a collaborative and culturally sensitive manner?

**The Hon. NATALIE WARD:** Thank you, that is an excellent question. We did see that in the course of the coercive control inquiry and we did have evidence about that. Of course we know that anyway, but it was a very interesting exercise to be able to hear about the specifics. We know that Aboriginal communities experience domestic and family violence at higher rates than the general population. We are committed to reducing domestic and family violence in Aboriginal communities. We are leading the work on target 13 of the National Agreement on Closing the Gap that is to reduce the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children by at least 50 per cent as we progress towards zero. The Premier has made that a priority and has indicated that we must all address Closing the Gap, and we deliver a range of programs to assist Aboriginal people affected by domestic and family violence in relation to the specifics of what we are doing to nuance that. Those services for Aboriginal victim-survivors include the case management, the referral and triage and the immediate helpline to support victim-survivors. But Ms Campbell might speak to the further work we are doing in that space.

**The CHAIR:** Yes, that is all great, but the question was: What will you be doing to engage in relation to the further domestic and family violence work with First Nations people? I do not think you quite addressed that point.

**The Hon. NATALIE WARD:** Sorry, I did not want to keep going and using your time. The secretary might speak to that specifically. But we do have specific services to engage with Aboriginal people, together with the prevention and education programs, to try to make sure that DCJ is transforming those outcomes. But the secretary might speak to the work that is being done throughout.

**MICHAEL TIDBALL:** Thank you. In relation to target 13, the Government delivers a range of programs to assist Aboriginal people affected by domestic and family violence, including—

**The CHAIR:** Sorry, if I could interrupt you, perhaps I have not been very clear in my question but it is really about policy development. How are we engaging with First Nations people when making decisions in this portfolio area, particularly in relation to new policies?

**MICHAEL TIDBALL:** We are working alongside and engaging with the Aboriginal Legal Service, the nominated Coalition of Aboriginal Peak Organisations [CAPO] partner, to progress the work in relation to all of the Closing the Gap targets. Ms Campbell can expand on this. We are, right across the board, engaging with Aboriginal communities in the implementation of everything that we undertake across the State in those communities.

## UNCORRECTED

**The Hon. NATALIE WARD:** Can I just add: We also have the organisation that has been set up. The DCJ has established the Transforming Aboriginal Outcomes division, the TAO—I hate acronyms—which is to drive the design and implementation of activity to meet those targets. The structure of that is being finalised, I understand. Ms Campbell is looking like she wants to add something to that.

**ANNE CAMPBELL:** I was also going to add that there is existing governance that is now in place within New South Wales as part of the Closing the Gap target, which has been obviously jointly led by CAPO and Government. We are really focusing particularly on the target to reduce the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children by at least 50 per cent, as we progress towards zero. There is currently work happening to look at how we consult within community, and the principles of that agreement will be how we implement things going forward.

**The CHAIR:** I guess that is the key. We all know what the statistics are telling us. We all know about the issues, particularly in relation to the Closing the Gap recommendations. My question is directed at how much we are consulting with First Nations people and how much we are telling First Nations people.

**The Hon. NATALIE WARD:** Can I just add to that, and the secretary is looking like he wants to speak also. I note that we are working to increase the capacity of those Aboriginal community-controlled organisations, as well—to work together with them to make sure that we are structuring that in the right way and taking that on board, but also working together through those community consultations that are being done to inform how DCJ works with Aboriginal communities and organisations and the program of work in place to address target 13 and to work alongside Aboriginal communities. They are community-controlled organisations to make sure that they are having that input along the way and are included in those programs.

We are providing those services that are Aboriginal-specific initiatives, including What's Your Plan, where Aboriginal client community support officers work one on one with Aboriginal defendants to help them understand and comply with apprehended domestic violence order [ADVO] conditions; the Yuin Stronger Communities Protocol South Coast, which involves proactive partnering with Aboriginal Elders, the community and non-government and government services to co-design culturally appropriate violence prevention strategies; and—I will be quick—the last one is the Brothers Against Domestic Violence [BAD V] partnership between the Illawarra Koori Men's Support Group, Aboriginal Elders, Corrective Services, Relationships Australia NSW and the police.

**The CHAIR:** That is all useful, and that is perhaps at a more micro level than what I was referring to. I am really interested in how the consultation is happening at a decision-making level within the department, but perhaps we can pick up on it this afternoon in more detail.

**MICHAEL TIDBALL:** Certainly.

**The Hon. NATALIE WARD:** Can I just add to that: It would be remiss of me if I did not acknowledge the Aboriginal Family Health Worker program, which is run by Justice Health and Forensic Mental Health Network in partnership with Waminda South Coast Women's Health and Welfare Aboriginal Corporation, just to be clear. But I understand the point of your question.

**The CHAIR:** Thank you. I will turn to tolls before I run out of time.

**The Hon. JOHN GRAHAM:** Hear, hear!

**The CHAIR:** I assume you have been following the tolls inquiry, at least a little bit. I know you are new to this portfolio, but there have been a few points of contention between various individuals that have appeared before the inquiry. I turn first to the \$10 administration fee. Every time you go through a toll road, if for some reason you are not registered and it does not pick you up then you will have not just the \$3 or whatever of toll but also a \$10 administration fee. We heard evidence that a great number of people had tens of thousands of dollars' worth of toll fees and admin fees outstanding and that two-thirds or three-quarters of that was in admin fee as opposed to the original toll. We have since discovered that that \$10 was set in 2001 and was seen to cover the costs of collecting the toll. Technology has improved but no-one seems to think they have the authority to change that \$10, despite concession agreements telling us otherwise. What is your position on that? Will you be looking into that situation?

**The Hon. NATALIE WARD:** Thank you, and I thank the Committee for its work. Upper House committees play a very important role in looking at these issues, and I thank everyone for their time in looking at that. Ms Drover might speak to the specifics of the \$10 or, through you, Mr Secretary, the appropriate person. All these people have come today, and it is only fair that they have a question.

**The CHAIR:** With respect, we will ask them questions in the afternoon, and I have had the opportunity to ask them questions during the tolls inquiry.

**The Hon. NATALIE WARD:** Yes.

**The CHAIR:** I am more interested in your approach to this issue, now that it has been brought to everyone's attention. Will you be bringing that \$10 fee into line with what it actually costs to administer?

**The Hon. NATALIE WARD:** Thank you, and we are always conscious of cost of living; we are conscious of the impact on family budgets. That is why we commenced the tolling review and that is why we have those subject matter experts who look at that, who are much better to understand how we can have opportunities to look at reforms and look at a range of opportunities to assist. But I am very happy to look at that as part of that package. I am sure they are already doing that work, but I am happy to continue looking at that. Every opportunity we have to assist motorists to get where they need to and utilise that infrastructure, but also being conscious of the cost to families and businesses in doing so, is something we are committed to doing. That is why the review is being undertaken, but Mr Sharp might add more on the \$10 number.

**The CHAIR:** Again, I have limited time with the Minister, then I will pick up on this again this afternoon.

**The Hon. NATALIE WARD:** Sure.

**The CHAIR:** Another part of the puzzle that is creating a burden on people is the failure to aggregate notices. Every time you get this \$3 toll, you get the \$10 admin fee on top of it. For the second notice it is \$20, so people are getting another \$13 for every toll. It seems quite absurd that it is not aggregated into one toll notice if you get multiple tolls, especially if they are on the same day. But the toll operators have told us that is not within their power. Is that something that you will be looking to change?

**The Hon. NATALIE WARD:** I obviously cannot announce policy here, but I am very happy to assist. What I can assure the Committee is that we are looking at opportunities to reform. We are always looking at ways we can reduce the administrative burden, and certainly it seems to me, on the face of it, that that is an opportunity for us to do something. But, obviously, I need to take advice on that, and I am sure Mr Sharp and the team are well aware of that. I have seen the submissions to the tolling review inquiry and am happy to look at it as part of its recommendations. I am looking forward to that report so we can address those.

**The CHAIR:** Are you aware of the class action in Queensland that is being undertaken in relation to admin fees for the Queensland toll roads? Does that give you concern and perhaps incentivise you to be a bit quicker in that review?

**The Hon. NATALIE WARD:** I think we do need to look at any way that we address cost of living, that we can address administrative burden and that we can work with providers and do what we can within our remit. But Mr Sharp might have an answer.

**ROB SHARP:** The Premier has got a priority for removing red tape and administrative issues. We do have a number of fees that we apply right across our network. In respect of this specific one, it is part of the review and we are looking at the mechanisms behind it. But just internally within Transport, there are a number of fees and charges and we are looking at it. We have been challenged to make sure they are fair. We also have some older systems. Can we actually update those systems? There is a practical element, and Mr de Kock has that on his agenda.

**The CHAIR:** Do you make a distinction, then, between the fees that get charged by Transport directly and those where the fee gets charged but ends up in the pockets of Transurban and other toll operators?

**ROB SHARP:** All fees end up being paid ultimately by the public. We are looking at the flow-on costs from administration around these. But where it directly impacts the public, such as the \$10 fee, we are reviewing that as part of our tolling review.

**The CHAIR:** But clearly they are different things. There are fines and fees that go into general revenue and there are fines and fees that end up in the pockets of Transurban. Clearly, I would expect that the latter category of fee is not something that we have to wait for a review into the entire fines and fees regime of Transport to fix.

**ROB SHARP:** What I am saying is that it is on our agenda. We have been challenged, as one of the key outcomes, to reduce those burdens. There are a number of charges, that being one of them, and we are looking at them. We have not landed on a response around some of these specific ones that relate to the tolls.

**The CHAIR:** Minister, is it acceptable to you that the question of admin fees, which are currently the subject of a legal action in Queensland on the basis of them being unfair, and probably illegal—do you think it is fair that those fees are treated the same as the other parts of the fines and fees and tolls in that review that Transport is doing?

UNCORRECTED

**The Hon. NATALIE WARD:** I think it is important for people on our roads—they do not really distinguish. If they are paying, they are paying. It is important that we address cost-of-living measures, which is what we are doing as a Government with this review. That review is looking at all options available. I encourage those subject matter experts to do that work and look at every opportunity for us to put money back in the pockets of motorists. But we also have to balance that with rolling out a large infrastructure program so that they can utilise motorways to get to where they need to go quickly, reduce congestion and reduce time that they spend on the roads so that they can get back to their businesses, home to their families or home from school. So we are looking at all those opportunities.

**The CHAIR:** Presumably there is no proposal from Government to be giving a cashback for the admin fee. How is that connected? How is the money that ends up going to Transurban connected to the rest of the cost of living and toll cashbacks? Are they not completely different things?

**The Hon. NATALIE WARD:** That may be so, but any opportunity that we have to reduce red tape and to reduce administrative burden is within our remit. I would not rule out any opportunity for us to make things easier for commuters and make things easier for motorists, balancing our need to work with those providers to roll out this very large \$71.5 billion infrastructure program.

**The CHAIR:** Is there a concern that you might somehow minusculely diminish Transurban's profits in the process? Is that what is really going on here?

**The Hon. NATALIE WARD:** That is not our consideration. Our consideration is how we can offer best cost-of-living measures, which we do through 70 rebates that presently exist, through toll relief, through our M5 South-West cashback and through a number of rebate schemes, and we are always open to opportunities to improve and work on that. That is why we have the subject matter experts doing that. I am always open to opportunities to continue to do that work. It is important that we are mindful of that and that we as a Government continue to address that, as we are doing.

**The Hon. JOHN GRAHAM:** Returning, Minister, to the northern beaches link, have you sought or been given advice about a potential deferral of this project—that is, building it, but building it later?

**The Hon. NATALIE WARD:** I have to take that on notice, I think. There are a range of options available when you roll out infrastructure, but it is in a process, Mr Graham. We are committed to the project. It will go through those ordinary processes as it is, with the planning stages that are with the planning Minister or with the planning department as I see it. Ms Drover might speak to the options, but that is a matter that is presently with Planning, given we have provided our responses to the EIS.

**The Hon. JOHN GRAHAM:** I am surprised by that answer, Minister, because your predecessors have been very clear cut about what the time line is for that process to take place. I am surprised that for such a big project you are not sure you need to take on notice whether or not you have been given advice about a deferral.

**The Hon. NATALIE WARD:** I would not want to do anything other than provide the best available information I can to the Committee, Mr Graham. I want to clarify and provide that information. But what I can say is my understanding is that it is presently with Planning as is the normal course with large infrastructure. Eight motorways that have been delivered or are in delivery have gone through the same processes. That is the normal course. I will clarify whether there has been—I am sure there is a range of options. But it is not my understanding that it is anything other than going through those normal processes. Ms Drover might speak to that.

**The Hon. DANIEL MOOKHEY:** In the aftermath of the Willoughby by-election, the Premier said that there were lessons to be learnt around community engagement and community consultation when it comes to projects like the northern beaches link and the Western Harbour Tunnel. Firstly, have you had a discussion with the Premier about the lessons that your Government should have learnt when it comes to these projects in the wake of the Willoughby by-elections?

**The Hon. NATALIE WARD:** I am keen to talk about the projects within my remit. We always work with communities in rolling out large infrastructure projects. We have done that throughout the large motorways that have been delivered. We continue to have a core group within Transport for NSW that does that community engagement very closely.

**The Hon. DANIEL MOOKHEY:** The direct question was, have you spoken to the Premier about the lessons he says your Government should have learnt—

**The Hon. NATALIE WARD:** We speak regularly on a number of matters.

**The Hon. DANIEL MOOKHEY:** Let me finish the question, Minister.

**The Hon. NATALIE WARD:** I am sorry.

## UNCORRECTED

**The Hon. DANIEL MOOKHEY:** I have asked specifically whether in the wake of the Willoughby by-election you have had a conversation with the Premier about the lessons that your Government needs to learn. I asked this because the Premier made it very clear that he thought that this was important. It would surprise me if, despite the Premier's public proclamations, you have not had a conversation with him specifically about the lessons that should be learnt after Willoughby when it comes to the northern beaches link. That is the direct question. So have you had a conversation with the Premier after the Willoughby by-election about the lessons he says your Government should have learnt when it comes to the northern beaches link?

**The Hon. NATALIE WARD:** As I was saying, I have a regular engagement with the Premier. We have a number of conversations, as would be expected. Community consultation is a very important component of my portfolio responsibilities. We have seen in the eight motorways that have been delivered or are in delivery that we have a very robust community consultation process in place and that is what we do.

**The Hon. DANIEL MOOKHEY:** Minister, you are straying now from the question.

**The Hon. SCOTT FARLOW:** The Minister is answering the question.

**The Hon. DANIEL MOOKHEY:** No, the Minister is straying from the question, so I will now ask the Minister, what lessons do you take away from the Willoughby by-election about how your Government can engage with those communities which seemed to reject the Government's policy or at least sent quite a large message that you are on the wrong road when it comes to this particular one? What lessons have you personally drawn from the outcome of the Willoughby by-election when it comes to the northern beaches link?

**The Hon. NATALIE WARD:** As I indicated to the Committee, community consultation is an extremely important component of rolling out large infrastructure, as we have seen in the projects to date undertaken by Transport for NSW. They have a robust community consultation arrangement in place, which Ms Drover might speak to further. We are very conscious that we have to have that ongoing engagement in order to work with communities wherever that may be across New South Wales in the eight motorways that we have delivered or are in delivery in our \$71.5 million infrastructure project in Transport.

**The Hon. JOHN GRAHAM:** The construction of the Western Harbour Tunnel will involve lifting toxic sludge off the harbour floor, barging it out of the heads and shipping it to Newcastle. That was the plan shortly after estimates last time. Is that toxic sludge still heading to Newcastle?

**The Hon. NATALIE WARD:** I might ask Ms Drover to speak to that.

**CAMILLA DROVER:** The Western Harbour Tunnel project is in procurement. We have achieved planning approval for that, so all the dredging operations for that project will be in accordance with the conditions of approval by DPE. They will also be in accordance with the construction environment management plan, which is overseen by the EPA and DPE. There is also a dredging management plan, which is—

**The Hon. JOHN GRAHAM:** The question is, is that toxic sludge heading to Newcastle?

**CAMILLA DROVER:** No, it is not.

**The Hon. JOHN GRAHAM:** Where is it heading?

**CAMILLA DROVER:** We are proposing to deposit much of the spoil offshore, and we are receiving some Federal granted approvals for offshore disposal. Obviously, the sediments at the top of the harbour will be barged to the shore, and they will be transported to appropriate disposal sites.

**The Hon. NATALIE WARD:** Can I just add, Mr Graham, it is important to acknowledge that and it is a good question because Transport for NSW and this Government understand those concerns about the removal and transportation of dredged and excavated material across the board, particularly where potentially this might happen in Middle Harbour. So that will be undertaken in accordance with those processes.

**The Hon. JOHN GRAHAM:** Good, thank you. Minister, on 19 January this year you had an issue raised with you about a mobile speed camera placed eight metres from a 100 kilometre per hour sign and you said that you would ask the secretary if we can look at what the guidelines are and what the guidelines can be around the placement of these cameras. What guidelines are now in place to stop a similar situation occurring?

**The Hon. NATALIE WARD:** Mr Secretary.

**ROB SHARP:** Thank you for the question, Mr Graham. The facts of that particular situation were reviewed and, in fact, it was between two 100-kilometre signs. It was not actually outside of guidelines. I did commission specific advice to me in regard to those processes, and there are quite defined processes that our contracted suppliers need to abide by. They do take into account entrapment and those sorts of things that were inferred by the particular matter that was raised.

## UNCORRECTED

**The Hon. JOHN GRAHAM:** I will stop you there, Mr Secretary. Just so I am clear, this was looked at and essentially given the green light? This was the correct placement on this occasion. Is that correct?

**ROB SHARP:** Correct.

**The Hon. JOHN GRAHAM:** Is there anything to stop it being placed there again? Is there any guideline that has changed or is now in place?

**ROB SHARP:** No, there is no change to the guidelines. They are adequate.

**The Hon. NATALIE WARD:** I think the particulars around that was that it was some distance from that sign. We will take that part—

**The Hon. JOHN GRAHAM:** Minister, I will turn to the question that you were heading towards before about the signs on mobile speed cameras that are now being rolled out across the State. I might just ask you to firstly clarify the timing. There was some discussion this morning that half of them might be rolled out in a week and the rest by the end of March. Is that accurate?

**The Hon. NATALIE WARD:** I can confirm to the Committee that 75 per cent of the fleet now have rooftop signs affixed. We want drivers to be aware of when they are speeding, we want them to be slowing down and we want the other 99 per cent of drivers who are doing the right thing to be seeing those signs as well. That is why we rolled out an additional 1,000 fixed warning signs around the network.

**The Hon. JOHN GRAHAM:** I think you are confirming that the rest of those signs will be in place by the end of March.

**The Hon. NATALIE WARD:** If you want to give my evidence for me, yes, 1 March.

**The Hon. JOHN GRAHAM:** I will ask you about some of the Premier's comments. He said this when he was asked about the warning signs. When asked about the Opposition's position, he said, "Speed cameras shouldn't just be there to raise revenue for the Government. You have to strike the right balance," which is something I agree with him on. He was referring to Chris Minns, the Leader of the Opposition. The Opposition's position is that signs should be back where they were before—before and after these speed camera cars. Do you agree with that position?

**The Hon. NATALIE WARD:** There is a priority for us to ensure that signs are rolled out across the network to ensure safety, raise awareness of the dangers of speeding and ensure that motorists can see in those positions the 1,000 fixed signs and the rooftop signs on mobile speed camera vehicles.

**The Hon. JOHN GRAHAM:** Minister, I know all of that background. You are avoiding the question.

**The Hon. NATALIE WARD:** No, I certainly am not.

**The Hon. JOHN GRAHAM:** Do you agree with the Opposition's position, as the Premier seemed to, that the signs should be placed before these cars and after these cars?

**The Hon. NATALIE WARD:** The challenge with those signs—the fixed signs are fine and the variable signs are fine. The challenge—and I will ask the Secretary to speak to this specifically—as I understand it, is the safety of operators getting out of their vehicles to place those signs before the vehicles. That is a work health and safety issue, which is why we are implementing the fixed signs to the tops of vehicles wherever possible, so that we do not have those issues. The secretary might add to those safety concerns.

**The Hon. JOHN GRAHAM:** I am keen to ask about that—

**The Hon. SCOTT FARLOW:** Point of order: The Minister was answering the Hon. John Graham's question in a very direct manner and was seeking more information from the secretary to answer it in full. She should be allowed to have that opportunity.

**The Hon. JOHN GRAHAM:** To the point of order: I think it would be inappropriate for the secretary to comment on government policy. I am constraining my remarks to government policy.

**The Hon. SCOTT FARLOW:** It is an operational matter.

**The Hon. NATALIE WARD:** No, I was inviting him to speak. If I can invite him to speak to the safety aspect because you asked about our views on that proposal to put signs—

**The Hon. JOHN GRAHAM:** I am going to come back to that extensively this afternoon. That will be the chance to do that.

UNCORRECTED

---

**The Hon. NATALIE WARD:** The advice I have is that it is a safety concern when people are getting out of a vehicle to place a sign in front of the car. We would want to be conscious of that and not risk that in a work health and safety perspective. That is the advice I have received.

**The Hon. JOHN GRAHAM:** This operated safely for more than a decade. Is not the real issue here that it is not safe to do that if you insist on using two-way enforcement—if you are trying to fine cars in both directions—as the Government has now moved to do. That is actually the reason why it is a health and safety issue to get out of the car now, because you are not prepared to go back to that old position. Is that correct?

**The Hon. NATALIE WARD:** I cannot talk to what happened before my time. I can only speak to what I am responsible for in this portfolio since I have been here. I am not able to speak to the arrangements prior to my time. What I can say is that we have committed to 1,000 fixed warning signs around the network and placing the rooftop signs. If I can just clarify in relation to that as I think I might have misspoken. The commitment of the Government is to the end of March, having those rolled out. I think I might have misspoken and said 1 March. Just to be clear, we want all of those signs to be on those vehicles by the end of March. We have made that commitment to ensure that those vehicles will not be on the road undertaking enforcement unless they have a sign affixed to them. It takes time to affix them to those cars.

**The Hon. JOHN GRAHAM:** I draw you back to that first question because I do not want to misrepresent your position. I think you are saying that you do not agree with the Opposition policy that those signs should be before and after, for which you provided a reason. You are saying that you do not agree with the Opposition policy. Is that correct?

**The Hon. NATALIE WARD:** No. The information that we have is that there are safety concerns about operators getting out of the cars. We might speak to the specific concerns we have on that. Mr Carlon?

**The Hon. JOHN GRAHAM:** I promise I will come back to Mr Carlon in the officials' session.

**The Hon. NATALIE WARD:** In order to inform my answer to the Committee—

**The Hon. JOHN GRAHAM:** I am asking about the Government policy because it is very unclear. The Premier is on the radio saying he that agrees with the Opposition, but you are saying that you disagree. Who is right here?

**The Hon. NATALIE WARD:** You have asked for a specific response to that proposal. I have asked Mr Carlon to speak to the risks around those signs being placed on the road by an individual.

**The Hon. JOHN GRAHAM:** I am asking what the Government policy is, Minister. It is totally confusing. Mr Carlon cannot tell me what the Government policy is. I am asking you, Minister, what is the Government policy?

**The Hon. SCOTT FARLOW:** Point of order: The Minister is attempting to answer the Hon. John Graham's question. She has stated what the Government's position is, and she has stated that it is based on the advice that is no doubt provided by Mr Carlon. It would be illuminating for all Committee members to be able to hear that advice from Mr Carlon as part of this answer.

**The Hon. JOHN GRAHAM:** To the point of order: I am asking what the Government policy is. It would be totally inappropriate for Mr Carlon to answer that—a point that the Hon. Don Harwin made earlier in the session.

**The Hon. DON HARWIN:** I do not think I made that point. I think I am being verballed there.

**The Hon. MARK BANASIAK:** On this occasion I rule in favour of the Opposition, exercising caution on what Mr Carlon may present that may be construed as government policy.

**BERNARD CARLON:** I am happy to outline the current operations of the program, which are consistent with the policy.

**The Hon. JOHN GRAHAM:** Minister, I will return to that question. What is the Government policy here? Is it to agree with the Opposition that these signs should be ahead of and behind the cars or is it to oppose that policy?

**The Hon. NATALIE WARD:** I believe I have answered that question and indicated the concerns that we have. I cannot add any more to that.

**The Hon. JOHN GRAHAM:** I think you are saying that you oppose that policy. I do not want to misquote you though. Is that correct?

## UNCORRECTED

**The Hon. NATALIE WARD:** What I have said is on the record. I have been very clear about my answer. You can interpret that as you may. What I can say is that we want drivers to be aware of their speeding and we want them to slow down. That is why we are rolling out 1,000 fixed warning signs around the network, as well as placing rooftop signs on mobile speed cameras.

**The Hon. JOHN GRAHAM:** Is the reason you are dodging this question so much because the Premier—

**The Hon. NATALIE WARD:** I am not dodging it.

**The Hon. JOHN GRAHAM:** —is on the record saying—

**The Hon. SCOTT FARLOW:** Point of order: The Minister is trying to answer the Hon. John Graham's question, and he is accusing her of trying to dodge a question when she is trying to answer it. She should be allowed to continue to answer the question.

**The Hon. DANIEL MOOKHEY:** To the point of order: The member is entitled to put the proposition to the Minister that she is trying to dodge the question, and the Minister can answer or deny that allegation as she sees fit.

