

# PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS

Tuesday 5 March 2024

Examination of proposed expenditure for the portfolio areas

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

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The Committee met at 9:15.

## MEMBERS

Ms Cate Faehrmann (Chair)  
The Hon. Mark Banasiak  
Ms Abigail Boyd  
The Hon. Susan Carter (Deputy Chair)  
The Hon. Anthony D'Adam  
The Hon. Dr Sarah Kaine  
The Hon. Bob Nanva  
The Hon. Rod Roberts  
The Hon. Damien Tudehope  
The Hon. Natalie Ward

## PRESENT

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

## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

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

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



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**The CHAIR:** Welcome, everybody, to the third hearing of Portfolio Committee No. 6 - Transport and the Arts for the additional round of the inquiry into budget estimates 2023-2024. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the land on which we are meeting today. I pay my respects to Elders past and present and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander peoples joining us today. My name is Cate Faehrmann, and I am Chair of this Committee. I welcome Minister Graham and accompanying officials to this hearing.

Today the Committee will examine the proposed expenditure for the portfolios of Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism. I ask everyone in the room to please turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures.

Welcome and thank you for making the time to give evidence. Minister Graham, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. I also remind most witnesses that they do not need to be sworn as they have been sworn at an earlier budget estimates hearing before this Committee. Witnesses who did not appear before this Committee at the earlier budget estimates hearing or who appear in a different capacity will need to be sworn.

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**Ms KATE BOYD**, Acting Secretary, The Cabinet Office, affirmed and examined

**Ms ALISON MORGAN**, Executive Director, WestInvest Program, Community Engagement Group, Premier's Department, sworn and examined

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

**Ms ELIZABETH MILDWATER**, Secretary, Department of Enterprise, Investment and Trade, on former affirmation

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

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

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

**Ms SALLY WEBB**, Acting Deputy Secretary, Safety Environment and Regulation, Transport for NSW, on former affirmation

**Mr BERNARD CARLON**, Chief of Centre for Road Safety, Transport for NSW, on former affirmation

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

**Ms ANNETTE PITMAN**, Chief Executive, Create NSW, on former affirmation

**Mr STEVE COX**, Chief Executive Officer, Destination NSW, on former affirmation

**Mr TAREK BARAKAT**, Acting Chief Executive Officer, Hospitality and Racing, Department of Enterprise, Investment and Trade, on former affirmation

**Ms CAROLINE LAMB**, Chair, Independent Liquor and Gaming Authority, on former affirmation

**Ms SUSAN CARROLL**, Chief of Staff, Transport for NSW, on former oath

**Dr MICHAEL BRAND**, Director, Art Gallery of NSW, on former affirmation

**Ms LISA HAVILAH**, Chief Executive Officer, MAAS Trust, on former affirmation

**Ms MARY DARWELL**, Interim Chief Executive Officer, Museums of History NSW, on former oath

**Ms EMILY COLLINS**, Interim Head, Sound NSW, on former affirmation

**Mr MICHAEL RODRIGUES**, 24-Hour Economy Commissioner, on former oath

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

**The Hon. NATALIE WARD:** Thank you, Minister, for coming and thank you for your dedication to your portfolios. Thank you to all your officials for being here today. We welcome it; estimates comes around quickly. Do you agree with your department's assessment that the New South Wales road toll is now off track under your leadership?

**The Hon. JOHN GRAHAM:** Welcome, Ms Ward, and thank you to the Committee for being here. I'm glad to commence on this topic because we are concerned about the road toll in New South Wales. Like other jurisdictions, it is rising. We had 351 people who died on New South Wales roads last year, and this year, 63 people have died. That's up 18, compared to last year. That is a function in this State, as well as others, of a rise after COVID. So that figure from last year is still sitting below the 2017-19 average of 363 people who died on our roads. The truth is, the Government would like to see that number come down. That is the Road Safety Action Plan. That was one of the key topics of discussion at the road safety forum that the Government held on 22 February.

**The Hon. NATALIE WARD:** I'll get to that. My question, though, Minister, was do you agree with your department that it's off track? Is it off track or not?

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**The Hon. JOHN GRAHAM:** Yes, I'm concerned that the road toll is not where we want it to be. That's the longstanding position of the former Government and this Government—that we want to see the road toll come down, and we're not comfortable.

**The Hon. NATALIE WARD:** Sure, but I'll redirect. So you agree with your department's assessment that it's off track?

**The Hon. JOHN GRAHAM:** We would like to see this lower. A rising road toll is certainly not on track. We want to see these numbers come down.

**The Hon. NATALIE WARD:** What would it take for you to move to being concerned?

**The Hon. JOHN GRAHAM:** I am concerned. I am concerned about these figures. I think I made that clear, as I made it clear at the road safety forum.

**The Hon. NATALIE WARD:** What will it take for you to move from being concerned to taking action?

**The Hon. JOHN GRAHAM:** The focus of the Government has very much been on taking action since coming to office. One of the things we've done is supercharge the Road Safety Action Plan. Eleven of those actions that were not put in place by the former Government are now in place. We've moved to drive those changes. We've introduced other changes: our demerit point trial; seatbelt enforcement coming into force on 1 July 2024; and just in the last week, since that road safety forum, closing loopholes on overseas drivers, who are causing about 100 crashes a year on our roads.

**The Hon. NATALIE WARD:** Clearly, Minister, this isn't working. The statistics don't lie. The road toll was up 25 per cent last year. It's already up 50 per cent this year on those targets. Don't you think you need to take substantive action other than closing loopholes and having the road safety summit, which I welcomed? Don't you think you need to take action? It clearly isn't working.

**The Hon. JOHN GRAHAM:** Firstly, I thank you, Ms Ward, for coming along to the road safety forum. We were lucky to have you representing the Opposition. We were lucky to have a number of MPs and, really, a remarkable group of road safety experts from around the country. But we are taking action here. I have outlined some of those actions. I wouldn't be dismissive, for example, of the overseas drivers loophole. Up until now overseas drivers have been able to drive on our roads and accumulate demerit points. One example: 35 demerit points after seven speeding offences and three mobile phone offences, with no consequences. That is a very dangerous circumstance on our roads.

**The Hon. NATALIE WARD:** I'll come back to demerit points. But, specifically, one of the most critical areas in road safety is the drug and alcohol testing. You've been roads Minister for nearly 12 months. What's the difference in the road toll for the nearly 12 months that you've been roads Minister compared to the previous period?

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

**The Hon. NATALIE WARD:** Sure. You've been Minister for Roads for nearly 12 months now. What is the difference in the road toll for the nearly 12 months that you've been roads Minister compared to the period prior?

**The Hon. JOHN GRAHAM:** I will take on notice the difference over the 12 months. We can certainly get those figures for you with the officials.

**The Hon. NATALIE WARD:** Why don't I help you out? Under Labor, in the 12-month period to date it's 369. Under the former Coalition Government in the previous 12 months it was 271. The difference is a 98-fatality increase. That's a serious number. Drug and alcohol tests have decreased but the percentage of positive drug tests has increased. What do you say to that?

**The Hon. JOHN GRAHAM:** I think it's important to keep these numbers in context. As I said, each of the States is facing this challenge so it isn't assisted by comparing the figures just to COVID. We're still sitting below that 2017 to 2019 level. However, that's no reason not to try and drive this toll down. The truth is that car technology is improving and I would like to see that toll decrease. That requires a range of measures. That's why there's a comprehensive Road Safety Action Plan.

**The Hon. NATALIE WARD:** Thank you. Minister, I'm just going to redirect you—

**The Hon. JOHN GRAHAM:** Enforcement in the way you're describing is an important part of that. I'd like to see that part emphasised as well.

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**The Hon. NATALIE WARD:** And I appreciate that. But Minister, I don't want to talk about other States; I want to talk about New South Wales. You are the Minister for Roads and road safety in New South Wales. If you want to talk to the Commonwealth, I suggest you go and talk to the Federal Parliament about that. But it's notable that the percentage of drug and alcohol—and I want to be specific about that—drug and alcohol returning a positive result from random drug and alcohol testing is up despite less tests being conducted. Less tests for drug and alcohol, more positive results on those that are being conducted—what steps are you taking to address the rise of dangerous driving practices here in New South Wales to address those fatalities?

**The Hon. JOHN GRAHAM:** This is precisely the reason why we convened this road safety forum. It's precisely why we had not only Transport there but also Police and Emergency Services. I take this opportunity to thank police not just from New South Wales but also from around the country. We were lucky to be joined by the South Australian and Victorian police forces at this forum to compare notes, including on enforcement and including on some of those figures. The advice to me from Transport about 2023 is that we're seeing the traditional factors still at play when it comes to the road toll. In 2023 drugs contributed to 14 per cent of all fatalities, alcohol 15 per cent and, shockingly, not using a restraint was higher than both those numbers at 17 per cent in 2023. That's one of the reasons the Government's taking action on that area.

**The Hon. NATALIE WARD:** Those numbers don't lie. Let's talk about the action you're taking. You've had the road safety summit. I welcome that, and I appreciated the opportunity to attend. But unless action is taken, it's really only a talkfest. Do you accept that until the Government takes action on the road toll, these numbers aren't going to change?

**The Hon. JOHN GRAHAM:** I don't accept that we're not taking action. That's why, of those 94 actions since we came to government, 11 of them—not moved by the former Government—have now been moved by this Government. Each of those 11 actions will save lives. It's why we started the demerit trial, enforcing seatbelt use, and we're closing this loophole where overseas drivers were left roaming our streets, accruing demerit points with no consequences. That's a very dangerous circumstance that has been brought to a halt.

**The Hon. NATALIE WARD:** Minister, you held the press conference, you did the announcement, we had the talkfest, but I'm interested in action. What action are you taking, other than closing loopholes? The road toll is up 25 per cent. It's up 50 per cent this year on those targets. Don't you think you need to take this seriously and take action?

**The Hon. JOHN GRAHAM:** Ms Ward, I reject the premise of your question.

**The Hon. NATALIE WARD:** But these are lives, Minister.

**The Hon. JOHN GRAHAM:** As I've outlined, we've taken action prior to the road safety forum and we've taken action since. Looking ahead—

**The Hon. NATALIE WARD:** But what specific actions are you taking and when will they be implemented to save these lives? We're interested in outcomes, not just talking points.

**The Hon. JOHN GRAHAM:** I'll just return to the point I was making. Since 22 February the Government has announced that additional step of closing this dangerous loophole that's contributing to 100 crashes a year approximately. Looking ahead, there will be a number of steps that will take place. Firstly, we will put into place the agreement we've reached with the NRMA. One of the things that has been called for by motorist groups around the country is better use of data to inform road safety infrastructure decisions. I fully—

**The Hon. NATALIE WARD:** On the road safety summit—

**The Hon. JOHN GRAHAM:** Ms Ward, I'd like to outline the steps, but when you're ready.

**The Hon. NATALIE WARD:** You've sat on this side, so you know that we are very pressed for time. I will politely redirect you to get back to where we need to go.

**The Hon. JOHN GRAHAM:** I remember the feeling.

**The Hon. NATALIE WARD:** Just be specific, Minister. I appreciate that but when will the outcomes of the road safety summit be made public?

**The Hon. JOHN GRAHAM:** I was outlining the three next steps in this area, and I'll do it as briefly as I can for you, Ms Ward. The first step is putting into place that data agreement with the NRMA. I fully support this campaign by the automobile associations to use data to drive road safety infrastructure. Other States have been criticised, and New South Wales is fully aligned with the motoring organisations and with the Commonwealth to use this data. We'll put that into effect. Secondly, I expect to see, and have time to examine, the outcomes report from the road safety forum. We'll work carefully through that. That will drive some of the

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State actions, which will flow from this. We haven't waited; we've already put in place further measures. Thirdly—and this in particular, I think, is really important—we'll be taking this key discussion with road safety experts from around the country and around the world to the Commonwealth forum. I want to thank the Commonwealth for convening road safety Ministers around the country.

**The Hon. NATALIE WARD:** We'll get to that. You can thank the Commonwealth in your own time, Minister. I have a few minutes.

**The Hon. JOHN GRAHAM:** That will be a key place to take this road safety dialogue.

**The Hon. NATALIE WARD:** We've had key discussions, we've closed loopholes, we've talked about data and we're talking about outcomes, but essentially what you're saying is that we've got forums and plans but no responsibility. We've got a three-step plan in place and we've had a press conference and a discussion. When will the outcomes be made public, and will there be funding?

**The Hon. JOHN GRAHAM:** The answer is yes to both of those.

**The Hon. NATALIE WARD:** When?

**The Hon. JOHN GRAHAM:** We'll certainly be making them public. The Government hasn't made a decision about that. It won't be this morning at estimates, I can tell you that, but it will be shortly.

**The Hon. NATALIE WARD:** But why not, Minister? You've had the talkfest and you've got some outcomes. Why wouldn't you make those public, quickly and effectively, and get funding for them if you are committed?

**The Hon. JOHN GRAHAM:** Ms Ward, I reject the premise of the question. This Government has been focused on action. That's why we put the demerit scheme in place, seatbelts in place, cracking down on overseas drivers—11 extra actions and more to come. That's the promise from this Government.

**The Hon. NATALIE WARD:** Less drug testing, more positive drug tests on our roads—and the road toll is up. You're not taking action, are you?

**The Hon. JOHN GRAHAM:** We're absolutely taking action. But, look, I don't want to back away from the fact that there's more to do here. We would not have convened the road safety forum if there wasn't more to do here. That is something that I would say to you but to all my parliamentary colleagues. This is something where the Government will be coming back for more action in this area. We do have important actions underway.

**The Hon. NATALIE WARD:** We appreciate that, but we'd like to know what those actions are, when they will be implemented and where is the funding for them. Can you guarantee that there will be an increase in funding for road safety in the next budget?

**The Hon. JOHN GRAHAM:** We've already increased funding for road safety, something that you—

**The Hon. NATALIE WARD:** Well, you and I disagree on that in the line item. But will you agree that it's a priority for the very next budget which you're in bidding stage for now?

**The Hon. JOHN GRAHAM:** You and I do disagree, but I have the great benefit of having the Centre for Road Safety—

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

**The Hon. JOHN GRAHAM:** —and the agency advising you on the details to say you are wrong.

**The Hon. NATALIE WARD:** Let's turn to the Centre for Road Safety then. I've noticed the 2023 annual statistical statement from the Centre for Road Safety has not been published yet. Have you or your office seen that report yet? Why hasn't been it published?

**The Hon. JOHN GRAHAM:** I'm not aware if the report has come to my office. I'm certainly happy to take that on notice.

**The Hon. NATALIE WARD:** Have you seen it?

**The Hon. JOHN GRAHAM:** I don't believe I've seen it, but I'm happy to be corrected. But I'm certainly happy to take that on notice. You're welcome to ask the—

**The Hon. NATALIE WARD:** , we've had a talkfest, we've got data, we're talking about loopholes, you haven't seen the report—your eyes are clearly off the road, aren't they, Minister?



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**The Hon. JOHN GRAHAM:** You're welcome to ask the officials this afternoon, but I'll certainly take that on notice and come back to you. I reject the statement you've just made. As I've made it clear, the Government is focused on action, including many of the actions that were left—

**The Hon. NATALIE WARD:** You've outlined some, but what we're interested in is outcomes, funding and timing. Minister, are you more interested in small bars than road safety?

**The Hon. JOHN GRAHAM:** Ms Ward, 11 of those actions left undone by your Government while you were in office—

**The Hon. NATALIE WARD:** You're the Minister. You're 12 months in.

**The Hon. JOHN GRAHAM:** —we have taken action on.

**The Hon. NATALIE WARD:** The road toll is up under your watch over 12 months. It is now your responsibility, and we're talking loopholes, outcomes, data and talkfests and key discussions. We've got a three-point plan with no funding, no timing. We funded the plan that was in place under us. What are you doing and by when? I would've thought you would've come well and truly equipped to answer that this morning.

**The Hon. JOHN GRAHAM:** That's why we've increased funding. As I've outlined, it's why we're taking these actions—more to come but many underway under this Government.

**The Hon. NATALIE WARD:** Let's go to the demerit points scheme, which you spoke about and referred to. Where is the demerit points scheme assessment report up to?

**The Hon. JOHN GRAHAM:** That assessment is still underway. Again, you're welcome to ask officials about it. We do want to properly assess this measure. It was highly successful in public. The idea that for the first time you might be applying the carrot as well as the stick—tough penalties in place but also a reward for people who drove safely on our roads. It's been well received but, as always in this area, we're greatly assisted by the evidence and there will be an assessment report which unfolds into this.

**The Hon. NATALIE WARD:** Good to know.

**The Hon. JOHN GRAHAM:** I don't want to rush that.

**The Hon. NATALIE WARD:** When will that be published?

**The Hon. JOHN GRAHAM:** You're welcome to ask the officials about that but as soon as it's able to be published. I certainly want that to be published.

**The Hon. NATALIE WARD:** You've volunteered the demerit points scheme as key criteria for your road safety approach. It's on you. You're the Minister. You can't say when it will be published or when it will be publicly available. Is that what you're telling this Committee?

**The Hon. JOHN GRAHAM:** It'll be made publicly available once it can be. I don't want to rush this sort of assessment. This isn't a rushed desktop glance. This has been very popular in public. I want to know what it's actually done on our roads to impact—

**The Hon. NATALIE WARD:** Minister, the data is there. I would've thought you were in a huge rush to save lives, given the road toll is up—98 additional deaths under your watch. I would've thought you'd be in an enormous rush to get this published. What do you know about your portfolio? You can't tell us about anything in terms of action or funding or time lines in three of these areas.

**The Hon. JOHN GRAHAM:** I reject the premise of your question, Ms Ward. I'm happy to run through more detail about the actions that the Government is taking.

**The Hon. NATALIE WARD:** Please do.

**The Hon. JOHN GRAHAM:** In this area, 1.24 million drivers were eligible to have that point returned. That's very helpful.

**The Hon. NATALIE WARD:** Let's get to those numbers. How many unrestricted driver licence holders with 12 demerit points received a demerit point back?

**The Hon. JOHN GRAHAM:** Sorry, could you just repeat that?

**The Hon. NATALIE WARD:** How many unrestricted driver licences with 12 demerit points—so they've almost reached the maximum and should be taken off the road because of their behaviour—received a demerit point back under your scheme?

**The Hon. JOHN GRAHAM:** I'll take that on notice. We'll be happy to get that information for you.

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**The Hon. NATALIE WARD:** How many with 11 points got a point back?

**The Hon. JOHN GRAHAM:** Again, we can take this level of detail on notice. You're welcome to—

**The Hon. NATALIE WARD:** How many with 10 points got a point back? Minister, it's your scheme. It's your road safety assessment; your carrot and stick. How many drivers with 10 points got a point back?

**The Hon. JOHN GRAHAM:** We'll take all of these questions on notice, Ms Ward.

**The Hon. NATALIE WARD:** How many with nine points?

**The Hon. JOHN GRAHAM:** It's a similar answer on this one.

**The Hon. NATALIE WARD:** How many with eight points?

**The Hon. JOHN GRAHAM:** Each of these will be covered in the assessment. That's exactly why we're doing an assessment. We'd be happy to get you this information in the meantime.

**The Hon. NATALIE WARD:** All right. Can I ask that you get that information today? You've said that you support road safety initiatives, so it shouldn't be difficult to get that information, but clearly you don't seem to know the impact of your own policy. That's correct, isn't it?

**The Hon. JOHN GRAHAM:** That's incorrect. This has been a very popular policy. That's why we've extended it. I should indicate that we have rolled this trial over while we do that assessment. Of course, the trial came to a finish on 17 January this year, one year after the policy was announced. So we've rolled it over in the meantime, as we carefully assess these programs.

**The Hon. NATALIE WARD:** It might have been popular. Is road safety built—

**The Hon. JOHN GRAHAM:** These assessments are actually evidence driven and data led. It's important we do them properly. There won't be political direction about the timing of this assessment. That isn't something that I've undertaken.

**The Hon. NATALIE WARD:** Isn't that your job? Isn't it your job to say, "I want this information quickly. I want to turn this around. I want to stop the road toll, which is up under my watch"? It's not a popularity contest. We're saving lives here, Minister. Clearly you should be putting your foot to the floor on this and not taking your eyes off the road. You should be saying to your department, "I want this data. I want to know how many of those dangerous drivers are getting a point back. We don't want them on the road because we want to save lives." You're telling me you don't know your policy, you don't know the impact, you don't know the numbers and you'll wait and see.

**The Hon. JOHN GRAHAM:** That's one of the reasons I've closed the loophole your Government left open—

**The Hon. NATALIE WARD:** You're the Minister. You've been there 12 months.

**The Hon. JOHN GRAHAM:** —leaving overseas drivers on our roads. Under your Government, under your time as roads Minister, you could accrue 35 demerit points with no consequences.

**The Hon. NATALIE WARD:** Minister, in my time as roads Minister the road toll was down to a 99-year low.

**The Hon. JOHN GRAHAM:** Your Government promised to fix that and left the loophole open.

**The Hon. BOB NANVA:** Point of order—

**The Hon. NATALIE WARD:** A 99-year low. Under you it's up.

**The CHAIR:** A point of order has been taken, Ms Ward.

**The Hon. BOB NANVA:** Paragraph 19 of the procedural fairness resolution: courtesy extended to the witness. I don't think it's courteous to be talking over the top of the Minister while he's trying to give an answer.