**The Hon. SCOTT FARLOW:** She is answering the question. Let her answer it.

**The Hon. MARK BANASIAK:** To the various points of order, the member has the right to ask a question. The Minister has the right to answer that how she sees fit. The member also has the right to address the Minister if he does not feel she is answering the question properly. Once again, the Minister then has the right to answer the question how she sees fit. If that is perceived as dodging the question that is how it is perceived. I ask the member who is asking the question to make sure that it is not considered badgering or that it is reworded in a way that is not seen as badgering.

**The Hon. JOHN GRAHAM:** Minister, given your answer, which is at odds with Opposition policy, why is the Premier saying publicly that he agrees with the Opposition?

**The Hon. NATALIE WARD:** Mr Graham, I am not dodging your question. I am very happy to assist and I have great respect for this Committee's responsibilities and I am here to provide information wherever possible in relation to my portfolio responsibilities. In relation to that, my job is to roll out the fixed vehicle signs on top of those enforcement vehicles. We are rolling out in addition to that 1,000 permanent static signs to remind drivers that they can be caught speeding anywhere any time.

**The Hon. JOHN GRAHAM:** Thank you, Minister, and you have given that answer previously. I might turn to another issue. You have said in the House in relation to the tolling regime for the Government, and you put it a couple of different ways, "There's nothing secret about our tolling regime." Given that the base case financial models for the M7 Westlink and the Lane Cove Tunnel have been released to the Parliament previously, will you release the WestConnex base case financial model?

**The Hon. NATALIE WARD:** I will take that on notice, Mr Graham.

**The Hon. JOHN GRAHAM:** Given that you have said, "There's nothing secret about our tolling regime," will you release the details of the compensation which is owed, which your previous Minister said was very, very significant compensation?

**The Hon. NATALIE WARD:** Mr Graham, I stand by the transparency which this Government has and continues to have with all of our arrangements in place, some of which were started under the previous Labor Government and this Government continues as we roll out infrastructure. I will take on notice the specifics of that particular arrangement.

**The Hon. JOHN GRAHAM:** Thank you. Minister, given you have said, "There's nothing secret about our tolling regime", how many bidders were there for the WestConnex project?

**The Hon. NATALIE WARD:** Wherever possible, Mr Graham—if I can just finish that sentence—it is important to note for this Committee that that information where it is covered by Cabinet in-confidence is not within my purview to release. Certainly I am able to assist wherever possible with information that is transparent.

**The Hon. JOHN GRAHAM:** I am happy with that being taken on notice.

**The Hon. NATALIE WARD:** There is no—

**The Hon. JOHN GRAHAM:** Given you said, "There's nothing secret about our tolling regime," how many bidders were there for the WestConnex transaction?



UNCORRECTED

**The Hon. NATALIE WARD:** I would have to ask the secretary to speak.

**ROB SHARP:** I would have to take that on notice as well.

**The Hon. JOHN GRAHAM:** Thank you, secretary. Minister, given you have said, "There's nothing secret about our tolling regime," how much are drivers paying in total in tolls under contracts that have already been signed by this Government?

**The Hon. NATALIE WARD:** I stand by, Mr Graham, that we make that information available wherever possible, unless it is covered by Cabinet-in-confidence or commercial-in-confidence arrangements, as is the ordinary course with large infrastructure arrangements. And those agreements, wherever possible, if there are specifics I can provide, I will take that on notice and do so.

**The Hon. JOHN GRAHAM:** Minister, you won't release these base cases, you won't tell us about compensation—

**The Hon. NATALIE WARD:** No, I have not said I won't, Mr Graham. Just to be clear, I have not said I won't. I said I will assist the Committee wherever I possibly can unless it is covered by something that is not within my purview, which is Cabinet-in-confidence or commercial-in-confidence.

**The Hon. DANIEL MOOKHEY:** Minister, have you been briefed on the base case financial review for WestConnex?

**The Hon. NATALIE WARD:** I have been briefed on many, many matters, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Specifically have you been briefed on the base case financial model?

**The Hon. NATALIE WARD:** I have been briefed on very many matters, Mr Mookhey, in relation to my portfolio responsibilities, and can I say that it is a pleasure and a privilege to continue the great work that this Government is doing to roll out \$71.5 billion in infrastructure across motorways.

**The Hon. DANIEL MOOKHEY:** I am glad that you have been briefed on those aspects of your portfolio, but the question is very specific. It is the base case financial model which we have contractually agreed that the owner of that asset will at least earn the minimum as to what is contained within it. I am not asking you to reveal the details contained in the base case financial model; I am just asking you to confirm that you specifically have been briefed on it.

**The Hon. NATALIE WARD:** And I have answered that question twice, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** No, you have not. You have said you have been briefed on many matters to do with your portfolio. I am asking you specifically about whether or not you have been briefed on that aspect of your portfolio—

**The Hon. SCOTT FARLOW:** Point of order—

**The Hon. DANIEL MOOKHEY:** —which affects many, many people in this State.

**The Hon. MARK BANASIAK:** Mr Mookhey, a point of order has been taken, although you did get that last question out.

**The Hon. SCOTT FARLOW:** Mr Chair, as you quite rightly ruled before, it is up to a member to put a question to a Minister, it is up to a Minister then to answer it as they see fit. The Minister has answered this question on at least two occasions so far as she sees fit. I suspect if the Hon. Daniel Mookhey keeps on pushing the same question, he will get the same answer from the Minister. It is just a waste of everyone's time.

**The Hon. DANIEL MOOKHEY:** To the point of order: The Minister said that she had answered my question. I thought it was not answered. Therefore I am entitled to press for a direct answer, given that she said that she felt that it was answered. It is just routine estimates practice.

**The Hon. MARK BANASIAK:** As to the point of order, yes, you are allowed to press the Minister for a further answer if you do not feel they have answered it properly. I would ask you to exercise a bit of caution that it does not become badgering.

**The Hon. DANIEL MOOKHEY:** Sorry, Minister, did you want to take another stab at that?

**The Hon. NATALIE WARD:** Sorry what, Mr Mookhey?

**The Hon. MARK BANASIAK:** Maybe repeat the question.

**The Hon. DANIEL MOOKHEY:** Minister, the base case financial model which sets out the contract, the minimum that the owner of that asset is entitled to earn and sets the baselines for any renegotiations around

## UNCORRECTED

any future toll relief, I am just asking, given how crucial that document is, whether or not you have had a specific briefing on that? If you do not know, maybe the secretary might be in a position to say whether he has provided you with a direct briefing on that, or anyone else in the department has provided you with a direct briefing on that point?

**The Hon. NATALIE WARD:** No, I do know and I have answered and I have provided my evidence to the Committee.

**The Hon. JOHN GRAHAM:** Minister, given you have said this, you have been very clear that in your view there are no secrets around this tolling regime. What is your view about Treasury's insistence that the WestConnex financial details have to be kept secret until 2060 or possibly beyond?

**The Hon. NATALIE WARD:** What is my personal view?

**The Hon. JOHN GRAHAM:** What is your view as a Minister of the Crown?

**The Hon. NATALIE WARD:** I am obviously responsible for my portfolio, which is to roll out the roads and infrastructure program that we are doing. In relation to that work, that is a matter for Treasury, Mr Graham. You should perhaps direct your questions to the Treasurer or make those inquiries of him in his portfolio of responsibilities.

**The Hon. JOHN GRAHAM:** I am asking you about your comments in the House representing the Government's view. Very strongly you said, "There's nothing secret about our tolling regime." You put it in a couple of different ways.

**The Hon. NATALIE WARD:** Yes.

**The Hon. JOHN GRAHAM:** That is not Treasury's position.

**The Hon. NATALIE WARD:** Yes.

**The Hon. JOHN GRAHAM:** They insist there are secrets and they will not come out until 2060, and they might not come out then. What do you think about that, given what you are telling the Parliament?

**The Hon. NATALIE WARD:** Thank you, Mr Graham, and I stand by my comments. Information where possible is made available. Where it is covered by Cabinet-in-confidence or where it is covered by commercial-in-confidence arrangements, those need to be respected. It is not within my purview to change them. In relation to the Treasury comments, again I reiterate that you would have to direct those questions to Treasury.

**The Hon. JOHN GRAHAM:** So there are secrets if it is Cabinet-in-confidence, there are secrets if it is commercial-in-confidence, and they are secrets until 2060 if Treasury is involved, at least?

**The Hon. DON HARWIN:** They are not secrets if it is the law, and that is what the law is in terms of Cabinet confidentiality.

**The Hon. JOHN GRAHAM:** I welcome Minister Harwin back into the saddle!

**The Hon. DANIEL MOOKHEY:** Just on that point, Minister—

**The Hon. NATALIE WARD:** Even if I wanted to, Mr Graham, I am not able to breach Cabinet-in-confidence or commercial-in-confidence arrangements.

**The Hon. DANIEL MOOKHEY:** Minister, I am provoked enough to now ask you this question—

**The Hon. NATALIE WARD:** Please don't twist my words, Mr Graham.

**The Hon. DANIEL MOOKHEY:** We have this position where under law the Cabinet submission that the Government used to enter into these arrangements will be released in 2045 under the 30-year principle, yet the base case financial model will stay secret for an additional 16 years. How do you plan to resolve that particular conundrum or are you intending to effectively keep the base case financial model for the WestConnex estate secret indefinitely?

**The Hon. NATALIE WARD:** With respect, I am here to assist the Committee, but it is, in my view, unfair to twist my words. That is not the evidence that I have given. Tolling information is publicly available. It can be accessed freely. That information is transparent and clear, and that is why I stand by my indication that it is available. We are not here to do anything other than try to get the balance right between cost of living—that is what we are doing—and the balance between rolling out infrastructure, paying for that and finding those commercial arrangements under one government or another, respecting those agreements and the contractual arrangements that are in place.

## UNCORRECTED

**The Hon. JOHN GRAHAM:** Minister, I agree with that. I accept there is a balance here, but these base case financial models—

**The Hon. NATALIE WARD:** It is not within my purview, Mr Graham.

**The Hon. JOHN GRAHAM:** —have been tabled in the Parliament before. How can you defend the fact they are now kept secret for 2060 and then say, "There's nothing secret about our tolling regimes"?

**The Hon. NATALIE WARD:** Mr Graham, you are twisting my words. My comments in relation to tolling and the information that is freely and publicly available proactively on websites can be ascertained easily, quickly, efficiently and are updated constantly. That information is available. Wherever possible information is provided and as we undertake the work that we do in providing large infrastructure in New South Wales there are necessary arrangements under all governments that require Cabinet-in-confidence or commercial-in-confidence arrangements.

**The Hon. JOHN GRAHAM:** Minister, we will return to this issue, but my colleague is very keen to ask about another road.

**The Hon. DANIEL MOOKHEY:** I am. In respect to the F6 extension, we heard in the tolling inquiry from Ms Drover that the Government tolling regime for that particular road will simply be recovering operating and expenditure. Is that your understanding?

**The Hon. NATALIE WARD:** I think it is now called the M6, but that is a project or the stage one component is currently under construction. That will provide those four kilometres of twin tunnels, commencing from the M8 motorway, extending south under Rockdale and connecting via ramps to it.

**The Hon. DANIEL MOOKHEY:** I know what the road is, Minister. My question is direct. If you could please directly answer the question. The question is, is it the Government's policy simply to recover the operating cost of that road through the toll or are you also now recovering the capital expenditure?

**The Hon. NATALIE WARD:** Ms Drover might speak to that.

**The Hon. DANIEL MOOKHEY:** No, Ms Drover did speak to that in the inquiry. I am now asking you a question about government policy, which, to be fair to Ms Drover, as she said in the inquiry, is a question for government. Hence, my question to you, Minister.

**The Hon. NATALIE WARD:** We might assist the Committee by providing further clarification of that by Ms Drover assisting by providing her information.

**The Hon. DANIEL MOOKHEY:** This afternoon I am happy once again to ask Ms Drover, who provided excellent evidence to the tolling inquiry on this matter. But Ms Drover is not the Minister; you are. Hence—it is a straightforward question—are you going to recover simply the operating costs or the capital expenditure when it comes to the M6?

**The Hon. SCOTT FARLOW:** Point of order: It is up to the Minister to answer the question in the way that she sees fit. To answer the question, if the Minister sees fit for departmental advisers to provide an answer to the Committee, that is within order, and the Minister should be allowed to answer the question in such a manner.

**The Hon. DANIEL MOOKHEY:** Mr Chair, you have already ruled on this point. When it comes to government policy, only Ministers can answer.

**The Hon. JOHN GRAHAM:** To the point of order—

**The Hon. MARK BANASIAK:** Let me rule again and reiterate my first—

**The Hon. JOHN GRAHAM:** I might just provide some background because previously in these sessions, particularly in Transport hearings where there are so many officials, we have usually just asked for the officials, other than the key officials, in the afternoon so as to avoid all of the team having to be present and off the job. That has been the practice with previous Ministers when we have asked, consistent with your earlier ruling, to direct questions just to the Minister in these sessions. That was the case with Minister Constance and Minister Toole, just for background.

**The Hon. DON HARWIN:** To the point of order: If public servants cannot answer questions about government policy, then surely Ministers cannot be asked questions about operational matters either. The difficulty is where you draw the line.

**The Hon. DANIEL MOOKHEY:** In the excellent judgement of the Chair, we trust.

## UNCORRECTED

**The Hon. DON HARWIN:** As a comment on this point of order that you have taken, you cannot have a hard and fast rule.

**The Hon. DANIEL MOOKHEY:** I did not take the point of order.

**The Hon. DON HARWIN:** Sorry—on a comment you previously made on this point of order. It is not a black-and-white matter.

**The Hon. MARK BANASIAK:** Having listened to all the arguments, I still reiterate my ruling. I do not necessarily agree with Mr Harwin's interpretation that the Minister cannot possibly answer questions on operational matters. Sure, she can seek assistance on operational matters from the public servants whom she has available to her. I will allow Ms Drover to answer the question to the best of her ability, but note that probably she will not be able to assist in relation to government policy.

**The Hon. DANIEL MOOKHEY:** Perhaps I might ask a different question then.

**The Hon. MARK BANASIAK:** I leave it up to Mr Mookhey to redirect.

**The Hon. NATALIE WARD:** I can add to her answer after that, to assist.

**The Hon. DANIEL MOOKHEY:** Ms Drover, the question that was directed to the Minister is now directed to you. Is it government policy simply to recover the operating expenditure from the tolling regime that is to be imposed on the M6?

**CAMILLA DROVER:** I might clarify. My evidence to the toll inquiry was that when we did some modelling of the proposed tolling regime for stage one of the M6, by coincidence, not government policy, the tolling revenue aligned with about what the operating and maintenance costs of that toll road would be.

**The Hon. DANIEL MOOKHEY:** Hence, my question to you, Minister: As a matter of policy, will you be recovering the capital expenditure or the operating expenditure, or both?

**The Hon. NATALIE WARD:** Mr Mookhey, I would like to assist, and we are endeavouring to do so, but what I am not able to assist with is future government policy—

**The Hon. DANIEL MOOKHEY:** I would settle for present government policy, Minister.

**The Hon. NATALIE WARD:** —and to provide conjecture in here without having gone through proper processes within my Government, including my Cabinet colleagues, in a budget estimates Committee. I am very happy to assist by talking about—

**The Hon. DANIEL MOOKHEY:** Minister, what is the current expected outturn cost on the M6?

**The Hon. NATALIE WARD:** Mr Mookhey, I have provided my answer.

**The Hon. DANIEL MOOKHEY:** No, it is a different question, Minister. What is the current expected outturn cost?

**The Hon. NATALIE WARD:** I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Is it still \$1.5 billion.

**The Hon. NATALIE WARD:** I will take it on notice, thank you.

**The Hon. DANIEL MOOKHEY:** You are eager to seek the advice of your officials. I am sure Ms Drover might be able to assist on this operational detail. Given that it is an operational matter, I am very happy to hear from Ms Drover as to whether or not the M6 is still going to cost us \$1.5 billion.

**The Hon. SCOTT FARLOW:** Point of order: The Minister has already answered the question in a way that she sees fit and has taken it on notice.

**The Hon. DANIEL MOOKHEY:** Yes, and I am entitled to press.

**The Hon. NATALIE WARD:** Mr Mookhey, I am very happy to assist and I am happy to direct to Ms Drover where I consider it appropriate, but I can indicate to the Committee that to provide the correct information we will take that question on notice.

**The Hon. DANIEL MOOKHEY:** There have been reports that the cost is now much higher. There are factors that may or may not explain why that is the case. Hence, I am asking you because I am interested in the extent to which you, as Minister, are paying attention to the operating projects of these projects that you consistently say that you are building. You have been eager to talk about the eight projects that you are building. This is one of them. It is a simple question. What is this particular project expected to cost us?

UNCORRECTED

**The Hon. NATALIE WARD:** Mr Mookhey, I have indicated to the Committee that we will take that on notice and provide that further detail to the Committee in due course.

**The Hon. JOHN GRAHAM:** Minister, I turn back to the answers that the secretary gave to that question about the speed camera that is eight metres before the edge of a 100 kilometres-per-hour zone. The answers he gave said there was no problem with the placement of that camera. You said publicly, "I think it's important that we have guidelines around that." You were responding directly to concerns about that camera. What do you think about the answers that you have been given about that camera placement being given the green light?

**The Hon. NATALIE WARD:** Mr Graham, what I would say is that it is important that—we want drivers to be aware of when they are speeding, and we want them to slow down. That is why we are rolling out these speed cameras—the 1,000 fixed warning signs. But I note that in the particular circumstances of that matter there were two 100-kilometre speed signs on the stretch of road. My understanding is it was within the guidelines, but Mr Sharp might speak to the specifics of that. The guidelines were in place, but my understanding is there were those two signs, so it was within those guidelines.

**The Hon. JOHN GRAHAM:** So in this individual instance that has been drawn to your attention and that you did have concerns about, you are now comfortable that that is within the guidelines and that it is appropriate?

**The Hon. NATALIE WARD:** The advice to me was that there were two 100-kilometre speed signs in place and that, within those two, I am comfortable, on the advice that I have been provided, that was within the guidelines—that it was within a 100-kilometre zone.

**The Hon. JOHN GRAHAM:** I think it may have been represented to you as being on the edge of a 60-kilometre zone metres before the speed limit hit 100. You are saying that, factually, you believe that now not to be the case?

**The Hon. NATALIE WARD:** That is correct.

**The Hon. JOHN GRAHAM:** That is the evidence you are giving. Thank you for that. There is no real examination of the placement, in the systematic way that there is for fixed speed cameras, of these mobile speed camera sites on an annual basis. Do you believe there should be?

**The Hon. NATALIE WARD:** I will ask Mr Carlon to speak—

**The Hon. JOHN GRAHAM:** As a matter of government policy—I am going to put the same question to Mr Carlon this afternoon.

**The Hon. NATALIE WARD:** No, because there are reasons. It is an important question.

**The Hon. JOHN GRAHAM:** I am interested in getting his view on the detail of it this afternoon. It is not the Government policy, as I understand it at the moment. Should it be?

**The Hon. NATALIE WARD:** I might ask Mr Carlon to speak to why we have those arrangements in place with those two providers because I think it provides the important context for the arrangements that are in place for the enforcement work that they carry out.

**The Hon. JOHN GRAHAM:** This is not about the two providers. I might restate my question just so that it is clear because that would not be helpful. I am asking about the Government policy to review the placement of mobile speed cameras. Fixed cameras are reviewed very closely on an annual basis. Mobile speed camera locations are not. Should they be?

**The Hon. NATALIE WARD:** I think we can always be reviewing guidelines in relation to government policy wherever it is appropriate to do so. The guidelines that are in place are there to provide optimal opportunities to ensure safety and assist with clarity around enforcement, but we are always open to looking at how we can improve all of our best practice in reducing the road toll and ensuring that people slow down, ensuring that they observe those signs and that we make it clear that our number-one priority is road safety, people getting home to their families, people ensuring that they respect others on the road. We know that driver behaviour—a 40% per cent contribution is from speeding.

**The Hon. JOHN GRAHAM:** Listening to you then, you are not opposed to this suggestion. You simply do not have a view at the moment. Is that a fair statement?

**The Hon. NATALIE WARD:** No, my view is that we are always open to opportunities to look at reform.

**The Hon. DANIEL MOOKHEY:** Minister, do you have the current expected cost of the Sydney Gateway?

**The Hon. NATALIE WARD:** We will take that on notice.

**The Hon. DANIEL MOOKHEY:** Equally, when it comes to the Sydney Gateway, the Sydney Gateway does not connect to the port, which is creating issues to do with the port. Have you spoken to Sydney ports?

**The Hon. NATALIE WARD:** Sorry, Mr Mookhey, I could not hear you.

**The Hon. DANIEL MOOKHEY:** The Sydney Gateway project, as it is currently being pursued, is not connecting directly to the port, which is creating concern for the port. Have you had a meeting or had any discussions with Sydney port about its concerns about the lack of direct connection to the gateway?

**The Hon. NATALIE WARD:** I think that is a question in relation to the ports end of it and is appropriately directed to Minister Elliott. That is his portfolio responsibility; that is not mine, so it would be in relation to the port's concerns on that.

**The Hon. DANIEL MOOKHEY:** No, to be fair, its concerns are to do with the road network, not that part of it. There is a whole variety of concerns to do with a number of roads and the wider impact on it. Of course, I do not expect you, Minister, to know the finer details of the port's position when it comes to the road network. Hence, my question: Have you met with them to discuss their concerns to do with the absence of a road connection to Sydney port and the wider impact that is going to have on the other parts of the road network that directly affect them?

**The Hon. NATALIE WARD:** The Sydney Gateway will, obviously, help ease congestion and improve journey times for freight to and from Port Botany. The new flyover to domestic terminals will provide dedicated access—

**The Hon. DANIEL MOOKHEY:** Minister, you are not answering the question directly.

**The Hon. NATALIE WARD:** I am trying to, Mr Mookhey. I am trying to.

**The Hon. DANIEL MOOKHEY:** I am just going to bring you back directly to the question.

**The Hon. NATALIE WARD:** If I can get to my next sentence—

**The Hon. DANIEL MOOKHEY:** I appreciate having heard Minister Gay, Minister Pavey, Minister Stokes all explain what the Sydney Gateway is. But some of them were actually prepared to answer the questions to deal with the port's criticisms.

**The Hon. NATALIE WARD:** I am very happy to answer the question, Mr Mookhey.

**The Hon. SCOTT FARLOW:** You did not let the Minister answer more than one sentence.

**The Hon. NATALIE WARD:** I was about to get—

**The Hon. DANIEL MOOKHEY:** Time is short. Have you met with the Port? Simple question. Have you met with them?

**The Hon. NATALIE WARD:** Yes. My diary is published, Mr Mookhey. I was trying to get to the earlier question. Following feedback from Ports, the Port Botany access study was completed to review the traffic congestion around Port Botany and consider options for improvements. In relation to specific meetings I can assure you that my diary is published. Any meetings I have are available there for the Committee to see.

**The Hon. DANIEL MOOKHEY:** Do you have the expected cost of the western harbour tunnel as of now?

**The Hon. NATALIE WARD:** I will take that on notice.

**The Hon. DANIEL MOOKHEY:** The power of algebra has taught me that, according to your summary business case, the western harbour tunnel and the Warringah Freeway both together were meant to cost somewhere between \$7.3 and \$7.8 billion. That is according to the business case that your Government released. Are we still going to get both roads for \$7.8 billion?

**The Hon. NATALIE WARD:** Mr Mookhey, I am happy for you to do the maths on that, given your extensive experience in that space.

**The Hon. DANIEL MOOKHEY:** I did.

**The Hon. SCOTT FARLOW:** Can you show us your working?

UNCORRECTED

---

**The Hon. DANIEL MOOKHEY:** I actually can.

**The Hon. NATALIE WARD:** What I can say—

**The Hon. DANIEL MOOKHEY:** I am happy to table my working for you, Minister. My algebra is enough to figure out, depending on which particular scenario you use, apparently, according to your business case, the business cost ratios were all calculated assuming the costs would be somewhere between \$7.3 billion and \$7.8 billion for both the Warringah Freeway and the western harbour tunnel, which, dare I say, was optimistic. So I am asking you: Are we still going to get both roads for \$7.8 billion?

**The Hon. NATALIE WARD:** Mr Mookhey, that project with the Western Harbour Tunnel and Beaches Link program is, of course you would expect me to say, going to support up to 15,000 jobs. Happily, this large infrastructure program does employ people. In doing so, I can confirm that the construction will begin mid this year and that seven hundred and—

**The Hon. DANIEL MOOKHEY:** Minister, this business case was released in May 2020. As of May 2020, apparently, we were getting both of these roads for somewhere between that cost. If you can buy both roads for \$7.8 billion, credit to you. Hence my question. Have you at least read the business case, Minister, for this particular road?

**The Hon. NATALIE WARD:** I think there were three questions there.

**The Hon. DON HARWIN:** Point of order: I appreciate, Chair, that you have just come back into the room. So maybe the Deputy Chair might assist or deal with this matter.

**The CHAIR:** I have been well updated.

**The Hon. DON HARWIN:** The Hon. Daniel Mookhey's point of order was actually in the middle of the Minister trying to answer. She had only given two sentences of her answer. I understand that there is limited time. But, really, it was too early to determine whether or not she was being directly relevant. She should be allowed to finish before the Hon. Daniel Mookhey moves to another question.

**The CHAIR:** So, to clarify, the point of order was people talking over each other. Correct?

**The Hon. DON HARWIN:** No.

**The CHAIR:** No? What is the point of order?

**The Hon. DON HARWIN:** Well, yes. The Hon. Daniel Mookhey started talking over her and asked a new question before she was able to finish the last one.