**The Hon. NATALIE WARD:** I'll move on.

**The CHAIR:** I do think, as Chair, you've heard this from me before. If we just allow a free flow of conversation and when you're speaking over, they're going to call points of order—you get less questions.

**The Hon. NATALIE WARD:** I do think, though, that when it comes to saving lives, the Minister is very capable of answering and this is a very serious matter. It's about saving lives, Minister. Let's talk about seatbelt enforcement, which you've referred to. Regarding seatbelt enforcement cameras, a policy supported by

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the Opposition, why does the Government oppose the Opposition-crossbench amendments to bring in seatbelt enforcement cameras earlier?

**The Hon. JOHN GRAHAM:** Firstly, I want to thank the Opposition and I want to thank the crossbench for their support for this measure. As I said last year, 17 per cent of fatalities were related to people not wearing a restraint. I think that would come as a shock to the community. Seatbelts have been mandatory in New South Wales for 50 years and still that is the contribution. It's not that many people are not wearing them, but not wearing them is so dangerous that you're highly likely to be involved in a fatality.

**The Hon. NATALIE WARD:** I'm going to redirect you, though, Minister. I know the data. I'm well aware of it, which is why we supported it, but we sought to bring it in earlier to save lives. My question to you is very specific: Why didn't you support those amendments to bring in that enforcement earlier?

**The Hon. JOHN GRAHAM:** The Government position was that we supported a warning period for drivers. That's very important to educate drivers. It will put some pressure on the scheme now to have these measures snap into force on 1 July. We've taken advice about that. We'll have to drive education campaigns very significantly, but that was the reason why the Government took that position.

**The Hon. NATALIE WARD:** Drivers know they need to wear seatbelts.

**The CHAIR:** In relation to Rozelle interchange, why haven't any measures been taken to alter the flow of traffic in the WestConnex tunnel itself?

**The Hon. JOHN GRAHAM:** Firstly, I want to thank you for the question and acknowledge that there have, of course, been the local traffic impacts that I've warned about as Minister, but they have had a big impact on the surrounding areas. We have made changes. We haven't made the particular change you've talked about because of the way the tunnels operate. So the advice to me—

**The CHAIR:** What does that mean, "in terms of the way the tunnels operate"?

**The Hon. JOHN GRAHAM:** The advice to me on these matters—and I've accepted the advice of Transport in each instance—is that having cars queueing inside those tunnels starts to become a safety issue, and that's why it's not a preferred solution.

**The CHAIR:** So tell me how is that different in the tunnels compared to what's happening on the Iron Cove Bridge and Victoria Road? How is that a different safety issue?

**The Hon. JOHN GRAHAM:** Obviously, there are ventilation issues in the tunnel and there are evacuation issues in the tunnel. This is the Transport advice to me. Some of those matters are more easily dealt with on surface roads. That's one of the reasons why, as I understand it, the Transport advice has been to take measures on the surface roads, not to have cars significantly queueing in the tunnels. However, I've taken the Transport advice on these matters. I would welcome your inquiries to the officials directly, either this morning or this afternoon.

**The CHAIR:** Given that the chaos is still happening—even this morning it was reported how congested that is—wouldn't you consider at least testing a solution that involves the traffic in WestConnex? I've heard and seen myself that the traffic flows very freely through there. Of course, there are merges in these tunnels sometimes anyway to get to different lanes, to exit and what have you. Sometimes they've formed one lane in different areas of the tunnel. That's one excuse, Minister, but is it also coming down to the fact that Transurban just won't allow that to happen and they don't want people to be disincentivised to use that WestConnex because of the amount of money that Transurban is getting and the contract that was signed by the former Government? How much does that play into it?

**The Hon. JOHN GRAHAM:** I don't believe that's a concern. If it was, I would be public about it. The advice to me is that that's not the constraint here. It's a safety constraint, not a contract constraint. Again, you're welcome to inquire further.

**The CHAIR:** There have been accidents, though, with people merging and with the situation that's happening on Iron Cove Bridge and Victoria Road with the congestion. That's also creating safety issues because of how congested it is, I understand.

**The Hon. JOHN GRAHAM:** I would agree with that. However, obviously, the evacuation conditions inside a mainline tunnel do create constraints and concerns from a traffic management point of view. As I understand it—but you're welcome to ask them directly and accept the advice directly—that is one of the reasons for safety concerns. We are looking for solutions. There have been a number of changes, including physical changes, to the design of the Rozelle interchange 11 days after it opened. Those have made a difference and we're

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continuing to see improvements. But that change that you're asking about has not been recommended to me. If it was recommended, I would be open to it, but it hasn't been the recommendation of Transport.

**The CHAIR:** There's potentially a reason why it hasn't been a recommendation of Transport. Would you, as Minister, ask your department why they haven't recommended to look into it more thoroughly and potentially to test that as well? The question as well that I have this morning is how long are people still waiting, for example, in the streets of Balmain and the streets of Lilyfield? How much are their trips still delayed? I was speaking to people just on the weekend who were telling me that it had added 25 to 30 minutes to their journey. Sometimes those inner streets in those suburbs are still clogged. That doesn't sound to me like it is working enough. People are absolutely furious about the opening of this and how much it has impacted on their lives. Surely, just considering all solutions and weighing up the benefits and risks of each is what the community wants to hear and be assured that you've done.

**The Hon. JOHN GRAHAM:** I think that's a very good statement of exactly the position the Government has taken. We're looking here for the best answers possible to make this interchange work. It's quite clear that there are large traffic volumes going through here. I don't agree that it hasn't improved and the latest information—I can give you some of this—about the journey time data has seen improvements, for example, including on that Victoria Road via the Gladesville Bridge to the Anzac Bridge period. We're seeing journey times drop at the worst times to 19 minutes, for example, on Monday 26 February, and up to 37 minutes on 27 February.

**The CHAIR:** What is that journey, did you say?

**The Hon. JOHN GRAHAM:** This is Victoria Road via the Gladesville Bridge to the Anzac Bridge in the a.m. peak. That's probably the focus of the attention at the moment. That's certainly much better than it had been. That reflects some of the changes—11 days after opening, changes to the City West Link to add additional lane spacing means we've seen changes to the light phasing, particularly that has improved things on the Balmain-Rozelle peninsula. And I'll just mention, thirdly, the public release of data, which the community has called for, which has enabled people to move their trips slightly.

**The CHAIR:** Have you seen the contract that was signed with Transurban in relation to WestConnex? Have you, as the newish—a year now—roads Minister, seen it?

**The Hon. JOHN GRAHAM:** I haven't read the contract. I've certainly examined the summaries of it closely in opposition. I've been advised closely on it, in particular, in relation to the questions you're asking about: Does it constrain any decisions that the Government could make here while in government?

**The CHAIR:** Just to be very clear, if have you seen that contract—I'm not asking for legal advice in terms of reading and understanding every single clause. But you've read it. You understand it. Is there anything in that contract that prevents restricting the movement of traffic, the numbers of traffic, through that tunnel? Is there anything in that contract that says, "Don't disincentivise how much traffic comes through," whether it's by changing the way traffic moves through that tunnel, whether it's by the entry points, or doing anything in terms of restricting or changing the flow of traffic through the side streets so they have to enter the tunnel? More money for Transurban, a very, very rich global company that a lot of Sydneysiders are paying a hell of a lot of money to—and the Government, now. Is there anything in that contract that does that?

**The Hon. JOHN GRAHAM:** The advice to me is "no", but you're welcome to inquire further. If it was, I'd be very happy to be public about that constraint. In order to deal with this issue, the Government has had to take control of some of these contracts, and we've been prepared to do that. The best example is the construction contract for the City West Link. In order to make those changes after 11 days after opening, the Government took control of construction, in order to make those changes quickly, from the contractor. If there is a case for the Government to step in based on the advice of Transport, I'm very open to doing that to drive these changes quickly. But the advice to me on the matter you're asking for was that that is not a constraint.

**The CHAIR:** The advice to you—let's go to that. Who has provided the advice, in terms of the bureaucrats? Who has read that contract to the letter?

**The Hon. JOHN GRAHAM:** I might hand to the secretary.

**The CHAIR:** Who can provide 100 per cent assurance—or not—and an answer to my previous question in relation to disincentivising the number of cars and vehicles that travel through that WestConnex tunnel in the contract that was signed with Transurban?

**JOSH MURRAY:** We have sought specific advice on that element of the contract when it obviously was raised through December last year. There were a number of inquiries around that matter. The advice to me from our legal teams in reviewing the contractual dealings with Transurban over the years to delivery is that, while there are elements of consultation that occur as part of that contract, Transport for NSW and the Government

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remain in charge of the surface roads and the traffic controls in regards to that. So it does not impact on flows in or out of the tunnel network.

**The CHAIR:** Transport remains in control of the traffic flow. Just to answer my question very directly, you got legal advice in relation to that part of the contract, which sounds like—obviously the contract's pretty complicated. What does the contract say in terms of what the Government can't do in relation to traffic going into the tunnel? I feel like they were words to potentially get around something, to be honest, Mr Murray. Just to talk straight here, the community really wants to know this.

**JOSH MURRAY:** My advice is there are no restrictions to the basis that you're suggesting that would limit our decision-making around traffic management around the tunnel, and that was a specific question asked at the time.

**The Hon. MARK BANASIAK:** Welcome, Minister. Just to go to some of your comments in the media after this road safety forum where you talk about—a small section of the community has become used to questioning the rules during COVID and, in some cases, outright flouting them. And then you go on to say that the department is researching if cooks who think the rules do not apply to them are part of the problem. Do you have any data on these so-called cooks that you're prepared to table for the Committee, or are you doing what we now know as "a Moriarty" and making decisions based on feelings and emotions?

**The Hon. JOHN GRAHAM:** I appreciate the question, because, obviously, as you've heard, we are looking at why the road toll is rising. We're seeing the traditional elements that we've seen in the past—they're things like speed, fatigue, drink and drug driving. They're all problems. But we are concerned—I am concerned—post-COVID that we're seeing people who might have ignored the rules during COVID, might have flouted the rules during COVID, doing so on our roads. This can be a tiny—

**The Hon. MARK BANASIAK:** Haven't we always had that small element of our community that have flouted the rules? I put this question to the regional transport Minister, and she couldn't actually produce any data. She just made some loose reference to police giving her some information, and she gave the example of one driver that had 35 demerit points. We've always had those drivers that will rack up those demerit points—that small minority that will always do the wrong thing. Where's the data to show that that has increased because of these so-called cooks during COVID who have then carried on with this rule-breaking behaviour? Do you have any data to show that this has actually increased in that mentality?

**The Hon. JOHN GRAHAM:** I will come to the research. What I was trying to describe was this effect, where a very small number of people might be responsible for a large number of incidents, and that is the evidence from the Centre for Road Safety to me. I will be happy to be corrected by Bernard later in the afternoon, but it's possible that just 3 per cent of drivers are responsible for 25 per cent of the incidents. That gives you some sense of how a tiny group might be impacting on the road toll here. A concern is if people aren't wearing seatbelts and they're excessively speeding because they don't believe they have to follow the rules, it could be driving up the road toll. That's one of the things that Transport is researching. We do have some evidence—

**The Hon. MARK BANASIAK:** Maybe through you to Mr Carlon: How are you actually identifying these so-called cooks? How are you profiling a cooker?

**The Hon. JOHN GRAHAM:** Can I just give you one bit of evidence and then hand to Mr Carlon? We have had some research by Ipsos as part of that examination of exactly what's going on here, which is showing the various segments of drivers, including a disconnected segment. It has got the second-highest risk behaviour profile. It has flipped post-COVID from female to male. It has got less awareness of the road safety campaigns that we're seeing, and it is the cause of mobile phone speeding and drink driving offences—so traditional offences. But the question is, post-COVID, do we have a small number of drivers flouting the rules, not following the rules? It was certainly one of the things discussed at the road safety forum.

**The Hon. NATALIE WARD:** What are you doing? It's all talk.

**The Hon. JOHN GRAHAM:** I've made it clear, if that is the case—

**The Hon. MARK BANASIAK:** But are they cooks? Have you checked their Facebook profiles to see whether they're posting conspiracy theories? What are you basing this cooker comment on? Colloquially, the cooker has been tied to conspiracy theorists that hide in their mothers' basements and that post stuff on Facebook. How are you tying that to this small group of people that have traditionally always broken the rules?

**The Hon. JOHN GRAHAM:** You've heard the secretary's evidence in that earlier session about a small number of people handing in their numberplates because they believe they might be sovereign citizens.

**The Hon. MARK BANASIAK:** How many have handed in their numberplates?

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**The Hon. JOHN GRAHAM:** My concern is people not wearing seatbelts. Seventeen per cent of people not wearing—

**The Hon. MARK BANASIAK:** Sorry, Minister. How many have handed in their numberplates?

**The Hon. JOHN GRAHAM:** You will have to ask the secretary that. Seventeen per cent of people—

**The Hon. MARK BANASIAK:** I'm asking you. Can you get the secretary to answer that if you don't have the answer?

**The Hon. JOHN GRAHAM:** Do you want to refer to your earlier evidence?

**JOSH MURRAY:** I'm happy to, Mr Banasiak. As I said to the Committee last week, early upon taking on the reins as Transport Secretary, I received a package which contained numberplates. I've had numerous emails and messages left in my office about people who wish to declare—

**The Hon. MARK BANASIAK:** How many numberplates did you receive?

**JOSH MURRAY:** I received one set, which I said last week.

**The Hon. MARK BANASIAK:** One?

**JOSH MURRAY:** And I received numerous emails about—

**The Hon. MARK BANASIAK:** That's not really cause for concern that we've been overrun by sovereign citizens.

**The Hon. JOHN GRAHAM:** And I'm not putting that point. What I am saying is 17 per cent of people are being killed because they're not wearing their seatbelts. My view is a seatbelt is not a restraint on your civil liberties. It's actually common sense. That's my view. I don't understand why people aren't wearing their seatbelts, and that is something we're seeing.

**The Hon. NATALIE WARD:** Bring in the enforcement.

**The Hon. JOHN GRAHAM:** If it's a result of cooker culture, we want to know, and we'll take action. But that's my concern.

**The Hon. MARK BANASIAK:** I just want to see the data to back that up. I would hate to think that we're making decisions without data. That's the fisheries Minister's job.

**The Hon. JOHN GRAHAM:** I would be happy to table this evidence for the Committee. But it's something that we're researching. There is more research required here. I don't want to say this is a concluded topic; it certainly isn't.

**The Hon. MARK BANASIAK:** No.

**The Hon. JOHN GRAHAM:** But I'm making these inquiries as a result of hearing direct from police at the road safety forum, as a result of some of this Ipsos research and as a result of their data that's flowing through about how people are dying on our roads.

**The Hon. MARK BANASIAK:** Are there any other groups that you're profiling? Karen's, maybe? They're generally prone to road rage, I'd imagine.

**The Hon. JOHN GRAHAM:** I can't speak to the full profiling but I'd be happy to make sure the Committee is briefed.

**The Hon. MARK BANASIAK:** I will go to the road safety forum, Minister. Something that's been raised with me by some of the participants who participate in a lot of these forums, particularly your heavy vehicle drivers, is that they give up a lot of their time. Time is money for heavy vehicle drivers. In some cases, if they have to attend a whole day, that could potentially cost them close to \$1,000 in expenses. Has there been any thought given to providing some of these people, who are essentially the only ones there who aren't getting paid to give their expert advice, some sort of allowance or subsidy to take that time off to actually provide you with that advice?

**The Hon. JOHN GRAHAM:** Look, it's a really good point. I spoke to some of those people, obviously, at the forum and I've dealt with them previously. We're really grateful to have—you need operators in the room. We've got some of the best road safety experts from around the country but I want to hear direct, particularly from some of our heavy vehicle drivers. I really appreciate—

**The Hon. MARK BANASIAK:** But that expert advice comes at a cost to them. If they're doing it all the time—

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**The Hon. JOHN GRAHAM:** Yes, it's a good point. I'd be happy to take that on notice. That's something we might look at as we're working in this area. But their input was hugely appreciated.

**The Hon. MARK BANASIAK:** I might go to some questions on the Powerhouse. Minister, what's the maintenance expenditure for the Powerhouse Museum, Ultimo campus over the last five years?

**The Hon. JOHN GRAHAM:** I'd have to hand over to the Powerhouse, to Lisa Havilah, to be able to speak about the actual expenditure. Let me put it in this order: There are maintenance issues at the Powerhouse. There have been community concerns that perhaps the maintenance spending has not been as high as it should be. I can't necessarily vouch for that, but I understand that community concern. Regardless, it is in a state where an investment is needed.

**The Hon. MARK BANASIAK:** Sure. If Ms Havilah can come up, we can maybe hear some of that great data.

**LISA HAVILAH:** I'll have to take the figures on notice, but I can report that we have had an ongoing maintenance program that has been consistently applied and we have had capex money. We have done work on mechanical; we've done work on building maintenance. That's been an ongoing program. The problem is that in the last up to 40 years the museum has operated on that site, unfortunately the mechanical has now come to end of life. There are major structural issues with the building and it's not in a state now that can safely house the Powerhouse collection and provide a good experience for our audiences.

**The Hon. MARK BANASIAK:** You've had a regular maintenance budget or expenditure the whole time. Was there any planning put in place for this inevitable end of life beforehand? One would hope if you're doing a budget for maintenance or doing a budget for anything, you would factor this in and build something into the budget to actually cope with this end-of-life expenditure or increase of expenditure. Was that done, to your knowledge? Under your tenure—I think you came in 2018, is that correct?

**LISA HAVILAH:** It was 2019. Over the last five years it has been about maintaining the building, but we've also been working towards developing options for government to consider for the revitalisation of the museum so it can be carried forward for the next hundred years. A lot of our planning has been focused on that.

**The Hon. NATALIE WARD:** Minister, can we go to tolling? When will the next report be available for the tolling review?

**The Hon. JOHN GRAHAM:** You're referring to the interim report for the tolling review, I think?

**The Hon. NATALIE WARD:** When will it be available?

**The Hon. JOHN GRAHAM:** It'll be available shortly. I won't be—

**The Hon. NATALIE WARD:** What does "shortly" mean?

**The Hon. JOHN GRAHAM:** We'll make that clear in a short amount of time.

**The Hon. NATALIE WARD:** When?

**The Hon. JOHN GRAHAM:** But I don't think you'll have to wait too long for that report.

**The Hon. NATALIE WARD:** Will it be this month or next month?

**The Hon. JOHN GRAHAM:** It will be an important update when it comes to the tolling discussion, and one I'm very keen to have.

**The Hon. NATALIE WARD:** We've done a review—we've done lots of reviews—but we don't have a time line. Are you holding on to it until after estimates?

**The Hon. JOHN GRAHAM:** Ms Ward, we have continued your review. Importantly, I want to recognise the very valuable work that was done by Treasury and Transport. What we've simply done is called for help. We've called in Allan Fels, a tough customer, to help supervise this work.

**The Hon. NATALIE WARD:** I'm going to redirect because I do have limited time.

**The Hon. JOHN GRAHAM:** This is your review that I'm happily continuing.

**The Hon. NATALIE WARD:** Have you received it?

**The Hon. JOHN GRAHAM:** The Government has received the interim report and it will be released shortly.

**The Hon. NATALIE WARD:** But you can't say if that's this month or next month?

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**The Hon. JOHN GRAHAM:** I'm not going to go beyond that statement, but you won't have to wait too long, Ms Ward.

**The Hon. NATALIE WARD:** So you're holding on to it. Can you provide an update on any specific work that is currently being undertaken in relation to that work, or is it just another review and another talk?

**The Hon. JOHN GRAHAM:** No, I can. The Government's approach has been relief, then reform. That's essentially the model. I'm happy to update the Committee that, as promised, on 1 January that important toll relief came into place, the toll cap of \$60 a week for motorists.

**The Hon. NATALIE WARD:** I'm going to get to that.

**The Hon. JOHN GRAHAM:** But also the truck tolling, which is taking place. Both of those measures are in place now from 1 January.

**The Hon. NATALIE WARD:** Can I break those down then. Is it still the intention of the Government to honour contracts entered into, or is contract negotiation an option?

**The Hon. JOHN GRAHAM:** You're referring to the motorway contracts with the private toll operators, are you?

**The Hon. NATALIE WARD:** Tolls, yes.

**The Hon. JOHN GRAHAM:** I'm not going to speak to part of the interim tolling review. I'd like to update the public altogether on that. The independent reviewers will certainly make it clear what their recommended options are for government. We'll take those very seriously.

**The Hon. NATALIE WARD:** You're the Minister. What's your intention? Will you honour the current contracts or are you going to renegotiate them?

**The Hon. JOHN GRAHAM:** I recognise that there are contracts in place—contracts that last until 2060—and I recommit the Government to providing important public details about those contracts.

**The Hon. NATALIE WARD:** Allan Fels ruled that out, though.

**The Hon. JOHN GRAHAM:** I don't accept the Treasury position that these contracts should be secret until 2060 and beyond. I don't accept the position of the former Government.