**The CHAIR:** Alright. If we could proceed in an orderly manner, that would be appreciated. Thank you, Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** I will be orderly. I plead not guilty to that rap sheet.

**The CHAIR:** Okay. That will do.

**The Hon. DON HARWIN:** I think that would mean that the Minister was allowed to answer the rest of your question.

**The Hon. DANIEL MOOKHEY:** Let me just repeat the question because it has been a while. Minister, have you actually read the final business case for the western harbour tunnel?

**The Hon. DON HARWIN:** That actually was not your question.

**The Hon. DANIEL MOOKHEY:** It is now.

**The Hon. NATALIE WARD:** That is okay. Mr Mookhey, there is a range of projects for which I am pleased to continue my predecessor's work that you have alluded to. I note on Western Harbour Tunnel and Beaches Link that you asked about the provision of funding for that. We will provide \$6.3 billion over the next four years for construction of that. That, obviously, has a process that is in place, including the business case to which you refer. That goes through those normal planning processes and the Infrastructure NSW gateway processes with the final business case and the various gateway reviews that are undertaken. As part of that I obviously would be—

**The Hon. JOHN GRAHAM:** Thank you, Minister. I might turn to some of your other comments, which related to tolling. I just want to come back to that one I did not quite get a chance to put to you to ask you to expand. You have said in the House the top 15 per cent of non-business motorists spend more than—

**The Hon. NATALIE WARD:** Sorry. Are we back on tolls, Mr Graham?

## UNCORRECTED

**The Hon. JOHN GRAHAM:** We are back on tolls—\$13 per week per tag, which is at least \$2,000 a year. That is the view I put to you earlier in the session. Firstly, you would acknowledge that, while that focus is on non-business motorists, there are many other people travelling around the city who might be paying more than that. Tradies are a good example, driving around a lot, but they would often have those as business accounts. They can deduct some of this off their tax, to their benefit. But there would be many people paying more than that on the business side. You would agree with that?

**The Hon. NATALIE WARD:** Sorry. I would agree with—

**The Hon. JOHN GRAHAM:** You have put a view about non-business customers. We are only talking about them. My point is there would be many others. You would agree with that, I think.

**The Hon. NATALIE WARD:** There would be many others. That is why we have relief schemes across the board, to target all of those, including—

**The Hon. JOHN GRAHAM:** None of those apply to those others.

**The Hon. SCOTT FARLOW:** Yes, they do: registration rebate.

**The Hon. JOHN GRAHAM:** Yes, if you can access it; yes, if you have got something left.

**The Hon. SCOTT FARLOW:** If you pay more than \$2,000 a year in tolls, you can access it.

**The Hon. JOHN GRAHAM:** I want to turn to that non-business-motorist question. What are the equivalent figures for the top 10 per cent and the top 5 per cent? Two thousand dollars a year is quite a lot for the top 15 per cent.

**The Hon. NATALIE WARD:** I will take the specifics of the 5 per cent on notice. I note that, since October '21, around 1.2 million E-Toll customers who paid a tag deposit have had that credited back to their tolling account. A total of \$64 million has been credited back to customers. That is through motorways including WestConnex and other motorways that deliver those travel time savings. So—

**The Hon. JOHN GRAHAM:** The Government releases all those figures. But the figure you quoted—

**The Hon. NATALIE WARD:** I am sorry. Just to add to your answer, taking into account those faster motorways and travel times being reduced, that includes fuel efficiency for those businesses, less wear and tear on their vehicles as a result of not travelling in stop-start traffic and then be able to get to their jobs faster, to potentially carry out more jobs or give quotes on jobs. And so—

**The Hon. JOHN GRAHAM:** The Government has put that information out previously. This is a new figure that you have put on the record.

**The Hon. NATALIE WARD:** You have asked it.

**The Hon. JOHN GRAHAM:** You have taken on notice what the top 5 per cent and what the top 10 per cent would be paying.

**The Hon. NATALIE WARD:** Yes.

**The Hon. JOHN GRAHAM:** Do you agree that \$2,000 a year, though, is still very, very high per tag, per customer?

**The Hon. NATALIE WARD:** What we aim to do is to ensure that we have a range of options for users to access those refunds, the cashback schemes, the rebate schemes. Noting that that number, according to our advice, is not per tag, nonetheless, Mr Graham, we are always looking at opportunities to assist motorway users to get to where they are going quickly and efficiently, to assist them to get on with their lives and get home to their families. But we will—

**The Hon. JOHN GRAHAM:** Can I just ask you to clarify that. In the House you said the top 15 per cent of non-business motorists spend more than \$13 per week per tag. So it is per tag.

**The Hon. NATALIE WARD:** It may be. I will come back to you on that. Yes, it is per tag.

**The Hon. JOHN GRAHAM:** You accept that in a household, particularly in a household with a lot of cars—say, in western Sydney—there may be multiple accounts, multiple tags. It is not out of question that these households are hitting the \$6,000 a year in toll fees—say, if you have three cars in the driveways—that the Government has previously objected to so vociferously. Is that an accurate statement?

**The Hon. NATALIE WARD:** Sorry. Is what an accurate statement?



## UNCORRECTED

**The Hon. JOHN GRAHAM:** If you are paying \$2,000 per year per tag and you have got three cars in the driveway—\$6,000 a year. That is what people are paying. You would agree with that.

**The Hon. NATALIE WARD:** Absolutely, which is absolutely why we have the toll review being undertaken, led by Treasury and supported by Transport for NSW, because toll reform is front of mind for us.

**The Hon. JOHN GRAHAM:** But, when I have put that position before, the Government has heavily objected, have said this is pie in the sky, this would never happen. It plainly is happening. You are saying here the facts are clear: If you live in western Sydney, with three cars in the driveway, \$6,000 a year in tolls is what you are up for.

**The Hon. NATALIE WARD:** Mr Graham, it is important that we roll out infrastructure across New South Wales to get people to and from where they need to go. We do that in conjunction with bearing in mind that cost-of-living pressures on families are something that we are addressing, not only through the 70 rebates that we have in place at the moment, including the M5 South-West Cashback, including the toll relief programs, but we have a tolling review underway, led by Treasury, supported by Transport for NSW, so that we have those subject matter experts looking at exactly those issues that you raise and that others raise.

**The Hon. JOHN GRAHAM:** I acknowledge you have put that view and the Government has put that view. But no Minister has been willing to say what are the costs. At least, to your credit, you are being up-front here about the costs to a western Sydney family with three cars in the driveway. It is significant: \$6,000 a year. Isn't that too high?

**The Hon. NATALIE WARD:** I have answered the question, Mr Graham.

**The Hon. JOHN GRAHAM:** Thank you.

**The Hon. DANIEL MOOKHEY:** Minister, I asked you about the projected estimated cost of the Sydney Gateway and I have asked you about the Western Harbour Tunnel and I appreciate you have taken it on notice. Do you have the estimated cost for the Rozelle interchange?

**The Hon. NATALIE WARD:** Mr Graham, all of this—

**The Hon. DANIEL MOOKHEY:** Mookhey.

**The Hon. NATALIE WARD:** Sorry, Mr Mookhey, apologies. I will take that on notice. We have a number of—

**The Hon. DANIEL MOOKHEY:** And do you have the estimated cost for the M6 Stage 1?

**The Hon. NATALIE WARD:** Yes. We have estimated costs for all of our projects.

**The Hon. DANIEL MOOKHEY:** Can you tell us?

**The Hon. NATALIE WARD:** I will take it on notice.

**The Hon. DANIEL MOOKHEY:** Thank you. The reason I am asking you these specific questions is because the State accounts show that the amount of capital expenditure that is not yet recognised in the financial statements but we are contractually obliged to pay rose from 2019-20 of \$8.2 billion to \$9.6 billion in Transport for NSW. It is a \$1.4 billion increase. Helpfully, the State accounts say that "Transport for NSW's increase in capital commitments is driven by M6 Stage 1, WestConnex Rozelle Interchange, and Sydney Gateway." According to the State accounts, in that one year, the unfunded cost of those four projects has risen by \$1.4 billion. That is quite remarkable actually to have such a sharp increase, and that does not pick up what has happened this year. So my question is: Has there been a \$1.4 billion increase in the amount of money that we will pay to build across the M6 Stage 1, the Rozelle interchange and the Sydney Gateway?

**The Hon. NATALIE WARD:** Thank you, and thank you for your interest in the areas. I cannot speak to what was in place prior to my time in this portfolio but Mr Sharp might like to add to the specifics of those.

**The Hon. DANIEL MOOKHEY:** Please. Why has there been a \$1.4 billion in costs for the M6 Stage 1, WestConnex Rozelle Interchange and the Sydney Gateway between 2019 and 2020 that is not yet reflected in the financial statements?

**ROB SHARP:** I would have to take on notice that specific balance sheet movement.

**The Hon. DANIEL MOOKHEY:** It is not a balance sheet movement. It is a future liability and that is the reason I am asking it. It is on page 6 - 159 of the State accounts in Note 29. It is as clear as day.

**ROB SHARP:** It would depend on the timing. The accounting disclosures relate to the contractual positions. So contractual positions are still continuing, is my understanding.

## UNCORRECTED

**The Hon. DANIEL MOOKHEY:** It reflects an assessment of the liability under the contracts you signed and that is the Auditor-General's opinion—fair. Minister, it is a \$1.4 billion increase and, according to the State accounts, the Government has not put money aside for it. So have you sought an additional increase in budget on your capital side in order to pay for this additional cost that we are now warned is coming our way?

**The Hon. NATALIE WARD:** Mr Mookhey, I think we have both assisted the Committee as far as possible in relation to Treasury questions. They should probably be directed to the Treasurer in relation to capital expenditure, but—

**The Hon. DANIEL MOOKHEY:** They are Treasury questions. Trust me, I did actually raise these type of questions yesterday and it is quite clear these are portfolio questions because you are responsible for ensuring that—

**The Hon. NATALIE WARD:** In relation to where there may have been increases in costs they may relate to Treasury.

**The Hon. DANIEL MOOKHEY:** Just let me finish, Minister. This says here Transport for NSW is obliged to pay an additional \$1.4 billion as a result of these four projects. Were you advised of that when you became Minister?

**The Hon. NATALIE WARD:** I am advised of a range of matters in all of the portfolio areas. In relation to the specifics of the capital expenditure and increases, they are, as I have said, a matter for Treasury. Funding decisions, Mr Mookhey, as you know, are matters for the Treasurer. It is a matter for—

**The Hon. DANIEL MOOKHEY:** Cost control is a matter for the Minister and this is a cost control question. It is clear equally that in respect of this additional \$1.4 billion of the spending that is coming our way as a result of your portfolio, this is due within one to five years. Are you at least in a position to tell us when over the next five years you expect to be hit with an additional \$1.4 billion worth of costs for the M6 Stage 1, the WestConnex Rozelle Interchange and Sydney Gateway?

**The Hon. NATALIE WARD:** I have answered the question, Mr Mookhey.

**The CHAIR:** That concludes Opposition and crossbench time. Does the Government care to ask any questions?

**The Hon. SCOTT FARLOW:** The Government does not elect to use our time.

**The CHAIR:** That concludes our morning session. We thank the Minister very much for her time. We will be back with everyone else at 2 o'clock.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Welcome back. We will start again with questions from the Opposition. Mr Graham.

**The Hon. JOHN GRAHAM:** Thank you to the officials. I hope we will be able to move through what will be a relatively similar set of issues this afternoon, but perhaps at a slightly more appropriate pace. I start with you, Mr Sharp. I turn to the question that we first put to the Minister and which you were quite helpful in answering about one of your senior officials. You have provided some clarity around that, particularly the fact that you initiated that action. Was that taken of your own accord, or were you provided with any direction to do so?

**ROB SHARP:** The responsibility for the Transport team sits with me, and that decision was made by me and not under any direction.

**The Hon. JOHN GRAHAM:** When did you make that decision?

**ROB SHARP:** That was finalised late yesterday afternoon following a number of conversations over the course of about four or five days.

**The Hon. JOHN GRAHAM:** Thank you. Who did you inform? I am really asking: Which Ministers did you inform?

**ROB SHARP:** Once the decision was made, I informed all of the Ministers that were relevant to her portfolio, which were Minister Ward, Minister Elliott and Minister Stokes.

**The Hon. JOHN GRAHAM:** But not Minister Farraway?

**ROB SHARP:** No.

**The Hon. JOHN GRAHAM:** Given the Greater Sydney responsibilities.

UNCORRECTED

---

**ROB SHARP:** That particular role does not support his portfolio.

**The Hon. JOHN GRAHAM:** Yes, understood. I will come back to the question about why you took that action and put that to you: Why did you direct that leave?

**ROB SHARP:** She is coming back into the role. She is taking leave and she will be returning back into the deputy secretary role, just like anyone who is taking leave. The leave is something that I spoke to her about, and it is a matter, really, between myself and her and her employment contract. But suffice to say there was a need for leave, and that was the reason underpinning my direction.

**The Hon. JOHN GRAHAM:** When you were asked this morning whether Ms Bourke-O'Neil will or could be terminated, you gave two slightly different answers. You ruled it out on the first occasion, and then you gave what I might describe as a more nuanced answer later to my colleague. I put it to you again, just so we are crystal clear: Is there a possibility here that Ms Bourke-O'Neil's employment will be imminently terminated?

**ROB SHARP:** No, she is returning back into her role. There are a number of what we call band 3 senior executives. Those band 3s do move and there are mobility provisions there, so there are opportunities for me, if I wanted to, to move her to other roles or assignments. Likewise, if she requested a move to another role, that is something I could consider. But, no, she is returning into her role. There is a contract there, and she will be, from my perspective, continuing as a valuable member of the executive team.

**The Hon. JOHN GRAHAM:** I want to make two things clear at this point: First, in the view of the Opposition, we have found Ms Bourke-O'Neil a very good public servant in these forums. Secondly, we are not asking about senior members of the team lightly. It is only in the context of this transport dispute about what happened and when that I would consider this a relevant line of questioning. It is up to the agencies how they run, but we do have concerns in the current environment. I place those two things on the record.

**ROB SHARP:** The Greater Sydney portfolio is our largest portfolio: 16,000 people and lots of operations. If you look at the past six months, we have experienced COVID, we have had the disruptions with the recent industrial action and we have now got floods. There are ministerial changes that have occurred across the whole Government. All of our executives do take leave at various points in time. Ms Bourke-O'Neil is taking leave at this time, off the back of what has been a very pressured and challenging six months.

**The Hon. JOHN GRAHAM:** But I do not accept, Mr Sharp, that this is an ordinary case where a member of the team is taking leave. There are other members of your team who will not be here at estimates who told us well in advance. This was the subject of an urgent witness update from your office at 7.09 last night. You have directed this member of your team to take leave, hours before she appeared at this hearing.

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** You agree this is not the usual case of a public servant taking annual leave.

**ROB SHARP:** No, but what we do is when public servants have been through these busy, stressful periods, we do ask them to take leave. We, in fact, roster them through that so there is a refreshing, if you like, of the legs. This is slightly different in that it does—

**The Hon. JOHN GRAHAM:** This was not a rostering situation, was it? You are not saying that.

**ROB SHARP:** Sorry?

**The Hon. DON HARWIN:** Point of order: I think the secretary was just about to make what seemed to me to be a very relevant point, and he was cut off. I wonder if he could be allowed to finish, please.

**The CHAIR:** Thank you. We do have lots of time this afternoon. Please proceed.

**ROB SHARP:** Sorry, could you just repeat the question?

**The Hon. JOHN GRAHAM:** Mr Sharp, if you did have something to put, I am all ears.

**ROB SHARP:** I was just saying, yes, there is a difference in that it is budget estimates. That factored into my decision-making in terms of the pressure that she had been under over the last period, and that was one of the contributing factors to the leave direction. From an employer's perspective, I do have duties of care and I also have a confidentiality that I need to maintain. I have probably given as much as I can in terms of the context, but she is returning to the role. I respect her; she will be in that role.

**The Hon. JOHN GRAHAM:** And she will not be reassigned a short time down the track.

UNCORRECTED

---

**ROB SHARP:** No. If she asked me to consider that, I would consider it. We do have mechanisms. I reserve the right to do it, but at the moment that is certainly not on the agenda.

**The Hon. JOHN GRAHAM:** But the fact that budget estimates was coming up was in your thinking. Ms Bourke-O'Neil has been at the centre of some of these events, trying to do her job. That timing was in your thinking when you directed her to take leave over this period.

**ROB SHARP:** Yes, one of the contributing factors to the background I just mentioned.

**The Hon. JOHN GRAHAM:** Can you understand that it causes a problem from this end, given there are major public questions about the precise timing of advice to the Minister's office and the nature of those communications?

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** It provides a problem for the Parliament not to be able to put those questions to a key member of your team.

**ROB SHARP:** It does. Having said that, there are well-documented communications and notes from her, as well, which we will table and talk specifically to. But, yes, I understand that.

**The Hon. JOHN GRAHAM:** I invite you now to table those notes that you have referred to, at this point in the proceedings.

**ROB SHARP:** They are our budget estimates notes that we will be referring to on Friday, and I am happy to talk to those on Friday. It is part of our budget estimates process where we capture that information. That is the point I am making.

**The Hon. JOHN GRAHAM:** Yes. I thought you were offering to table some of those notes about the communication.

**ROB SHARP:** No, I do not think we table our budget estimates notes.

**The Hon. DON HARWIN:** Good try.

**The Hon. DANIEL MOOKHEY:** Secretary, just on that, have you previously directed any member of your leadership team to take leave?

**ROB SHARP:** Not in this role, but in prior roles I definitely have.

**The Hon. DANIEL MOOKHEY:** I am sure. But in this particular role, you have not directed any other executive at any other time or in response to any of the other stressful events that you described to take leave.

**ROB SHARP:** It is called special leave. If you go through the employment Act, there are provisions for special leave.

**The Hon. DANIEL MOOKHEY:** Yes, there are. No-one doubts you have the power.

**ROB SHARP:** No, and I have directed another senior executive on an occasion to take special leave.

**The Hon. DANIEL MOOKHEY:** If you wish to provide details on notice about that particular direction then you can, but it may not be relevant for the present line of questioning. You are right that you have the power to instruct a person to take special leave under the Act, but the provision under the Act is triggered in the event that there is either an employment dispute or an investigation. Is there an investigation underway into Ms Bourke-O'Neil?

**ROB SHARP:** No, there is not.

**The Hon. DANIEL MOOKHEY:** In continuing to pay Ms Bourke-O'Neil, which of course is her right under that Act, did you get advice that it was possible for you to use the special leave clause?

**ROB SHARP:** Yes, I did.

**The Hon. DANIEL MOOKHEY:** From your HR team?

**ROB SHARP:** As I said this morning, I consult internally with the people and culture team as well as legal advice. That is a normal part of the process that we go through in these considerations.

**The Hon. DANIEL MOOKHEY:** And that presumably took place yesterday?

**ROB SHARP:** This is a confidential matter, really, between Ms Bourke-O'Neil and me under the employment contract, Mr Mookhey.

## UNCORRECTED

**The Hon. DANIEL MOOKHEY:** I appreciate that, but I am asking about the process you followed.

**ROB SHARP:** Yes, I did follow those processes and had advice on it.

**The Hon. DANIEL MOOKHEY:** And I presume this all took place yesterday?

**ROB SHARP:** I had conversations over about three or four days. This was not just a late-night conversation yesterday.

**The Hon. DANIEL MOOKHEY:** Fair enough.

**ROB SHARP:** It was a culmination of a number of days of conversations with Ms Bourke-O'Neil.

**The Hon. DANIEL MOOKHEY:** When was the first one?

**ROB SHARP:** It would have been probably Thursday last week.

**The Hon. DANIEL MOOKHEY:** I think we asked the Minister this morning whether she was advised prior that this was an action you were contemplating and she said no. That accords with your view too?

**ROB SHARP:** It does.

**The Hon. DANIEL MOOKHEY:** Did you speak to any Minister's office about this?

**ROB SHARP:** As I mentioned, I have spoken to all three Ministers and briefed them on the circumstances and background.

**The Hon. DANIEL MOOKHEY:** Did any of them request that you take this action?

**The Hon. SCOTT FARLOW:** Point of order: While the Hon. Daniel Mookhey has a lot of opportunities to ask Ministers or the secretary questions, it should be relevant to the portfolio that we are inquiring into. Today the portfolio we are inquiring into is Metropolitan Roads. So, really, the only Minister who is relevant to that portfolio is the Minister for Metropolitan Roads, who has been before the Committee before.

**The Hon. DANIEL MOOKHEY:** This is an official whose responsibility spans more than one portfolio.

**The Hon. DON HARWIN:** We have only got one portfolio under examination.

**The CHAIR:** Are you able to draw the connection to the portfolio for me?

**The Hon. DANIEL MOOKHEY:** I think the secretary had actually already begun answering the question. To be clear, I did ask whether or not it was consultation with Minister Ward and then, in the follow-up question, with any other Minister. The secretary himself said there were three that he had spoken to and consulted. It is a natural follow-up to that question as to whether or not any of them actually asked as well.

**The CHAIR:** I think it is a good point that is raised. It would be useful if we could bring it back to the portfolio if possible. But perhaps, to the secretary, if there are matters that you believe are not within this portfolio, perhaps you could respond with that in your answers. But if you are happy answering, then so be it.

**ROB SHARP:** Thanks, Chair. Mr Mookhey, I am happy to talk to the process. The secretary has that capability and power, and that was a process that I was working through with a particular individual. I did not consult with any of the Ministers for their specific input into it. What I did do was talk to them at the end as to why the decision was made and the context to it.

**The Hon. JOHN GRAHAM:** But that all occurred after the decision had been made. Is that correct?

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** On your point that this is confidential discussion, it may be but I think we are sensitive to that. There is a circumstance where it may not be, where it is perceived to be or is an attempt to interfere in evidence that might be given or information that might be supplied. That is really what we are trying to balance up here.

**ROB SHARP:** Yes, I understand that. I can categorically say that that is not the case. We take our responsibility seriously to be here, and it really is unfortunate. But that is where I find myself on the circumstances.

**The Hon. JOHN GRAHAM:** I accept you are put in that position today and I am just indicating we will make our judgement about that and what actions we take following Friday's estimates. I think it is the appropriate time to really engage in the longer discussion about the transport issues that are really at the centre of the reason we are asking these questions.

UNCORRECTED

---

**ROB SHARP:** Okay.

**The Hon. JOHN GRAHAM:** I might turn to the roads aspect of those events, though, of 21 February. As I indicated before, the gridlock across the city was 22 kilometres of traffic on the M2. This was a roads issue at the time, although it started as a rail issue. Minister Ward told us that you had talked to her. You were here for the evidence. She could not quite recall the sequence of who raised it with who first. Could you take us through what you did that morning? You have got four Ministers you are balancing, who have all got responsibilities. Take us through your morning as you attempted to brief them, including Minister Ward.

**ROB SHARP:** In terms of the current portfolio on Roads, we spoke very early on the Monday morning. From recollection, it would have been a bit after six o'clock. So it was very early. From my perspective, it was the first available opportunity to engage with Minister Ward. That conversation was detailed. It fully briefed her on the events of the night and the implications that we were seeing on the roads, and we then proactively agreed immediate steps, medium-term plans and, at the end of the day, what we could do if the traffic congestion was going to continue during the week. So the communication was very early on Monday morning.

**The Hon. JOHN GRAHAM:** Was she in contact with you or were you reaching out to each of your four Ministers at this time?

**ROB SHARP:** There was communications happening between all four Ministers. She rang me. I was ringing the various Ministers. We also have, effectively, a daily catch-up with the Ministers, which are early morning. So there was also the opportunity in those scheduled meetings to continue conversations. But, yes, there were conversations early Monday morning briefing Ministers, the Premier's office et cetera.

**The Hon. JOHN GRAHAM:** What is the format of that daily catch-up with your Ministers?

**ROB SHARP:** It is a scheduled phone hook-up with the Ministers and some of their senior staff. Typically, they are operationally focused, so our operations team are there. For Roads, for example, Howard Collins and Ms Bourke-O'Neil would be the ones who would typically be involved in terms of traffic reports, updates and what is happening across the network. So that is the format of it. But it can be used for this type of thing as well.

**The Hon. JOHN GRAHAM:** Exactly. It is all four of those Ministers' offices or Ministers in the one phone call?

**ROB SHARP:** No, they are sequenced. So, basically, the first hour of the day, I am having those conversations. It is with Minister Faraway from a regional perspective, Minister Elliott and his office for their portfolio and then Minister Ward. We do not have a daily hook-up with Minister Stokes because that new portfolio is being set up at the moment.

**The Hon. JOHN GRAHAM:** So with those three Ministers, they are sequentially briefed. How often is it the Minister's office on the phone as opposed to the Minister? Is this routinely a daily briefing with the Minister?

**ROB SHARP:** The Ministers do attend on and off. It is not necessarily with the Minister but they are there quite regularly, typically. In terms of Minister Ward, I would say probably 90-plus per cent of those calls she has personally attended.

**The Hon. JOHN GRAHAM:** When you say "the first hour of the day", what do you mean by that?

**ROB SHARP:** It is 8.00 a.m.

**The Hon. DANIEL MOOKHEY:** On that morning with Minister Ward, did you tell her that it was a strike?

**ROB SHARP:** No, I briefed her on the fact that there had been rolling industrial action. We had been through the Fair Work Commission and thought we had had a position agreed on the Saturday, and then Sunday evening we found that the unions at the Fair Work Commission—the meeting got pushed back to 9.00 a.m. That meant that those high-risk industrial actions that were continuing rolled overnight into Monday. So I briefed her on that and what that meant was a closure of the rail system, in effect, because the staff were not there to run the rosters.