**The Hon. NATALIE WARD:** But let's talk about your Government, because you're 12 months in. Allan Fels ruled that out. Is your position different to his? Is it now on the table that you're going to renegotiate those contracts?

**The Hon. JOHN GRAHAM:** I'm not going to canvass individual options without the benefit of having that interim report out in public.

**The Hon. NATALIE WARD:** So rule it out.

**The Hon. JOHN GRAHAM:** That's exactly why we're going to release that report.

**The Hon. NATALIE WARD:** So you're not going to rule it out. At what point do you intend to have the toll reform complete?

**The Hon. JOHN GRAHAM:** I think one of the things that was clear in anything I've said, but it will really become clear as we bring this work out in the public, is that this will not be an easy reform path. To significantly reform these points, for exactly the reason you're outlining, Ms Ward—these are under contract until 2060—will be difficult, but I believe it's also necessary. One of the updates for the Committee since the last time we met is that \$123 billion cost that these contracts exist with that drivers are still yet to pay between now and 2060.

**The Hon. NATALIE WARD:** Minister, I'm going to redirect you just to be specific on that, because you said previously, before the last election, and you did a press conference with Allan Fels early in the Government. You've talked about when that will be. Tell us now, when will that occur?

**The Hon. JOHN GRAHAM:** You will have to be specific about what you are referring to.

**The Hon. NATALIE WARD:** When will the toll reform be complete? You talked about it a lot before the election and you stood with Allan Fels and said it would be done. We still don't have a date and we are 12 months in. You've got good intentions and concerns and a lot of talking and paying Allan Fels and other experts. When will the toll reform be complete? Will it be complete before the 2027 election?



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**The Hon. JOHN GRAHAM:** Ms Ward, we will release that interim report shortly. It will set out the options and the paths, and the Government will deliver on those commitments, just as we did when we promised we would have toll relief in place by 1 January. That is now delivered. I look forward to doing the same thing on the reform path. I'm not saying it will be easy. I'm not saying it will be quick. I am saying it is absolutely necessary given the contracts that are in place.

**The Hon. NATALIE WARD:** Will you deliver reform before 2027, as was your commitment?

**The Hon. JOHN GRAHAM:** The interim report will set out the path forward, but, yes, I absolutely want to see reform before 2027. I don't want to predict what the path will be.

**The Hon. NATALIE WARD:** You've committed to it, though. You've already done that. The horse has bolted. You've committed to the reform being done by 2027. Are you now shying away from that or doing another review?

**The Hon. JOHN GRAHAM:** We are continuing the work on your review, Ms Ward, and I look forward to your reception of the interim toll report.

**The Hon. NATALIE WARD:** I just want to see it. We all do.

**The Hon. JOHN GRAHAM:** Along with Australia's toughest customer presenting it.

**The Hon. NATALIE WARD:** We don't have a guarantee. Is it your intention to provide a no worse off guarantee to motorists in future in respect of the toll reform?

**The Hon. JOHN GRAHAM:** Ms Ward, we've got to do this in order. We've got to release the report before you can quiz me about the contents. You're inviting a government response to a report that hasn't been made public. The Government will respond, but it won't do it before the report.

**The Hon. NATALIE WARD:** Minister, this is your opportunity. You've talked about toll reform. You made a commitment prior to the election. You stood with Allan Fels. You've done the press conferences. You've said toll reform would be a landmark of your Government. You're now the Minister. You're 12 months in. When will we see this and when can you guarantee to motorists that they'll be better off and there will be a no worse off guarantee?

**The Hon. JOHN GRAHAM:** The commitments we made at the election to relief, the commitments we made at the election to reform will be delivered. I'll be happy to spell out the Government response to the interim report once it's made public.

**The Hon. NATALIE WARD:** You've got the report. You've read the report. You could make a commitment right now that motorists won't be worse off. Will they be worse off under Labor?

**The Hon. JOHN GRAHAM:** I think it's unreasonable to ask the Government to respond before the report is released. That's the traditional position of governments, including your Government, Ms Ward, and I won't be changing it this morning.

**The Hon. NATALIE WARD:** Your toll reform is just media management, isn't it, Minister?

**The Hon. JOHN GRAHAM:** I reject the assertion in your question.

**The Hon. NATALIE WARD:** Will drivers pay more under Labor?

**The Hon. JOHN GRAHAM:** I reject the assertion in that question.

**The Hon. NATALIE WARD:** It's not an assertion; it's just a question. Will drivers be worse off under Labor? Will you commit now that there will be a no worse off guarantee?

**The Hon. JOHN GRAHAM:** Drivers will absolutely be better off under toll reform. Otherwise we won't be proceeding with the particular recommendation.

**The Hon. NATALIE WARD:** You'll guarantee that?

**The Hon. JOHN GRAHAM:** It's a very difficult task. I want to underline that, but it's very necessary, given the sheer amount that people have been asked to pay—in today's dollars, \$123 billion. Ignoring what we've paid already, that's how much drivers are on the hook for.

**The Hon. NATALIE WARD:** Let's go to that then. Let's talk about relief. How much relief has been accumulated on the Government's \$60 toll cap this year?

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**The Hon. JOHN GRAHAM:** We've got early figures. Obviously, drivers can't apply and receive that money until April, so we'll have better figures later. I'd be happy to update the Committee at that point. We do have some early indications that I'm very happy to alert you to.

**The Hon. NATALIE WARD:** What are the early figures?

**The Hon. JOHN GRAHAM:** That is that around about 200,000 drivers might be eligible in January—as those figures have started to roll through. I expect that number will increase. We'll certainly have more data as we hit April.

**The Hon. NATALIE WARD:** What is that in dollars? How much is that costing?

**The Hon. JOHN GRAHAM:** We don't have that information yet before people have actually claimed in April. There will be data, which is available to the Committee, but it'd be unreasonable to expect it before April, when people are claiming, after the first quarter. In place from 1 January, but we need the first quarter to have taken place before—

**The Hon. NATALIE WARD:** Sure. But you've got a number there, early indications. Have you been briefed on the numbers and what this will cost the Government? Surely Daniel Mookhey is asking you. You've got 200,000 eligible drivers. What is this going to cost?

**The Hon. JOHN GRAHAM:** I've certainly been briefed on these figures. I'm providing the figures I've been briefed on. We'll examine the cost as part of the budget process in the ordinary way.

**The Hon. NATALIE WARD:** Will you provide that number? Have you been told how much it will cost? Your toll relief scheme—how much is it costing?

**The Hon. JOHN GRAHAM:** It's too early to say what the cost will be, particularly until we hit that April period. But I'll be happy to update the Committee.

**The Hon. NATALIE WARD:** Can you provide that on notice to the Committee in relation to January? What have you been told it will cost so far?

**The Hon. JOHN GRAHAM:** I'm happy for you to ask any of the officials this afternoon or perhaps even now if you'd prefer.

**The Hon. NATALIE WARD:** But, Minister, you said you've seen a number.

**The Hon. JOHN GRAHAM:** I've provided to you the figures that have been supplied to me.

**The Hon. NATALIE WARD:** You said you've seen a number: 200,000 drivers. What is the dollar figure? Or can Mr Murray answer that?

**The Hon. JOHN GRAHAM:** Let me put it to you this way. It's well within the budget, but I'll refer to the secretary.

**JOSH MURRAY:** The January figures—obviously, we're mapping those through at the moment because January is a lower traffic month, as the Committee is aware. It would be wrong for us to do full calculations based on that month, but we're working through that in the modelling. As you're aware, \$561 million over two years has been made available for the \$60 toll cap.

**The Hon. NATALIE WARD:** On the early indication, will you take it on notice to provide this Committee with that number? You've clearly got a number of what it will cost. Some 200,000 drivers are eligible. What will it cost the taxpayer? Will you take that on notice and provide that to the Committee?

**JOSH MURRAY:** We can take that on notice, but I'd just remind the Committee that it is 200,000 tags for those motorists, which will have a range of different impacts once they have reached the toll cap.

**The Hon. NATALIE WARD:** How much has been accumulated as of today?

**JOSH MURRAY:** That's what we're modelling at the moment.

**The Hon. NATALIE WARD:** You'll take that on notice?

**JOSH MURRAY:** Yes.

**The Hon. JOHN GRAHAM:** But I do want to just stress that caution about using January as a guide, because it is a lower traffic time for the city. But we're providing you the information that we do have.

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**The Hon. NATALIE WARD:** Sure, but either you know or you don't know. You've got a number. This is budget estimates. This is a dollar figure that's costing taxpayers on your policy. We don't know how much taxpayers are spending on your policy and you won't tell us, is that right?

**The Hon. JOHN GRAHAM:** That's why the secretary has offered to get that information for you.

**The Hon. NATALIE WARD:** Will you provide that on notice to this Committee, a dollar figure?

**JOSH MURRAY:** Yes, we'll provide the updated figures.

**The Hon. NATALIE WARD:** We look forward to that. How much has been accumulated for the truck cap this year?

**The Hon. JOHN GRAHAM:** I haven't been briefed on the truck cap multiplier expenses, but we're happy to provide that detail if we've got it.

**The Hon. NATALIE WARD:** Minister, we want to know how much taxpayers are paying. How much are we paying for this landmark policy of yours? You haven't been briefed?

**The Hon. JOHN GRAHAM:** It's very early months in this policy. I'm happy for the secretary or the agency to provide information we do have. Anecdotally I can inform you that it has assisted greatly in that problem that we're trying to tackle here on Forest Road and Stoney Creek Road, where we did have trucks off these tunnels and onto suburban streets. But we're happy to get that detail for you.

**The Hon. NATALIE WARD:** Minister, it just seems your eyes are off the road and they're now off the budget as well. What are you looking at? Where are the numbers? Where are the dollar figures? This is budget estimates; I would've thought you'd come here ready, willing and able to provide these numbers to budget estimates, particularly having sat on this side of the table.

**The Hon. JOHN GRAHAM:** Ms Ward, we'll be happy to get you the details that you're asking for.

**The Hon. NATALIE WARD:** All right. Let's go to Rozelle interchange. Minister, Channel 7's Sarina Andaloro—an eminent investigative journalist—reported last week that your secretary was reported to have said that Transport for NSW had a series of own goals regarding the opening. Do you agree with that assessment?

**The Hon. JOHN GRAHAM:** I haven't seen those comments myself from the secretary, and the secretary can speak for the agency. I want to thank Transport, in particular staff of the Transport Management Centre, for the work they've done managing this. It's been a very big effort from Transport. It has had a real impact on drivers. I've been really up-front about that, but there have been a set of changes that have improved how traffic is flowing through that interchange.

**The Hon. NATALIE WARD:** Secretary, I might direct to you. You're reported by Sarina Andaloro to have said that—a series of own goals. That's correct, isn't it?

**JOSH MURRAY:** That's correct.

**The Hon. NATALIE WARD:** Minister, do you agree with Mr Murray's text about the own goals?

**The Hon. JOHN GRAHAM:** The secretary can speak for himself, as can the agency. I have made it clear: I'm very sorry for the impact on drivers, particularly in the early weeks of this project. Things did improve quite significantly, both on the City West Link and on Victoria Road, as we've made physical changes to the design of this intersection 11 days after it opened. But there are still more improvements I'd like to see.

**The Hon. NATALIE WARD:** Minister, was the opening perfect or were there own goals in the opening?

**The Hon. JOHN GRAHAM:** I really don't want to point the finger at Transport or at the former Government for their roles here. I see my job as Minister as getting on and driving the fix here. That's what I'm focused on. It's not blaming anyone for this situation that we're in. I'm doing my best to make sure the public is informed. I did that from mid-last year, where I said there would be traffic problems locally here. I haven't claimed that this interchange will solve a whole lot of problems. We've tried to be up-front and communicate with the public what's going on.

**The Hon. NATALIE WARD:** Let's go to that then. Channel 7 reported that your talking points from the department stated delays would be "five to 10 minutes on opening". Was that talking point consistent with your advice at the time—five to 10 minutes?

**The Hon. JOHN GRAHAM:** My advice was probably more conservative than that, and certainly the warning I issued mid-year to the public was more conservative than that. I was concerned about bigger delays,

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based on the briefings I'd had. That's why I was up-front with the public. Certainly I couldn't understand, and I still can't understand, claims that have been made previously that traffic might drop 50 per cent on Victoria Road. I was never briefed that that might be the case. It was always the case that I was informed there would be local traffic impacts. I can't understand why there were former Government claims that there might be 50 per cent less traffic on Victoria Road.

**The Hon. NATALIE WARD:** If you had that advice, why was it in your talking points then, that it would only be five or 10 minutes?

**The Hon. JOHN GRAHAM:** That's a question best directed to the agency. All I can speak to are the briefings I received when I was querying these details closely and what I've said in public.

**The Hon. NATALIE WARD:** The talking points didn't reflect the advice. Was that active misinformation to the community about the delays to be expected?

**The Hon. JOHN GRAHAM:** I can't speak to the talking points. I can only speak to what I've informed the public of, and it was a more serious concern than that.

**The Hon. NATALIE WARD:** Mr Murray, you might answer. Are the talking points inconsistent with the advice? Clearly they are. Was that a deliberate step to mislead the public?

**JOSH MURRAY:** No. I think you're referring to a set of media talking points that were prepared before the opening. That was certainly never the advice that we gave in multiple press conferences and public statements. We always talked about significant impacts for the inner west for a six-month period, including here at estimates last time.

**The Hon. NATALIE WARD:** Mr Murray, your department prepared the advice and your department prepared the talking points. They were clearly in there and you are saying no-one is responsible. The public were not told. The five to 10 minutes was clearly active misinformation, wasn't it?

**JOSH MURRAY:** No. The page you are referring to is one set of talking points that don't correspond with comments made by the Minister, myself, the coordinator general or others during the lead-up to the opening.

**The Hon. NATALIE WARD:** Talking points are generally prepared before an opening for the purpose of the opening to inform people of the facts of what's going to happen. This was a very serious miscommunication, wasn't it? Five or 10 minutes is not an hour and a half when people are kept waiting.

**JOSH MURRAY:** That's not what we communicated.

**The Hon. NATALIE WARD:** I will move on to the aerotropolis. How much funding has your Government invested into the aerotropolis roads since coming into office?

**The Hon. JOHN GRAHAM:** We have certainly increased funding to Western Sydney roads since coming into office. We made a range of election commitments. Many of them were centred around this part of Sydney and we have increased funding in this budget.

**The Hon. NATALIE WARD:** I'm not asking about Western Sydney. I'm asking about specifically new funding, not funding continued from our previous budget or the previous budget of yours, specifically about the aerotropolis.

**The Hon. JOHN GRAHAM:** I will be happy to get you some information on that. I can make it clear that not only have we delivered on the commitments we made; we have also increased funding in this last budget in a range of these areas, including around the aerotropolis.

**The Hon. NATALIE WARD:** Can you name the roads around the aerotropolis that you have funded in new funding under your Government?

**The Hon. JOHN GRAHAM:** Yes, I can come to some of that detail.

**The Hon. NATALIE WARD:** What are they?

**The Hon. JOHN GRAHAM:** Probably the one that has been highest on my desk, if that's the right way to put it—and it probably isn't—is our concerns around Elizabeth Drive. It really is the key road that's really going to open up the aerotropolis area.

**The Hon. NATALIE WARD:** New funding to Elizabeth drive. What else?

**The Hon. JOHN GRAHAM:** We committed \$200 million to that—

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**The Hon. NATALIE WARD:** That was funded under the previous Government. My question is what new funding have you provided to roads around the aerotropolis? We funded Elizabeth Drive.

**The Hon. JOHN GRAHAM:** I will indicate that, yes, it's true that the former Government committed to funding Elizabeth Drive. We have put that money in the budget. We have funded that work. It's underway.

**The Hon. NATALIE WARD:** Can you name one road that your Government has funded around the aerotropolis with new funding?

**The Hon. JOHN GRAHAM:** One of the other key commitments that certainly I was very keen to see was on Fifteenth Avenue. This is an important transit corridor that will be really important, particularly to opening up the aerotropolis to the workforce who need to get there. I think we learnt during COVID that much of the workforce is centred in that south-west area, but we need to be able to get them to the airport when it opens.

**The Hon. NATALIE WARD:** But getting them there requires the delivery funding. Fifteenth Avenue is planning funding only. Are you committed to new funding for actually delivering on Fifteenth Avenue? Planning doesn't get you there.

**The Hon. JOHN GRAHAM:** We are working through the traditional way that Transport would deal with these roads. Before we commence construction, we start the planning. That's exactly what we are doing here with Fifteenth Avenue.

**The Hon. NATALIE WARD:** What new funding are you providing for delivery?

**The Hon. JOHN GRAHAM:** I was pleased to have that funding confirmed in the budget. One of the other—

**The Hon. NATALIE WARD:** Well, it's—

**The Hon. JOHN GRAHAM:** Would you like me to keep going?

**The Hon. NATALIE WARD:** I would like to know what new funding on new projects you have provided under your Government to deliver these roads, not just continuing planning and implementation. I want to see—and these communities want to see—what of these roads you are committed to and what new funding has been provided by your Government. You can't seem to name one. There's no money for delivery, is there?

**The Hon. JOHN GRAHAM:** Another key project is the M7-M12 interchange—

**The Hon. NATALIE WARD:** That was under us.

**The Hon. JOHN GRAHAM:** —along with work on the M12.

**The Hon. NATALIE WARD:** Minister, I did all of that work. I am pleased that you are continuing it but it's not new funding under your Government, is it?

**The Hon. JOHN GRAHAM:** Ms Ward, I want to recognise the work of the former Government that did go into starting these roads. Our job is to continue them, and that's exactly what's happening with funding committed at the election, delivered in the budget and with construction underway. I want to stress the scale of the task, though. This is a very big task and there wasn't enough funding committed. We will have to find more and we will have to commit more in future budgets and that's exactly—

**The Hon. NATALIE WARD:** But you haven't actually done anything, have you? Under your watch, in 12 months, you haven't actually committed anything. I will move on. The Premier previously—

**The Hon. JOHN GRAHAM:** I am happy to recognise the role of the former Government, Ms Ward—

**The Hon. NATALIE WARD:** Sure, thank you. But this is about you.

**The Hon. JOHN GRAHAM:** —but I think it would be fair to recognise that the Government has kept construction moving since coming into government.

**The Hon. NATALIE WARD:** This is about you. I have a few seconds, Minister. The Premier has previously mentioned in public commentary that the Government is spending \$600 million over the next five years on aerotropolis roads. What projects is he referring to? I want to be clear about the projects and costs.

**The Hon. JOHN GRAHAM:** Questions about the Premier's comments are probably best directed to the Premier. I'm happy for you to—

**The Hon. NATALIE WARD:** I'm asking you as the roads Minister.

**The Hon. JOHN GRAHAM:** I'm happy for you to—

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**The Hon. NATALIE WARD:** Aerotropolis roads.

**The CHAIR:** Order! That's it for your questions. Minister, do you have a response to that?

**The Hon. NATALIE WARD:** He doesn't have an answer.

**The Hon. JOHN GRAHAM:** No, I'm happy to continue.

**The Hon. NATALIE WARD:** No new funding.

**The CHAIR:** Order! Minister, this is in relation to St Peters interchange. As a condition of approval for the WestConnex M8, an extension of M4 to Haberfield, 8.5 hectares of parkland was promised to the community on the interchange site as compensation for the impact of the construction and operation of the tollways, which included the removal of hundreds of mature trees and sections of the adjacent Sydney Park. Why hasn't this happened yet?

**The Hon. JOHN GRAHAM:** I have been briefed on the project, and I do have concerns about progress. I might refer to the secretary to get you some details to the specifics.

**The CHAIR:** I am just interested to know your level of detail about that. You do have concerns. Do you know why the delay has occurred?

**The Hon. JOHN GRAHAM:** This project has been delayed, and that's partly as a result of the negotiation with councils—largely, the Inner West Council—and they have been quite vocal about their concerns about the nature of the site.

**The CHAIR:** What does "nature of the site" mean?

**The Hon. JOHN GRAHAM:** This is a former landfill site, and there have been—I don't want to speak for the Inner West Council, but they have been concerned about the state of the land at handover and what future obligations that might bring.

**The CHAIR:** The contamination of the site—Transport for NSW has promised various times over the last five years, or however long it has been, that the contamination is fine, it's going to be dealt with and the site is going to be remediated. Is that a true statement? Is the site okay? Can it be remediated? Has the contamination been cleaned up?

**The Hon. JOHN GRAHAM:** I will refer to the secretary.

**JOSH MURRAY:** We are working with City of Sydney council and Inner West Council to move that project to the next stage. It has been delayed by those concerns, just about the state of the remediation and how that will be managed going forward into the new ownership, but we are at design stage for the handover of that park.

**The CHAIR:** I understand that both City of Sydney and Inner West Council in fact are flatly rejecting to take on those sites because of the absolutely alarming level of contamination, including huge amounts of methane, including huge amounts of PCB. Perhaps you could share and put on the public record now just exactly what is going on on that site in terms of contamination.

**JOSH MURRAY:** I might ask Ms Drover to come in and just provide some up-to-date information on us managing that.

**CAMILLA DROVER:** Can I just clarify the area that you are referring to? Because there are a number of different areas in that precinct.

**The CHAIR:** I think it's the area that was going to be called St Campbells park.

**CAMILLA DROVER:** Is that with a land bridge across?

**The CHAIR:** Yes.

**CAMILLA DROVER:** I will take it on notice. I understand the issues on that particular park do not relate to contamination but more about what the design solution will be. As was stated earlier, there are discussions ongoing with two councils about the preferred solution. But I'm happy just to confirm that and come back to you after the break.

**The CHAIR:** In terms of the contamination, what do you know about the contamination in terms of what is happening with the levels of methane, with the levels of leachate? It was a landfill. Transport for NSW is trying very hard to get it off its books. The reason that the Inner West Council and City of Sydney don't want that is because it's so heavily contaminated. What is the contamination exactly at this point in time?

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**CAMILLA DROVER:** I do accept that that part of Sydney is historically industrial use, and there are many parts of that precinct that are subject to historic contamination. The conditions of approval for WestConnex have very strict management plans in place to manage that contamination. In terms of the methane gas, that is monitored. In fact, at the moment there is additional methane monitoring in place. Those results are publicly available. If there is any exceedence, it is reported to the EPA, but that monitoring continues for the methane. In terms of the leachate et cetera, again, there is a management plan in place and monitoring, particularly to ensure that there is no movement of that leachate. There are areas under Sydney Park and under areas of the WestConnex construction site that are absolutely contaminated based on historical use. There are management plans in place to manage and monitor those contaminants.

**The CHAIR:** Management plans are in place but at this point it's unsafe for the community to go there, six years after they were promised—if you look at the plans for WestConnex, it looks like the Amazon jungle under that motorway. It's so green; it's so lush. There is nothing there now. Is it going to be green and lush? Are the people of St Peters going to get this park, and when?

**CAMILLA DROVER:** I will say a couple of things. I wouldn't characterise it as unsafe. We wouldn't be allowed to keep a site that's unsafe under our conditions of approval. We have to comply with the EPA requirements and those plans. There are some areas of the St Peters interchange that will never be publicly accessible because they're actually part of the motorway.

**The CHAIR:** Thank you, Ms Drover. I will come back to it in the afternoon.

**The Hon. JOHN GRAHAM:** Can I just make one quick observation? There are definitely discussions both about the design and the former concerns about it being a landfill site. The other thing to be up-front about is that obviously the councils, particularly Inner West Council, are concerned after what happened at Rozelle. That's why we've been very focused on that. But that has obviously made this other site harder to deal with in the relationship with the council as well.

**The CHAIR:** To be fair, it was pretty hard before we knew about Rozelle. This has been going on for years.

**The Hon. JOHN GRAHAM:** Yes, I agree, it's a longstanding issue.

**The CHAIR:** There is a connection though, Minister, between the two sites, isn't there, in terms of the same contractor, CPB Contractors, that allegedly had the asbestos in their mulch that was delivered to way too many parks in Sydney? Of course, one is too many. There's a connection there, isn't there?

**The Hon. JOHN GRAHAM:** I would be hesitant to jump to appointing blame while that EPA investigation is ongoing. This is one of the largest EPA investigations that's been undertaken.

**The CHAIR:** Just to be clear, between 2016 and 2020 the licence to clean up that construction material, the contaminated material, was held by CPB Contractors, the same company. That's for those four years. When that project opened they transferred that licence to Transport for NSW—this is in 2020. However, before that these contractors were fined \$445,000 by the NSW Land and Environment Court for emitting odours at the St Peters site for many weeks in 2015 as a result of untreated leachate going into local waterways. Why has CPB Contractors continued to be hired, continued to be contracted? I am aware it's potentially not directly from Transport for NSW but, if it is, why do they continue to get the work when they have such a dodgy track record?

**The Hon. JOHN GRAHAM:** I'll make a couple of comments and then perhaps Mr Murray might like to answer some of those questions about the ongoing relationship. Firstly, I have seen some of those public references to the relationship before so I'm aware of that general issue. Secondly, I think it's best left for the EPA to do its work. Thirdly, I am concerned if someone has turned a buck by having asbestos in this landfill. If someone has made money out of this situation, which has inconvenienced tens of thousands of people across the city, it is appalling.

**The CHAIR:** There was landfill taken from St Peters interchange—asbestos, I understand—to Erskine Park by CPB Contractors. Just in terms of a connection, it's a pretty big one. I'm not saying it's potentially the same asbestos—the very same material, the very same bit of asbestos—but there's a pretty strong connection.

**The Hon. JOHN GRAHAM:** I think we've got to leave to it the EPA and this very significant investigation before jumping to conclusions—

**The CHAIR:** Just quickly then, in terms of you as Minister, does it worry you that there are no procedures in place to pick this up, to spot contractors who are doing this? Transport for NSW knew that they were doing this but they continue to be given contracts. Why is that, does it concern you and will you stop it?

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**The Hon. JOHN GRAHAM:** I certainly think it's not true to say that there are no processes in place. There are very significant—

**The CHAIR:** Clearly there are not processes in place that stopped what happened and that totally inconvenienced so many Sydneysiders.

**The Hon. JOHN GRAHAM:** I agree with that statement. There are strong processes in place. They clearly didn't work in the Rozelle moment, and they should have. This should never have happened, and that's why I fully support the EPA investigating this. But if someone has made a buck by doing this, they should absolutely have the full force of the law brought against them.

**The Hon. ROD ROBERTS:** Minister, I'm going to take you away from Transport for a little while and give you a breather. I want you to put your hat on as Special Minister of State. I want to talk to you about the Independent Commission Against Corruption Amendment (Validation) Act 2015. I believe this was passed into legislation before both you and I were in Parliament, but I'm sure that you are aware of that legislation. Is that correct?

**The Hon. JOHN GRAHAM:** I am aware.

**The Hon. ROD ROBERTS:** Minister, I know that you are aware of the existence at the time of the passing of that Act of the agreement between the Crown Solicitor's Office, ICAC, the New South Wales Court of Appeal and Messrs Duncan, Atkinson, McGuigan and Poole to set aside their corruption findings. I know you know it because I have raised it a number of times in the Legislative Council. Is that correct?

**The Hon. JOHN GRAHAM:** Correct. I am aware that this is one of the issues that, both in the committees of the House and also in the Chamber, you have raised.

**The Hon. ROD ROBERTS:** Minister, I take it that you are aware of the Joint Standing Committee on the Independent Commission Against Corruption 21 November report, *Reputational impact on an individual being adversely named in the ICAC's investigations*.

**The Hon. JOHN GRAHAM:** I'm broadly aware of the report. I wouldn't like to speak to the individual findings and recommendations without being—

**The Hon. ROD ROBERTS:** In that case, I'll take you to one, Minister. The committee consisted of members of the Liberal Party, the National Party, The Greens, One Nation and, of course, your party, the Labor Party. The members of that committee unanimously—and I repeat, unanimously—agreed with recommendation 7 of the report:

That the Independent Commission Against Corruption Amendment (Validation) Act 2015 be amended to put the persons named in the correspondence from the Crown Solicitor dated 23 April 2015 in the same position they would have been in on 8 May 2015 ... had the Validation Act not applied to them.

Minister, you are aware of that particular recommendation because that formed the basis for some of my actions in the Chamber.

**The Hon. JOHN GRAHAM:** Yes.

**The Hon. ROD ROBERTS:** Minister, what's your Government's position at the moment in relation to recommendation 7, bearing in mind the Labor Party supported that recommendation whilst in opposition?

**The Hon. JOHN GRAHAM:** Mr Roberts, firstly I want to recognise that you have played a real role pursuing this issue, and I want to recognise the terms in which you have done it. You see this as an issue of justice for these people. They were certainly unusual decisions by the former Government and the Parliament. This is a matter being dealt with by the Attorney for the Government. The Government has not supported that approach when it has been raised since we have come into government, but those questions are probably best directed to the Attorney.

**The Hon. ROD ROBERTS:** I don't think they are, because I have a letter here from a constituent to the Attorney General, who refers to the fact that he is referring it to you. I will provide you with a copy of that later.

**The Hon. JOHN GRAHAM:** I apologise for that.

**The Hon. ROD ROBERTS:** In fact, I have a copy of it here on Michael Daley's letterhead saying that you are the Minister responsible.

**The Hon. JOHN GRAHAM:** Very good.

**The Hon. ROD ROBERTS:** Anyway, let's move on—so little time, so many questions to ask. Minister, on 14 November 2022 you were a senior member of the then shadow Cabinet. Is that correct?



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**The Hon. JOHN GRAHAM:** Correct.

**The Hon. ROD ROBERTS:** You would be aware then of the briefing note provided to the shadow Cabinet by the then shadow Attorney General, Michael Daley, dated 14 November 2022, in relation to a bill that I introduced and second read in the Legislative Council entitled Independent Commission Against Corruption Amendment (Validation) Bill 2022. In that briefing, in which the shadow Attorney General, Michael Daley, said—I will go straight to the recommendation to save time. The recommendation says:

It is clear that these are serious matters involving the application of the very Rule of Law itself in NSW.

That is why it deserves to be dealt with by the Government after full consideration of the Cabinet acting upon publicly-available advice from the relevant authorities.

It is incumbent on the Government to introduce a bill to right these wrongs as they said they would. It is for the Government to provide advice and assurance to the Parliament that the bill gives effect to recommendation 7 of the Committee and that the state is protected from compensation.

This has not occurred. Instead, the Parliament has been presented with a bill by a member of the crossbench.

Members of the Parliament deserve, (particularly in light of the fact that hugely significant facts were hidden from them with the passage of the Validation Act), to be able to form a judgment on these issues with the full benefit of reliable facts and appropriate advice.

Are you aware of that briefing note, Minister?

**The Hon. JOHN GRAHAM:** It's not the practice to talk about Cabinet matters.

**The Hon. ROD ROBERTS:** You were not in Cabinet—shadow Cabinet.

**The Hon. JOHN GRAHAM:** I would probably apply the same practice to shadow Cabinet.

**The Hon. ROD ROBERTS:** By leave: I table the Attorney General's briefing note.

**Document tabled.**

**The Hon. JOHN GRAHAM:** You are certainly welcome to table that.

**The Hon. ROD ROBERTS:** It was the shadow Cabinet, Minister. I don't think you're protected by Cabinet—

**The Hon. NATALIE WARD:** We're not.

**The Hon. ROD ROBERTS:** You're not, so don't try that one on me. This is not my first rodeo.

**The Hon. JOHN GRAHAM:** You're welcome to table it—

**The Hon. ROD ROBERTS:** I have and I will.

**The Hon. JOHN GRAHAM:** —and it will certainly be taken seriously. I would feel obliged not to comment, though, on matters that I had discussed in the shadow Cabinet as a member of that team.

**The Hon. ROD ROBERTS:** Let's go to this then. You're the Minister responsible for ICAC.

**The Hon. JOHN GRAHAM:** Along with the Premier.

**The Hon. ROD ROBERTS:** But you're Special Minister of State. You have carriage of it. According to the Attorney General in letters to constituents, you have it.

**The Hon. JOHN GRAHAM:** Yes, along with the Premier, I administer the—

**The Hon. ROD ROBERTS:** "I've raised your concerns with the Hon. John Graham, MLC, Special Minister of State, Minister for roads, the arts, music, night-time economy, jobs and tourism and every other thing we can find." But he says that you're the one responsible.

**The Hon. JOHN GRAHAM:** I can't speak to Mr Daley's correspondence. I can confirm that, along with the Premier, I administer the ICAC Act in my role as Special Minister of State.

**The Hon. ROD ROBERTS:** Bearing in mind the Daley briefing in November 2022 that supports the need for action—he says it is incumbent on the Government, the then Liberal Government. He says it needs to be done "to right these wrongs". They were his words. Bearing in mind the Labor Party supported recommendation 7, my question to you is this: What specific actions does your Government propose to take to give effect to the course of action recommended in the Daley briefing?

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**The Hon. JOHN GRAHAM:** The Leader of the Government in our House has spelt out some of the Government's thinking on this matter in the past. But I would be happy to ask Ms Boyd to give a sense of some of the advice to the Government on these matters to give you some sense of why that is the case.

**KATE BOYD:** Hello, Mr Roberts. I think the Government's position on this matter was made clear in 2023 when the validation bill again came up for debate. The Government at that point—

**The Hon. ROD ROBERTS:** Can I rudely interrupt, Ms Boyd? It didn't come up for debate.

**KATE BOYD:** Sorry, when it was foreshadowed to come up for debate. I think that the individuals in this matter had exercised all of their legal appeal rights.

**The Hon. ROD ROBERTS:** They had them snuffed out by the validation Act.

**KATE BOYD:** I think the Government's position was that it clearly does not tolerate corruption in New South Wales and to reverse the findings made against these individuals would clearly be inconsistent with that.

**The Hon. ROD ROBERTS:** You're suggesting that these individuals engaged in corrupt conduct? Is that what you're saying here today?

**KATE BOYD:** I think the factual findings made by the ICAC were clear at the time.

**The Hon. ROD ROBERTS:** Outside their remit and power.

**KATE BOYD:** The jurisdictional question was what the validation Act was aimed at fixing. But there was no dispute that they committed the acts that the ICAC found that they had committed. In substance they had committed what was widely understood at the time to constitute corrupt conduct and there was no government position that that should be reversed.

**The Hon. ROD ROBERTS:** But there was an agreement between the Crown Solicitor, the ICAC, the NSW Court of Appeal—then chaired by our now Governor, the Hon. Margaret Beazley—to set aside those findings. There was an agreement. That was snuffed out by Mike Baird rushing through both Houses of Parliament in one day and having the bill assented to in the early hours of the morning by the Governor. This happened prior to me. Members of Parliament have all said to me, "Had we been made aware of the existence of that agreement, perhaps"—I'm not saying they would have, but perhaps—"we may have taken a different course of action in relation to the bill."

**KATE BOYD:** I can't speculate about particular members' knowledge or views at the time, but I think what we can say is that there is no current intention to reverse those findings for those individuals, as far as I'm aware.

**The Hon. MARK BANASIAK:** Mr Murray, alongside the one licence plate that was handed in by the sovereign citizen, how many driver licences have been handed in under this sovereign citizen protest?

**JOSH MURRAY:** I'd have to seek advice on that.

**The Hon. MARK BANASIAK:** Ms Havilah, how much of this year's capital budget was set aside for maintenance for the Powerhouse Museum?

**LISA HAVILAH:** In 2023 it was \$1.15863 million in reactive maintenance.

**The Hon. MARK BANASIAK:** And this year? Has there been anything applied for this year or have we not applied anything because we're closing it?

**LISA HAVILAH:** No, we're still continuing opex. Apologies. I've got the last five years for you, and I will get that final number straightaway.

**The Hon. NATALIE WARD:** In relation to Fifteenth Avenue, at the last estimates session your deputy secretary, Trudi Mares, confirmed there was no delivery funding for your election commitment to upgrade Fifteenth Avenue and that planning will only be complete in four years' time. Do you think that's in line with your commitment to upgrade Fifteenth Avenue?

**The Hon. JOHN GRAHAM:** As I indicated to you previously, we'll take the traditional approach: first plan the road and then construct it. And that's the case, because this project wasn't underway as a result of the work of the former Government. Other roads were; this one wasn't. That's why we're working through in that traditional way.

**The Hon. NATALIE WARD:** Thank you, but your election commitment—

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**The Hon. JOHN GRAHAM:** Those commitments were made in the first budget. I'm not ruling out what other budgets may undertake over the course of those four years.

**The Hon. NATALIE WARD:** But planning is not an upgrade, is it, Minister? Your commitment was to upgrade Fifteenth Avenue. Will the people of Leppington get an upgraded road by 2027?

**The Hon. JOHN GRAHAM:** I can confirm that the advice at the time from Ms Mares of course would've been accurate.

**The Hon. NATALIE WARD:** Of course. She's very capable.

**The Hon. JOHN GRAHAM:** We will deliver our election commitment in full, and I won't rule out what may occur in the budgets to come under this Government, in relation to Fifteenth Avenue or otherwise.

**The Hon. NATALIE WARD:** But that wasn't your language before the election. You gave an election commitment to upgrade this road. Are you now walking back from that and saying that you can't deliver on your election promise?

**The Hon. JOHN GRAHAM:** We were very specific about the amount of money that was committed to Fifteenth Avenue in that election commitment, and we'll deliver the election commitment in full.

**The Hon. NATALIE WARD:** Will the people of Leppington get a contract awarded before 2027?

**The Hon. JOHN GRAHAM:** I will deliver that election commitment in full is the best way to put it.

**The Hon. NATALIE WARD:** That's construct the road?

**The Hon. JOHN GRAHAM:** You're welcome to go back and look at our election commitment. I can confirm it will be delivered in full.

**The Hon. NATALIE WARD:** I'm asking you now. We've got the opportunity.

**The Hon. JOHN GRAHAM:** It was an election commitment for \$50 million.

**The Hon. NATALIE WARD:** Sure. We've got the opportunity now to clarify it for the people of Leppington. There is not enough money to deliver it. The planning will take four years. Are you saying that they will get a contract awarded before 2027? Are you saying that construction will start or construction will be completed? Let's clear it up right now.

**The Hon. JOHN GRAHAM:** I want to be up-front with you, with the public.

**The Hon. NATALIE WARD:** Let's.

**The Hon. JOHN GRAHAM:** This will require a significant amount of work, this particular corridor, given the importance of the Western Sydney airport. This commitment will be delivered in full. Will it finish the job? Certainly not. There will be more work required here and in other areas around the airport. That's unsurprising, I think.

**The Hon. NATALIE WARD:** I have limited time, Minister. You didn't say Labor will plan Fifteenth Avenue. You said Labor will upgrade Fifteenth Avenue. You said today that you will deliver on that. What does that mean? Will a contract be awarded before 2027?

**The Hon. JOHN GRAHAM:** Ms Ward, we will deliver on this commitment in full.

**The Hon. NATALIE WARD:** How?

**The Hon. JOHN GRAHAM:** That work has already started. It's rolling through. We've got more than three years to go before that has to be delivered.

**The Hon. NATALIE WARD:** You clearly won't.

**The Hon. JOHN GRAHAM:** I can guarantee here today it will be.

**The Hon. NATALIE WARD:** You clearly can't.

**The CHAIR:** Minister, I understand that the Art Gallery of NSW has had to cut \$4 million from its operational costs. The Government has announced \$12 million in one-off funding to fix a \$16 million black hole. How does the gallery cut \$4 million without impacting programs, firstly?

**The Hon. JOHN GRAHAM:** I can confirm some of the broad figures. Yes, it's true that the gallery has worked through and made some changes, and it's of that order: \$4 million. The Government has provided \$12 million since the budget. I've reallocated that as a result of some decisions in the time since, and I've invited

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Ms Carter but I am open to others inquiring as to where from. My concern is that had in part come about as a result of some of the earlier planning that had gone on and the business case, for example, that was in place.

**The CHAIR:** In terms of exactly what is being impacted by those cuts, just to be clear—I understand that there will be redundancies at the Art Gallery, but with that \$4 million, it's either programs or potentially dropping shifts for casual staff. What oversight do you have of this and what is happening?

**The Hon. JOHN GRAHAM:** There's been significant support for the cultural sector, up 11 per cent since 2019, and significant support for the Art Gallery. Of course they've raised publicly, and in this forum, their concern that they need more money. The majority of that has been delivered, but we're now working through and we're going through a process of looking line by line at their budget to see what's required in the long term, and that will answer, I think, where your questions are going.

**The CHAIR:** Okay. I might pursue this in the afternoon as well. Why has the Government not announced exhibitions for the International Art Series yet, which usually happens both at the MCA and Art Gallery of NSW?

**The Hon. JOHN GRAHAM:** I can confirm that funding has been confirmed for both those institutions for the International Art Series. As to whether it's been announced or not, I would actually have to take that on notice. You may well be right but I can confirm that funding has been provided for both those sets of events.

**The CHAIR:** Is that funding in line with what has been given historically over the past few years? Can those galleries expect reasonable—

**The Hon. JOHN GRAHAM:** Yes. It's of the same order of magnitude. I was pleased to be able to reconfirm that. Obviously not all the COVID funding will be continued but in this instance we are still supporting those programs. I can see the value in that.

**The CHAIR:** I also understand that the MCA is considering public entry fees. Is there a reason why that is occurring and do you think that's reasonable?

**The Hon. JOHN GRAHAM:** Yes. The MCA has had very public concerns about their long-running financial issues. I've increased funding since coming in, and indexed funding since coming in, to the MCA specifically. We are, similar to the Art Gallery, conducting an audit of their finances, in this case with the Federal Government because it's a shared responsibility to really get to the bottom of what's required for that institution.

**The CHAIR:** Thank you, Minister. We will now break and be back at 11.15 a.m.

**(Short adjournment)**

**The CHAIR:** Welcome back. We will kick off with questions from the Opposition again.

**The Hon. DAMIEN TUDEHOPE:** Minister, as much as you may not like me coming back to this subject, I will return to Local Small Commitments Allocation. You're aware that this is a program that was only made available to Labor candidates at the time of the election?