**The Hon. DANIEL MOOKHEY:** Of course. To be fair, Mr Sharp, that is consistent with the public explanation that the department has given as well.

**ROB SHARP:** Correct.

## UNCORRECTED

**The Hon. DANIEL MOOKHEY:** Just to be very clear, on that 8.00 a.m. call on that Monday, you were clear that there was not a strike?

**ROB SHARP:** There was not a strike. What I am saying is there was rolling industrial action. We have never said there has been a strike.

**The Hon. DANIEL MOOKHEY:** Did you inform the Minister that actually the decision was made, for whatever reason, by the operators to close the network?

**ROB SHARP:** We described factually what we saw had occurred over the weekend and the fact that it was actually having a flow-on impact on to the road system. We then very quickly kicked into operational mode.

**The Hon. DANIEL MOOKHEY:** But just to be, again, very clear here, you had informed Minister Ward directly that the decision to close the network was the decision taken by the operator?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** And you did that around eight o'clock?

**ROB SHARP:** It would have been about six in the morning or quarter past six. It was somewhere after six o'clock in the morning that we were speaking.

**The Hon. DANIEL MOOKHEY:** Okay. Minister Ward then goes on the radio at 8.30 a.m. and she says, "Absolutely wrong. There was a signed agreement last night in place and suddenly with no notice that was all called off. Not even any notice to those poor communities who are stuck in the middle—no notice to them. Just a snap strike to cause maximum inconvenience. The union doesn't care about workers or people trying to get their kids to school." She gives this in an interview with James Valentine at 8.35 in the morning. You are telling her at six o'clock it is not a strike but she is on the radio telling the public it is a strike.

**The Hon. SCOTT FARLOW:** Rolling industrial action.

**The Hon. DANIEL MOOKHEY:** The exact phrase here is "a snap strike". After that, firstly, were you aware that Minister Ward had given that interview that day?

**ROB SHARP:** I was aware very early on that there references to "a strike". We are talking a technicality here. There was a lot of debate on the radio as well as to whether it was protected industrial action. Generically, a lot of people will call that a strike. I think that is where the nuances are.

**The Hon. DANIEL MOOKHEY:** That is not a technical distinction. There is a legal distinction. It would have been illegal for the union to shut down and strike. They never notified a strike. They never contemplated a strike. In fact, they were there ready to go to work. Others could characterise it as a lockout. To be fair, I am accepting, as a former industrial relations practitioner, that these things get conflicted and get heated as well. But I just want to be concentrating on this. After hearing that from Minister Ward, did you contact her or her office to inform her that the position she was explaining to the public was wrong?

**ROB SHARP:** It was later in the day before I was aware of the nuances that were being played out in the media around a strike versus a protected industrial action. At quarter past six in the morning, no, I did not give her an hour's briefing on all of the events. It was a high level, "This is what happened over the weekend. This is why we are having the road"—I do not think we got into the nuances of whether it was a strike or a—

**The Hon. DANIEL MOOKHEY:** To be fair, at 6.15 a.m. in the morning, to explain to someone the nuance of how our Federal industrial relations system works—I can accept that it might be my cup of tea, but it might not be everyone else's. You said you took steps to correct the views that Ministers were giving. Can you take us through the steps you took?

**ROB SHARP:** We have a large team. It all does not sit with me, thank goodness. What our communications teams do, they pick up these nuances and circle back around to each of the Minister's offices, which we did—including the Premier's offices—around what we are hearing out there in the media. We look to factually monitor those and correct those. Our role is one of painting the picture in terms of what the facts are, where the situation is and we provide that advice to the Ministers. That took place iteratively. As you would imagine, there was a lot going on in terms of meeting with unions to see whether we could get some rail operations occurring. We were using all our communication channels to advise the public and to apologise for the inconvenience that was being caused. We were also then working on what information was out there, if it was nuanced and circling back so that we could get all the communications teams and Minister's offices across the details. That was the flow of the day.

**The Hon. DANIEL MOOKHEY:** And you circled back to—

## UNCORRECTED

**The CHAIR:** Sorry, your time has expired. Perhaps you can come back to that. I am going to give someone else a go. I am going to ask Ms Campbell about the issues that we were discussing earlier. Firstly, in relation to the coercive control work, as you know, a number of those recommendations made by the inquiry were supported by the Government. I am interested to hear where that work has got up to. Perhaps we could start with the multi-agency task force recommendation and where the Government is at with that?

**ANNE CAMPBELL:** If it is okay, I might pass to Mr McKnight.

**PAUL McKNIGHT:** I can perhaps give you a brief overview about where that work is up to. Subsequent to the Government's response, the department has set up an internal departmental group to coordinate its work. We have started the preparations for consultation on the legislative changes and started planning for the process by which those changes would be implemented. That would include, down the track, the set up of an implementation group.

**The CHAIR:** There are a couple of different groups that were recommended by the inquiry. The one that you are referring to is the group to ensure the drafting implementation. Prior to that—I will take you to the relevant recommendation. I will come back to that when I find the actual—I think you are referring to recommendation 20, that the New South Wales Government gives consideration to a subsequent implementation task force. There was a recommendation in relation to education about immediately—if you have got it in front of you, maybe you could help. There is a recommendation in here that we have, even before the implementation of the legislation—

**PAUL McKNIGHT:** Are you talking about recommendation 1, which is that the commencement of the criminal offence should not occur without a prior program of education, training and consultation?

**The CHAIR:** Thank you. That is the multi-agency taskforce. Prior to commencement, implementation should be assisted through a multi-agency task force.

**PAUL McKNIGHT:** In that regard, our focus has been on starting off the process of designing the legislative response. We have not set-up that multi-agency group yet. What we are in the throes of starting off is the cross-government consultation that will then lead to a process of more thorough consultation with the stakeholders and, as the Government response indicates, a process of public consultation on an exposure draft, which was one of the recommendations of the group as well. We are very conscious of the need to ensure that legislative development is thorough and that there is proper support in place to educate both those who are enforcing the legislation and also the public.

**The CHAIR:** Again, picking up on the point we were talking about earlier about ensuring that First Nations people are properly engaged in a meaningful manner in the drafting phase and the consultation on the draft, not just in the implementation phase—what are the plans? I know that is not particularly straightforward or easy. What are the plans for doing that effective engagement?

**PAUL McKNIGHT:** We are very conscious of the issues in this area for First Nations peoples. It is an area where there are a lot of sensitivities and a lot of complexity in how the legislation will work on the ground. At this stage, I cannot tell you about a firm plan for consultation with First Nations and the structures for that, but that will be front and centre in the process.

**The CHAIR:** I suggest it may involve some active outreach and visiting a number of different regions in New South Wales.

**PAUL McKNIGHT:** Absolutely. Part of this work necessarily needs to engage with the Closing the Gap processes, where there is a particular target around the reduction of domestic and family violence in Aboriginal communities. The way this offence interacts with that target needs to be carefully considered, and we have very strong partnership approaches in the Closing the Gap area. I did not preface my answer with this but, as the Minister indicated this morning, the Attorney General is leading on the legislative development on these matters and working with the Minister.

**The CHAIR:** Fair enough. I believe that these obstacles are surmountable, but they will require that direct consultation and actual listening to and taking on advice from First Nations communities.

**PAUL McKNIGHT:** Absolutely.

**The CHAIR:** I have now found the other one that I was referring to that I could not find. Recommendation 9 is that the New South Wales Government should run awareness campaigns about coercive control as a priority, regardless of whether or not a specific coercive control offence is legislated. I know that the intention of the Committee was that it happened fairly quickly. Where are we at with that?



## UNCORRECTED

**ANNE CAMPBELL:** We have started planning for a public education and awareness campaign. This will be built on the SpeakOut campaign that has happened in the past, which is a previous domestic and family violence community awareness campaign. We are actively planning at this point.

**The CHAIR:** What is the approximate timing then for that?

**ANNE CAMPBELL:** I would need to take that on notice and come back to you.

**The CHAIR:** Is additional funding going to be provided for that aspect of this?

**ANNE CAMPBELL:** I would imagine so.

**The CHAIR:** I will keep chasing that one to see what has happened. I think I have part of the answer to this next part. Another one of the recommendations was that awareness of coercive control and abusive relationships would be included in school education. I understand that the recent announcement in relation to improving our consent education skills may include elements of coercion, but have we actively worked to put coercive control into that education or is that still to come?

**ANNE CAMPBELL:** Yes, we are looking at that potentially from looking at the national partnerships agreement funding. But again, I would need to take that on notice in terms of specific details.

**The CHAIR:** Thank you, that would be very useful. My colleague Ms Sharpe asked before about training for police, and obviously that is under a separate department, but I expect it would be coordinated as part of that sort of multi-agency approach to these recommendations. Are you able to update us on training for judicial officers, people working in health, people working with children? Where is all of that up to when it comes to coercive control awareness?

**ANNE CAMPBELL:** We are currently working with the other government agencies to look at how we respond to that, and that will certainly be considered as part of the domestic and family violence implementation plan. Again, I am happy to take that on notice and get some further detail for you.

**The CHAIR:** Thank you. With some of these portfolios previously—I am thinking of the Minister for Women, or even previously when it was still with the Attorney General, and Minister for Prevention of Domestic Violence—on the one hand it is great that there is a portfolio dedicated to the issue. However, on the other hand, it being a cross-agency, cross-department type of issue, it seems that sometimes it gets lost a little and the key is good coordination. Can you explain to us how coordination of domestic violence will occur now that we have effectively another person with housing, AG, other issues like health, as well as a domestic violence Minister?

**ANNE CAMPBELL:** Yes, I will give it a shot. In terms of the governance structure, we have the domestic and family violence board that is chaired by the secretary. That meets quite regularly and that involves police, health, housing representatives, all the key government players. Its role is to minister for the prevention of domestic and family violence and women's safety. Responsibility for some of that funding will sit in other government agencies. But I guess the role of the Minister is to bring together all the demands and resources that are needed to achieve the overall New South Wales domestic and family violence strategy. So, for example, under the previous plan, the blueprint, the previous Minister brought together how the different initiatives under that plan were being progressed. That was subsequently evaluated and was on track and all of the actions have been progressed and a number of them completed.

We are currently re-looking out of that evaluation what does it tell us about what we now need to do going forward. Obviously, particularly in terms of the coercive control and the consent, we need to look at that, together with the national plan that is currently being developed. There are a range of governance groups as well where New South Wales and other States and Territories work with the Commonwealth in terms of finalising that national plan. That is estimated to be completed by the middle of the year, the national plan, and then concurrently we would be working with the key government as well as non-government representatives to pull together the State plan.

**The CHAIR:** Thank you, that is helpful. Just one last question about the coordination. When it comes to budget asks and budget submissions, do they come in from all of the different departments who might be responsible for those programs, or does Minister Ward have some sort of decision-making authority or powers over what that pool of funding looks like?

**ANNE CAMPBELL:** She would, as the Minister responsible. Obviously there would be a range of asks from different government agencies. It would need to be consistent with whatever the plan is, but Minister Ward would have a final say in terms of what is in that plan, it being my experience.

**The CHAIR:** Thank you, that is really useful.

UNCORRECTED

**The Hon. DANIEL MOOKHEY:** Secretary, you were saying that you followed an iterative process of providing Ministers with the updates throughout that day, what did you mean by iterative?

**ROB SHARP:** The day was unfolding, is what I meant by iterative. Initially for Minister Ward, who I will talk to specifically—

**The Hon. DANIEL MOOKHEY:** Please.

**ROB SHARP:** —it was the actual operational elements that we needed to do. That was just making sure that the lanes were available, that we were monitoring traffic, using the signs, all the things that she mentioned this morning in terms of the actions that came up.

**The Hon. DANIEL MOOKHEY:** I think, secretary, the context in which you used the term was when you were explaining how your team was monitoring various statements that were being made in the media.

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Then getting in touch with those Minister's offices to provide them with further information to assist. That is the specific part I was just asking about.

**ROB SHARP:** Yes. Look, when I say "iterative", it is an ongoing process. We basically have that as a permanent. Any media that comes up—

**The Hon. JOHN GRAHAM:** Yes, but I think, just to help, it was very much the discussion we were having. We are just asking about on that day, on that particular issue, which did cause public confusion. You were clearly working through in what you have described as an iterative process to narrow the gap between the public discussion and what you had briefed. How did that occur on the day?

**ROB SHARP:** The word "iterative" basically just means it was ongoing through the day. As the media teams were out there communicating, so we had all the channels open, we were picking up the feedback and some confusion in the early stages as well. We had both the Sydney Trains CEO and the regional trains CEO out there on the radios and conveying as clearly as we could the position that we had found ourselves in. The communication was two-way and as we picked that up our communications team would work with that information to try and sharpen our communication in reality. But we also used that to try and coordinate across all the Ministers that were impacted to ensure that they were across what we were picking up and what our factual position was. So it was evolving in some ways just because of the feedback we were getting and we were seeing something play out in real time.

**The Hon. DANIEL MOOKHEY:** Specifically, various Ministers, including Minister Ward, characterised it as a strike, where Sydney Trains CEO and others were saying the network was closed or shut. I am asking specifically, did your team pick up that discrepancy and inform the Ministers that the information they were providing was not accurate?

**ROB SHARP:** I would have to take it on notice in respect of that specific comment.

**The Hon. DANIEL MOOKHEY:** Not that specific comment.

**ROB SHARP:** Certainly, I was picking up more broadly the use of that term, hence my comment earlier. There were quite a lot of generic words that were used. You would have to ask the Minister specifically as to the use of that word. What I would say is that it was quite broadly used during the day and what we were doing was picking up that theme and then the process I mentioned in terms of how we fed that back in.

**The Hon. DANIEL MOOKHEY:** But you were picking up the theme of it being described as a strike and you were telling the Ministers that in fact it was not a strike and it was actually just a shutdown.

**The Hon. SCOTT FARLOW:** Rolling industrial action.

**ROB SHARP:** Well, I spoke to the Minister—

**The Hon. DANIEL MOOKHEY:** Which is, to be fair, what the department—following industrial action, that is fair.

**The Hon. SCOTT FARLOW:** Rolling industrial action, I think was the term.

**ROB SHARP:** Rolling industrial relations. But I spoke to the Minister at a quarter past six, there was no reference to strikes or rolling action at that point. It was really operational conversations.

**The Hon. DANIEL MOOKHEY:** Yes, we accept that. But surely if you heard Ministers describing an inaccuracy, your department would of course tell the Ministers and the Ministers can choose to either accept your views or not. That is fine, but we are just confirming.

UNCORRECTED

**ROB SHARP:** I personally did not hear the comments. There was a lot of media commentary going on that I picked up during the day. We had some feedback loops. That is where I picked those themes up. I am actually out there on the day working with the operational teams to actually—

**The Hon. DANIEL MOOKHEY:** No doubt.

**ROB SHARP:** —get the operation up and running.

**The Hon. DANIEL MOOKHEY:** I am not expecting you, Mr Sharp, to be a media monitor. What I am asking, though, is did the department inform the Ministers, including Minister Ward, that it was actually a shutdown? You said that you had, and then you said throughout the course—

**ROB SHARP:** I will have to take that on notice. If they did, it would have been through what I call our normal communication channels into the Ministers' offices. It would not have been a specific "Minister said this, here's an issue." I think it would have been part of those themed discussions that I talked about because that is our normal process.

**The Hon. DANIEL MOOKHEY:** The next morning Minister Ward is on the Fordham program—a fine program—again saying it is a strike. At that point did anybody think the Minister should be fact checked, given that the Premier that morning was saying that he would not describe it as a strike? At this point, the Minister is—

**ROB SHARP:** You would have to refer that to the Minister.

**The Hon. DANIEL MOOKHEY:** I am asking, did the department—

**ROB SHARP:** I am not aware of that particular comment on the day.

**The Hon. SCOTT FARLOW:** Why did you not ask her this morning?

**The Hon. DANIEL MOOKHEY:** I am asking, did the department inform Minister Ward that that position that she was putting on Sydney radio was incorrect?

**ROB SHARP:** As I said—I already answered that question—I would have to take it on notice and go back through the teams as to how they communicated that.

**The Hon. DANIEL MOOKHEY:** No, it is a separate interview. Again, if you wish, take it on notice as a further question. There are two specific instances where Minister Ward is clearly communicating a position to the public which is inaccurate. There was one on Monday morning. There was one on Tuesday morning. I am trying to understand whether the department acquitted its responsibility to inform the Minister of the facts of the matter and, if so, when the department did that.

**ROB SHARP:** I have taken that on notice.

**The Hon. JOHN GRAHAM:** I am interested in pressing that point slightly, Mr Sharp, because if it was the ordinary course of business I think that answer would be acceptable. This was a red-hot public transport issue. It was the most important issue in New South Wales at that time. This is 36 hours later. Surely you must be able to tell us that there was some professional advice from the agency about what the status of this was by that time.

**ROB SHARP:** Firstly, I did not say that the communications process was in the ordinary course of business. We have formal communication processes. When you are in a crisis, you rely on process because otherwise it would be very ad hoc.

**The Hon. JOHN GRAHAM:** Yes, spot-on.

**ROB SHARP:** The team is very professional and does its job. I have taken on notice the communication that did or did not take place in regard to those comments. I am not privy to or aware of the Tuesday comments, so I will have to take it on notice.

**The Hon. JOHN GRAHAM:** Perhaps we could deal with it this way: We intend to ask you at Transport estimates on Friday when was it precisely that Transport informed Ministers, such as Minister Ward, who might have been going on the radio and putting a public view, that their view might not strictly align with the department. Or feel free to tell us that the department was egging this on or agreed with it. But I think we should maybe defer that.

**ROB SHARP:** This is the use of the word "strike".

**The Hon. JOHN GRAHAM:** "Strike" or "rolling industrial action" or "shutdown".

**ROB SHARP:** I understand where you are coming from.

## UNCORRECTED

**The Hon. JOHN GRAHAM:** You are the key advisers to government. We are interested in what you were telling them and when you were telling them. That is really the discussion we would like to have. I think perhaps we might turn to it on Friday.

**The Hon. DANIEL MOOKHEY:** I imagine on Friday there will be various other questions that we might want to put to you—

**ROB SHARP:** I am sure there will be.

**The Hon. DANIEL MOOKHEY:** —about various statements made by various Ministers who were not Minister Ward.

**The Hon. JOHN GRAHAM:** I ask you this question in relation to Minister Ward. You have described the usual process. This process started earlier because of the developments. When was the first advice in writing provided to Minister Ward about what was going on and the circumstances on the day?

**ROB SHARP:** It was verbal. I have not written a formal report. As I said, we have formal meetings where we talk through issues of the day and the backgrounds to them. There are regular briefings that we have, but there is not a formal report where I have written a report to the Ministers on the happenings of the weekend.

**The Hon. JOHN GRAHAM:** Okay, so you have not really provided anything in writing by way of a brief to the roads Minister since then in the nine days—

**ROB SHARP:** No, it has been verbal with the teams. That is correct.

**The Hon. JOHN GRAHAM:** I accept the time line that you have outlined with the roads Minister. That is understood. Why was there not some notification, though, to that Minister or that Minister's office at the same time as Minister Elliott's office was being briefed? I will get these times wrong because I have not yet done my preparation for Friday, but I think it might have been the 1.43 a.m. contact or earlier as part of Ms Bourke-O'Neil's role before midnight. Why did those things not occur with the roads Minister's office?

**ROB SHARP:** Basically, our view was that we would communicate as early as possible—first thing in the morning. The priority was actually focused on the rail system. As you would appreciate, once that decision was made, from 1.30 a.m. onwards there was a considerable amount of work and some sleep so we could actually get through the next day. The view was that we would contact her first thing in the morning, which we did.

**The Hon. JOHN GRAHAM:** When you say "the view was", who made that decision?

**ROB SHARP:** It was a combination of the teams on the night, but basically I concurred that an early morning conversation made sense in regard to the roads.

**The Hon. JOHN GRAHAM:** That would have been in relation to both Minister Ward and Minister Farraway?

**ROB SHARP:** No, Minister Farraway—we had briefed his office because the Sydney Trains operation actually does impact on the regional rail.

**The Hon. JOHN GRAHAM:** Right, understood.

**ROB SHARP:** Yes, we knew there were going to be some flow-on consequences for the roads, but the focus on the night was on the rail.

**The Hon. JOHN GRAHAM:** Yes, so Minister Farraway's office was briefed in a similar way—

**ROB SHARP:** In a similar way to Minister Elliott.

**The Hon. JOHN GRAHAM:** Yes, similar time?

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** In parallel?

**ROB SHARP:** Correct.

**The Hon. JOHN GRAHAM:** Texting the chief of staff or the Minister?

**ROB SHARP:** We can cover off the specifics on the rail on Friday.

**The Hon. JOHN GRAHAM:** Yes, we will come to that. I think that is sensible.

**ROB SHARP:** In terms of Minister Ward, no, the decision we made was to brief her first thing in the morning.

UNCORRECTED

**The Hon. JOHN GRAHAM:** And Minister Stokes?

**ROB SHARP:** Minister Stokes was the next day as well. The escalation path, if you like, on major incidents is through to the responsible Minister, which was Minister Elliott. Minister Farroway has joint responsibility for industrial relations, so they were the formal reporting structures that we followed. And then the other Ministers, including the Premier's office, were briefed as early and as quickly as we could first thing in the morning.

**The Hon. JOHN GRAHAM:** So it was the Premier's office—when was Minister Stokes briefed?

**ROB SHARP:** I would have to take that on notice and go back to my notes on when he was briefed formally.

**The Hon. DANIEL MOOKHEY:** Yesterday we learnt from Treasury that the inability to provide notice meant that the cost to the economy was not \$33 million but was actually \$50 million, and the impact on workers I think rose from 150,000 to about 170,000-ish. Why was thought not given to altering the signs on the roads? Was thought given to notifying motorists earlier than 5.30 in the morning?

**ROB SHARP:** There is a huge number of logistics in terms of that. I am happy to hand over to Howard, who actually understands the TMC and all the processes that go into place. But the operational control centres need to bring the staff in, and you would set them up and then they would manage the roads. So there is a logistics issue, and that was being run in tandem and largely got put in place around the same time that I spoke with Minister Ward. So it is not as though we could put that in place at 3.00 in the morning and communicate at 3.00 in the morning. It is just a logistical exercise.

**The Hon. DANIEL MOOKHEY:** If there is further information from Mr Collins on that point, I am happy to hear it, but the core point is whether in your view we gave motorists the earliest possible notice.

**ROB SHARP:** Yes, we did. I am comfortable, having lived the journey, that logistically, and also just in terms of the flow-on consequences of the rail and then getting onto the roads, that was done as quickly as possible. As I indicated, I did speak to Minister Ward very early on the Monday morning and we agreed the immediate actions.

**The Hon. DANIEL MOOKHEY:** Do you have any information about the extra volumes of cars that were on the road as a result of the network shutdown?

**ROB SHARP:** Once the TMC—the Traffic Management Centre—was in place, yes, we are aware of that. We have live camera feeds.

**The Hon. DANIEL MOOKHEY:** What is it? What was the percentage increase on average road traffic that morning?

**ROB SHARP:** I would have to take on notice the actual percentage increases, but we were aware there were some key freeways, because typically what would happen is, if there is an incident, the freeways bank up very quickly. We see that on the TV screens.

**The Hon. DANIEL MOOKHEY:** But do you have any information that would tell us about the additional vehicle movements that took place? Mr Collins?

**ROB SHARP:** Mr Collins, would you have the information?

**HOWARD COLLINS:** Mark Hutchings, who was my acting chief operations officer at the time, called what we call a COOIMT at six o'clock in the morning, spoke to all the relevant road—including the TMC and the manager in charge of the TMC. The information regarding traffic movement is provided the next day. It is called our SCAT system. I think we would have on record the volumes which were created by Monday. I am sure we would have those as a matter of record. We look at those every day, in fact, today included.

**The Hon. DANIEL MOOKHEY:** Can we get them before the afternoon? I do not think, given this was a—

**HOWARD COLLINS:** Yes. We look at those 24 hours in detail. But we do have some indication from the TMC of what those volumes are, but not in detail for real time.

**The Hon. DANIEL MOOKHEY:** Give us a bit of the general information you have to hand, Mr Collins.

**HOWARD COLLINS:** I cannot tell you. I can provide, certainly on Friday, information regarding the total volumes of all public transport and roads at the time. We will get those available for Friday. But I have not got them on record now.

UNCORRECTED

---

**The Hon. DANIEL MOOKHEY:** We accept that. That is fine.

**The Hon. JOHN GRAHAM:** That will be useful. Let us deal with that in that form.

**The Hon. DANIEL MOOKHEY:** On that as well, if by Friday we can also get volume increase but also speed movement, average network speed or however you now call it—

**HOWARD COLLINS:** I am sure—

**The Hon. DANIEL MOOKHEY:** I am not going to lie. There were a lot of people who felt like they were stuck in very slow moving traffic as a result. It would be good to see if you could just quantify how fast the traffic was moving that morning, relative to normal.

**HOWARD COLLINS:** We will look at what we can provide. Obviously, at the time—I have looked back through the day's performance—there were a number of road traffic accidents as well. You can imagine that most days we have several road traffic accidents which contribute to congestion.

**The Hon. DANIEL MOOKHEY:** I suspect there was a higher probability of road accidents because there is more traffic on the roads. That follows logically.

**HOWARD COLLINS:** But certainly we will look to provide what information we have in terms of volume and/or speed of traffic.

**The Hon. JOHN GRAHAM:** Mr Sharp, I do want to now ask a question about this set of Ministers, more broadly than Minister Ward. I want to ask for this reason: One of the perceptions is that the cluster of Ministers you now report to—you have described the reporting—on a daily basis may be making this harder, not easier, some of the time, particularly in a crisis. Can you talk us through your reporting arrangements to these four transport Ministers. Just give us a top-level description of how you have dealt with that, how you are dealing with it. You have taken us through that 8.00 a.m. morning meeting. But it, obviously, creates pressure for your agency and yourself. How are you dealing with that? What are the arrangements?

**ROB SHARP:** Machinery-of-government changes do occur. We have been through a couple. So we are rehearsed.

**The Hon. DANIEL MOOKHEY:** Have you had your one-year anniversary yet, Mr Sharp? Have you been here for a year?

**ROB SHARP:** I have, yes.

**The Hon. JOHN GRAHAM:** Congratulations.

**The Hon. SCOTT FARLOW:** Did you bring a cake?

**ROB SHARP:** It feels a lot longer.

**The Hon. JOHN GRAHAM:** I am sure that is right.

**The Hon. DANIEL MOOKHEY:** How many Ministers have you served?

**ROB SHARP:** But the reality is these are normal courses of changes that governments go through. So the agency has processes where we document briefing notes—you have seen those in the past—where we present the various summaries of key issues. Then there is a series of specific updates, in the case of Minister Ward, projects—"What's happening on the projects? Where are the priority issues for the agency? Are there specific concerns the agency has?"—all the typical questions you would expect of a new Minister coming on board. In respect to the recent changes, three of them were very similar in that they had a defined role within the Transport portfolio.

Then there was a new Cities portfolio created. So, in respect to that, the discussions were not the day-to-day operations and general briefings. It was really firming up what was in that portfolio. There was a deputy secretary appointed very quickly who had the relevant skills to work in that space. And that team has now just recently firming up between the various departments what will go into that portfolio. That was a really good process, clarity, discussions at ministerial level and secretary level. We are now moving into the stage where we will announce that and operationalise it.

But the other Ministers had very similar processes. That involves briefings. It involves discussions and then looking at how you put those day-to-day operational meetings in. Typically they are ones that we have seen work in the past, and we suggest those. There is always some changes to them, depending on the Minister involved and the dynamics of how they want to run their office. But that is the process we went through. Yes, there is a higher workload. Internally we are allocating some more resources into our office of the secretary because there

## UNCORRECTED

is more advisers and officers that we need to deal with. So we aim to provide a prompt service and to be able to provide our advice to them so they can make their decisions.

**The Hon. JOHN GRAHAM:** How would you describe in your words the separation between the Ministers? Before you answer that, I might just say, obviously, we have seen the titles they have got—the allocation of Acts is a key; which legislation they have got reporting to them is a key guide—their public statements and what they have taken charge of publicly. But in your words how would you describe the allocation of responsibilities between these four Ministers?

**ROB SHARP:** Reasonably clear. There has certainly been some items that have come up where there has been debates. From my perspective, that has happened at the ministerial level. Ultimately Minister Stokes, as a senior Minister, effectively gives some guidance on that. So I would describe it as—Transport has been sheltered from that to some extent. It is being handled at the government level. You are right. The allocation of the Acts was a key process. That was handled out of the—I am not sure which area. I think it was out of the Premier's office in terms of the central legal group. Then there is the actual staff, where staff sit. There is a few complexities there because of the historical structures and how Transport has been brought together. But once again legal advice and financial advice has been taken on that. So the processes were very clear. We knew those needed to occur. Then ultimately there is a concept of charter letters. These charter letters are really the Premier setting the focus areas for each of the Ministers. That adds another layer of clarity. That process has just completed.

**The Hon. JOHN GRAHAM:** I will be handing over to the Chair. Could you provide to the Committee—I think this would be useful for the Parliament generally—perhaps on notice, some details of how you have allocated the staff between these Ministers broadly, in whatever terms Transport would think about it, and any information, if not the charter letters themselves, or some written guidance about where these Ministers are dealing with the public policy roles, anything you can provide.

**ROB SHARP:** Written guidance would not come from Transport. So I am not quite clear on what you are looking for there.

**The Hon. JOHN GRAHAM:** I am happy for you to take this on notice. If you are able to provide the charter letters, that would be helpful. If you chose not to, some guidance to us about what the carve-up is on reflection on notice would be helpful.

**ROB SHARP:** I will take that on notice, and we will look to see what we can provide.

**The CHAIR:** Thank you. I think that would be really useful. I think it was interesting enough when we had two and we did not know which Minister had responsibility for which particular project, but we now have four. When there is an overlap in portfolio responsibilities, has internal guidance been worked up within Transport as to who has responsibility for that? Is there a clear hierarchy between, for example, Transport and the metropolitan roads Minister? If it is a metropolitan road, presumably it is both.

**ROB SHARP:** It is clear.

**The CHAIR:** It is clear. So it goes straight to—

**ROB SHARP:** At a high level, metropolitan roads are aligned with the Act, which basically defines "metropolitan" as Sydney, Wollongong and Newcastle. "Regional" is the rest. That has stayed exactly the same. Minister Farrow has stepped into Minister Toole's portfolio, and it has remained the same. Roads is one where there has been some discussions around where the boundaries lie with the transport Minister. But by and large I would describe it as—clarity has been reasonably straightforward. As I said, if there was any item where there did seem to be some lack of clarity, that was discussed by the Ministers, and we relied on the senior Minister, Minister Stokes, to provide the clarity between the portfolios.

**The CHAIR:** Thank you. It will be interesting to see any information you can give us that would help to work that out for us. I just wanted to turn back to some of the questions in relation to domestic and family violence. On the core and cluster announcement and the new refuges that were going to be developed, I think, when we last spoke with the Attorney General about this, discussions were being had with potential providers and we were looking at firming that up and beginning construction this year. Can you give us an update on where that project is at?

**ANNE CAMPBELL:** Yes, I am happy to. Currently we are obviously doing all the necessary kinds of logistics in terms of looking at what needs to be in place and I think it is important to note that the \$427 million is over four years; the first funding comes into the budget from 1 July this year. And we are certainly looking at a process whereby we are going to be undertaking quite detailed consultations between March and May with all the stakeholders. We are finalising the work around looking at what the demand data is telling us, where there are currently existing refuges and looking at where the gaps in demand are. So as we said, as the Minister said earlier

## UNCORRECTED

this morning, we are looking at a kind of co-design approach to that. And I think you asked a question in terms of pets, access to pets. That will be part of the discussion. So yes, that will be included in considerations for the design phase and we will be starting that probably fairly shortly. We are just kind of looking at the market analysis of where demand and supply is at the present time.

**The CHAIR:** In the co-design approach, I understand that The Orchard facility—I think it is called The Orchard, is it not?

**ANNE CAMPBELL:** Yes.

**The CHAIR:** Only roughly a third of that had funding from the New South Wales Government and the rest of it was Commonwealth funding and community fundraising. Is the intention for the new core and cluster facilities to be funded on a similar approach?

**ANNE CAMPBELL:** At this point we are still working out some of those details, but certainly funding has been made for both the development, the capital, as well as the recurrent funding to operate those core and cluster models. We are just looking at the best ways to deliver that at the moment and doing the scoping work.

**The CHAIR:** Does the \$427 million over four years fully cover the capital and recurrent costs of the 70 or 75—

**ANNE CAMPBELL:** Seventy-five.

**The CHAIR:** —new refuges?

**ANNE CAMPBELL:** Yes, it does.

**The CHAIR:** So you could fully fund them?

**ANNE CAMPBELL:** We could fully fund them.

**The CHAIR:** Okay, that is good to know. Has any consideration been given to retrofitting some of the existing refuges to give them extra capacity into a core and cluster model?

**ANNE CAMPBELL:** Yes, as part of the announcement—I am not sure if it was clear—there was also refurbishment of up to about eight existing refuges so that we could, given the lessons we have learnt through COVID in terms of communal living and those sorts of things, look at how we might adapt some of those going forward. So planning is underway around that at the moment.

**The CHAIR:** Does that include construction for new beds? I know there are a number of existing facilities that would expand if they had funding to do so.

**ANNE CAMPBELL:** Yes, there is potential for that to happen.

**The CHAIR:** Okay, and that is under the refurbishment amount.

**ANNE CAMPBELL:** That is correct.

**The CHAIR:** Okay. That is very useful. That is all I have for now. I may have some in the next round, but I will hand back to the Opposition. Mr Mookhey.

**The Hon. DANIEL MOOKHEY:** Mr Sharp, by any chance, did you happen to bring Transport's annual report with you?

**ROB SHARP:** I did not.

**The CHAIR:** You do not carry it around.

**The Hon. SCOTT FARLOW:** You asked virtually the same thing yesterday. You have got to provide one, I think.

**The Hon. DANIEL MOOKHEY:** In the November budget estimates I ambushed Treasury by asking questions about the budget and they did not see it coming. I might have to read to you from it, if you do not mind, and I am sure in the meantime someone will be able to find it on a computer for you or get you a copy of it. I am going to go through a whole bunch of questions on matters that are interesting to do with the Roads portfolio that are in the report and just ask you some questions that you may need to direct to someone else. I accept that. Firstly, it says that in the financial year to the end of 2021 the amount that we spent, cashback refund M4-M5, went up from \$112 million to \$124 million. Is that because of higher usage of those roads or is it because it is just a high claim rate?



UNCORRECTED

**ROB SHARP:** It could be either. Obviously I would not have that data. I do not think anyone here would—

**JOOST de KOCK:** No. We would have to take it on notice.

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

**ROB SHARP:** We will have to take it on notice and revert to you on the reason it has gone up.

**The Hon. DANIEL MOOKHEY:** How much is budgeted for cashback in the budget this year? It is not broken out. What is the budget for cashback? Is it a demand-driven budget?

**ROB SHARP:** We would have to go back to the budget and pull that number out and revert to it.

**The Hon. DANIEL MOOKHEY:** I know again it is a difficult question for budget estimates and none expected it. But it is not broken up, so I presume it is in the general appropriation that is going to Transport. Given the matter is not reported, if you do not mind taking it on notice, but I would like to know how much is budgeted for it across the forward estimates this year, next year and 2023-24. If that is possible if we could get that?

**ROB SHARP:** If it is possible, yes, we will get that.

**The Hon. DANIEL MOOKHEY:** Well, it is possible. I am just wanting to know what the budget is and if you want to provide any—

**The Hon. JOHN GRAHAM:** It has been the subject of some discussion in the Herald.

**The Hon. DANIEL MOOKHEY:** Indeed. If you wish to provide some explanation as to how it is budgeted for that would be good. How do you guys model it; how do you predict demand; are you working within a capped amount? I am happy to welcome any information that Transport is prepared to give. Is that possible, Mr Sharp?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Equally it says here that the Sydney Harbour Tunnel operating expenses to us was \$39 million. What is that? What do we pay for when it comes to the Sydney Harbour Tunnel which is worth \$39 million. Anyone?

**ROB SHARP:** Camilla, do you know underneath the contract on that one?

**CAMILLA DROVER:** I think we would have to take it on notice because we have not got the budget in front of us.

**The Hon. DANIEL MOOKHEY:** It is not the budget. It is in your annual report. It says here on Note 2, which, for people who are following at home, is on page 20 of volume 2, that Sydney Harbour Tunnel operating expenses went up from \$33 million to \$39 million last year. I am interested as to why there was a \$6 million movement. But, given the concession arrangement, I am also interested in what exactly we are paying for.

**ROB SHARP:** It will be tied up with the concession arrangement. We will come back to you on that as well.

**The Hon. DANIEL MOOKHEY:** Thank you very much. The other thing that I did want to ask you about is that you reported toll revenue, including e-tag revenue, that dropped \$5 million in your toll revenue— including e-tag. This is in your revenue line item as well. I presume that is just because of COVID there was a drop in vehicle movement. That is the most logical explanation.

**ROB SHARP:** Yes, there was definitely a big COVID impact.

**The Hon. DANIEL MOOKHEY:** In the data around e-tag, one thing we were asking in the tolling inquiry to Transurban, which has the other tag, was the distribution of, I guess, the number of people who are using theirs by LGA. I think we did ask, or maybe we asked Transport at the same time for the same breakdown on e-tag usage. But I am really interested in how many people are using e-tags by Sydney LGA, if it is possible, and how many trips are being taken.

**ROB SHARP:** I will just refer that to Mr de Kock. Is that feasible in our systems?

**The Hon. DANIEL MOOKHEY:** You might have to take this on notice.

**JOOST de KOCK:** At the moment we have done a lot of analysis on the E-Toll tags, on the expenditure. We have not done it on LGAs yet.

UNCORRECTED

**The Hon. DANIEL MOOKHEY:** Okay. If you could provide us with whatever analysis you have done, on notice.

**JOOST de KOCK:** I think you were asking me the question last time. We will take that on notice and see what we can provide.

**The Hon. DANIEL MOOKHEY:** Excellent. I am sure you are thrilled that the amount of revenue you got from numberplates has gone up by \$20 million that year. You apparently collected \$176 million from numberplates. How do you predict what is happening in the next three years on that? Do you have a view as to why you all of a sudden were selling more numberplates?

**ROB SHARP:** It is an interesting one. I think from a budget perspective—and I am just talking out loud here because when you are forecasting you are looking at major trends—one of the big trends will be what is the traffic flow going to look like post-COVID? What will the rail patronage look like, and will that actually drive more cars onto the roads? So there is some interesting forecasting that we are grappling with. But all forecasting is your best estimate based on the circumstances as you see them at the time that you do those budgets.

**The Hon. DANIEL MOOKHEY:** Yes. Therefore, can you please tell me how much you expect to earn in numberplates this year in the forward estimates?

**ROB SHARP:** We will take that on notice.

**The Hon. DANIEL MOOKHEY:** Please. Equally it says here that you got some early agreement termination fees from WestConnex last year. This is included in a sort of line item as \$147 million. Of the \$147.5 million of income you earned through the sales of goods and services, how much of that came from an early agreement termination fee in relation to WestConnex?

**ROB SHARP:** I am not privy to that. Ms Drover, can you give that number?

**CAMILLA DROVER:** We will have to take it on notice.

**The Hon. DANIEL MOOKHEY:** Why? What was the agreement that terminated it that prompted WestConnex to pay you some million dollars?

**CAMILLA DROVER:** I am not clear what that is referring to, so we will take it on notice.

**The Hon. DANIEL MOOKHEY:** Okay. Maybe just to assist on notice, it is on page 27 of volume 2 in which it clearly says that that is what you got. So it would be good if you did do that. This what I am interested in in the RMS merger. We were asking questions about this in last year's budget estimates as to how many people were made redundant. I think you did take that on notice, or maybe your predecessor did, and we never really got a clear answer as to how many people. From the RMS-related aspect of that cluster, do you have any information right now as to how many people were made redundant and what the total cost was?

**ROB SHARP:** There were people made redundant, but there are also still people who we have on our books. We took the view that we would not just be making people redundant in the middle of COVID. There were also commitments around allocating certain numbers or groups out of RMS into transport roles and facilitating roles, and we have been assiduously working through that. I am aware that there is still a residue of staff that will face redundancy in the coming months, so I can come back with data in terms of exactly what those redundancy numbers are.

**The Hon. DANIEL MOOKHEY:** I would appreciate that on notice, as well how many are likely to be redundant. Your report says here that you got funding from Treasury of \$27.2 million last year to make people redundant, which makes you the department that made the most people redundant—congratulations! The previous year was \$32.8 million, which is huge. Of the \$113 million of redundancies across the government, close to \$1 in every \$3 has gone to your department to make people redundant. Do you want to give us an explanation as to why so many people—

**ROB SHARP:** Yes. In terms of the Evolving Transport program, as you are aware, this was a major merger. But in conjunction with it, we were also looking at back of office. There was a corporate services review where we consolidated a lot of roles centrally—a typical corporate services offering where those services are provided across the whole Transport cluster. There were efficiencies gained from that, and there were a number of redundancies that took place from that. As I mentioned, we will provide those details to you. But that did drive a substantial program and efficiencies, if you like, from a headcount perspective.

**The Hon. DANIEL MOOKHEY:** I appreciate that, Mr Sharp, but if I were to actually benchmark redundancies as a result of that merger versus how many additional senior service executives you have hired, your department put on an additional 200 last year. We are paying for an additional 200 executives, apparently to do

## UNCORRECTED

with major infrastructure projects that presumably include roads, and at the same time we are paying all this money for other people to leave. It is not like this is reducing costs.

**ROB SHARP:** Yes, prima facie it looks odd, but the skill sets are very different. It is not a case where we could use person X and put them into person Y's job. Where we can, we do; we have formal programs to do that. As I just mentioned, there is a pool of RMS employees that we have contracted, effectively, and agreements with the unions to look specifically for roles internally. We have been assiduously working through that. We do try to minimise our redundancies, but the peak is driven specifically through that major program. We are recruiting; there is a \$70 billion program, major metro, and they are quite specialist roles. We have been particularly recruiting into those; that is running at what I would call its peak level at the moment. But if there are new projects, we would hire, for example, a senior project manager to run those if, at the end of the day, other projects had not wound down and we did not have that resource available.

**The Hon. DANIEL MOOKHEY:** My final question on this is whether you can tell us on notice how many positions you are currently hiring for at the senior executive service level and how many you anticipate hiring across the year. That would be helpful.

**ROB SHARP:** I will take that on notice.

**The Hon. DANIEL MOOKHEY:** Thank you.

**The Hon. JOHN GRAHAM:** I turn now to the Staying Home Leaving Violence program, just to follow on from the questions that have been asked previously. I was listening to the evidence that you gave earlier in the session when the Minister was here. I want to clarify that I understood the point around the contracts, particularly the slightly over one-year funding followed by the three-year funding. My question after that interaction was: From a service provider's point of view, if I have one year of funding, am I guaranteed to get that additional three years of funding?

**ANNE CAMPBELL:** I probably was not clear enough this morning. At the moment they are not new funding agreements; they are variations to the existing contract. For the money that is rolled out this year, it will be next year. They will be getting quarterly payments. Part of the issue is that there is also another \$11 million that is about to be advised, and that may impact on those contracts where there may be additional funding. But certainly the intent is, subject to performance and all the normal things, that they would have funding over the four-year period.

**The Hon. JOHN GRAHAM:** Yes, so there may be additional funding. When will that be advised?

**ANNE CAMPBELL:** Shortly.

**The Hon. JOHN GRAHAM:** Before the budget, though?

**ANNE CAMPBELL:** Before the end of June, yes.

**The Hon. JOHN GRAHAM:** Yes. There may be additional funding, so the news may get better.

**ANNE CAMPBELL:** Yes.

**The Hon. JOHN GRAHAM:** But if you have funding at the moment, provided there is not some catastrophic breach of your contract, you are guaranteed to get the funding for the remainder of the four years.

**ANNE CAMPBELL:** That is right, yes.

**The Hon. JOHN GRAHAM:** Are there any criteria that sit over the top of that which might affect that? What might be the circumstances where it does not apply?

**ANNE CAMPBELL:** It might be that you just need to negotiate, particularly if there is additional funding on top of what has already been currently allocated, where you are looking at expanding in a different location and you just want to look at whether you have resourced it properly. But that would be up to negotiations between the NGO and the department. They would be the only—the sorts of situations where we may make a decision not to continue is if there are fraud allegations, it has been investigated and there are concerns about the quality of service provision.

**The Hon. JOHN GRAHAM:** Yes, thank you for that answer.

**PAUL McKNIGHT:** It would, in essence, be contractual compliance.

**ANNE CAMPBELL:** Yes, correct.

**The Hon. JOHN GRAHAM:** Was there anything else you wanted to add to that?

**PAUL McKNIGHT:** Nothing.

**The Hon. JOHN GRAHAM:** Thank you. Of the funding that has been allocated to this program, some of it is for the expansion and some of it is not.

**ANNE CAMPBELL:** Correct.

**The Hon. JOHN GRAHAM:** What is the breakdown in each of those two buckets?

**ANNE CAMPBELL:** Earlier this month the Minister announced \$19.8 million for the existing 33 Staying Home Leaving Violence services to expand their footprint to 70 locations. The second bundle of money, which is about \$11-odd million, is to actually have some additional sites. It could well be that we may need to go out to market, particularly if it is a new location where there is not an existing Staying Home Leaving Violence provider and they are not able to broaden to deliver in that area. We may also look at things like increasing the number of Aboriginal-led organisations managing the Staying Home Leaving Violence program, given that about 26 per cent of the women in that program are Aboriginal. There are a range of things, and I probably cannot say too much more until a decision has been made by the Minister.

**The Hon. JOHN GRAHAM:** Understood, and I respect that. How many of the existing services have that Aboriginal focus at the moment, as you are weighing that up?

**ANNE CAMPBELL:** Currently, of the 28 providers, there are two Aboriginal organisations. I think one is in Sydney, and I can take on notice the other location.

**The Hon. JOHN GRAHAM:** Yes, thank you.

**ANNE CAMPBELL:** We are wanting to, as a department, increase the number of Aboriginal-controlled organisations delivering services to Aboriginal people.

**The Hon. JOHN GRAHAM:** When it came to that expansion announcement, how were the areas identified as being of high demand? What was the process that you went through?

**ANNE CAMPBELL:** We looked at what the data is telling us. We looked at the statistics in terms of DV incidents. We looked at where the existing providers were, so they are the 28 providers that are expanding their services. There was quite significant consultation last year between the providers and the local district contracting staff to look at, "If there was an additional \$150,000, how could you expand your services, and to where? Where was the demand? Logistically, how would you get it running?"—those sorts of conversations.

**The Hon. JOHN GRAHAM:** Thank you. I turn to some questions on frontline women's refuges. How many frontline women's refuges are there across New South Wales as part of the homelessness services?

**ANNE CAMPBELL:** Eighty-six.

**The Hon. JOHN GRAHAM:** What is the total funding to support those 86?

**ANNE CAMPBELL:** It is funded within the specialist homelessness budget, which off the top of my head is about \$209 million per year, but I can take on notice the exact amount for those refuges.

**The Hon. JOHN GRAHAM:** If you are able to just break it down, because it is often rolled up—I think we are just looking for a specific figure for that part of the funding. For these refuges, how many of those specialise in dealing with the Aboriginal and Torres Strait Islander population?

**ANNE CAMPBELL:** All those providers would be providing services to Aboriginal and Torres Strait Islander women and children. I would probably need to take that on notice but, generally, there are probably too few in that space, and so one of the things that we are looking at, subject to funding contracts, is trying to increase the number of Aboriginal women's refuges. And certainly through the new announcement of the \$426 million core and cluster, we would be looking at a significant increase in Aboriginal controlled organisations operating those services, in partnership with Aboriginal community housing providers.

**The Hon. JOHN GRAHAM:** How many exist at the moment as specialist services? I take your point about the fact that nearly all of them might be—

**ANNE CAMPBELL:** I would need to take that on notice.

**The Hon. JOHN GRAHAM:** Perhaps just finally, can you give us a short sense of how this has really been impacted due to COVID? You have now had quite a long period to assess that. What is your current assessment of what it has meant for the sector and for these refuges particularly?

**ANNE CAMPBELL:** I think it has been hard for the sector. Both the Commonwealth and the State Government have invested quite a lot of money through COVID stimulus to support the refuges in terms of being

## UNCORRECTED

able to bring on additional staff, particularly where staff have been furloughed because of COVID and where clients have been diagnosed with COVID as well and we have needed to self-isolate people, particularly in the early phases through the Delta strain. I think there are pretty tired staff out there who have continually stood up and continued to deliver services. They have been really flexible in adapting how they provide those services, whether that be—if they are doing outreach, it might be online. But certainly for accommodation-related services you need the staff there and you need the staff to be supported. They needed access to PPE, sanitisers and all those sorts of things. So we have ensured that they have got that supply. We have recently also made sure that they have got access to rapid antigen tests, just to safeguard both clients and staff.

**The Hon. JOHN GRAHAM:** When it comes to those around 75 extra women's refuges, where are we up to in what was the co-design process for them? Is that complete or ongoing?

**ANNE CAMPBELL:** As I indicated earlier, the co-design phase is from March to May this year. The funding does not kick in until the next financial year. So we have been doing a lot of planning, looking at the data and looking at the demand, but we will be going into that formal consultation phase between March and May.

**The Hon. JOHN GRAHAM:** You are comfortable you will have enough input into that process given the time that is still to unfold?

**ANNE CAMPBELL:** I think so.

**The Hon. JOHN GRAHAM:** How was the number of around 75 arrived at?

**ANNE CAMPBELL:** We did modelling in terms of demand at a high level and looked at a whole range of factors but I am happy to take that on notice and provide a more fulsome answer.

**The Hon. JOHN GRAHAM:** Yes, if you wanted to take that on notice—obviously funding is one of those factors but what else was able to be taken into account in that modelling?

**ANNE CAMPBELL:** Yes.

**The Hon. JOHN GRAHAM:** Thank you.

**The CHAIR:** We are a little early but I think it is best that we take our break.

**(Short adjournment)**

**The CHAIR:** Thank you very much for coming back. We will start with questions from the Hon. Daniel Mookhey.

**The Hon. DANIEL MOOKHEY:** Mr Sharp, by any chance, do you have Budget Paper No. 3 with you?

**ROB SHARP:** No, I do not.

**The Hon. DANIEL MOOKHEY:** Fair enough. It is the infrastructure statement. There are various pieces of information there that it would be helpful to get an update on. The first is in respect to the M6 extension stage one. We were asking questions this morning about what the cost was. I have just checked the budget. It says that, at the budget time, it was estimated to be \$3.1 billion. Has there been any material adjustment to that figure?