**The Hon. JOHN GRAHAM:** Welcome, Mr Tudehope. Before you return to that—and you're welcome to—I might just return to one of the issues that was raised in the first session.

**The Hon. NATALIE WARD:** You can do that at the end.

**The Hon. DAMIEN TUDEHOPE:** Can you do that after?

**The CHAIR:** If you want to do that another time.

**The Hon. JOHN GRAHAM:** Chair, if you want to indicate when it would be a suitable time to do that.

**The CHAIR:** Sure, I can do that.

**The Hon. JOHN GRAHAM:** So, yes, I'm aware of that.

**The Hon. DAMIEN TUDEHOPE:** In respect of that, there is a legislative requirement that those programs be administered pursuant to the *Grants Administration Guide*?

**The Hon. JOHN GRAHAM:** There's a Premier's memorandum in effect that requires that *the Grants Administration Guide* is followed, correct.

**The Hon. DAMIEN TUDEHOPE:** I think it's been brought into legislation, in fact.

**The Hon. JOHN GRAHAM:** The Government has certainly legislated in this area; that's correct.

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**The Hon. DAMIEN TUDEHOPE:** You would be aware that in respect of the *Grants Administration Guide* there is a requirement—I should put to you that this wasn't a competitive merit-based selection process, was it?

**The Hon. JOHN GRAHAM:** That's correct. There are a number of paths that the *Grants Administration Guide* examines and offers as grant programs.

**The Hon. DAMIEN TUDEHOPE:** The *Grants Administration Guide* provides this—and this is an issue which I raised with Ms Boyd on a previous occasion. It provides:

Where a method other than a competitive, merit-based selection process is to be used (including one-off or ad hoc grants), officials **must** document why that method will be used and outline the risk mitigation strategies. This **must** be approved by the responsible Minister (or head of agency or delegate).

Does that document exist?

**The Hon. JOHN GRAHAM:** Yes, it does. I have provided it to the Parliament previously.

**The Hon. DAMIEN TUDEHOPE:** Can you identify, in the list of documents provided to the Parliament, the document that you say complies with that requirement? There's an index there. Can you identify in the index the document that you say complies with that requirement?

**The Hon. JOHN GRAHAM:** I can certainly answer your question. The document was provided to the Parliament on 10 November 2023. You asked me about this matter twice. You asked me in estimates, where I indicated, "I'm advised the relevant document has been provided." You asked me where it was in a question on notice—

**The Hon. DAMIEN TUDEHOPE:** Correct.

**The Hon. JOHN GRAHAM:** —on 16 January, to which I replied, "It was provided under a letter of the Clerk of the Parliaments on 10 November 2023." I told you when and where it was. It's been publicly available since 10 November.

**The Hon. DAMIEN TUDEHOPE:** I may stand corrected in relation to that. In respect of the compliance with that document and the administration guidelines, you have, in fact, approved an expenditure on 28 September for a \$20,000 taxpayer allocation pursuant to the small commitments grant for a Soldiers Beach Surf Life Saving Club, have you not?

**The Hon. JOHN GRAHAM:** I would have to come back to look at the exact timing of a specific requirement.

**The Hon. DAMIEN TUDEHOPE:** Take it from me that I think that was the date.

**The Hon. JOHN GRAHAM:** I'm sure.

**The Hon. DAMIEN TUDEHOPE:** In fact, the allocation was for "painting the interior and significantly enhancing the club's aesthetic, providing a more welcome and enjoyable space for members". At what time, Minister, were you aware that the member for Wyong, who nominated the project, was a former president of that club? When did you become aware of that?

**The Hon. JOHN GRAHAM:** As I have indicated, I'm open to any of these projects being drawn attention to. I became aware of that when I received a question on notice from the Opposition drawing my attention to that matter, and I then took steps to clarify it.

**The Hon. DAMIEN TUDEHOPE:** And have you clarified it?

**The Hon. JOHN GRAHAM:** Yes, having issued that invitation to the Opposition to draw any matters to my attention, I dealt with this in accordance with the process that's been set up to assess conflicts of interest. I asked the small commitments project office to deal with that. They checked the seven projects nominated in that electorate. Six projects had no interest declared by the relevant MP. One interest was declared by the Wyong member for LSCA 250—that's the grant number—and you're correct that that was in relation to the Soldiers Beach Surf Life Saving Club. The advice back to me in relation to that project was that the conflict of interest was declared as a low probity risk and it should proceed for consideration of funding. Therefore, it did proceed. I can give you some more details of the conflict—

**The Hon. DAMIEN TUDEHOPE:** I've only got limited time.

**The Hon. JOHN GRAHAM:** Yes, but I could give you more details about the conflict type and why that decision was made.

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**The Hon. DAMIEN TUDEHOPE:** I'll come to that. Minister, who benefits from this grant?

**The Hon. JOHN GRAHAM:** Well, this is a small amount of money—up to \$20,000—to the Soldiers Beach Surf Life Saving Club for internally painting the clubhouse.

**The Hon. DAMIEN TUDEHOPE:** Who benefits from that?

**The Hon. JOHN GRAHAM:** The community would be part of my answer to that.

**The Hon. DAMIEN TUDEHOPE:** The members benefit, don't they? This is a grant for the members only of this club—the benefit of the members of the club.

**The Hon. JOHN GRAHAM:** I think you're underestimating the benefits that are provided by Surf Life Saving up and down the coast of New South Wales. I'd advise you to consult with some of your colleagues before you pursue this line of questioning, Mr Tudehope.

**The Hon. DAMIEN TUDEHOPE:** I'm not suggesting that there is no benefit in Surf Life Saving, Minister. I'm saying a paint job on the internal—

**The Hon. JOHN GRAHAM:** Look, this is a good grant going to a good purpose, a community interest—a public interest, from my point of view. I'm not sure why you're opposing it.

**The Hon. DAMIEN TUDEHOPE:** I'm not opposing the grant to Surf Life Saving clubs, but where it is for aesthetic purposes—it's not for buying additional equipment for the purposes of surf lifesaving activity. This was, in fact, to improve the aesthetics of the club. Now, I have to say that the community benefit in relation to Surf Life Saving is saving lives, Minister, and that's my interpretation of community benefits. Minister, in respect of the additional probity which you've now sought, on 16 January 2024 in answer to a question on notice from me in relation to the aesthetic improvements to this clubhouse, you said in your answer that you have instituted an additional probity process to finally look at potential conflicts of interest between a candidate who nominated the project and their personal or family connections with the project. Between 28 September 2023 and 16 January 2024—that's when you started approving these projects—and January 2024, when you instituted a new probity process, how many projects did you, in fact, approve during that period?

**The Hon. JOHN GRAHAM:** You're entirely correct that there are two levels of conflict of interest being assessed here. The advice to me was that was not required, but I took the view that it should be an additional check. I thought that was important to maintain public confidence in this. The reason that the agency advised me that the first probity check was enough was—essentially, it was a probity check around the assessment process, and that is the standard process that might be applied under the grants process. I asked for an additional process to be put in place so that we could check any conflicts of interest that I became aware of or were raised with me or had been raised in the Parliament or might be sensible questions where, for instance, a councillor was also a candidate and there may be money going to the council.

**The Hon. DAMIEN TUDEHOPE:** Maybe that should have been done as a matter of policy because, effectively, your process—

**The Hon. JOHN GRAHAM:** It has been done as a matter of policy.

**The Hon. DAMIEN TUDEHOPE:** The statement you made is this: "The process takes into account the role of a local MP or candidate for election as an active community member and recognises the acceptable community engagement activities they would undertake." That is, I think, what you have just addressed. Are you now saying to this Committee that it is acceptable for the use of taxpayers' money under non-competitive programs to be allocated by a candidate or organisations in which they are active as members or even officeholders or, in their case, in which close family members actively participate? Is that now something which is open for local members to do in relation to grants programs?

**The Hon. JOHN GRAHAM:** I think the best way to answer that would be to give you the specific advice so that you've got a real-life example of why this was assessed as low risk from a probity point of view. When this was assessed by the program office—not by the Government but by the agency—the assessment of the project was to proceed. There were no personal benefits accruing to the MP or a close acquaintance. In this case, it was considered usual community activity. The MP has no involvement in the assessment or approval process. This view was endorsed by the probity adviser in this case. The conflict type, and this is going to—I think your question was membership of organisation/association with an applicant organisation. The probity adviser then said this was a low probity risk. The MP is a member of the club only and will not benefit financially from the funding. The MP was former president. However, this was eight years ago—well over the 12-month governance time frame.

**The Hon. DAMIEN TUDEHOPE:** That's the test—

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**The Hon. JOHN GRAHAM:** The MP does not have any role in the assessment or approval process, with the merits of the project to be assessed independently, and they supported the program office management actions. They were recommended to—

**The Hon. DAMIEN TUDEHOPE:** Can I ask you this? Have you got a copy of this new probity protocol?

**The Hon. JOHN GRAHAM:** They were recommended to me, and then I—

**The Hon. DAMIEN TUDEHOPE:** Have you got a copy of that new procedure? Is there a document which evidences this?

**The Hon. JOHN GRAHAM:** Yes.

**The Hon. DAMIEN TUDEHOPE:** Are you prepared to table that document?

**The Hon. JOHN GRAHAM:** I will just answer this in order.

**The Hon. DAMIEN TUDEHOPE:** No, no. I've got very limited time, Minister. Have you got a document which evidences this?

**The Hon. JOHN GRAHAM:** I will just say these were recommended to me, and I signed off in accordance with that recommendation.

**The Hon. DAMIEN TUDEHOPE:** But have you got a document which evidences the new manner in which you assess conflicts of interest?

**The Hon. JOHN GRAHAM:** Yes, I certainly do.

**The Hon. DAMIEN TUDEHOPE:** Would you table that document?

**The Hon. JOHN GRAHAM:** Yes, I would be happy to, as I have tabled the guidelines and as I have tabled a range of the approval paperwork for these documents.

**The Hon. DAMIEN TUDEHOPE:** There are 121 nominated projects now identified by the Premier's Department as requiring conflict of interest advice. Are you aware of that?

**The Hon. JOHN GRAHAM:** Sorry, you will have to repeat the question.

**The Hon. DAMIEN TUDEHOPE:** In your correspondence to me, Minister, there are 121 nominated projects identified by the Premier's Department as requiring additional conflict of interest advice. Are you prepared to identify to this Committee those projects which have now been identified by the Premier's Department as requiring additional conflict of interest advice?

**The Hon. JOHN GRAHAM:** I can identify the classes of document—

**The Hon. DAMIEN TUDEHOPE:** No, the 121 projects.

**The Hon. JOHN GRAHAM:** Yes, I can confirm that I answered to you that 121 had fallen into that category and there are those sorts of—

**The Hon. DAMIEN TUDEHOPE:** Are you prepared to provide a list of those 121 projects, Minister?

**The Hon. JOHN GRAHAM:** I have been providing the approval paperwork to the Parliament. That approval—

**The Hon. DAMIEN TUDEHOPE:** It's a very simple question, Minister: Are you prepared to provide a list of the projects which you've identified as requiring additional advice?

**The Hon. JOHN GRAHAM:** Once they've been approved, I think that would be appropriate.

**The Hon. DAMIEN TUDEHOPE:** Well, I would like—

**The Hon. JOHN GRAHAM:** I would be hesitant to do that prior to this paperwork coming to me for consideration. But I provided approval paperwork previously, and I would be happy to do that. I can inform the member and the Committee that that will include observations about these conflicts of interest, recommendations—

**The Hon. DAMIEN TUDEHOPE:** I've just got one more question for you, Minister; I'm impacting on other members' question time. You would have heard the questions which were put to the Premier in relation to two projects which were—or projects which were identified for the electorates of Kellyville and Castle Hill.

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**The Hon. JOHN GRAHAM:** I'm aware of those questions, yes.

**The Hon. DAMIEN TUDEHOPE:** Have you obtained advice in relation to those projects?

**The Hon. JOHN GRAHAM:** Those projects are yet to come to me, so I can't give you further details.

**The Hon. NATALIE WARD:** It's a year in.

**The Hon. JOHN GRAHAM:** I note the Premier has taken that question on notice, and I'm sure he will provide details.

**The Hon. DAMIEN TUDEHOPE:** If they were not election commitments, Minister, they would not fall within this program, would they?

**The Hon. JOHN GRAHAM:** That's my understanding. I will be signing off projects in accordance with the guidelines.

**The Hon. DAMIEN TUDEHOPE:** If they have been falsely identified as election commitments, that would be of concern to you, would it, Minister?

**The Hon. JOHN GRAHAM:** I'm not going to speculate about these matters. I will leave that to you on the Committee.

**The Hon. DAMIEN TUDEHOPE:** You are the assessor, Minister.

**The Hon. JOHN GRAHAM:** These are yet to come to me for assessment, which is why I'm appropriately, I think, hesitant to comment.

**The Hon. SUSAN CARTER:** Minister, I'm happy to take up your earlier invitation.

**The Hon. JOHN GRAHAM:** Very good.

**The Hon. SUSAN CARTER:** You found \$12 million for the Art Gallery to meet some of the funding shortfall. This was from the cluster. Can you tell us what programs in the cluster were cut to provide this 12 million for the Art Gallery?

**The Hon. JOHN GRAHAM:** Yes. I am glad you have taken up my invitation to answer further questions on this matter.

**The Hon. SUSAN CARTER:** We have many further questions, Minister.

**The Hon. JOHN GRAHAM:** Firstly, I want to thank you for your interest in this. I think you have taken a genuine interest in the matters relating to the Art Gallery and its budget. They've been reasonably public, and I've been clear about how we're going to deal with those. I answered some questions earlier about the quantum here. The gallery was clear they were short of some money out of the budget.

**The Hon. SUSAN CARTER:** Where did the 12 million come from, Minister?

**The Hon. JOHN GRAHAM:** I have allocated \$12.1 million from within the cluster. That has come from two areas—\$7 million has come from under-spends within the Destination NSW area, in the major events space.

**The Hon. SUSAN CARTER:** Would that have been spent on Noël, ordinarily, Minister?

**The Hon. JOHN GRAHAM:** No, certainly not.

**The Hon. SUSAN CARTER:** And the other \$5 million, Minister?

**The Hon. JOHN GRAHAM:** The other \$5.1 million has come from Jobs Plus underspends and I have reallocated that money towards that. I was happy to do so in the short term to assist. In the long term, I think we really need to get to the bottom of what's going on here. We'll take the same approach here and in other institutions; that's assess—

**The Hon. SUSAN CARTER:** No, I appreciate that, Minister.

**The Hon. JOHN GRAHAM:** —audit and assist if required.

**The Hon. SUSAN CARTER:** Thank you. We've acknowledged that that still leaves a shortfall of at least \$4.2 million. How many jobs at the Art Gallery will be lost because of that funding shortfall?

**The Hon. JOHN GRAHAM:** I invite you, as you did last time, to really quiz on the details of those—the director of the Art Gallery, who is available to do so.



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**The Hon. SUSAN CARTER:** Can I ask you then, Minister: Are you aware that members of the PSA are meeting tomorrow to discuss the job cuts at the Art Gallery precipitated by your underfunding?

**The Hon. JOHN GRAHAM:** I've been briefed on this. I want to know what is going on here. That's why we're doing this close audit of the expenses.

**The Hon. SUSAN CARTER:** Can I tell you, Minister—and the PSA could tell you as well—that the Art Gallery's change management plan, which I think a lot of us would call a job-cut plan, identifies 10 roles that impact current staff—laypeople would call that 10 redundancies—and a further 21½ full-time equivalent roles that will not be filled. Minister, what do you say to these union members who will lose their jobs because of your underfunding at the Art Gallery?

**The Hon. JOHN GRAHAM:** I say that's precisely why this Government has increased funding over the funding that was left there by the former Government.

**The Hon. SUSAN CARTER:** But not enough to maintain all the jobs at the Art Gallery.

**The Hon. JOHN GRAHAM:** Yes, I'm not sure why the budget was left in the state it was in relation to the Art Gallery by the former Government. There's been some commonsense—

**The Hon. SUSAN CARTER:** It's your budget, Minister, which said it emphasised jobs yet we're seeing a direct result of your arts funding is job cuts at the Art Gallery. What do you say to the union members who are losing their jobs because of Labor's budget?

**The Hon. JOHN GRAHAM:** That's exactly why we're taking these two steps: allocating \$12.1 million and going through this close audit process. I want to thank my colleagues for assisting with that process. I think that will get to the bottom of whether this is the 2017 business case or an ongoing funding requirement—exactly what that ongoing funding requirement is.

**The Hon. SUSAN CARTER:** In terms of that process, because you're clearly not guaranteeing to regard this as recurrent funding—you've clearly flagged this is a one-off top-up—does this mean we'll see more job cuts next year?

**The Hon. JOHN GRAHAM:** I haven't come to any conclusions ahead of that audit. I think that would be unreasonable as a Minister to jump to conclusions without having done that serious work. I want to thank the Art Gallery for their cooperation with that. I think that's really important. It is a chance for them to put the case about what their needs are. But it will also be a very serious examination of what the expenditure has been, what the practices have been and what that previous business case outlined.

**The Hon. SUSAN CARTER:** In terms of serious examinations, Minister, how is that going to sit with the commitments you have made in the Creative Communities policy, where, at page 54, you flagged the commitment to maintain free public access to New South Wales State cultural institutions? Are you backing that up with funding? Are you giving the Art Gallery enough funding to ensure that they can keep the doors open, or are you asking them to flog tea towels in the shop so that people can still access the collection?

**The Hon. JOHN GRAHAM:** That's exactly the set of decisions that we made in the budget to increase funding in the arts and culture space to guarantee free funding continued after COVID. That was additional funding that hadn't previously been budgeted for. I want to recognise—

**The Hon. SUSAN CARTER:** But funding that is a shortfall that will result in job cuts.

**The Hon. JOHN GRAHAM:** I want to recognise that was an initiative—one we supported—of the former Government during COVID. Many of those other COVID measures have fallen by the wayside. I was particularly keen to see that continue because I know how much it matters to working-class people to have access to arts and culture.

**The Hon. SUSAN CARTER:** Can I ask you about another issue also flowing from the Creative Communities policy, which notes that "young children who participate in cultural and creative activities are much more likely to do well at school". If that's in your landmark policy, why was one of the first acts of your Government to cut funding for Creative Kids vouchers—and not only that, but to destroy a separate identity for Creative Kids vouchers and lump creative activity in with sporting activity, removing the whole separate identity and emphasis and value on the creative arts for our young children?

**The Hon. JOHN GRAHAM:** I don't accept the premise of your question. These issues—

**The Hon. SUSAN CARTER:** Can you still get a Creative Kids voucher, Minister?

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**The Hon. JOHN GRAHAM:** There is still support available for creative activities as a result of decisions of the Government.

**The Hon. SUSAN CARTER:** Is it called Creative Kids vouchers, Minister, or is it called Active Kids vouchers?

**The Hon. JOHN GRAHAM:** Sorry, you'll have to repeat that question.

**The Hon. SUSAN CARTER:** Is it called Creative Kids vouchers, Minister, or is the funding through the generic Active Kids?

**The Hon. JOHN GRAHAM:** We've certainly made changes to the vouchers. Those matters were well—

**The Hon. SUSAN CARTER:** Is a separate Creative Kids voucher, Minister, still available?

**The Hon. JOHN GRAHAM:** I think it's well canvassed that these two vouchers have been combined. The Government has made that very clear.

**The Hon. SUSAN CARTER:** So the answer is no, Minister.

**The CHAIR:** Order! Time is up for Opposition questions. Minister, music festival organisers have talked to me about how difficult and expensive it is for music festivals to operate in this State. I know the Government talks about supply costs increasing for them, but it's also the amount that police charge music festivals, which is completely out of step compared to what police charge in other States. Young people just cannot afford the tickets anymore. What are you doing to reduce the exorbitant costs that music festival organisers have to pay to operate music festivals in New South Wales and also that young people have to pay for those tickets?

**The Hon. JOHN GRAHAM:** Firstly, I want to recognise I do believe there is an issue here. I am very concerned about festival viability. That is a problem around the country. We have seen, for example, a big regional festival like Groovin the Moo withdraw from this festival season. We have seen other festivals also cancel over the course of the summer. It's a national problem. It's also more of a problem in New South Wales. I accept that. I accept that view that has been put by the industry. One of the things that is contributing is costs that are being applied to festivals that are out of step with costs that are being applied in Queensland or Victoria.

**The CHAIR:** Minister, if we can just go to the police charges particularly. Firstly, do you know why police in New South Wales charge so much more to attend a particular type of festival than they do, for example, in Victoria, whereas the user pays for ambulance, as well as medical, can sometimes be less than what is charged in other States like Victoria and Queensland? The police are charging something like three times as much, which obviously impacts on festivals right across the board. Why is that and what are you doing about it?

**The Hon. JOHN GRAHAM:** I can't explain exactly the methodology. I want to recognise that we do need police at these festivals. That is a part of the harm minimisation.

**The CHAIR:** There's a lot of security as well, isn't there?

**The Hon. JOHN GRAHAM:** Yes, we need police; we need security. We do need appropriate safety supports and health supports for people.