**ROB SHARP:** I will pass to Ms Drover to talk about the project-specific costs.

**CAMILLA DROVER:** That is the current budget—\$3.1 billion for the M6 stage two.

**The Hon. DANIEL MOOKHEY:** Yes. It is the budget, but is that still the expected outturn cost, if you want to be technical?

**CAMILLA DROVER:** Yes, it is.

**The Hon. DANIEL MOOKHEY:** Last year we allocated \$325 million, and we have spent \$541 million. That is the allocation to date. Is that likely to be acquitted this year?

**CAMILLA DROVER:** Yes, 541 is the allocation for the 2021 year.

**The Hon. DANIEL MOOKHEY:** That is what it says. Have you spent it?

**CAMILLA DROVER:** We have not finished the year yet. The contractor is on site and, in fact, tunnelling started about a week ago. The spend of that will be dependent on how the contract performs. We pay their progress payments based on their progress. We anticipate spending that, but it is, of course, subject to their performance.

## UNCORRECTED

**The Hon. DANIEL MOOKHEY:** The budget papers make it clear that the Sydney Gateway is spending \$585 million this financial year, but it does not have an estimated total cost listed in the budget. Why not? To be fair, there are many projects that do not have a cost, but there are some that do. I am interested, given that last year we spent \$571 million and this year we have spent \$585 million, which means we have spent \$1 billion. At the time of announcement, I think it was circa \$2.6 billion. I could be wrong.

**CAMILLA DROVER:** For Sydney Gateway?

**The Hon. DANIEL MOOKHEY:** Yes.

**ROB SHARP:** Yes, it was \$2.6 billion.

**CAMILLA DROVER:** That remains the budget for Sydney Gateway.

**The Hon. DANIEL MOOKHEY:** Why is it not recorded in the budget paper, given that we have announced it is \$2.6 billion? It is not recorded here. Do we know why? Can you take it on notice?

**ROB SHARP:** We will have to take it on notice and go back to the team as to the preparation of the material.

**The Hon. DANIEL MOOKHEY:** Is it still the case that \$800 million of that, in addition to that \$2.6 billion, is actually reported to WestConnex?

**CAMILLA DROVER:** There is an \$800 million contribution from WestConnex to that \$2.6 billion, but it is included in that \$2.6 billion budget.

**The Hon. DANIEL MOOKHEY:** So \$1.8 billion is coming from the Transport for NSW capital budget and \$800 million has been contributed from WestConnex?

**CAMILLA DROVER:** Yes.

**The Hon. DANIEL MOOKHEY:** Thank you. That is helpful. Can I also ask about the Restart NSW reservations that affect the Roads portfolio. Is the Housing Acceleration Fund still making a contribution to roads?

**ROB SHARP:** I do not know.

**CAMILLA DROVER:** I can answer that. There are a few projects where the Housing Acceleration Fund does contribute funding towards projects, yes.

**The Hon. DANIEL MOOKHEY:** I think, at the time, they were called—not the ancillary works but the connecting works to WestConnex. Hill Road, I think, was the one that got \$160 million of it previously. Do you have a list of what roads the Housing Acceleration Fund has contributed to?

**CAMILLA DROVER:** Not with me today, no.

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

**CAMILLA DROVER:** We can take that on notice.

**The Hon. DANIEL MOOKHEY:** There is \$30 million still reserved in Restart NSW for the Housing Acceleration Fund. Is that money that Transport is going to seek to use for roads by any chance?

**CAMILLA DROVER:** I will take on notice the specifics of that \$30 million.

**The Hon. DANIEL MOOKHEY:** That would be helpful. I pass to my colleague.

**The Hon. JOHN GRAHAM:** I return firstly to the questions we were asking about the toxic sludge on the harbour floor. We touched on it briefly in the session before, but I might just ask if we could get an update about where this issue is up to. There is 12,000 cubic metres, I think, no longer going to Newcastle. What is the plan? Where is it going?

**CAMILLA DROVER:** I am not sure there was ever a plan to take spoil from the Western Harbour Tunnel project to Newcastle. Most of the spoil that will be excavated will be good material at depth, and that will be transported by barge. We have recently achieved, or received, Federal approvals for offshore disposal of that material—so good quality sandstone barged out to sea. On the surface, at the bottom of the harbour, there is a high degree of sediment material. If that is not suitable for offshore disposal, it will be taken by barge back to the foreshore and then it will be transported by truck to an appropriate disposal site. That is our current proposal. That is the methodology that was described in the environmental impact statement, and that is the methodology on which the planning conditions were based. However, we are still in tender for package two of Western Harbour Tunnel. Our preferred contractor will confirm their methodology of how they are going to excavate and what they

## UNCORRECTED

are going to do with that material. Our current plan, as I said, based on the reference design, is for the majority of material for offshore disposal, and the balance which is not suitable to be barged and then trucked away.

**The Hon. JOHN GRAHAM:** In some ways, you have captured the existing plan. I would make the point that it is not an insignificant problem. Would you agree with that? Twelve thousand cubic metres is what you might then refer to as the material that is not suitable for offshore disposal, in the view of the EPA.

**CAMILLA DROVER:** I would need to check the cubic metres of unsuitable material. I have not got that to hand today.

**The Hon. JOHN GRAHAM:** I think the offshore disposal is understood. It is really what to do with that top layer of soil. You are not disagreeing that there was a plan and there was consultation to raise this up off the harbour floor, barge it out of the heads, take it to the Port of Newcastle and then ship it, via truck, to one of two sites that was being examined in the Newcastle area?

**CAMILLA DROVER:** My understanding is there was some discussion with the Port of Newcastle, but it related to the Beaches Link project, not the Western Harbour Tunnel. That is my understanding. I can take that on notice to confirm. There are no plans to take spoil and barge it up to Newcastle for disposal for either the Western Harbour Tunnel or the Beaches Link program.

**The Hon. JOHN GRAHAM:** You are entirely correct that this is in relation to the Beaches Link project. What is the plan for where to take that 12,000 cubic metres now that that is—

**CAMILLA DROVER:** From the Western Harbour Tunnel?

**The Hon. JOHN GRAHAM:** From the Beaches Link.

**CAMILLA DROVER:** Again, the good spoil can be disposed of offshore. Those that cannot be would be barged to the foreshore and then trucked to an appropriate facility.

**The Hon. JOHN GRAHAM:** Which is not Newcastle, is really what you are confirming?

**CAMILLA DROVER:** Yes.

**The Hon. JOHN GRAHAM:** Where will it go?

**CAMILLA DROVER:** There are a number of accredited sites across Sydney. That would be the decision of the contractor when we have procured the Beaches Link.

**The Hon. JOHN GRAHAM:** So the contractor will make a plan. There is not many of these facilities. Where will it be barged to in the first instance? Where will it meet the foreshore?

**CAMILLA DROVER:** As displayed in the EIS, the staging for the Beaches Link crossing at Middle Harbour comes back to a site which is just west of the current Spit Bridge. That is the staging area.

**The Hon. JOHN GRAHAM:** It will go straight from that staging area to be trucked somewhere. Where are the options that a contractor might use at that point?

**CAMILLA DROVER:** There are a number of sites across Sydney.

**The Hon. JOHN GRAHAM:** There is a small number of sites. Would you take on notice what those might be?

**CAMILLA DROVER:** We can do and see what information we can bring back.

**The Hon. JOHN GRAHAM:** It is entirely specialist waste disposal. There is not a large number of these facilities.

**CAMILLA DROVER:** We can bring that back.

**The Hon. JOHN GRAHAM:** How imminent is that contract? When will you have an answer about how the contract is intending to deal with it?

**CAMILLA DROVER:** For Western Harbour Tunnel, we are in procurement for the second and last package for that project. The second package does include the balance of the tunnelling, including the excavation and immersed tube element under the Sydney Harbour Tunnel. We are doing that at the moment. In fact, the interactives start today. We hope to award that contract later this year. That means we will have a preferred contractor and a confirmed methodology for all the construction activity, including spoil disposal.

**The Hon. JOHN GRAHAM:** I might turn at this point to you, Mr Sharp, to see if there are any answers that officials want to put on the record. We covered a lot of ground this morning, and we were in a position where

## UNCORRECTED

we actually had to cut people off. Is there anything that any of the officials want to contribute from information that they were seeking to put at that point?

**ROB SHARP:** In regards to?

**The Hon. JOHN GRAHAM:** To any of the issues we covered either in the morning session or now. It is simply an opportunity.

**ROB SHARP:** We have got no specific items to feed back. We have taken on notice the items. It is going to take a little bit of time to get that data.

**The Hon. DANIEL MOOKHEY:** Secretary, I forgot to put a few other questions to you about Restart NSW and I would not want you to escape without having an opportunity to answer. Apparently in this year's budget we committed \$219 million from Restart NSW to western Sydney roads for Sydney's second airport. We do not actually identify what those roads are. What are the roads for which Restart NSW is spending \$219 million for western Sydney's second airport? And, incidentally, when will you be spending it?

**ROB SHARP:** Ms Drover, do you have that detail?

**CAMILLA DROVER:** There is the Western Sydney Infrastructure Plan, which includes a number of roads. I am not 100 per cent clear whether they include Restart funding.

**The Hon. DANIEL MOOKHEY:** I ask this because it is a distinct source of funding that can only be accessed through a special procedure that requires Infrastructure NSW to endorse it and then for you to produce a full business case as the project sponsor, and equally for it to have a BCR of at least more than one. That is the only way, legally, this money can be spent. So I am going to presume that Transport prepared the business case that led to the commitment of western Sydney roads for Sydney's second airport.

**ROB SHARP:** Yes. I can confirm that process is in place. I have to revert, though, in respect to the actual list of roads that you are referring to that were funded out of that sum.

**The Hon. DANIEL MOOKHEY:** The process has to have been complete, because this is not a reservation; this is an actual commitment. It has gone through all the assessment processes. Neither that business case nor a summary of that business case is public, to the best of my knowledge, but I could be wrong. If that summary is anywhere public, if we could get a link on notice that would be helpful. I am trying to understand which of the roads that are listed elsewhere in the capital works program have been funded from that. Are these separate to what has been listed on the capital works program?

**ROB SHARP:** We will have to clarify that. But we will take that on notice and come back to you.

**The Hon. DANIEL MOOKHEY:** Before I leave that, can we also get when that \$219 million is to be spent, in what year as well? The funding profile over the forward estimates would be helpful.

**ROB SHARP:** We will take that on notice.

**The Hon. DANIEL MOOKHEY:** I think we have a bit more public information about the smart motorways program. The smart motorways program is getting \$21.6 million from Restart NSW. Is that the total project cost?

**ROB SHARP:** I will ask Mr de Kock if he has got that number.

**JOOST de KOCK:** Can you ask that question again?

**The Hon. DANIEL MOOKHEY:** Page 4-3 of Infrastructure Statement 2021-22 in *Budget Paper No. 3* says that \$21.6 million from Restart NSW has been allocated to the smart motorways program. The question is, is that the full cost of the smart motorways program?

**JOOST de KOCK:** I think not, but I have to get back to you what that fund is being used for exactly and the full cost of the smart motorway. But maybe, Ms Drover, do you have the costs for the M4 Smart Motorway?

**The Hon. DANIEL MOOKHEY:** Well, what is the total project cost of smart motorways?

**CAMILLA DROVER:** I can give you some budget figures. The M4 Smart Motorway, which is complete and opened in late 2020—that was a \$600 million project. We are also working on the Western Distributor M1 project, and that has a budget of about \$120 million.

**The Hon. DANIEL MOOKHEY:** The M4 one is complete, yes?

**CAMILLA DROVER:** The M4 West, yes, that is complete and open.



UNCORRECTED

**The Hon. DANIEL MOOKHEY:** When is the next one due?

**CAMILLA DROVER:** We are in the planning phase for that at the moment. So we are not in delivery.

**The Hon. DANIEL MOOKHEY:** Is this \$21.6 million for that?

**CAMILLA DROVER:** I do not recognise that number. So we will take that on notice and confirm what it is.

**The Hon. DANIEL MOOKHEY:** The problem now is that this is a commitment that was made in this particular budget. It is not like this has been carried over from previous budgets. It has clearly been decided in this particular budget. I am a little bit surprised, given that you got \$21 million for this program, that no-one can actually tell me what the \$21 million is for. There must have been a business case—had to have been. You cannot legally have got the money without it. Who was responsible for putting in applications and deciding to put an application in to Restart NSW?

**ROB SHARP:** As Ms Drover mentioned, we are working on some smart motorway projects. The number is not familiar, so we will need to go and look at that number. We are just not sure how it ties in. We have \$60 million here that we are investing for the upgrade. Perhaps it is part of that, but I will have to take it on notice and clarify.

**The Hon. DANIEL MOOKHEY:** The Treasurer had to agree to put \$21.6 million. This is not an ordinary budget process, which is why it is attracting some special scrutiny, because it is not being funded through your capital works program; it has gone through a separate process, which is meant to be more rigorous. Did you actually ask for this money to come from Restart NSW or was it the case that Treasury said, "Congratulations, you are getting it regardless"?

**ROB SHARP:** As we have said, we are not familiar with—that number is just not dropping in our minds at the moment, so we will need to come back to you on it. I understand where you are coming from in terms of that. The process for the budget—I will need to also get up to speed on how that funding flows through into the papers that you have got. There are two questions for me.

**The Hon. DANIEL MOOKHEY:** This is no criticism of you, Mr Secretary, or others. Until I read you that, were you aware that you were getting \$21.6 million for smart motorways from Restart NSW?

**ROB SHARP:** Not that particular number, and the reason is we have got thousands of projects. I have a finance team that actually manages all of those funding requirements and I will ask the finance team to provide the detail for me so I can revert to you.

**The Hon. DANIEL MOOKHEY:** All the new commitments from Restart NSW in this budget cycle are from the Transport cluster; no-one else got it. You got eight of them, which have a total accumulation of \$586 million of the \$12 billion that is left in the fund. Of all the ones listed on page 4-3, on notice, can you confirm that there are business cases, who sponsored them, and how much of the actual total project is coming from Restart NSW, if you don't mind?

**ROB SHARP:** Yes.

**The Hon. JOHN GRAHAM:** I want to follow on from the smart motorway question. You are in the planning phase for the next option; I think that was the Western Distributor for the M1. I am interested in what is the Transport view of where else this might make sense around the traffic network. Obviously, we have seen the figures that the agency has been promoting for how successful the M4 approach has been. Where else would this next logically make sense after the M1 western approach?

**CAMILLA DROVER:** At the moment we are focused on the Western Distributor project. There was another one—or is another one—contemplated, which is Wahroonga to Gosford, also on the M1 Pacific Highway. But we were keen to complete the M4 West and assess its performance and the investment and safety outcomes, commuter outcomes et cetera, as to whether we invest further in that technology.

**The Hon. JOHN GRAHAM:** When you look across the traffic network and you look at what you have learnt from the M4 experience, it is really looking at the M1 that you see the potential greatest benefits, subject to what else you might learn in the meantime? Is that fair?

**CAMILLA DROVER:** Yes. And, look, it did open in COVID, the M4 West Smart Motorway, and we are just coming out of COVID. So we will make sure that we are proceeding with caution, given the traffic impact what was affected by COVID.

**The Hon. JOHN GRAHAM:** I turn to a set of issues that I was talking to the Minister about, and I might ask for some additional details on those. The first of those, on notice—and, Secretary Sharp, I would be

UNCORRECTED

happy if you refer these to other agencies. The information I put to the Minister about some of the other costs to drivers was drawn from the national BITRE analysis of figures provided out of New South Wales, but I am interested in what the New South Wales government agency's view is of comparable figures. If there are more up-to-date or more accurate figures, I would be interested in those. Can I ask in relation to vehicle registration, driver licence fees and stamp duty on vehicles, understanding that you may need to refer some of those, for any updated figures other than the BITRE analysis for two periods: for 2010-11 to the most recent figure, just those two figures?

**ROB SHARP:** Take it on notice.

**The Hon. JOHN GRAHAM:** Thank you for that. I will turn to the Sydney Harbour Bridge and the Sydney Harbour Tunnel and the future plans. Accepting that this is a Government decision, there are two things going on. I have to say that at the tolling inquiry the agency answers on this were really clear and really appreciated. It was a lot clearer than some of the Ministers had been about this process to date. That was really appreciated. I accept some of this is government policy and some of this is the review; we are not asking about those things. I do want to ask this, though, and I think it is a legitimate question for this Committee. There is consideration of the way these three harbour crossings will interrelate from a traffic management point of view. I would like you to give us a view about how complex a problem that is, what we should be aware of, and, from a traffic management point of view—separate to the policy discussions—what needs to be weighed up as these decisions are made by the Government or as the Parliament reflects on them.

**ROB SHARP:** You are right; it is complex. Effectively, what we are constructing is a road network and so there are interactions across those networks. We do traffic flows. The tolling locations and amounts obviously impact that as well, and so part of the input we are putting into the tolling review is that analysis. It is about balance at the end of the day in terms of where people are coming from too—the dollars, the affordability. So you have got to get the balance right. But in terms of your specific question, it is complex and there are implications for traffic flows.

**The Hon. JOHN GRAHAM:** I understand that, yes, these are absolutely related, so the toll that you set will determine where the traffic is. Just give us some sense, though, of the real detail of that on these. They are so crucial to people moving around the city. Can you give us any detail about what some of the dynamics are here?

**ROB SHARP:** I will ask Ms Drover to comment on that in terms of the traffic flows.

**CAMILLA DROVER:** We have strategic models—traffic models. So you put in the input assumptions: what you expect in terms of demand, mix of traffic—heavy vehicles versus light vehicles—and then the tolling regime, so the toll price et cetera. And then you can model in corridors. You can model a number of routes to see how the traffic will perform, given those input assumptions.

**The Hon. JOHN GRAHAM:** Let me put the one specific that is clearly weighing on people's minds, which is if you toll one of these harbour crossings two ways and another one way, clearly the concern is that people will divert to the free route in one direction. How concerning is that? If you are looking at the way traffic moves around Sydney, it is obviously shaped by the price. It is complex, but it is also a public policy question that people are trying to get their heads around.

**CAMILLA DROVER:** The only thing I will say on that is it is complicated and does depend on the pricing. But some crossings, some routes, are more inelastic than others. We did see that. We put time-of-day tolling on the Sydney Harbour Tunnel and the Sydney Harbour Bridge. There was not much change in traffic patronage et cetera. So, yes, it depends on the demand for that route, but there will be some distortion, depending on what the pricing is and how that pricing is played out in the toll.

**The Hon. JOHN GRAHAM:** Yes. So far the evidence is that travel is relatively inelastic, although that is also possibly because the time-of-day tolling differential is very low.

**CAMILLA DROVER:** Yes. I think the other thing to say is there will be three harbour crossings for roads, but they go to different places as well, and it depends on where people are travelling to and from. The Western Harbour Tunnel is a bypass of the city to the west and, obviously, the Cahill Expressway is somewhat like that, but the Sydney Harbour Bridge obviously goes directly into the city, so it depends on where the demand for journeys is as well.

**The Hon. JOHN GRAHAM:** Thinking about those two factors—location, where you are heading, and price—how important are those relatively? Could you give us some sense from what you know now as people are moving across those harbour crossings?

**ROB SHARP:** As far as I am aware, we are still working through what those implications might be.

UNCORRECTED

---

**The Hon. JOHN GRAHAM:** Yes, and I accept that.

**ROB SHARP:** It is partially Treasury-related here as well in terms of the tolling. There is a whole bunch of assumptions around what that might look like. I really cannot—and correct me if I am wrong, Ms Drover. I do not think we are in a position to say, "This is what a particular scenario will look like." We are working through all of that. The policy implications, we obviously cannot talk to.

**The Hon. JOHN GRAHAM:** Yes, understood.

**ROB SHARP:** Because the information and calculations that come out of that—I think they will be scenario based, so there will be a number of options in the end we will present to Government, and Government will assess those.

**The Hon. DANIEL MOOKHEY:** Are you doing that as part of the tolling review?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** Is that in partnership with Treasury?

**ROB SHARP:** Treasury is taking the lead on it, and we are providing, obviously, expertise in some of these areas, including the traffic flows that might be associated.

**The Hon. JOHN GRAHAM:** In terms of the timing, we have been given some reasonably concrete answers about the timing, which is quarter three and quarter four this year, but the Government reserves the right to bring something through if there is a bright idea that is going to fix the tolling challenge in Sydney. It may come earlier. Something easy to do that is inexpensive may move up the list. When will that traffic modelling be complete, though? What is the indicative time line for that?

**ROB SHARP:** Mr de Kock is actually on the review committee.

**JOOST de KOCK:** Thanks, Secretary. As you mentioned, that review has started. It is led by Treasury, and it will include traffic modelling as part of the work. That is really yet to commence in earnest, but the work has started. As you rightly pointed out, some of the results and the options for Government will be there by the end of the year, and we are also hoping for some interim options as well, maybe for the middle of the year. So the work is underway.

**The Hon. JOHN GRAHAM:** Is that traffic modelling heading towards the middle of the year or is it more towards the end of the year? Is it going to inform the interim solutions? It is quite complex. Will it really be heading towards the end of the year?

**JOOST de KOCK:** I think traffic modelling is important for any—because, as you said, it is a network, so we do need to. But the complexity of the modelling is probably for the holistic system to make sure things are consistent and fair, and so that would be more for the end of the year.

**The Hon. DANIEL MOOKHEY:** Returning to some of the questions that we were asking this morning about the M6 and the tolling regime that sits on the M6, as I understand it the modelling has been prepared on the basis that the toll would cover operating expenditure. Is that an appropriate way of understanding that?

**CAMILLA DROVER:** In developing the business case for the M6 stage one, obviously some modelling was undertaken to look at traffic. The tolling regime was adopted to align with WestConnex. When it was modelled, it was found that the revenue, which was expected revenue—it is the subject of assumptions and forecasting—aligned with the expected operating costs, the O&M costs, for that project.

**The Hon. DANIEL MOOKHEY:** Was that as of 2018?

**CAMILLA DROVER:** It was about that time. I cannot recollect the exact timing, so—

**The Hon. DANIEL MOOKHEY:** Yes, as in the operating costs for a year?

**CAMILLA DROVER:** Obviously, the tolling continues, as do the operating costs, so the premise was that the revenue that that motorway would generate would go towards funding those ongoing operational and maintenance costs of running that motorway.

**The Hon. DANIEL MOOKHEY:** And we would effectively be recovering the cost of operations from tolls? Is that a fair summary?

**CAMILLA DROVER:** That was the assumption, yes.

**The Hon. DANIEL MOOKHEY:** Is that still the assumption?

## UNCORRECTED

**CAMILLA DROVER:** Yes, it is. Obviously, it was a point-in-time modelling with assumptions. We will see, with time, whether those assumptions are proven to be valid.

**The Hon. DANIEL MOOKHEY:** You are right; we will see with time about how good the model was. But there are two parts of it. There is the revenue and there are the costs, yes? With respect to the operating costs, what do you anticipate the annual operating costs to be on the M6?

**CAMILLA DROVER:** I have not got that at hand. We could take that on notice and see what we can bring back.

**The Hon. DANIEL MOOKHEY:** Could you? Because the business case stated that it was \$145 million, which I presume is a per-annum figure, not a total-project-life-over-30-year figure because that would be remarkably low. But to be fair, it could be, right? I do not know how much a four-kilometre road costs to maintain, but if it is \$145 million that is possible. Is that what we are talking about per annum in terms of the tolling revenue—\$145 million?

**CAMILLA DROVER:** We will take that away and confirm that.

**The Hon. DANIEL MOOKHEY:** Having read the business case, which, Ms Drover, I do appreciate you referring us to in the tolling inquiry, it states that the capital expected at a P90 level for the construction cost is \$2 billion—unescalated, to be fair—as of 2018. It has risen by one-third in three years, which, I presume, is above what you assumed it would escalate to, given I think the standard escalation is CPI or the Construction Price Index, maybe—either of those two. Is that because of market factors?

**CAMILLA DROVER:** I am not familiar with the figure you quote. The original budget for the project—the M6 stage one—was \$2.7 billion, I think, so we acknowledge that it has gone up to \$3.1 billion.

**The Hon. DANIEL MOOKHEY:** I am reading directly from *Final Business Case Summary: F6 Extension Stage – Stage 1*, June 2018, still published on the Infrastructure NSW website, released in lieu of the full business case. I am reading from page 8, which states:

	\$'m
<b>Costs</b>	
Capital expenditure	1,383
Operating expenditure	145

...

Benefits are \$2 billion. Down the bottom it notes that if you were to use a P90 value—because I think that is at a P50 value—it comes out at \$2 billion. That is the business case.

**CAMILLA DROVER:** I do not have that document in front of me, but I will take your word for it.

**The Hon. DANIEL MOOKHEY:** I am happy to table it.

**ROB SHARP:** Mr Mookhey, *Budget Paper No. 3* for 2021-22 referenced the New South Wales Government was investing \$2.7 billion over the next four years on M6 stage one. So that is the number that I have got.

**The Hon. DANIEL MOOKHEY:** To be fair, on *Budget Paper No. 3* you put \$3 billion as the project cost.

**ROB SHARP:** It is on pages 2 to 12.

**The Hon. DANIEL MOOKHEY:** Now you have two different—I am reading from page 5-52:

M6 extension Stage 1, Rockdale ... complete 2025, estimated total cost \$3,115,000,000.

**CAMILLA DROVER:** Yes. So 2.7 was the original budget, but we did revise that after we had been through the procurement process for stage one.

**The Hon. DANIEL MOOKHEY:** When did that revision take place?

**CAMILLA DROVER:** It would have been about the time of the contract award for the main package.

**The Hon. DANIEL MOOKHEY:** When was that?

**CAMILLA DROVER:** May 2021.

**The Hon. DANIEL MOOKHEY:** This year. So it went up \$400 million as a—

UNCORRECTED

**CAMILLA DROVER:** No, last financial year.

**The Hon. DANIEL MOOKHEY:** Last year. Sorry. Tragic. Still, though, that is the business case. The investment decision approval took place, assuming this would cost 1.5. In fact, the benefit-cost ratio is now probably well and truly negative, according to that business case, given the new updated project cost. So again I just ask: Why? Why has it risen? It looks like the cost has more than doubled.

**CAMILLA DROVER:** Just to clarify, the budget has gone up to 3.1, but the cost will be the cost when the project is complete. We have fully contracted the works, including the main contract and the early works for the M6. The contract value for the main works was about \$2.5 billion, I believe. There is a budget. That includes contingencies. But it is not necessarily the cost of the project.

**The Hon. DANIEL MOOKHEY:** It has been a well-held position of the department that the cost is known when the project is complete. To be fair, I have heard other departments say the cost is known a few years after the project is complete. So I accept that that position, Ms Drover, is standard. It is not actually what I am asking. Regardless of however you wish to cut it, whichever scenario you wish to use, there is a large discrepancy between what the business case thought it would cost and what we are paying. I understand. We are all paying attention to factors in the construction market, globally and domestically, that may have led to it. I am asking for your explanation as to why there is such a discrepancy between the business case and any of the scenarios that you have just described.

**CAMILLA DROVER:** The 2.7 to 3.1—that was largely a factor of the procurement process. When we procured that project, we had three bidders. We had good competition, but the tender box pricing was above expectation. There were some significant changes in the market about that time, and that pricing reflected those changes. There was also a high demand for tunnelling across Australia but also in New South Wales.

**The Hon. DANIEL MOOKHEY:** That definitely accounts for the \$400 million variance between that, but I am now interested in—I will be generous—the \$700 million variation from the P90 assessment in the business case and when you commenced the procurement. I just would stress again I appreciate that you procure projects over long times and these things are not easy things to procure. But this is actually a relatively small time. It is two years from effectively when the project budget was—

**ROB SHARP:** Just to phrase the question, the 2.7 that I have referenced in the budget—it is the difference between that and the original business case? That is the question? In which case, we will go back and look at what has driven those, and we can revert to you.

**The Hon. DANIEL MOOKHEY:** I would appreciate that, Mr Sharp. That would be appreciated.

**The Hon. JOHN GRAHAM:** Thank you. I want to turn to the Minister's quote in the House. This is on 22 February this year. She was delivering a prepared response, which would usually be prepared with the assistance of the agency. I just wanted some help understanding that line that I was putting to the Minister so I am clear what is in it and what is not in it. I might put it to you slowly. It was simply the Minister saying:

The top 15 per cent of non-business motorists spend more than \$13 per week per tag, which is at least \$2,000 a year.

I just wanted to understand. When we say "non-business motorists", are we talking about the number of motorists or the number of tag holders in New South Wales?

**ROB SHARP:** I presume it would be relevant to the tags because the dollar amount is tag related. But I would have to go back. Mr de Kock?

**JOOST de KOCK:** I can answer that question. The quote was 15 per cent of motor spending, \$13 per week per tag. That is non-business tag holders.

**The Hon. JOHN GRAHAM:** Non-business tag holders. Yes. Good.

**JOOST de KOCK:** That is correct. So people who have ABNs will not be included in that number.

**The Hon. JOHN GRAHAM:** As of quarter four last year, there were just over 6.4 million licences in New South Wales. How many tag holders are there?

**JOOST de KOCK:** I do not have the number of tags here, but there are about 1.2 million accounts. Obviously, there are more tags than there are accounts. But I can take the number of tags on notice because, obviously, it changes over time as well.

**The Hon. JOHN GRAHAM:** Yes. Whatever the most recent figure is that is appropriate. Perhaps to clarify that, maybe if you gave us accounts and tags, because you are in correct in saying they—

## UNCORRECTED

**JOOST de KOCK:** Absolutely. Very happy to. We have done quite a lot of analysis on the data sets from our E-Toll accounts, both on tags and account basis. Maybe just to clarify that number as well, that includes only for private vehicles. Also, to make that analysis a bit more accurate, we actually took a full year of data rather than a couple of months—that helps as well—and also netted off the M4 rebate as well. So we think it is the best number that reflects what individual motorists actually pay.

**The Hon. JOHN GRAHAM:** When you say "netted off the M4 rebate", do you mean "the M5"?

**JOOST de KOCK:** Sorry. The M5 rebate, yes.

**The Hon. JOHN GRAHAM:** That is really useful. So you will come back on the number of tag holders. To be clear, though, that is not just the E-Toll accounts, that is also the Linkt accounts, it includes—

**JOOST de KOCK:** We only have information on the E-Toll because we run E-Toll. We do not have the Linkt accounts. Basically, that is the information that we have. It is a proxy for the broader system.

**The Hon. JOHN GRAHAM:** That is not an unreasonable sampling assumption, that what you hold here might indicate—

**JOOST de KOCK:** Actually, there is probably a few other things I could share with you. The average non-business toll spend is \$7 per week per tag. If you compare that to the average spend for public transport user—that is \$17 per week. We can provide this all on notice so you have it, but—

**The Hon. JOHN GRAHAM:** Yes, that would be useful. Yes.

**JOOST de KOCK:** Happy to do that.

**The Hon. JOHN GRAHAM:** So that is the average. The Minister has already taken this on notice, but just in case it is something you can shed any light on or the appropriate way to ask the question—you have given us the 15 per cent figure. What are the top 10 per cent paying? What are the top 5 per cent paying? Have you got any views—

**JOOST de KOCK:** We have all that information. We can provide it on notice.

**The Hon. JOHN GRAHAM:** Good. It does not include the Linkt data, but it is not a bad proxy for what is going on on the ground anyway.

**JOOST de KOCK:** It has all our E-Toll. As I said, it has got 1.2 million accounts. I think that is a useful proxy.

**The Hon. JOHN GRAHAM:** Yes. To be clear, what is your definition of "business motorists" compared to "non-business motorists"? You have said the ABN is a key distinguisher. Is that the only distinguisher?

**JOOST de KOCK:** Yes. A light vehicle and not an ABN.

**The Hon. JOHN GRAHAM:** Light vehicle, yes, and not an ABN. Presumably, it has to be a private vehicle as well. There would be light vehicles without an ABN that are not—

**JOOST de KOCK:** That is correct. It is a private vehicle. These are private vehicles, so excluding the vehicles that are registered to an ABN.

**The Hon. JOHN GRAHAM:** So you will either be in one category or the other. Of the 1.2 million tag holders, of whom 15 per cent are paying more than this, what proportion are receiving toll relief under the Government's toll relief scheme?

**JOOST de KOCK:** The toll relief scheme is set up to help motorists who pay the most on tolls. That is depending on the amount of money that they—I can give you the numbers for that in a second. I have some numbers from the last year. You have to spend over \$1,406 to get a rebate on your registration. There were 111,000 people about who got free registration, and another 87,400 received about 50 per cent of their registration. So in the 2020-21 financial year, in total about 198 customers benefited from this toll relief up to a total of \$60 million.

**The Hon. JOHN GRAHAM:** I got all of that except for the last few—198,000 customers?

**JOOST de KOCK:** Yes, 198,508 customers. I am happy to give these exact numbers on notice if that is useful.

**The Hon. JOHN GRAHAM:** Yes, perhaps the exact numbers on notice. But is that all rego relief or just rego relief to E-Toll tag holders? Is it the latter?

**JOOST de KOCK:** Anybody who spends it, whether it is E-Toll or Linkt, can claim that.

## UNCORRECTED

**The Hon. JOHN GRAHAM:** Yes. So these are not directly comparable figures.

**JOOST de KOCK:** No. The toll relief scheme goes to the people who spend the most on tolls and whether they have a tag with E-Toll or whether they have a tag with Linkt.

**The Hon. JOHN GRAHAM:** Yes, it is just really asking the question, are they directly comparable?

**JOOST de KOCK:** That is right. For us we only see—

**The Hon. JOHN GRAHAM:** The toll relief goes to you regardless of whatever the tag is. Sadly, the tolls do too.

**JOOST de KOCK:** Because the people spend over the threshold, yes, absolutely.

**The Hon. DANIEL MOOKHEY:** Mr Secretary, through you, probably again to Ms Drover, I just wanted to get an update as to where we are with the WHT procurement process. It is the case that last September Transport for NSW cancelled the development partner tender process. Is that correct?

**ROB SHARP:** For which project?

**The Hon. DANIEL MOOKHEY:** The Western Harbour Tunnel.

**ROB SHARP:** Ms Drover?

**CAMILLA DROVER:** Yes, as I said earlier, we have ordered the first package for Western Harbour Tunnel, the construction package. That is the largely tunnelling-only package. We are in tender for the final construction package, P2, which is tunnelling the immersed tube and the fit-out of all the tunnel. We did not progress the development partner. The scope of those services were not construction works; they were a partner to assist with the procurement of the construction works. So, yes, not the actual construction activity.

**The Hon. DANIEL MOOKHEY:** Indeed. Just in terms of the first package that you entered into, can you remind me again what the cost of that was?

**CAMILLA DROVER:** It was \$730-odd million, off the top of my head.

**The Hon. DANIEL MOOKHEY:** That is the money, to be fair, that I think is acknowledged in the budget to date this year. Is that fair?

**CAMILLA DROVER:** That will be in this year's budget, yes.

**The Hon. DANIEL MOOKHEY:** Yes, because there is an allocation of roughly that much, I think. So that is for the first bid of the works. You said that you were in the process of tendering.

**CAMILLA DROVER:** We are in tender for package two.

**The Hon. DANIEL MOOKHEY:** When did that open?

**CAMILLA DROVER:** It started late January/early February.

**The Hon. DANIEL MOOKHEY:** Of this year?

**CAMILLA DROVER:** Yes. The interactives are on today.

**The Hon. DANIEL MOOKHEY:** Great. I am sure you are thrilled to be here with us then. When will the tender close?

**CAMILLA DROVER:** Off the top of my head I cannot recollect. It is about mid-year.

**The Hon. DANIEL MOOKHEY:** Who has been invited to tender?

**CAMILLA DROVER:** There are three JVs tendering. So there is a JV of Acciona and Ferrovial. There is Bouygues with Vinci—

**The Hon. DANIEL MOOKHEY:** Sorry, you will have to go a little bit slower for Hansard. "JV", we are talking "joint venture".

**CAMILLA DROVER:** Joint venture, sorry, between Acciona and Ferrovial. The second one is Bouygues and Vinci, and then the third JV is CPP contractors, John Holland and UGL contractors.

**The Hon. DANIEL MOOKHEY:** Were these JVs invited to tender or was there an open tender and further respondents?

**CAMILLA DROVER:** There was an expression of interest process.

UNCORRECTED

---

**The Hon. DANIEL MOOKHEY:** And they expressed interest, presumably.

**CAMILLA DROVER:** Yes.

**The Hon. DANIEL MOOKHEY:** How many others expressed interest?

**CAMILLA DROVER:** Only three expressed interest and we took the three forward to short-list.

**The Hon. DANIEL MOOKHEY:** So all of these are short-listed bidders, correct?

**CAMILLA DROVER:** Yes.

**The Hon. DANIEL MOOKHEY:** In respect to the tender that is taking place right now, have we agreed to provide any of these JVs with a contribution towards their tender costs?

**CAMILLA DROVER:** Yes, we have.

**The Hon. DANIEL MOOKHEY:** How much?

**CAMILLA DROVER:** It is \$30 million.

**The Hon. DANIEL MOOKHEY:** Each or—

**CAMILLA DROVER:** For the unsuccessful bidders.

**The Hon. DANIEL MOOKHEY:** So is that the total pool for the unsuccessful bidders or is that each unsuccessful bidder will be entitled to claim \$30 million?

**CAMILLA DROVER:** Each unsuccessful bidder.

**The Hon. DANIEL MOOKHEY:** So we have a \$60 million allowance for people who are not successful. That is fair enough. But presumably we are not making a contribution to the successful tenderer's budget.

**CAMILLA DROVER:** That is correct.

**The Hon. DANIEL MOOKHEY:** How is the tender going to be assessed?

**CAMILLA DROVER:** There is a panel of experts, technical experts, commercial specialists et cetera. There is an evaluation tender, an evaluation panel. They make a recommendation.

**The Hon. DANIEL MOOKHEY:** So the tender process was not published on e-Tendering?

**CAMILLA DROVER:** Everything is published on e-Tendering.

**The Hon. DANIEL MOOKHEY:** So I missed it, did I? I must have missed it. I apologise, it is not a question you can answer, Ms Drover. But if you wish to accuse me of not paying due attention to e-Tendering I give you the opportunity. How long was the expression of interest process open for?

**CAMILLA DROVER:** For package two?

**The Hon. DANIEL MOOKHEY:** Yes.

**CAMILLA DROVER:** I would have to take on notice the exact timing. We did a great deal of market engagement for Western Harbour Tunnel for both the first package and the second package. That process has occurred over many, many years but it ramped up, obviously, late last year.

**The Hon. DANIEL MOOKHEY:** Can you on notice provide us the date that it was opened, when it closed and where, in addition to e-Tendering, it was published, if it was published in addition to e-Tendering?

**CAMILLA DROVER:** Yes, we can take that on notice.

**The Hon. DANIEL MOOKHEY:** Thank you. Can I just say, in respect to Acciona, I vividly recall the former transport Minister banning them from participating in any future tenders in New South Wales in the wake of the Sydney light rail. Has the Government lifted its ban on Acciona performing work for you?

**CAMILLA DROVER:** I am not aware there was a ban. You will note that they were recently awarded a material contract with Sydney Metro as well for a tunnelling package.

**The Hon. DANIEL MOOKHEY:** Rest assured, I might ask about it on Friday, but I vividly recall the former transport Minister on the front pages of various newspapers and in this forum telling us multiple times that Acciona can no longer do business in New South Wales. To be fair, if this ban has been lifted that is good, but that did not have any relevance in terms of their ability to express an interest?



## UNCORRECTED

**CAMILLA DROVER:** I am not aware of the ban. It should also be noted that Acciona bought the legacy Lendlease engineering business.

**The Hon. DANIEL MOOKHEY:** They did. They are a very, very big global contractor that has a lot of expertise in various projects, which is why the decision originally to ban them was curious—not necessarily the decision to allow them to bid. But I accept that if you are not aware of the ban I really cannot press you much further on that. But in respect to the three consortiums that were bidding, for all companies that were bidding as part of the development partner model, they were entitled to compensation as well, were they not?

**CAMILLA DROVER:** Yes, they were. The three I went through were short-listed for package two of Western Harbour Tunnel, not the development part of the process.

**The Hon. DANIEL MOOKHEY:** Yes, I appreciate that. I am now asking you about the earlier one. Did they claim any of their costs?

**CAMILLA DROVER:** Yes, I believe there was a big cost reimbursement contribution, yes.

**The Hon. DANIEL MOOKHEY:** What was the big cost reimbursement?

**CAMILLA DROVER:** I think it was \$1 million per bidder in that instance.

**The Hon. DANIEL MOOKHEY:** So \$3 million because there were three, were there not?

**CAMILLA DROVER:** There were three short-listed parties, yes.

**The Hon. DANIEL MOOKHEY:** So did we pay \$3 million to them as a result of the decision to not proceed with that model?

**CAMILLA DROVER:** That is my understanding.

**The Hon. JOHN GRAHAM:** Thank you for that information, Mr de Kock, on the toll analysis. There were just three things, I think, that would then round out the picture of what I wanted to ask you. One is, given this is just E-Toll tags, how many tags are there in New South Wales? Do you know the answer to that? Really, how many Linkt tags are there at the moment in New South Wales?

**JOOST de KOCK:** I do not know. I cannot tell you how many Linkt tags there are. We do not have that information, but I can get back to you on the E-Toll tags that we have and the accounts that we have. Obviously that fluctuates over time.

**The Hon. JOHN GRAHAM:** Yes. And how many business motorists and non-business motorists are there?

**JOOST de KOCK:** I can take that split—

**The Hon. JOHN GRAHAM:** Great, and I presume you will be providing that just for the E-Toll cohort?

**JOOST de KOCK:** I can only provide information for the E-Toll information, yes.

**The Hon. JOHN GRAHAM:** Great. The Minister has already taken some of this on notice, but given the analysis you have done and the level you have done it at, can I ask for rather than just the 10 per cent and the 5 per cent, what is the number of motorists who are paying this proportion of tolls? We know at 15 per cent they are paying \$2,000.

**JOOST de KOCK:** I do not recognise the 2,000 number.

**The Hon. JOHN GRAHAM:** It is \$13 per week per tag.

**JOOST de KOCK:** Yes. It depends on whether it is a band or whether it is the actual dollar amount.

**The Hon. JOHN GRAHAM:** At \$2,000, 15 per cent and above of non-business motorists are paying that.

**JOOST de KOCK:** I will have to get back to you on that number, but it does not resonate with me.

**The Hon. JOHN GRAHAM:** I am relying on the Minister's advice for that.

**JOOST de KOCK:** As I said, I will take that on notice.

**The Hon. JOHN GRAHAM:** Yes, that is all good. Can I ask for each percentage increment—so 15, 14, 13 and 12 per cent, up to 1 per cent—rather than just the 10 and the 5 per cent?

UNCORRECTED

**JOOST de KOCK:** We can see what we can do from our modelling. Yes, absolutely, I will take it on notice.

**The Hon. JOHN GRAHAM:** That would be very helpful if you can do it. If not, I am sure we will keep corresponding on it. I will ask about some of the speed camera issues we dealt with earlier. I was interested to first ask about the specific example that we dealt with this morning, which was the issue where a mobile speed camera was eight metres from a 100 kilometres per hour sign. There is some debate about whether or not it was on a 100 kilometre road, as I understood it. One view had been put that it was on a 60 kilometre stretch of road. Now, I think we are being told it was actually on a 100 kilometre stretch of road. First, can you give us any information?

**BERNARD CARLON:** I am happy to clarify that situation. Where mobile speed cameras operate on dual carriageways and where there is a significant median that separates the carriageways, it only enforces in the one direction. The rules associated with the placement—all the sites are selected with work health and safety in mind, as well as other factors in terms of the former trauma on that route or that road, nominations by the community and nominations by police for enforcement at those locations. The vehicles are not to be located where there is a change down of speed limits, so if you are going from 60 kilometres per hour to 40 kilometres per hour then the vehicle location is never less than 300 metres from that change in speed zone. If there is a change up in speed zone then it is never less than 100 metres from where the speed zone increases. That is the current protocol that we have for the placement of the vehicles. In this instance, the vehicle was placed 400 metres from the speed zone change and was enforcing on one side of the carriageway. I think we can clarify that that is where the confusion may have come from.

**The Hon. JOHN GRAHAM:** You are saying that, yes, it was near a sign, but it was actually 400 metres from the change in speed and so well within the guidelines that you have just outlined.

**BERNARD CARLON:** Yes.

**The Hon. JOHN GRAHAM:** And the confusion arose from the assertion in the first place that this was very near a change in speed, but that particular site has been investigated and in your view that is not the case.

**BERNARD CARLON:** There are a number of sites where it is not feasible to do bi-directional enforcement. In this case, it was not doing bi-directional enforcement, because there was a large median in between the carriageways.

**The Hon. JOHN GRAHAM:** Yes. Are you making the distinction that those are the guidelines for bi-directional enforcement, or are they the guidelines for enforcement?

**BERNARD CARLON:** No, they are the current guidelines for all camera placement, which have been in place for many years.

**The Hon. JOHN GRAHAM:** Mr Carlon, would you be comfortable providing them on notice to us, to inform our thinking and process about it?

**BERNARD CARLON:** Yes, we will take it on notice.

**The Hon. JOHN GRAHAM:** That would be useful. I think that deals with the specifics. Those guidelines are clear and, as you say, have largely existed for quite some time. There is a much closer annual review process for the sites for fixed speed cameras than there is for mobile speed cameras. Will you describe to us what the process is for each of those? I am also interested in your view about whether there should be or could be a closer review of the siting of mobile speed cameras, in the way that it actually looks pretty rigorous on the fixed camera side.

**BERNARD CARLON:** I think this is a really important point, because it is a differentiation between how a mobile speed camera program operates and its ability to generally deter people from speeding, across the network. You want to have a program that has literally thousands of locations that have been certified as safe to actually operate, which are highly variable in terms of the rotation of the vehicles for the enforcement hours over the month. As we know, this current program has an average of 21,000 hours over the month. You literally want to have thousands of locations across the network, because the trauma is very distributed and speeding is distributed right across the network. Whereas the fixed camera locations—so the red light cameras, the fixed cameras and even the average speed cameras, which are a route-based approach—are clearly at blackspot locations.

At those blackspot locations, when we look at the evaluation of that program from the five years prior to the installation at the locations that are currently operating on the network, we have seen a more than 60 per cent reduction in fatalities. We have seen around a mid-forties per cent reduction in casualty crashes at those locations.

They have been very effective because they are actually at locations where there was a strong history of casualty crashes, either fatalities or serious injuries.

In evaluating mobile speed camera programs, we have learned a lot over the past decade from the programs that have operated in other States and other jurisdictions. When we have done the assessment of the program which we operated in New South Wales with the advanced warning signs—we were the only State that had that in place—we were preventing about five fatalities a year and 76 serious injuries. When we looked to the Queensland model which was initially announced, that changed by up to 30 to 40 lives per annum, and in the 400s in terms of the serious injuries that would be prevented.

Clearly, that is the difference in terms of the road safety and trauma outcome for the type of program we are talking about. The mobile speed camera is really about creating that general deterrence. But some good news: Over the operation of the overall program, since it changed last year, we saw that the rate of infringement has gone from 1.2 per cent of vehicles passing the vehicles doing enforcement down to 0.7 per cent—so 99 per cent of vehicles that are travelling around the network that would be subject to observation and enforcement by the mobile speed cameras are actually doing the right thing. The number of vehicles that are doing the right thing has increased last year, so that is a very positive outcome.

**The Hon. JOHN GRAHAM:** Yes, so this is an evidence-based program, and you are clearly applying that evidence to the mobile speed camera program. But there is a much closer examination of those fixed camera sites in the annual review. Could that approach be applicable on the mobile speed camera side of things? You agree at the moment that in that report that you are issuing every year, they are simply not examined because they move around.

**BERNARD CARLON:** No, I think it is a different methodology. Yes, we are evaluating the mobile speed camera program and the new program that was introduced. In that evaluation process, clearly, you need a period of operation and—

**The Hon. JOHN GRAHAM:** But less the locations—it is fair to say the locations are much less examined than for the fixed speed cameras. You would not disagree with that, would you?

**BERNARD CARLON:** No, those locations are specifically examined for the appropriate operation of the cameras so that it is safe for the operators.

**The Hon. JOHN GRAHAM:** Yes, correct.

**BERNARD CARLON:** The most important element is actually having a large number of locations that you are able to rotate the vehicles around. The evaluations that are done in the mobile speed camera programs around the country are really at the program level, rather than at any of one of those individual sites that you might do enforcement at.

**The Hon. JOHN GRAHAM:** I will put the specific question again, because I agree with a lot of what you have said. Is there scope to examine at a more fine-grain detail those locations for the mobile speed camera program in the way that it is occurring for the fixed camera program?

**BERNARD CARLON:** Again, we do that at each of the locations. From an evaluation perspective, it is more important to be looking at the whole program. Enforcement at those fixed locations happens 24/7. The enforcement activity at any individual one of the thousand locations across the network may be a section of three hours in a month or four hours in a month. So the actual individual locations—you want to see the cumulative effect of the program and you want to see the general deterrent effect of the program across all speeding.

**The Hon. JOHN GRAHAM:** I will leave that issue there.

**BERNARD CARLON:** I could say that, yes, it seems logical that we would then include initially the monitoring of the success of the program, but then also the evaluation of its effectiveness and outcomes, together with that speed and red-light camera program evaluation that we publish on an annual basis.

**The Hon. JOHN GRAHAM:** Where is bidirectional enforcement allowed and not allowed in New South Wales under your guidelines?

**BERNARD CARLON:** Bidirectional enforcement happens where it is feasible. So in that example where the carriageway is separated by a large distance in terms of the median or there is a barrier between the carriageway, then the program operates in bidirectional mode. There is a proportion that we can, on notice, provide to you about the current operations.

**The Hon. JOHN GRAHAM:** Yes, good. That was my next question, of the current site. So if you could take that on notice—what proportion would allow that. I will put to you the view that has been put to me, that one

## UNCORRECTED

of the reasons why those signs have been placed on top of the cars is it allows both safe operation for the person who is doing the work but also bidirectional enforcement. It allows both of those and that is why it is the preferred model. What is your view on that proposition?

**BERNARD CARLON:** I think it also addresses a major community concern that the vehicles that were not marked at all—the community were raising a concern that when they passed a vehicle, if they had been speeding, they were not aware that they had been speeding or caught at that the particular time. By adding a sign to the roof, then those people, the less than 1 per cent—the 0.7 per cent—who are currently speeding past the vehicles would know that they had been—

**The Hon. JOHN GRAHAM:** Acknowledging that point; I accept that. Are those two factors relevant to why this was selected?