**The CHAIR:** Yes, but why so much more in New South Wales? Why are they being charged four times, three times as much? I have data here from the Australian Festival Association that has what New South Wales charges in terms of medical and ambulance. It's actually less than what's charged in the other States. You're the Minister responsible for music festivals. Why is that going on? Have you talked to the police Minister about this?

**The Hon. JOHN GRAHAM:** I can't provide an explanation for why, but I have seen those figures and I can confirm that they do look out of step for the same number of patrons—

**The CHAIR:** They don't just look out of step, Minister. They are out of step. Music festivals are cancelling. They're talking about exorbitant charges. Here's one that's completely over the top. You have been in for one year almost. What are you doing? What have you talked to the police Minister about? I know there's a Music Festivals Act review, but they have already cancelled and they have already gone.

**The Hon. JOHN GRAHAM:** I'm happy to answer your question, Ms Faehrmann. I have spoken to my colleagues about it. It is of concern not just to me as a Minister but to other colleagues. The music festival review is an important place to examine that evidence. We have had that feedback from industry. It has been very strong. We have had that feedback from the public. That will be the key place where that work surfaces in public. We will release that review shortly, in the coming months, I can confirm. That will trigger a discussion to see what is the methodology, what is required here, and how can we keep people safe but also make sure festivals are viable.

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**The CHAIR:** Minister, I'll give you an example. This is a particular festival that in 2023 we had less people in New South Wales attend—35,000. In Victoria it was 40,000 people. Medical—\$53,228, Victoria charged for that festival. Here in New South Wales we charged \$48,155—so less. In terms of police, Victoria was \$9,519. New South Wales charged \$120,465. Is that fair? Do you think that's fair, Minister?

**The Hon. JOHN GRAHAM:** What you're saying is the police cost in New South Wales was 12 times what it was in Victoria?

**The CHAIR:** Yes, good math. Is that fair?

**The Hon. JOHN GRAHAM:** I don't know if it's fair. It's certainly of concern to me that we're so out of step with Victoria. We're examining why this is occurring and I don't want to jump ahead of that process.

**The CHAIR:** But it's taken a year, Minister.

**The Hon. JOHN GRAHAM:** But it is one of the things that is potentially driving festivals out of New South Wales and it is a tougher environment here as a result, and that is something the Government is concerned about.

**The CHAIR:** Can you guarantee to music festival organisers that you, as the Minister responsible for music—you made a big deal when you were in opposition about just how much you care about music, how much you were going to do for the music industry. You've been in the job for 12 months now. Everybody is hoping that things are going to change. Will you give a guarantee that this outrageous user-pays policing model in New South Wales is going to be reformed and is going to get in line with other States?

**The Hon. JOHN GRAHAM:** I can guarantee that it's under close examination and it is an area where the Government is looking to act at these festival charges in general. I acknowledge that policing, particularly on the figures you've outlined, is a big part of that. I will also indicate that we have broader concerns about festival viability at the moment and that is an issue that the Government is looking at what it can do working with industry.

**The CHAIR:** I wanted to move to the Western Harbour Tunnel and Warringah Freeway upgrade project. I understand that a group called Cammeray Voices has written to you with huge concerns about the fact that Transport for NSW is not meeting the ministerial conditions that have been set for this project in relation to the way in which Transport for NSW is dealing with multiple—probably hundreds, if not more—complaints by the community. This is a condition for the approval. The requirement is to set up procedures and mechanisms for inquiries and complaints to be handled within 24 hours. The statistic in terms of how those complaints have been handled—only 69 per cent of them have received an acknowledgment or response. Ultimately, one-third of complaints since September have been neither acknowledged nor responded to. They are not meeting their ministerial conditions. They wrote to you one month ago. What are you doing to ensure that Transport for NSW enforces those conditions?

**The Hon. JOHN GRAHAM:** I'm concerned about those figures. It's not good enough. I'm happy to refer to the secretary and the agency about what has been done in this area. I'm broadly aware that there has been some focus on this and there has been some attempt at improvement. But I'm happy to refer to the secretary.

**The CHAIR:** Were you aware of this letter? Plus a report that I've been sent—I understand the Opposition spokesperson has also been sent this. You were sent this probably more than one month ago. Have you been aware of the unacceptable performance by Transport for NSW with this project? You know how distressing it has been. The loss of huge numbers of trees—people have complaints about parking by project staff in side streets. It's not supposed to happen—dust, noise complaints being unanswered. Firstly, were you aware of this?

**The Hon. JOHN GRAHAM:** I'm certainly aware of the issue. I've certainly spoken to residents directly. I'll take on notice the specific letter. I think it'd be best if I give you a 110 per cent accurate response on the letter itself. But I'm certainly aware of the issue and it certainly is one of the things that I'm concerned about. I don't regard the figures you're outlining as acceptable.

**The CHAIR:** Minister, in terms of music festivals, you're concerned about it. Good to hear that you're concerned about it. What have you instructed Transport for NSW to do in terms of upping their game? Have you set them a deadline to ensure that they do respond? We're talking ministerial conditions for the project to go ahead and Transport for NSW are performing so appallingly. What these complaints are, what they mean to residents, mental health issues—it's serious. What are you as Minister instructing your department to do and by when?

**The Hon. JOHN GRAHAM:** I've certainly met with local council officials in relation to it. That's exactly the view they put, which was the early interaction to say, "Look, can we improve things with community consultation in relation to these projects?" These are big projects going through.

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**The CHAIR:** What's it got to do with council, though, Minister? This is you instructing your Transport team, who are responsible for this.

**The Hon. JOHN GRAHAM:** Yes. I'm indicating that those were concerns raised at the time as I met with the agency. These were discussions between the agencies and local representatives, putting a similar view to the view you're putting now.

**The CHAIR:** In my last eight seconds on this, will you commit now—because the community is watching; they're very concerned about this—to them that you are going to instruct your department to ensure that complaints are dealt with and handled according to these ministerial conditions?

**The Hon. JOHN GRAHAM:** I'm happy to do that. I expect that those conditions are adhered to.

**The CHAIR:** Thank you.

**The Hon. ROD ROBERTS:** I come to your rescue yet again, Minister, and take you away from the basket case that is Transport.

**The Hon. JOHN GRAHAM:** Very good.

**The Hon. ROD ROBERTS:** I ask you this time to put your hat on as the Minister for Destination NSW. In November 2023 I'm aware that Cricket Australia invited all States and Territories to submit proposals to secure test matches and women's international games—everything out to about 2030 or 2031. I think seven years or something was their proposal. Test matches have been played in New South Wales, in particular at the SCG, since 1882. Will you be the first New South Wales government to lose the iconic new year's test to a bid from another State?

**The Hon. JOHN GRAHAM:** The new year's test should stay in Sydney. I think that's good for Sydney but, I tell you what, it's good for test cricket. Given the state of test cricket around the world, if Cricket Australia made the decision to move the new year's test away from Sydney, it would be a big mistake with big implications for cricket, for test cricket and for Cricket Australia. I don't think Mike Baird will do that, but I'd caution Cricket Australia.

**The Hon. ROD ROBERTS:** What are you doing to encourage Cricket Australia to keep the new year's test in Sydney? What are you actually doing?

**The Hon. JOHN GRAHAM:** We've certainly engaged with that formal process. Cricket isn't one of the events we've funded in the past, and we're always hesitant to begin funding without extra content coming to the public. However, we've engaged seriously with this process. Destination NSW has led that process for the Government, engaged with Cricket Australia—along with the other States—and made an offer to Cricket Australia, and we're working through that process with them.

**The Hon. ROD ROBERTS:** What have you offered them?

**The Hon. JOHN GRAHAM:** That's obviously commercial in confidence, as is the case in a lot of these areas. But I can confirm that we've engaged with the process, an offer has been made and discussion is ongoing with Cricket Australia. But I think it would be a big mistake; they could really damage test cricket here if they make the wrong move.

**The Hon. ROD ROBERTS:** Your Government could damage test cricket if you don't make the right move.

**The Hon. JOHN GRAHAM:** That's exactly why we've engaged with the process. We're keen to support them; we're keen to keep talking. I'd certainly hate to see that be the case. That's why we've taken it seriously.

**The Hon. ROD ROBERTS:** There's plenty of money to throw around, because earlier in evidence today you said that there was an underspend in Destination NSW that you reallocated to the Art Gallery. Perhaps we can remove some of the underspend and use it to promote Cricket Australia's proposal to keep test matches in New South Wales. I draw that to your attention. How do you reconcile, though, your approach to Cricket Australia when you look at the recent announcement of \$10 million to the NRL to keep the grand final in Sydney for one night—one night only—when you've got to accept that a cricket test match goes for five days, brings a lot of tourism into New South Wales and into Sydney particularly for a five-day period, not a one-night period? You spent \$15 million reportedly on the A-League's united round. How do we reconcile what you're doing with cricket?

**The Hon. JOHN GRAHAM:** I'm not confirming those figures either for the NRL or for the Unite Round. What I can confirm in both those instances, though, is there has historically been funding for those measures: for bringing the grand final to Sydney and also for the Unite Round, bringing a whole range of teams here to play in Sydney. That hasn't been the case with the new year's test previously, so the idea that States should

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bid against each other to pay for cricket was a new idea—perhaps not an entirely welcome one amongst the States—but it is one that we've engaged in seriously. I just caution Cricket Australia from making a hasty decision here. We're certainly happy to chat.

**The Hon. ROD ROBERTS:** I refer back to the Chair's comments in relation to the policing costs for music festivals. The same policing costs would apply to cricket matches. What is the Government doing in relation to that, supporting what the Chair has already asked?

**The Hon. JOHN GRAHAM:** It's a really good observation and I do see the two situations as similar. We've got to keep people safe at any of these big events, including the cricket. There have been policing costs associated with that. There have also been traffic management costs in relation to where this is held. Those are the sorts of things that the Government has under heavy scrutiny, both in relation to sport and to music festivals.

**The Hon. ROD ROBERTS:** Is Destination NSW leading the proposal on behalf of the New South Wales Government to Cricket Australia?

**The Hon. JOHN GRAHAM:** Yes, that's correct.

**The Hon. ROD ROBERTS:** Are they seeking advice from other agencies and, if so, which agencies?

**The Hon. JOHN GRAHAM:** I think you would be best perhaps this afternoon to direct that to the head of Destination NSW, Steve Cox.

**The Hon. ROD ROBERTS:** Unfortunately, I'm not available this afternoon, Minister. That's why I'm asking now.

**The Hon. JOHN GRAHAM:** I'm happy to confirm it's been the subject of discussion with my colleagues, including across a range of agencies. But Steve could let you know exactly who is around the table for that one.

**STEVE COX:** Mr Roberts, we engaged with the Premier's Department, Venues NSW, Office of Sport, Transport for NSW, Greater Sydney Parklands and the NSW Police Force.

**The Hon. ROD ROBERTS:** I have one final question, Minister, which is very similar to the Chair's question. Will you guarantee for cricket fans in New South Wales that we will continue to retain the new year's day test?

**The Hon. JOHN GRAHAM:** I can guarantee we'll be engaging seriously with Cricket Australia. They've got some big decisions to make. I hope they don't make a mistake here.

**The Hon. ROD ROBERTS:** If you make an attractive offer, it will be very easy to make a bad mistake.

**The Hon. JOHN GRAHAM:** We will engage seriously with this process. I think that is absolutely the commitment from the Government.

**The Hon. NATALIE WARD:** You found \$16 million for UFC.

**The CHAIR:** Order!

**The Hon. MARK BANASIAK:** Minister, I'm going to drag you from the peripheries of your portfolio back into roads and also music and creative arts. There is obviously work progressing on a massive concert venue up in Morisset, which will possibly hold up to 30,000 people. Given there's only one road in and one road out of that potential great venue, what are the planned road improvements for those future customers to actually get into Morisset and also obviously alleviate the traffic burden for the residents of the area?

**The Hon. JOHN GRAHAM:** Having grown up in Newcastle, I know the area well. The future of Morisset, I have to say, is particularly bright at the moment. Having seen the plans and having talked to the council about their plans for the area, not just in relation to that venue but more generally for that west side of the lake, I'm very impressed by the way they're thinking and the plan for the area.

**The Hon. MARK BANASIAK:** Have you got plans to assist them with improving the roads?

**The Hon. JOHN GRAHAM:** The story they put to me was they found it difficult to engage on those transport issues historically. They haven't had the attention that they felt they deserved. I have been briefed by them. It's certainly something that the Government will be looking to assist those plans. Those are councils who are not only saying they are willing to accept more housing but they have also got big plans for their community to grow, and the Government and the transport agencies should be in a position to help them.

**The Hon. MARK BANASIAK:** What guarantee are you going to give us that your work on the road situation will be in sync with their work on their plans to expand this facility and this housing? It would be the

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worst possible thing for them to drive ahead with this and you guys to be dragging the chain and the roads and infrastructure not be ready to facilitate that growth that they're planning for. Will you guarantee that your department will be in sync with providing that infrastructure that's needed?

**The Hon. JOHN GRAHAM:** I think you're right to characterise it in the way you are. This is high up the list of concerns. There is a particular intersection that is really a potential bottleneck here and it could hold back significant economic developments.

**The Hon. MARK BANASIAK:** What work has your department done already on that bottleneck intersection?

**The Hon. JOHN GRAHAM:** There has been Transport engagement on it, but I think we need to do more in this area. I don't want to jump ahead to future budgets but, as we're looking at the road priorities of the State, I'd see this as a much higher priority than some of the mega toll road projects, for example. We'll get a higher economic return out of exactly this investment.

**The Hon. MARK BANASIAK:** Can I quickly turn to drones, Minister? You made an announcement about us having up to 70 drones to monitor and bust traffic. What's the total cost of this drone program?

**The Hon. JOHN GRAHAM:** We can get you some details on the total cost. I can tell you that the benefit is significant to really bust congestion as people move around the city. This is really being used to hit the hotspots as they happen. The Rozelle interchange is one example. Other holiday traffic, for example—

**The Hon. MARK BANASIAK:** Can I just pick you up on that point. How do you do that? You've either got to take a stab in the dark and go, "Today there are going to be issues on the Rozelle interchange or the M5 or the M4," or whatever it is, and get your vehicles within a certain range, because these drones, I imagine, have a range of anywhere between two and five kilometres, so you would have to be within five kilometres of a traffic issue. So you've either got to take a stab in the dark and go, "It's going to be here today," or you're going to be stuck in traffic trying to get to the traffic hotspot to throw up a drone. Couldn't we just use traffic cams? Wouldn't that be a more financially frugal approach that would give us the same real-time data?

**The Hon. JOHN GRAHAM:** It's a really good question. In fact, the traffic management centre is really very professional in the way they use these. Many are truck-mounted to get them to hotspots or potential hotspots, so they're nearby.

**The Hon. MARK BANASIAK:** You still have to get them there.

**The Hon. JOHN GRAHAM:** Often they are pre-deployed because of the exact reasons you are outlining.

**The Hon. SUSAN CARTER:** Minister, can I take you to the Powerhouse. You've announced a commitment of \$250 million for the redevelopment at Ultimo, down from the \$500 million that we had committed. Yet the budget papers only disclose an amount of \$119 million over the four years to 2026-27. That's less than half the sum which has been announced. Where is the other \$131 million, Minister?

**The Hon. JOHN GRAHAM:** I am pleased to confirm that the Government has adopted a \$250 million heritage revitalisation. I'm up-front: This is more modest than the former Government's plans. I did think they were a bit—

**The Hon. SUSAN CARTER:** And the other \$131 million that's not in the budget?

**The Hon. JOHN GRAHAM:** I did think they were over the top, those \$500 million—half a billion dollars—

**The Hon. SUSAN CARTER:** Sorry, Minister. If I can redirect, the question is the budget is missing \$131 million of the \$250 million you have announced. Where is it?

**The Hon. JOHN GRAHAM:** That's incorrect, and I'm just coming to that. We've been unashamed—

**The Hon. SUSAN CARTER:** Can I take you to the budget papers. Where in the budget papers will I find the extra \$131 million?

**The Hon. JOHN GRAHAM:** As I was saying, we've been unashamedly more modest about this. We're not allocating half a billion dollars. We are, however—and I can confirm—allocating the \$250 million.

**The Hon. SUSAN CARTER:** Where in the budget is it?

**The Hon. JOHN GRAHAM:** The reason that you're seeing it in the way you are is because of the timing of these decisions. It will certainly be reflected in the next budget. Treasury has confirmed that publicly,

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and I can confirm today that the \$250 million has been allocated by the Government, and, of course, you will see that reflected in the budget in the ordinary way. Obviously, that decision was made post the last budget, just to be clear.

**The Hon. SUSAN CARTER:** With respect to timing, you have also announced the closure of the Ultimo site for conservation works expected to take up to three years. The budget papers show completion in 10 years. So what is it, three years or 10 years?

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

**The Hon. SUSAN CARTER:** You have announced a three-year closure at Ultimo for conservation works. If we go to the budget papers, it says that the works are expected to be finalised in 2033. So is it 10 or three?

**The Hon. JOHN GRAHAM:** Firstly, I want to congratulate you on being one of the members who's referring to the budget papers. That's heavily encouraged, and I note your colleagues also—

**The Hon. NATALIE WARD:** Highlighted and indexed.

**The Hon. SUSAN CARTER:** Could you honour me with an answer to the question?

**The Hon. JOHN GRAHAM:** For exactly the same reason—the timing of these decisions in relation to the budget—I can confirm that this will be an up to three-year heritage revitalisation. The money will be spent in that period, and the budget papers will reflect that—something that Treasury has confirmed.

**The Hon. SUSAN CARTER:** So we believe the press release and not the budget papers?

**The Hon. JOHN GRAHAM:** There's the normal process of government decisions being sequenced with the budget papers, which is what you are seeing here. We've confirmed that publicly. I'm reiterating that again today.

**The Hon. SUSAN CARTER:** Did you call for Transport for NSW to tighten their system to prevent hate speech circulating in New South Wales by numberplates?

**The Hon. JOHN GRAHAM:** I certainly did. I was very concerned about some of the instances of hate speech on our roads at this difficult time.

**The Hon. SUSAN CARTER:** Did you call for the implementation by Transport for NSW of measures to quickly remove numberplates involving antisemitic or other messages which would incite hatred?

**The Hon. JOHN GRAHAM:** When I came in as a roads Minister, this could take a month. You could have something that was obviously designed to create hate or cause community concern. It could be withdrawn, but it might take nearly a month to get it off the road. I did not accept that and I have asked for a much shorter period. That is now the case.

**The Hon. SUSAN CARTER:** Did you call out and condemn those inciting hatred by the numberplates they were using?

**The Hon. JOHN GRAHAM:** Yes, I've certainly had those concerns.

**The Hon. SUSAN CARTER:** Minister, is publicly releasing a list of people compiled on the basis of religion or race without their knowledge or consent an action which is likely to lead to fear in the targeted community, and antisemitism if those people are Jewish?

**The Hon. JOHN GRAHAM:** I think you are referring to a specific incident or set of incidents.

**The Hon. SUSAN CARTER:** I am.

**The Hon. JOHN GRAHAM:** I did have concerns about the way that was dealt with. I didn't regard that as appropriate behaviour.

**The Hon. SUSAN CARTER:** Have you called out this doxxing, Minister?

**The Hon. JOHN GRAHAM:** I'm doing that now. I support the position the Federal Government took on this matter. I'm certainly aligned with those comments.

**The Hon. SUSAN CARTER:** Have you as arts Minister had conversations with the Opera House about the ongoing involvement in the All About Women event of acknowledged doxxers Clementine Ford and Randa Abdel-Fattah?

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**The Hon. JOHN GRAHAM:** I won't go into discussions with each of the cultural institutions but you're welcome to put these questions to them directly. But it's certainly something I've been discussing with the arts community. I can confirm that. My approach has been to ensure the programming decisions are up to those institutions. My advice to anyone in the community is to be very cautious about community cohesion and to think about exactly what you're saying at the moment. We're very concerned about making sure that people feel safe in their own State.

**The Hon. SUSAN CARTER:** As arts Minister, how have you shown leadership in this area with your conversations with, for example, the Opera House?

**The Hon. JOHN GRAHAM:** I have certainly been engaging with the sector on this. I think it's very important that people are aware of these issues. We need to keep communities safe. We need to keep communities talking at this difficult moment overseas. We don't want to see what is going on in the Middle East impact here on the beautiful community—on the community cohesion—that we've got here.

**The Hon. SUSAN CARTER:** Minister, I'm curious about this engagement with the sector. It isn't apparent from your diary that you've had meetings, for example, with leadership at the Opera House. How have you been engaging with the sector and showing leadership on this critically important issue of community cohesion?

**The Hon. JOHN GRAHAM:** I can confirm I've certainly been engaging with a range of the cultural institutions and more broadly on this issue. I don't want to be in the position where the Government is responsible for cancelling performances. I saw just today reports of a couple of key Israeli comics whose performance was cancelled. I don't think that sort of approach to this is helpful. I don't want to see that approach to things. But everyone has got an obligation here to make sure that they're aware of the impact their comments have. I'm very concerned if people don't feel safe in their city. That's an obligation on the arts sector as well as other sectors.