**BERNARD CARLON:** Absolutely. The other benefit, of course, is that the program is able to enforce more of the carriageway in terms of the speeding drivers that are on that carriageway, where it is suitable in terms of bidirectional enforcement. And the other issue is, yes, it is a significant improvement in the work health and safety situation for the operators. I note that during 2018 to 2021, there were 41 incidents involving portable signage and 18 injuries associated with the deployment of that signage by the operators. This totally eliminates that by having the rooftop signs, which are raised when they commence enforcement at a particular location.

**The Hon. JOHN GRAHAM:** Looking at the ACT model and the evaluation of that—and this is very similar to that model—what can you tell us about what impact it will have on those figures you have named in relation to the other bits of the program, that is, on fatalities and causalities?

**BERNARD CARLON:** We have not completed modelling on the operation. However, we do know that the ACT mobile speed camera program is associated with a 19.7 per cent reduction in crash risk at camera locations, with a 22 per cent crash reduction estimated in their most recent completed year analysis. And that estimate translates to a reduction of 3,000 reported crashes and a cost saving to the community of around \$60 million per annum.

**The Hon. JOHN GRAHAM:** That is effectively over a do-nothing comparison, not having the program. Is that the comparison?

**BERNARD CARLON:** No, that is just the evaluation of the ACT program in terms of its effectiveness.

**The Hon. JOHN GRAHAM:** Yes, so the benefit of having this program as opposed to not having it. Is that the evaluation?

**BERNARD CARLON:** Yes. Our context is slightly different. Our hours of operation are different. And the distribution across the network is different to the ACT as well. It is a much smaller program. So we would expect the benefits to be significant in terms of the reduction of trauma.

**The Hon. JOHN GRAHAM:** I definitely do not want you to comment on Government policy on this question, particularly having objected to it before. But I will ask this, because I left the earlier discussion more confused about the Government policy on this. I think it is very clear, but the Minister had me slightly confused. Perhaps, Mr Sharp, it is more appropriate to ask you. At no point have you been directed by the Government to place these warning signs back in front of these cameras or after these cameras? The direction is quite clear from the Government that these signs should be on the roof of the car? And that is what is being rolled out?

**ROB SHARP:** We as an agency provided a number of options, and the Government has worked through those options and decided on the policy, as you would expect. Those options included the signs before and after as well as differing versions of signs on the roof. I would also say, Mr Graham, that the bidirectional operation actually brought New South Wales consistent with the other States.

**The Hon. JOHN GRAHAM:** Understood. There was a lot going on before. I think the Minister said 75 per cent of the signs had been rolled out already?

**BERNARD CARLON:** I can confirm that 75 per cent of the signs are actually in operation currently and all signs will be operational by the end of the month, as was committed to. I would also point out that during this last year of the operation of the new program, the speed-related deaths in New South Wales, in a year where we achieved a record low since 1923, dropped from 46 per cent in the previous year to 39 per cent of the total fatalities on our roads. So there was a significant drop in the number of speed-related deaths during the last 12 months where this program was operating in that 12-month period. And the total cost of the trauma in the previous year was around \$9 billion and that reduced by \$700 million last year in terms of the cost to the community. So there is a significant, clearly positive outcome in the road toll last year.

## UNCORRECTED

**The Hon. DANIEL MOOKHEY:** Mr Sharp, perhaps through you but probably Ms Drover, I did neglect to ask, when do you anticipate the Western Harbour Tunnel will commence construction on the second stage?

**ROB SHARP:** As Ms Drover said, we have just started the procurement process. The process for us would be to assess the costs and then there would be a gateway with Infrastructure NSW and the Government in terms of the actual costs that come out of that. I will pass to Ms Drover in terms of the specific construction date that we envisage.

**The Hon. DANIEL MOOKHEY:** I do not want to interrupt the flow but, just on that point, the Government has made the final investment decision to proceed with the tunnel, correct?

**ROB SHARP:** There are gateways, though. Once we finish the actual tender processes, then you assess those costs that come in. There are about eight different gateways.

**The Hon. DANIEL MOOKHEY:** Yes, I am a longstanding fan of the infrastructure investment framework. It is fine. What I am trying to understand, though, is the contract—the final business case has been approved and we are now at the point where the actual result of the tender will go back for another approval. Is that what you are saying, under the gateway process?

**ROB SHARP:** Yes.

**The Hon. DANIEL MOOKHEY:** On notice, if you do not mind giving me your views as to which part of the eight-step gateway process that is up to, that would be good.

**ROB SHARP:** Ms Drover can probably comment specifically on that.

**CAMILLA DROVER:** I will just go back to your first question. Construction will commence very soon for package one of the Western Harbour Tunnel, which was awarded on 19 January.

**The Hon. DANIEL MOOKHEY:** Yes. Package two?

**CAMILLA DROVER:** Package two. As I said, we are hoping to award that package later this year. Then usually with a tunnelling project you do not start work the next day. There is obviously a detailed design and approvals process. Work will start on site some months after that. But we are also doing the early works packaging—moving electrical services, utilities et cetera. Those works are starting this year.

**The Hon. DANIEL MOOKHEY:** Again, I am the first to appreciate that building a tunnel is not a simple renovation. When will the tunnel be expected to open to traffic?

**CAMILLA DROVER:** As we said, we expect the construction activity for the main package to take about five years. Our preferred contract will confirm that through our tender process. They will come back to us and say, based on their design and their methodology, that it will take exactly however many years and months it will take.

**The Hon. DANIEL MOOKHEY:** Just go step by step, so it is clear. The tender will close this year and it will go to the Government for a decision this year. That is the anticipation, yes?

**CAMILLA DROVER:** That is the anticipation.

**The Hon. DANIEL MOOKHEY:** And then the actual construction of the second package—

**CAMILLA DROVER:** Roughly five years.

**The Hon. DANIEL MOOKHEY:** —will commence a year after the Government makes approval?

**CAMILLA DROVER:** When we say "roughly five years", that is the term of the delivery contract as opposed to when the actual works occur on site.

**The Hon. DANIEL MOOKHEY:** So effectively the earliest it could potentially open to traffic is five years from the end of 2022?

**CAMILLA DROVER:** Roughly. As I said, we are going to wait until our preferred contractor has confirmed the time it will take them to deliver the project.

**The Hon. DANIEL MOOKHEY:** Of course, as you do. That is the reason you go through a tender.

**ROB SHARP:** Assuming it is five years—

**The Hon. DANIEL MOOKHEY:** The expression of interest that you have invited the tenderers to respond to, does it contain a target date for opening to traffic?

UNCORRECTED

---

**CAMILLA DROVER:** No, it does not.

**The Hon. DANIEL MOOKHEY:** So they have the opportunity to come and present you with different designs and different options?

**ROB SHARP:** Correct.

**The Hon. DANIEL MOOKHEY:** And you are tapping the market's expertise to see what they can do. Is that fair?

**ROB SHARP:** Correct.

**CAMILLA DROVER:** Yes. And the bid cost reimbursement means that Transport has the benefit of any IP that the underbidders develop in the tender phase. We have the benefit of that.

**The Hon. DANIEL MOOKHEY:** Assuming that the contract is entered into for the second package, your internal expectation is that it is five years from that point?

**CAMILLA DROVER:** Yes.

**The Hon. DANIEL MOOKHEY:** Thank you very much. In respect to the WHT project, where are we up to in terms of the dispute with the Tigers site on land acquisition?

**CAMILLA DROVER:** We are not in dispute for the Tigers site. At the request of the property owner for that site, we did enter into a construction lease. We are not acquiring the site; we are just entering into a construction lease. That has been entered into. We are awaiting the determination of the Valuer General on what compensation will be payable to the owner of that site.

**The Hon. DANIEL MOOKHEY:** I accept that is a technical characterisation of the interchange that you are having with the property owner. When do you expect the Valuer General to reach a determination?

**CAMILLA DROVER:** We expect by the middle of this year.

**The Hon. DANIEL MOOKHEY:** Is that as a result of communications with the Valuer General's office?

**CAMILLA DROVER:** Not that I am aware of, no. There are guidance time lines that the Valuer General needs to comply with.

**The Hon. DANIEL MOOKHEY:** This is a separate matter. The annual report and other forms of parliamentary scrutiny of the Valuer General's office's operations shows that when it comes to the compulsory acquisitions just compensation team, they are actually well behind their time lines, both in respect to this particular dispute and in general, to the tune of six to 12 months. Have you made any inquiries with the Valuer General as to whether or not this particular determination has been caught up in that matter?

**CAMILLA DROVER:** I am aware there have been some delays, but I am not aware of any specific approaches to the Valuer General about this matter. As I said, it is a matter of what compensation is payable, not if compensation is payable. We are just waiting on that.

**The Hon. DANIEL MOOKHEY:** Do you need this site for project stage one or stage two?

**CAMILLA DROVER:** We do not need the site for package one.

**The Hon. DANIEL MOOKHEY:** You need it for package two. To be fair to the Tigers and to the owner of the site, they have been open about the fact that the Valuer General has been very slow on this and that it has created great frustration for them and a great cost, both to the club and to the property owner. They have told me that they have raised that concern with Transport and with the Valuer General. Have you had any further contact with them about their concerns? Are you seeking any informal resolution on this matter or not?

**CAMILLA DROVER:** The project team is dealing with the property owners for the Tigers site. I am not aware of the nature of those discussions, but I can take on notice exactly where that is at.

**The Hon. DANIEL MOOKHEY:** That would be helpful. If we could get a chronology as to whatever conversations have been had directly by Transport with the property owner and/or the Tigers in the last six months, any form of communication—anything from a letter to an email to a meeting—that would be great.

**CAMILLA DROVER:** Yes. I note that we did issue the PAN notice, the property acquisition notice, at the request of the property owner.

**The Hon. DANIEL MOOKHEY:** I acknowledge that. How many properties are we acquiring for the WHT?

## UNCORRECTED

**CAMILLA DROVER:** I have got that here. It is a very low number, given it is a tunnel. For both the Western Harbour Tunnel and the Warringah Freeway Upgrade project, because they were prepared as a combined EIS, there are 17 residential properties and four non-residential properties. We have acquired all of the properties we need for the Western Harbour Tunnel and the Warringah Freeway Upgrade.

**The Hon. DANIEL MOOKHEY:** What was the total cost of all of those acquisitions?

**CAMILLA DROVER:** I have not got that at hand.

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

**CAMILLA DROVER:** We can take that on notice.

**The Hon. DANIEL MOOKHEY:** In respect to the 17 residences, was that acquisition cost determined by way of negotiation or by way of a Valuer General determination?

**CAMILLA DROVER:** I would have to take on notice how many were by agreement and how many were via the compulsory process. Across our portfolio, 90 per cent of our acquisitions are by agreement, so I suspect it would be the higher proportion.

**The Hon. DANIEL MOOKHEY:** If you do not mind breaking it down, that would be helpful.

**CAMILLA DROVER:** We can do.

**The Hon. DANIEL MOOKHEY:** Another one that has come to attention recently is around Mamre Road in Penrith. Are you in dispute with any person or business when it comes to the construction of the Mamre Road project?

**CAMILLA DROVER:** We are not in dispute, that I am aware of. It should be noted that Mamre Road is a program of several stages. Stage zero has been finished and is open to traffic. We are currently in the final development of stage one. There are further stages: stages two, 5A and 5B. We are in the concept design stage for stages two, 5A and 5B.

**The Hon. DANIEL MOOKHEY:** How many properties are you acquiring as part of the entire Mamre Road process?

**CAMILLA DROVER:** I have not got that with me but, obviously, we would have acquired for stage zero, which is complete. I would need to take on notice how many we are acquiring for stage one. For the balance of the stages, given that we are still in the concept design, it may not be clear how many properties are acquired or whether we need full acquisitions or partial acquisitions for those latter stages of that program.

**The Hon. DANIEL MOOKHEY:** On notice, can we get the number of properties you have an intention to acquire in the next financial year?

**CAMILLA DROVER:** I can provide that for stage one because we have certainty of what is required.

**The Hon. DANIEL MOOKHEY:** Sorry, I should rephrase that—across the Roads portfolio.

**CAMILLA DROVER:** It would depend on the stage of the projects.

**The Hon. DANIEL MOOKHEY:** With known intention that has entered the process. Let us start from the specific—properties which you have identified as required for acquisition for which you are in contact with the landowner. And then the next stage, which is the number of PAN notices, if you have an understanding as to how many you are likely to be issuing as of this date, that would be helpful. I am also looking for the number of PAN notices for the Roads portfolio that were issued last year, the number of properties that were acquired by acquisition last year and the number of requests for Valuer General determinations, if possible.

**ROB SHARP:** We will take that on notice.

**The Hon. DANIEL MOOKHEY:** Thank you very much.

**The Hon. JOHN GRAHAM:** I just want to ask about one of the issues we turned to earlier, which is the Community Road Safety Fund and the question about it being topped up. When we have discussed this previously, the answers from the agency and also from the Minister—but I am more interested in the answer from the agency—has been that the agency is hopeful, but not assured by Treasury, that the previous practice of essentially topping up the fund by 50 per cent will continue. It is obviously relevant as fine revenue increases. Could you give us an update about where that is up to? I might put the most hardline view to you first. Have you been given a guarantee by Treasury that that practice, doubling the number that goes in from the camera revenue, will continue?

## UNCORRECTED

**ROB SHARP:** I am not familiar with the commitment associated with that. I am familiar with the fund. But, Mr Carlon, do you know—

**BERNARD CARLON:** Yes. I think there has been a slight misunderstanding of how the fund operates in relation to the road safety action plans. So the Government actually—

**The Hon. JOHN GRAHAM:** I do not think there has been, but fire away.

**BERNARD CARLON:** The road safety action plans are fully funded, so the Government committed to the development and implementation of the five-year road safety action plan and the forward estimate for the funding of that total, regardless of any of the fine revenues. That plan was fully funded and has been implemented. We have done significant consultation over the past two years for a development of the next road safety action plan to 2026 and a revised target for the 10-year time frame, as we did with the last strategy.

**The Hon. JOHN GRAHAM:** Mr Carlon, I am trying to help here but I do not have much time. I am happy if we can deal with it briefly. One of the concerns is normally consolidated revenue is double what is in the Community Road Safety Fund. A concern previously from the agencies has been that as the camera revenue has increased, that doubling will not continue, acknowledging what you are saying about the plans. Are you assured that is not a problem or is that still a live issue? Either of those.

**ROB SHARP:** The current safety management plan that we are progressing through for approval stages at the moment, which is the next five years, will be fully funded.

**The Hon. JOHN GRAHAM:** That is not the question but I am happy to leave it there. Mr Sharp, in relation to the interaction with the NBN in the Greater Sydney area, one of the concerns has been about the withdrawal of Telstra ISDN service product offerings as early as May 2022 and the impact that has on the assets of Transport. Can you give us an update about where this issue is up to.

**ROB SHARP:** Yes, I will ask Mr de Kock whether he is across that particular technology issue.

**JOOST de KOCK:** I think I will have to take that on notice, the exact matter. I am not really across that.

**The Hon. JOHN GRAHAM:** Is there anything you can tell us about it, given the looming deadline?

**JOOST de KOCK:** Obviously it is very important that we have connectivity to all the various sites. I will have to take it on notice what the exact stage of that is.

**The Hon. JOHN GRAHAM:** It is more than very important, it is a key challenge and risk in the assets and services plan. The current copper communications network, which enables the traffic signals and other ITS assets to communicate with SCATS and other systems, is being decommissioned as part of the NBN rollout. That sounds pretty important.

**The Hon. SCOTT FARLOW:** Someone has written you this question.

**The Hon. JOHN GRAHAM:** No, I am quoting here from Transport documents. Given it involves the SCAT system and all the traffic signals and this is turning off in May 2022.

**ROB SHARP:** We are aware that there is older equipment there. There is a SCATS team that is specifically in place. I attend the steering committees. It sits in Mr de Kock's area. We will revert with the feedback from the team on that program.

**The Hon. JOHN GRAHAM:** Obviously time has moved on since this information. Is that still the deadline? How on track are we to deal with that? What implications does it have, including what cost implications would be useful?

**ROB SHARP:** We will come back on that.

**The Hon. DANIEL MOOKHEY:** Mr Secretary, on the questioning I was asking about litigation around compulsory acquisition, your annual reports disclose that there is a contingent liability of \$127.5 million to do with compulsory property acquisition matters under litigation where claims differ from the Valuer General's determined amount, which I guess is the next stage of the process. Can we on notice get a list of who is litigating with you, who your counter parties are in these matters—

**ROB SHARP:** I will certainly take that on notice.

**The Hon. DANIEL MOOKHEY:** —as of this date? I guess the pleasing news is that contingent liability has dropped from \$1 billion to \$127 million, but that also invites the question how many of those other disputes



UNCORRECTED

did you win and lose last time. That may have dropped because you were actually found to have underpaid or under-offered. I am interested in the outcomes of the litigation from last year.

**ROB SHARP:** Take it on notice.

**The Hon. DANIEL MOOKHEY:** If we can also get the resolved matters in the last calendar year when it comes to compulsory acquisitions? Obviously this is for the Roads portfolio, but to be fair, if you do not mind, otherwise I will just have to ask you again on Friday and we will have to go through this charade again when it comes to the other parts of the portfolio. It is your discretion as to whether or not you wish to provide a full answer in Roads or you would like me to ask you again on Friday.

**ROB SHARP:** We will take the information and see how quickly we can get it.

**The Hon. DANIEL MOOKHEY:** Thank you. I am interested in the M5, what is the number of requests for contract variations and/or modifications?

**ROB SHARP:** I have to pass that to Ms Drover, but I suspect it will be on notice.

**CAMILLA DROVER:** There are obviously claims under all construction contracts. I do need to take on notice the exact number that we have live at the moment.

**The Hon. DANIEL MOOKHEY:** If you don't mind, I should ask you across the entire Roads portfolio would be good if we could get it, but the ones I am specifically interest in are the M4-M5—the number of claims that are outstanding for variations, the number of claims that are outstanding for modification and the total value of claims for variation and modification. I accept the department's longstanding view that a claim is not an outcome, which is fair as well, but it would be helpful if we could get that for the M4-M5 link.

**ROB SHARP:** Mr Mookhey, the history shows that there are negotiated outcomes clearly on those and usually for substantially lower numbers than the actual claims that come in.

**The Hon. DANIEL MOOKHEY:** That is true, that is what some of the history reflects. Other parts of the history perhaps paint a slightly different picture, but I am not making value judgements. This is more what is just afoot when it comes to the M4-M5. I am also interested in the Rozelle Interchange claims and modifications as well if we can get that.

**CAMILLA DROVER:** We will see what we can bring back. There are obviously some commercial-in-confidence considerations but we will see what we can provide.

**The Hon. DANIEL MOOKHEY:** I accept that but previously after various forms of inquiry and various upper House calls for papers, various forms of information have been put on the public record. I am not asking you to reveal any of the status of the negotiations as well, but I would like to at least know the number of claims for contract variations and the number of claims for contract modifications, if that is okay.

**CAMILLA DROVER:** Just to clarify, the ones that are open at the moment?

**The Hon. DANIEL MOOKHEY:** Yes, the ones that are open at the moment. To be honest, if you want to tell me the amounts that you have closed in the last 12 months and what the outcome was—but you might not want to tell me that—I am not going to refuse the information if you provide additional details.

**CAMILLA DROVER:** Both projects remain on budget.

**The Hon. DANIEL MOOKHEY:** Of course. I am interested in the litigation bill as well. How much money we have spent on all these claims and modifications, and equally the amount of money that is spent on litigation to do with compulsory acquisitions by the Transport cluster, especially around those matters in which there is a difference between the Valuer General and Transport, if we can get that figure as well? I have got your total lawyers' bill.

**ROB SHARP:** I will have to take that on notice. I am not sure where that information actually sits, to be quite honest.

**CAMILLA DROVER:** Can we just clarify, you want the litigations for construction contractor claims or property acquisition matters?

**The Hon. DANIEL MOOKHEY:** Now, I am just going to take both. I certainly am going to ask now in respect to all that. If you wish to break down your total litigation/lawyers' bill by function area, I will also welcome that information, and I would stress the amount that you are spending on lawyers.

**ROB SHARP:** I understand the question. We will take it on notice and see what we can actually analyse out of that.

UNCORRECTED

**The Hon. DANIEL MOOKHEY:** Thank you.

**The Hon. JOHN GRAHAM:** At the end of 2020 when Transport assessed its current maintenance backlog for pavement assets for the Sydney State road network it was \$380 million. What is the figure now?

**ROB SHARP:** This is the road maintenance?

**The Hon. JOHN GRAHAM:** This is the current maintenance backlog for pavement assets for the Sydney State road network.

**ROB SHARP:** I will have to take that on notice. Is there a particular asset management plan you are referring to?

**The Hon. JOHN GRAHAM:** Yes, I am referring to the Greater Sydney asset and services plan, page 82. Can you provide us with both those figures. I do not object to you providing one of them commercial-in-confidence, in whatever way you choose to do that. If you can give us an update about the current maintenance backlog by value, but it is also given by kilometres of road, sections in poor condition. Those two figures. I also ask for one more update—we touched on this briefly in the tolling inquiry but there was not quite time to deal with it—about the timing in relation to the M5 corridor, about the traffic study now due for 2022 and where we are up to with it. I think, Mr Collins, this might now be your responsibility?

**HOWARD COLLINS:** It is, and I have commented on this before. We are still obviously in that survey condition. The one thing we have noticed is still road traffic figures are not back to where they were before and one of the reasons why the study has been delayed is we do want to have a fair comparison of the traffic on those roads like Stoney Creek and others, versus obviously the use of the M8. We are carrying out that study and as soon as it is available and ready we will share that with the various parties. But at this stage it is not available yet.

**The Hon. JOHN GRAHAM:** I might ask you, either now or on notice—I would be comfortable with either—what your updated time line is. I think we got a time line at the last—

**HOWARD COLLINS:** You did. On 14 February I think you got a bit of an update.

**The Hon. JOHN GRAHAM:** Yes, but could you give us an updated time line when it is available?

**HOWARD COLLINS:** Yes, we will do that if it has changed.

**The Hon. DANIEL MOOKHEY:** This one will absolutely throw you. Can we get an update on the current outstanding balance of e-tag holding accounts?

**ROB SHARP:** Mr de Kock, is that ours?

**JOOST de KOCK:** Yes, we will take that on notice, whether we can—

**The Hon. DANIEL MOOKHEY:** Yes, you had \$64 million at the end of last financial year. I am interested in today's figure. The other question is what happens to e-tag account holders with whom you lose contact? What happens to their money?

**JOOST de KOCK:** In terms of the e-tag deposits, we have refunded those to the vast majority of all e-tag holders—I think to the tune of \$64 million. I will have to take on notice if we have lost contact with them and what we do in that case.

**The Hon. DANIEL MOOKHEY:** To be fair, this is just a balance at that point in time of the sum total of prepaid tolls that people had paid into the accounts for which you, technically, had a liability—obviously.

**JOOST de KOCK:** I will have to take the details on notice.

**The Hon. DANIEL MOOKHEY:** I am interested in, much like unclaimed Opal fare balances, what the equivalent is on the e-tag side—how many people we tend to lose contact with as percentage of e-tag holders and what happens to their specific balances. Is there a policy on that or is it returned to the unclaimed moneys account? What happens to that in general?

**JOOST de KOCK:** I will have to take that on notice and see what information we can provide for you on that.

**The Hon. DANIEL MOOKHEY:** Thank you, that would be great. Can we also get a sense as to the turnover through the e-tag accounts each year? How much money passes through all those accounts?

**JOOST de KOCK:** Yes, I can take that on notice as well.

**The Hon. DANIEL MOOKHEY:** That would be helpful.

UNCORRECTED

---

**The Hon. JOHN GRAHAM:** I could help you with that.

**The Hon. DANIEL MOOKHEY:** Otherwise my colleague will answer the question for you.

**The Hon. SCOTT FARLOW:** Take it on notice.

**The Hon. JOHN GRAHAM:** My question is inappropriate to ask in the short time we have remaining.

**The Hon. DANIEL MOOKHEY:** We might surrender the two minutes we have left unless the Government has its—

**The Hon. DON HARWIN:** All yours.

**The Hon. MARK BANASIAK:** I do not have anything more. I have seen both Mr Harwin and Mr Farlow busily tapping out their questions for you, so now I am looking to them for their 17 minutes of questions where they can go nuts.

**The Hon. SCOTT FARLOW:** I think we might wait until next time, and give everyone a well-earned early mark.

**The Hon. DANIEL MOOKHEY:** Friday, you might need it.

**The Hon. SCOTT FARLOW:** Friday, we might need it.

**The Hon. JOHN GRAHAM:** This comment does not relate to questions. I put the position again regarding the other Transport hearings. Certainly, from a Committee point of view, having a smaller team at the start works from the Committee end. Obviously, it is up to the Minister as to who they want to bring to those hearings. That is their call, so we will not interfere with that, but we are conscious about having a large team here and not asking them questions in the morning. If you want to strip back the team for the remaining estimates hearings, that certainly works from a Committee point of view.

**ROB SHARP:** Thank you very much for that feedback.

**The Hon. DANIEL MOOKHEY:** I give you due notice that, come Friday, there might be other questions to do with the budget papers and the annual reports, so you might want to bring them.

**ROB SHARP:** Okay, thanks, Mr Mookhey.

**The Hon. MARK BANASIAK:** Now that both sides have yielded, I thank the witnesses for their time. You have taken quite a few questions on notice, and the Committee secretariat will be in touch about them. You will have the allocated time to get back to us. That concludes today's hearing. Thank you very much for your time and travel safely in this awful weather.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**