**The Hon. SUSAN CARTER:** But you accept that this, as the arts Minister, is a conversation that you should be leading?

**The Hon. JOHN GRAHAM:** It's certainly one that I'm engaged in. The Government has been very up-front about what it's prepared to do to enforce community cohesion. I include in that changes to the laws about hate speech, those section 93Z changes which, frankly, we would have hoped for more support on.

**The Hon. SUSAN CARTER:** And you are satisfied, for example, that the Code of Ethics and Conduct for NSW government sector employees, which requires managers to ensure that any real or perceived conflicts of interest are avoided or effectively managed—you are confident that any perceived conflicts of interest about programming decisions at the Opera House are being effectively managed in the way that we would expect in the New South Wales public sector?

**The Hon. JOHN GRAHAM:** I don't have any concerns, and I don't believe I've had any concerns raised with me. If there's something that you want to raise, I'm certainly open to—

**The Hon. SUSAN CARTER:** Minister, there are significant community concerns in relation to the programming decisions, for example, in relation to the All About Women festival. I am frankly very shocked that you are not aware of these community concerns if you are as engaged with the sector as you have just been telling us that you are.

**The Hon. JOHN GRAHAM:** I'm certainly aware of those concerns. They've been raised with me directly. I'm not aware of a conflict of interest suggestion, but I welcome—

**The Hon. SUSAN CARTER:** A perceived conflict of interest, Minister.

**The Hon. JOHN GRAHAM:** I'm not aware of a perceived conflict of interest, but I'm open to more information that you might want to provide.

**The Hon. SUSAN CARTER:** If the person responsible for programming has a publicly stated position in relation to one side of a conflict and is appointing as curators and speakers people from that same side of the conflict, does that not give rise to a perception of a conflict of interest?

**The Hon. JOHN GRAHAM:** I think everyone has an obligation to take this seriously. This is a terrible, terrible moment over in the Middle East, and we could make it worse here if we don't keep our community together in New South Wales.

**The Hon. SUSAN CARTER:** I'm calling on you to show leadership on this issue, Minister.

**The Hon. JOHN GRAHAM:** I'd encourage you to raise those concerns directly. I certainly have been having discussions with the sector. I will continue to do so.



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**The Hon. SUSAN CARTER:** Minister, can I just quickly take you to the commitment that we find in the Creative Communities policy to build 180,000 public and affordable houses over the next five years. Can you confirm that this commitment is actually Government policy?

**The Hon. JOHN GRAHAM:** The Creative Communities policy refers to other commitments of the Government, so I can—

**The Hon. SUSAN CARTER:** Can you tell us where that housing commitment is found—where else in Government policy this commitment for 180,000 public and affordable housing is found?

**The Hon. JOHN GRAHAM:** Yes, I'd be very happy to take that on notice.

**The Hon. SUSAN CARTER:** In the same policy you commit to expanding the Heritage Floor Space scheme. Will this be expanded from a City of Sydney policy to become a statewide policy?

**The Hon. JOHN GRAHAM:** This was our election commitment, to examine expanding this.

**The Hon. SUSAN CARTER:** And it's a commitment in creative policies that you will. Is that policy?

**The Hon. JOHN GRAHAM:** Absolutely, and this is the 10-year vision for the State. I can confirm that's the commitment in the 10-year plan.

**The Hon. SUSAN CARTER:** Minister, given that the Government's changes to low- and mid-rise housing will apply to not just heritage conservation areas but individually listed heritage items, and will incentivise residential development on these properties, won't these initiatives undercut the statewide application of the Heritage Floor Space scheme?

**The Hon. JOHN GRAHAM:** No, I don't accept the premise of your question.

**The Hon. SUSAN CARTER:** So you don't accept that a housing policy that will cut across individual heritage listings conflicts with rolling out a heritage floor space scheme across the whole of New South Wales?

**The Hon. JOHN GRAHAM:** The commitment is not across the whole of New South Wales. I think you—

**The Hon. SUSAN CARTER:** What is the commitment, Minister?

**The Hon. JOHN GRAHAM:** If I understand your question correctly, you may be misunderstanding the scheme that's in place. I may be incorrect about that. But there is a scheme that operates in the City of Sydney. We're examining the expansion to a number of other centres. It just wouldn't be applicable or effective across all of New South Wales because it relies on places where there is—

**The Hon. SUSAN CARTER:** Minister, perhaps it would assist everybody if you would withdraw the Creative Communities policy and make sure that it is expressed clearly, because that would be of benefit to everybody trying to use it.

**The Hon. JOHN GRAHAM:** I will take that as a comment.

**The Hon. NATALIE WARD:** Back to Special Minister of State—just to leap there. Minister, just in terms of your assurance to the Chair that you'd like to give 110 per cent accurate answers—in that spirit, could you inform the Committee of the total number of DLOs, department liaison officers, in Government Ministers' offices?

**The Hon. JOHN GRAHAM:** I believe that would be a matter for the Premier, although I'm happy to be—

**The Hon. NATALIE WARD:** No, in your capacity as Special Minister of State.

**The Hon. JOHN GRAHAM:** I'll take that on notice and I'll see what's appropriate to provide in that capacity.

**The Hon. NATALIE WARD:** It should be a simple number across Government Ministers' offices. It should be a very clear number. Are your staff able to get that today?

**The Hon. JOHN GRAHAM:** That's why I've simply taken it on notice.

**The Hon. NATALIE WARD:** I do hope we get the number, though, and not a broadbrush answer. That would be very helpful. What is the status of the northern beaches road network review currently underway?

**The Hon. JOHN GRAHAM:** That is rolling out. It's as a result of the decisions that were made in relation to this. It's still ongoing, so I hope to be able to update the Committee and the public.

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**The Hon. NATALIE WARD:** When will it be complete?

**The Hon. JOHN GRAHAM:** We can get that detail for you.

**The Hon. NATALIE WARD:** If you could get that today, that would be helpful.

**The Hon. JOHN GRAHAM:** I think that would be entirely appropriate. We should update you about the timing of that.

**The Hon. NATALIE WARD:** Following the cut of funding to—

**The Hon. JOHN GRAHAM:** I might tell you that we are expecting it in the latter half of 2024, if that is helpful.

**The Hon. NATALIE WARD:** The latter half of this year?

**The Hon. JOHN GRAHAM:** Yes.

**The Hon. NATALIE WARD:** In the next month? In the next quarter? In December?

**The Hon. JOHN GRAHAM:** That is the information I have for you. If you would like to pursue it further with the agency, you are welcome to.

**The Hon. NATALIE WARD:** It would be helpful if the agency could provide further detail on the status of that.

**The Hon. JOHN GRAHAM:** I do have some further detail for you as promised on the truck toll multiplier.

**The Hon. NATALIE WARD:** We will come back to that, if you don't mind. I'm very limited. Following the cut of funding to the Mona Vale Road West project, do you have any plans to increase road investment in the region?

**The Hon. JOHN GRAHAM:** Your first question is really the key here—

**The Hon. NATALIE WARD:** We will come back to it.

**The Hon. JOHN GRAHAM:** It is about the network review.

**The Hon. NATALIE WARD:** So you don't know.

**The Hon. JOHN GRAHAM:** Of course, we should do that work first to guide any future investments.

**The Hon. NATALIE WARD:** So you don't know.

**The Hon. JOHN GRAHAM:** It is not that we don't know; it is that you have to assess the traffic around the network before you make investment decisions. That network review will be the path to do that.

**The Hon. NATALIE WARD:** Let's talk about Mona Vale Road West. So lots of assessment and discussion and you're coming back to us. We've spoken previously about Mona Vale Road West and the safety risks and the incidents on that road, including fatalities. Given the rising road toll and the Government's decision to defer or cancel the Mona Vale Road West upgrade, why has the Government decided not to pursue a road safety audit at this time?

**The Hon. JOHN GRAHAM:** This network review is probably the key piece of work that will inform future decisions for Mona Vale Road.

**The Hon. NATALIE WARD:** A network review is one thing, but this is a very specific question about a specific road safety audit on that part of the road where there has been a history of fatalities—Mona Vale Road West.

**The Hon. JOHN GRAHAM:** I've certainly had the concerns from the community raised with me. I can't update you on a road safety audit, but I'd be happy to refer to the agency, including the—

**The Hon. NATALIE WARD:** We might do that but, if you aren't able to answer that, I would like you to take it on notice, Minister, given there has been a history of fatalities.

**The Hon. JOHN GRAHAM:** I'm absolutely—

**The Hon. NATALIE WARD:** You've assured the Committee of your commitment to road safety. The funding has been pulled from the Mona Vale Road West upgrade, which was underway. We'd like to know why the Government won't pursue that safety audit. In a question on notice asked by the local member, Rory Amon,

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the member for Pittwater, the Government confirmed that no safety audit would be undertaken. We would like to understand why that is. The community wants to know. You'll provide that to us, will you?

**The Hon. JOHN GRAHAM:** Can I answer the question?

**The Hon. NATALIE WARD:** Yes. Why will there be no safety audit?

**The Hon. JOHN GRAHAM:** Thank you for the question. I am aware of the concerns. They have been raised with me, including by the member you've referred to. I think it is totally appropriate to take that question on notice and update the Committee.

**The Hon. NATALIE WARD:** I'll turn to the Urban Roads Fund. In a response to a question on notice at the last budget estimates regarding the Urban Roads Fund, you said:

The majority of projects in the Urban Roads Fund are expected to be delivered within the \$770 million.

Which projects are not expected to be delivered?

**The Hon. JOHN GRAHAM:** The Urban Roads Fund is that \$770 million, so those projects have been specifically designated. They've been committed to publicly. They'll be delivered in the time frames that the Government has—

**The Hon. NATALIE WARD:** I'm aware of that, but you said "the majority of projects". My question in response to your answer, which was very clear, is that the majority of projects will be delivered. I want to understand what projects won't be delivered under that project.

**The Hon. JOHN GRAHAM:** I don't have the benefit of that. That is a partial quote, so I can't confirm exactly what the interaction was at the time. But let me put it to you this way.

**The Hon. NATALIE WARD:** It is your response to a budget estimates question last time.

**The Hon. JOHN GRAHAM:** All the projects in the Urban Roads Fund will be delivered as promised from the Urban Roads Fund.

**The Hon. NATALIE WARD:** Minister, to give you the benefit of clarity, we had budget estimates last time. A question was asked of you. You prepared an answer. You sign off on the answers to those questions on notice, don't you?

**The Hon. JOHN GRAHAM:** Yes.

**The Hon. NATALIE WARD:** You have provided the answer. It's not a partial quote; it's a full sentence:

The majority of projects in the Urban Roads Fund are expected to be delivered within the \$770 million.

I'm just trying to understand. Given your answer—you would have prepared for that today surely, knowing that we would follow up to say, "What projects won't be delivered under that fund?"

**The Hon. JOHN GRAHAM:** I'd be happy to take on notice that further detail about the Urban Roads Fund.

**The Hon. NATALIE WARD:** You don't know that either. Are you aware of the 23 projects that will be delivered from the Urban Roads Fund?

**The Hon. JOHN GRAHAM:** Yes, I've signed off on the Urban Roads Fund, so I am broadly aware of that.

**The Hon. NATALIE WARD:** At the last session I asked for a breakdown from Ms Mares and she said, "Yes, I'll give you a breakdown." In the answer back a breakdown was not provided. I'd like to understand if we can have a breakdown now in answer to our questions of those 23 projects.

**The Hon. JOHN GRAHAM:** I think it's reasonable to expect that you'd know what projects were in the Urban Roads Fund. Much of that detail is set out in the budget, but I'm happy to—I think it is appropriate that we take on notice and provide you the list of projects that are in the Urban Roads Fund.

**The Hon. NATALIE WARD:** I appreciate that, but we did ask that last time. It, respectfully, is not set out in the budget. That's why we asked the question.

**The Hon. JOHN GRAHAM:** You're raising that concern now and I'm happy to deal with it. I think that is a reasonable request.

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**The Hon. NATALIE WARD:** Minister, you keep taking these things on notice. The point is: Does your department know because we were given an assurance last time. Does Transport for NSW know and can they provide that breakdown today?

**The Hon. JOHN GRAHAM:** They absolutely know. It's a requirement of the budget process that they know. These projects are budget funded. A lot of that detail is set out in the budget. It is certainly all required for the budget and we'd be happy to take on notice the provision of that information.

**The Hon. NATALIE WARD:** With respect, it's not. That is why we're having to ask the question. May I ask Ms Mares: Are you aware of the 23 projects?

**TRUDI MARES:** Thank you for the question. We can bring that list back this afternoon.

**The Hon. NATALIE WARD:** That would be very helpful, because all of the projects, Minister, are not listed in the budget. That's just not correct and not truthful within the funding profile for the projects. We'd appreciate that breakdown.

**The Hon. JOHN GRAHAM:** I've made these two observations: that much of this information is available in the budget, and the Urban Roads Fund is set out in the usual level of detail. But I've made this point: All of the detail is required in order to present the budget, so it's certainly sitting there in the budget framework.

**The Hon. NATALIE WARD:** We'll have to agree to disagree, which is why we asked you the question last time.

**The Hon. JOHN GRAHAM:** Let's agree to agree, though. I think it would be totally appropriate this afternoon for you to be provided with that information in the afternoon session.

**The Hon. NATALIE WARD:** All right. And it would be helpful this afternoon to understand the funding amount. Can we get an assurance that that will be provided to this Committee this afternoon, the funding amount for each of those projects?

**TRUDI MARES:** We'll bring what we can. We'll check.

**The Hon. NATALIE WARD:** Sorry, you'll bring what you can?

**TRUDI MARES:** Yes, I will check that. Ms Hoang, have we got the full list? Yes, that's fine.

**The Hon. NATALIE WARD:** So you're able to bring the funding amount for each of those projects for this afternoon?

**TRUDI MARES:** Correct.

**The Hon. NATALIE WARD:** Thank you very much. That would be very helpful.

**The Hon. JOHN GRAHAM:** I'm very sympathetic to these frustrations, Ms Ward.

**The Hon. NATALIE WARD:** I'm sure you are, which is why I'm sure you are very keen to assist. Minister, at the last election you committed \$180 million to widen Heathcote Road. At the last estimates session it was confirmed there is not \$180 million in the forward estimates. When do you expect to have a contract awarded to meet your commitment?

**The Hon. JOHN GRAHAM:** We've made a commitment. It's a very important one. There's significant community concern about that Heathcote Road work.

**The Hon. NATALIE WARD:** When will you have the contract?

**The Hon. JOHN GRAHAM:** It is a very constrained corridor.

**The Hon. NATALIE WARD:** I know. I've been there.

**The Hon. JOHN GRAHAM:** I'll have to take on notice the precise timing for the contract—not unreasonably.

**The Hon. NATALIE WARD:** Have you been out there?

**The Hon. JOHN GRAHAM:** I've certainly been speaking to the local member and I have driven it quite a number of times as roads Minister.

**The Hon. NATALIE WARD:** But you didn't put the money in the budget?

**The CHAIR:** Order! Last question. That was it, Ms Ward.

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**Ms ABIGAIL BOYD:** Good afternoon, Minister, and to all the officials. Coming back to the Powerhouse Museum, which I understand the Hon. Susan Carter was asking about as well. We have the museum closing on 4 February, but I understand that it's unlikely that the planning approvals, or even the plans themselves, will be finalised until the end of the year. Why was that decision made so far ahead of those plans being finalised?

**The Hon. JOHN GRAHAM:** You're welcome to ask some more detail of Lisa Havilah, but, as we were talking through the project, there are still some planning steps to go. Decanting a museum of this significance is a big, big undertaking. In order to get the doors open sooner, the advice to me was—and advice I accepted—that we should begin the process as soon as possible. To do that safely and to do it securely is a big job.

**Ms ABIGAIL BOYD:** Has work now commenced then? Is stuff happening?

**The Hon. JOHN GRAHAM:** On that decanting process, on the arrangements about getting the museum in a form where construction and a heritage revitalisation could occur, yes.

**Ms ABIGAIL BOYD:** I understand that all of the curatorial conservation research staff have moved to Castle Hill. Has the decision been made to never return them to the Ultimo site when it's redeveloped?

**The Hon. JOHN GRAHAM:** No, I don't believe so. I'm happy for you to ask questions directly. Staff have certainly been moved. There are 80 staff based in Parramatta, 100 Powerhouse staff will be located at Ultimo and 56 staff at Castle Hill, and that will include, crucially, the curatorial teams. When there are jobs restarted at Ultimo it's my expectation that those, of course, should be available to internal applicants as well as external applicants. Obviously the Powerhouse would have to make a decision about the best arrangement of its teams, so there might be some complexities there. But I wouldn't have thought that existing staff were ruled out from serving somewhere, if a curatorial job, for instance, opened up at Ultimo. I know this is the subject of some—

**Ms ABIGAIL BOYD:** Because that's quite different, isn't it? If we look at this very highly skilled group of staff, who have worked in a museum that is quite different to every other museum that we have, it's very important, isn't it, that we keep that staff and keep that experience? It's very different to say that you can apply for the job later versus you will be returned to this job in the future. What are you doing to keep those people around so that we'll have the right staff when we do reopen?

**The Hon. JOHN GRAHAM:** I should say you're very entitled to ask about this but it is the subject of a current industrial dispute and the Powerhouse is about to respond to exactly these points. But I invite you to ask some questions of them. We want to retain our existing staff. I do want to see some of these functions moved to the west. I think it's important that the potential of the Powerhouse in the west is reached, but Ultimo is an incredibly loved site and there is a requirement for staff there down the track. There are 100 staff there at the moment.

**Ms ABIGAIL BOYD:** I understand that the Harwood Building storage space has been emptied of all the objects and they have been relocated to Castle Hill. What will that empty space in the Harwood Building be used for?

**The Hon. JOHN GRAHAM:** My understanding—but feel free to check this with Lisa Havilah—is that the Harwood Building is not empty; it's still in use. There are no plans to separate this off from the Powerhouse and sell it. That is one of the concerns the community has got, but it's not the plans of the Government.

**Ms ABIGAIL BOYD:** Can you give us an assurance that when it's finally refurbished and we have the Powerhouse Museum back it's not going to be just another curated art space, instead of being that hands-on space that we love and want to see back?

**The Hon. JOHN GRAHAM:** I think that there has been a lot of conflict over nine years about the future of this space, and I want to see it returned to the sort of institution that the public came to know and love. That work will take place while the doors are closed, but that's the spirit that it's got to be driven by. That's one of the reasons why we've set up a committee to really examine exactly what's going on and the future uses—to make sure that that discussion happens now.

**Ms ABIGAIL BOYD:** There's nothing else, is there, that's got that drive to educate and inspire people around engineering and manufacturing and the great vibe that the Powerhouse had? Can you commit to bringing the Powerhouse back in that same form and that same vibe?

**The Hon. JOHN GRAHAM:** Institutions have got to evolve. We don't want this preserved in aspic. However, the reasons why the community loves the Powerhouse—that sense of a museum of applied arts and sciences and the sense that you could learn about the history of technology, of science—is exactly the feeling that I think the community expects back.

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**Ms ABIGAIL BOYD:** I turn quickly to the tolling review. I asked the Treasurer a bunch of questions around this as well. I understand now that we have spent around \$2 million in contracts for people involved in the review—and there are multiple people now involved in this review. The discussion I was having with the Treasurer was particularly in relation to the release of the full contracts from all of the privatisations of our toll roads. I was told that that would be released when we have the toll review completed but obviously there is a lot of, effectively, unpicking of those contracts to do. The proposition I put to the Treasurer was with Transurban because Transurban is part of every consortium, effectively. I now see that there has been a tender put out to get investment banks involved. Is this an admission that we are going to have to pay some money in order to get the tolling regime in our city to be fair and equitable?

**The Hon. JOHN GRAHAM:** I think the questions about the contracts for consultants are probably best directed to the Treasurer, and I saw the answers he gave you. I thought those looked very appropriate. To the question in relation to the contracts for the concessions themselves, we committed at the election that we will deliver on this commitment to release key contract details. We have been working through getting the relief stood up and the interim report underway. That hasn't yet happened, but it will. It will reveal key details to the public that in my view should be public.

**Ms ABIGAIL BOYD:** When will it be released?

**The Hon. JOHN GRAHAM:** We haven't committed to a time line. The interim report is due shortly. That will be the next step forward that the public will see on this. These are difficult reforms, so we need some time for public discussion on them. But we will absolutely meet the commitment to be more public about those details.

**Ms ABIGAIL BOYD:** But to be honest with the public, the difficulty in these reforms is that we are having to renegotiate contractual arrangements with effectively a monopoly provider of toll roads. It's not something that you are responsible for; you have inherited it. Is it going to cost us money to provide a fair and equitable tolling regime for people in this State?

**The Hon. JOHN GRAHAM:** Sadly, you will have to wait for the interim report to learn all the details of this. But I think two things are really clear: This is really difficult, for all the reasons you understand, and it's also really necessary because of the cost—\$123 billion in today's dollars we are still yet to pay—but also the impact that has on the way our city works. This is very hard. It's also very necessary.

**Ms ABIGAIL BOYD:** Once the toll review is released, will there be an opportunity for cross-party discussion and collaboration on how we move forward on this?

**The Hon. JOHN GRAHAM:** Absolutely. I would welcome that. We are seeing this as really the launching pad for a more public discussion. There has been work underway, including under the former Government. I want to recognise that. We've continued that work. We've asked for help from Allan Fels and David Cousins, and we'll ask for help from the public and from the Parliament to be able to tackle these issues. They will not be easy to tackle, but I do believe it's a key reform opportunity.

**Ms ABIGAIL BOYD:** We both sat on the inquiry that I chaired in relation to the tolls back in the last Parliament. One of the key issues that we discovered was in relation to the charging of admin fees, where people were basically under incredible financial distress because of the toll admin fee that Transurban had been charging them. The way to fix that is very simple and straightforward, and yet it has not been done. Is that because the contractual terms are preventing us from making that change?

**The Hon. JOHN GRAHAM:** Look, we'll be able to talk about this some more shortly, but it's not—this matter has been more complex on the administrative side and system side, rather than necessarily being a contractual complexity. The Government has made certain commitments. We'll meet those commitments. That's one of the reasons why the timing is as it is.

**The Hon. MARK BANASIAK:** I might just stick with the drones for the moment, Minister. Just going back to what you're saying, they're on the trucks, so you must know or take a stab in the dark in terms of this is where they need to be. That is the case, isn't it?

**The Hon. JOHN GRAHAM:** Yes.

**The Hon. MARK BANASIAK:** You either had to have them permanently placed in key locations—is that the design?

**The Hon. JOHN GRAHAM:** Exactly right. Some of these are pre-deployed where we suspect there will be a problem. I'm happy for the secretary to—

**The Hon. MARK BANASIAK:** That answers my question.

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**The Hon. JOHN GRAHAM:** Great.

**The Hon. MARK BANASIAK:** Will these drone operators have to comply with CASA regulations around commercial drone operators?

**The Hon. JOHN GRAHAM:** Absolutely, and that has been one of the key regulatory requirements.

**The Hon. MARK BANASIAK:** If that is the case, how are you going to navigate one of the more difficult traffic areas around the Sydney airport where it says you have to be flying away from a commercial airport of—I think 5.5 kilometres is the CASA regulation. How are you going to navigate that? I drive that route quite often. It's a significant bottleneck most times. How are you going to navigate that requirement?

**The Hon. JOHN GRAHAM:** I'll hand to the secretary.

**JOSH MURRAY:** Mr Banasiak, our TMC teams are aware of all of those restrictions. We have a chief pilot who works with the TMC leadership, but certainly we know that there will be places where the drones are not appropriate, which are covered by our fixed cameras and also our on-the-ground traffic teams.

**The Hon. MARK BANASIAK:** Minister, I might just go back to the Powerhouse. I just want to throw out some stats for you, and I just want to get your assessment as to whether you are happy with the performance of the museum in the last five years. Visitation is down 33 per cent over the last five years. Are you happy with that as an outcome?

**The Hon. JOHN GRAHAM:** No, absolutely not.

**The Hon. MARK BANASIAK:** We're down 33 per cent in visitation over five years, but the museum has delivered a 188 per cent increase in the cost per visitor. Are you happy with that outcome?

**The Hon. JOHN GRAHAM:** No.

**The Hon. MARK BANASIAK:** The education participation at the museum is down 56 per cent. Do you agree that that is not an acceptable outcome?

**The Hon. JOHN GRAHAM:** Look, I can't confirm the figures but I don't doubt the figures.

**The Hon. MARK BANASIAK:** These are figures from the annual reports.

**The Hon. JOHN GRAHAM:** There has been a well publicised nine-year dispute, a rollercoaster ride of public opinion, as the policy on this matter is changed repeatedly.

**The Hon. MARK BANASIAK:** Yes. Over that same five-year period, education engagement is up 36 per cent at the Australian Museum. It's 67 per cent below the Art Gallery of NSW and also about 90 per cent lower than Museums Victoria.

**The Hon. JOHN GRAHAM:** I am very concerned about that. That confirms what I have anecdotally seen, particularly some of those younger audiences who've made their way to the Australian Museum. I am confident that can be fixed over time, particularly with this revitalisation. But it's a big problem, and it's reflective of the twists and turns in this tale and the damage that has been done to Ultimo as an institution, a much-loved institution, over time.

**The Hon. MARK BANASIAK:** Are you putting it solely on the twists and turns of whether the museum would be moved and when it will be moved? Is that what we're putting it down to?

**The Hon. JOHN GRAHAM:** The changing approach—one of the biggest effects has been the lack of a common vision for what this institution should be, and that has really been very damaging. I think what we've got to get back is a sense of the potential of this institution, and it has got to be in line with the community's hopes.

**The Hon. MARK BANASIAK:** Are you happy that operating expenses are up 86 per cent over those five years, exhibition costs are up 211 per cent and self-generated revenue has declined by more than 90 per cent in that five-year period? If this was a private business and you were the boss, what would you be saying?

**The Hon. JOHN GRAHAM:** Well, I would close the doors and fix the job, and that's what we are doing.

**The Hon. MARK BANASIAK:** Is that all you would do, close the doors and fix the job? Wouldn't you be looking at the management of this facility over that five-year period?

**The Hon. JOHN GRAHAM:** I want to be clear: I support the CEO of the Powerhouse, Lisa Havilah. I regard her as a good operator in the arts and culture space, and I'm grateful for the work she's doing. The issues with Ultimo—

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**The Hon. MARK BANASIAK:** I invite Ms Havilah to come up and explain whether she is happy with these figures as well. I wouldn't be happy, if I was the CEO, to see these figures happening under my leadership, and I would be wanting to take steps to actually improve it.

**The Hon. JOHN GRAHAM:** No, and I can understand why the community is concerned. These are all reasons why this has to do better.

**The Hon. MARK BANASIAK:** What guarantees will we have that when it is returned and revitalised it will do better?

**The Hon. JOHN GRAHAM:** One of the things I have done is ask for help from Bob Debus, the former arts Minister. Bob actually opened the Castle Hill space—

**The Hon. NATALIE WARD:** More jobs for the boys.

**The Hon. JOHN GRAHAM:** —back in the very early days of that institution. I can inform Ms Ward that he's doing it in an unpaid capacity. This is public service, not—

**The Hon. NATALIE WARD:** Excellent. Good to hear.

**The Hon. JOHN GRAHAM:** But I am hopeful that—

**The Hon. NATALIE WARD:** You couldn't find a woman? Not a woman in sight?

**The Hon. JOHN GRAHAM:** I'm hopeful that he will assist to work with the groups who have got concerns with the Powerhouse at Ultimo to really make sure that the community's view is coming through here, and he should work with the trust to do so.

**The Hon. MARK BANASIAK:** I might just join with my colleague in turning to the Creative Communities policy. It's a great piece of creative writing.

**The Hon. NATALIE WARD:** That's from a teacher.

**The Hon. MARK BANASIAK:** I will turn to the section from you, Minister. It states:

Research reveals that the creative industries are growing at nearly twice the rate of the general economy in Australia.

That's obviously your words. Where did you get that data from?

**The Hon. JOHN GRAHAM:** We can get you the specific references, but that's lower than it is in the UK, where creative industries are growing at up to five times the rate of growth of the rest of the general economy. This is a well-worn path for growth. For Sydney, you are talking about a significant slice of our workforce. You are talking about 9 or 10 per cent of our workforce, depending on what you measure, and it could be growing. That's the goal of the policy.

**The Hon. MARK BANASIAK:** I also raise the concerns over your comment when you say:

... is overwhelming: young children who participate in cultural and creative activities are much more likely to do well at school ...

That's a given; I know that. But you have obviously taken away the vouchers. How are we going to facilitate greater participation in these cultural and creative activities? To give you an example, a piano lesson or a violin lesson ranges from anywhere between \$80 and \$100 per hour. If you've got a kid that's really into it and wants to go all the way to the conservatorium over those 10 years, I have done the calculations—you would spend around \$28,000 in engaging that kid in participation in that creative field. How are we going to make this reachable for the average person? Because at those costs, it's not.

**The Hon. JOHN GRAHAM:** You're exactly right. I think that's a great description of the problem. We can't have arts, particularly music education, just become the province of those who can pay for it. One of the issues is that the arts and culture sector has found it very difficult to engage with a devolved Department of Education. They have found it difficult to lodge themselves into the education system. That's one of things I would like to see the Parliament inquire into, to work out if there is a better way to centrally coordinate with the Department of Education.

**The Hon. MARK BANASIAK:** Just in the last minute, there's obviously a big focus in this document about delivering regional arts and culture and creative industries, and getting more people out to the regions and experiencing that culture and that art. How does that sit with your Government's plan for net zero and getting more people off the roads? The fact that we don't have adequate public transport out into the regions—how is that all going to gel together? It's a nice fluffy statement, but when you wrap around all the other things that are going on in New South Wales, it doesn't seem achievable to me.



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**The Hon. JOHN GRAHAM:** Yes, those are challenges. I want to be up-front about that. But this is a big turn from an informal arts policy focused on the cultural institutions clustered around the harbour, which are incredible and should be better celebrated, to a whole-of-State focus. We started in Lismore and ended up in Broken Hill. These creative communities out there need some attention and policy support from the Government. That's what this policy delivers. Of course that will take some time to deliver, but we need much better—

**The Hon. MARK BANASIAK:** You need more than words, though, in a policy. You need actions—

**The Hon. JOHN GRAHAM:** Yes, I agree with that.

**The Hon. MARK BANASIAK:** —and you need deliverables and things to measure a policy by. I see lots of commitments in there but not a lot of actions that can be measured.

**The Hon. JOHN GRAHAM:** Let me tell you, you've put the case well, but the creative citizens of Broken Hill put it even more bluntly when we were out there.

**The Hon. MARK BANASIAK:** I'm sure they would have.

**The Hon. JOHN GRAHAM:** And that was welcome. That's exactly the change we've got to drive. But this is the policy, first step, and then we've got to drive implementation in the way you're describing.

**The Hon. MARK BANASIAK:** I look forward to the driving.

**The Hon. NATALIE WARD:** Minister, did Transport for NSW conduct any assessment with respect to road capacity or provide any advice on road infrastructure to the department of planning for the assessment and selection of precincts for the Transport Oriented Development Program?

**The Hon. JOHN GRAHAM:** Yes, in the consideration of the transport oriented development precincts, as you would expect, that's not just a matter for Planning. Some of those decisions crucially rely on the transport infrastructure that might surround them. I can confirm that it's joint work. There's certainly been a dialogue between Ministers and the agencies—

**The Hon. NATALIE WARD:** Sure, a dialogue's one thing, but did Transport conduct any assessment with respect to road capacity or advice on infrastructure to the department of planning?

**The Hon. JOHN GRAHAM:** I've seen your questions previously on this and I'm not prepared to canvass the Cabinet deliberations—

**The Hon. NATALIE WARD:** I'm not asking you to do—I'm just asking was advice provided on road capacity?

**The Hon. JOHN GRAHAM:** I'm not prepared to canvass the Cabinet deliberations in relation to the decision. However, I can definitely inform you that Transport has been deeply engaged in this set of policy questions and has been providing advice to government.

**The Hon. NATALIE WARD:** Did they provide advice to Planning?

**The Hon. JOHN GRAHAM:** They've certainly been providing advice to government and to me as Minister.

**The Hon. NATALIE WARD:** And you've seen that advice provided to you as Minister?

**The Hon. JOHN GRAHAM:** I can confirm they've been providing advice to me as Minister. I won't comment on matters relating to Cabinet.

**The Hon. NATALIE WARD:** Road safety: Following the increase in the road toll in New South Wales, which we've talked about, is it still a priority for the Minns Government's commitment to legislate an independent victims commissioner for road crime?

**The Hon. JOHN GRAHAM:** That is not a matter that sits in my portfolio. It's certainly a matter I've got some interest in. But you'd be best referring that to the Minister responsible.

**The Hon. NATALIE WARD:** But surely given the road toll and given your commitment prior to the election—you said that this is something that your Government would do and you committed to doing that—surely that's something that you would be pushing along?

**The Hon. JOHN GRAHAM:** That's why those commitments were made—

**The Hon. NATALIE WARD:** Who is responsible, then?

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**The Hon. JOHN GRAHAM:** —and I'd expect to see them delivered. I don't want to mislead you, so we might take that on notice, but I'm not the responsible Minister. We'll come back to you.

**The Hon. NATALIE WARD:** You'll let us know today who is?

**The Hon. JOHN GRAHAM:** Yes, we will.

**The Hon. NATALIE WARD:** You've been in government for nearly 12 months, almost a year. In that time you've introduced legislation for a small bars commissioner but not for victims of road crime. Are you still intending to look after those people impacted by road crime, as well as small bars?

**The Hon. JOHN GRAHAM:** As I've indicated, I'm not the Minister responsible. We've made those commitments. I'm confident that those commitments will be met, but I'm happy to answer questions in relation to matters I am responsible for.

**The Hon. NATALIE WARD:** Because we've heard feedback from the Road Trauma Support Group, who you stood next to promising this policy before the election—or your Government stood next to. I'm sorry, can we just stop the clock? I understand that there has been an interruption to the feed. Broadcast has dropped out. Can we double-check that?

**The CHAIR:** I've been informed at this point that Hansard can continue their work but, because there is no video, if everybody could state their name before they respond. We'll do the same with witnesses. The Opposition has one minute and 50 seconds left.

**The Hon. NATALIE WARD:** Thank you, Chair. Minister, I was asking you about the commitment of your Government to an independent victims commissioner for road crime. I've heard feedback from the Road Trauma Support Group, who your Government stood next to promising this policy. They haven't heard anything about it and I'd like to understand, from you or whoever is responsible, the specific work that you've seen on the promise. You stood next to victims and now you're saying to this Committee, "It's not my priority. It's not my responsibility." Can you understand why we want some answers on this?

**The Hon. JOHN GRAHAM:** I'm absolutely not saying, "This is not my priority." That's why I was very grateful for exactly that group's participation in the road safety forum. I have been able to confirm—this was my view, but I've been able to confirm it; I didn't want to mislead you—that it is the Attorney who is leading on that matter for the Government. I encourage you to raise those questions directly with him.

**The Hon. NATALIE WARD:** I certainly will. Have you seen any formal documentation about that commitment—a briefing note, any advice? Have you been invited to participate?

**The Hon. JOHN GRAHAM:** Yes, I have, although I'm hesitant to comment on Cabinet matters.

**The Hon. NATALIE WARD:** But you've been briefed on it to some extent?

**The Hon. JOHN GRAHAM:** I can confirm that I've seen material relating to the commitment.

**The Hon. NATALIE WARD:** Can I take it that the Government is actively working on this promise?

**The Hon. JOHN GRAHAM:** I think you should direct these to the Attorney. I think that'd be the usual way to deal with this, but I'm very open to providing information on any of my commitments.

**The Hon. NATALIE WARD:** Prior to the election, the now Attorney General attended an event alongside myself and the now Leader of the Opposition and matched our former Government's commitment to review the Road Transport Act as it concerns the demerit points scheme and other related matters. I appreciate you've got your own review going on into your policy, but it was a commitment for an external body. Is it still the Government's intention to support that inquiry?

**The Hon. JOHN GRAHAM:** I'm open to doing so. We haven't initiated that work, to my knowledge, but I would see it as an area where there is some good work to do.

**The CHAIR:** Minister, were you embarrassed to be the Minister for Music and the Night-time Economy when Pink was turned away from the Manly skiff club in February this year?

**The Hon. JOHN GRAHAM:** We've scrapped many of the rules and regulations that relate to venues. The lockouts are gone. It's now legal—in fact, it's in the law—that a venue can hang a mirror ball, something that was previously illegal. But I was concerned—

**The CHAIR:** This isn't about mirror balls, Minister. This is about the fact that one of the world's biggest celebrities was turned away from a club in Manly because she didn't have ID. It doesn't matter if there are mirror balls in that club because she didn't get in.

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**The Hon. JOHN GRAHAM:** I was concerned when the 44-year-old entertainer to whom you are referring was turned away. One of the world's best performers—

**The Hon. NATALIE WARD:** What's age got to do with it?

**The CHAIR:** It's okay to mention her name—Pink, in case you didn't know—

**The Hon. JOHN GRAHAM:** One of the world's best performers, Pink—

**The CHAIR:** —instead of her age.

**The Hon. NATALIE WARD:** What's her age got to do with it?

**The Hon. Dr SARAH KAINE:** Because she didn't have ID.

**The CHAIR:** I see.

**The Hon. JOHN GRAHAM:** There shouldn't have been an ID requirement. Of course I was concerned. We've still got more work to do in this area, but we want a city and we want a State where venues are safe and free to welcome people in. I was concerned to read about that—that she'd joined the long list of people, including Madonna, who'd been turned away from Sydney venues over the years.

**The CHAIR:** I'm glad you mentioned Madonna, because we've had Madonna and now Pink turned away from venues in New South Wales. So when will you change the law to make things more flexible, not just for celebrities? This requirement for every single person to produce ID otherwise they're not allowed in—surely it's time to change that and to be flexible in some way.

**The Hon. JOHN GRAHAM:** I want to make it clear: Any changes we make will be closely consulted with industry. We don't want to lose venues by changing the law.

**The CHAIR:** Yes. I'm not asking you about consultation, though.

**The Hon. JOHN GRAHAM:** Well, I'd want to talk to venues—to industry—first. But we're open to making further changes. We will bring further changes before the Parliament.

**The CHAIR:** Have they talked to you about this issue?

**The Hon. JOHN GRAHAM:** I haven't talked to clubs directly on this issue, certainly not since the incident.

**The CHAIR:** Did you reach out to Manly skiff club, by the way, or to Pink's people to apologise as the Minister for music in New South Wales, who oversees a regulatory environment that made it impossible for Pink to get into that club? Who did you apologise to?

**The Hon. JOHN GRAHAM:** I haven't reached out, as you say, to Pink's people.

**The Hon. NATALIE WARD:** Have your people reached out to her people?

**The Hon. JOHN GRAHAM:** I am concerned to have Pink join the long queue of people who have come to a Sydney venue and been knocked back. I thought those days were behind us. If we need to make further changes, we're certainly open to that. But we'll do it in a way, working with venues and with the Parliament, to make sure that it has the effect we want.

**The Hon. NATALIE WARD:** Bring back Pink!

**The Hon. MARK BANASIAK:** I'll throw some out there. Let's go to another music star, Taylor Swift—I know your favourite, my favourite. Obviously, you pulled out all the stops. You got extra buses to get people home. Is there a view to do that for other large-scale events in other areas, like events at the Opera House, events at theatres, where we have large amounts of people? Is this going to be a policy where we flood the streets with buses and trains and whatever and we get people home safely, not just for Taylor Swift but for other cultural institutions?

**The Hon. JOHN GRAHAM:** It was a fantastic result, and I certainly don't want to take credit for it. Not only is it not my portfolio but, in fact, it was the Transport team who really delivered on that. I want to recognise the whole Transport team, but particularly Coordinator-General Howard Collins. It was a great result, despite the fact he was held hostage here at estimates until late in the day.

**The Hon. NATALIE WARD:** It's called democracy, Minister.

**The Hon. JOHN GRAHAM:** It was smoothly executed.

**The CHAIR:** We let him go slightly early, actually.

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**The Hon. MARK BANASIAK:** He still got to the concert; it's all right.

**The Hon. JOHN GRAHAM:** That was a great sign. We'd love to be able to apply that elsewhere. Obviously, there are some constraints on doing that, but I think it was a great example of having done this well and I want to thank both the public and Transport.

**The Hon. MARK BANASIAK:** Just quickly, and I might pick up with your public servants in the afternoon. AI—what's the Government doing in addressing this issue with AI in creative arts and the protection of intellectual property? We now have AI. You can ask it to paint a picture in the style of this or write a song in the style of a particular artist. What is the department doing in terms of looking at this issue? Given that in the US the whole writers' strike was solely based on this issue, in terms of how they deal with that, where are we at?

**The Hon. JOHN GRAHAM:** This is a great question and it is of real concern to industry looking at what is going on overseas and around the world, but it should be of concern to the nation's parliaments. Many of those rules around intellectual property or those copyright protections rest at Federal Government level, but I don't think that's a reason we should be complacent at State Government level. Certainly, there are concerns in the screen industry, as you have observed, and in the music industry. One expert on AI out here—a professor overseas but also a member of an electronic music band from Sydney—put it to me this way: Don't be concerned just about those industries. If you are a ceramicist, you should be concerned about the impact of AI. Potters won't be immune to these changes. They are really going to impact in ways we don't expect, more rapidly than we expect.

**The CHAIR:** We will now go to any questions from the Government.

**The Hon. BOB NANVA:** The Minister was going to clarify some points.

**The CHAIR:** Yes. You had something to clarify, in terms of answers, Minister?

**The Hon. JOHN GRAHAM:** I am certainly happy to. We took on notice the numbers in relation to the truck toll multiplier, but I think it would be appropriate to give you an update at this point. As of March we are expecting that 1.4 million tags will automatically be refunded—one-third of the truck toll multiplier. That applies to the M8 and the M5 East. Like the other toll relief measure, that will apply in April. I can confirm that is within the budget for this measure. I can also confirm that, in the ordinary way, we'll update any of the budget figures when it comes to the June budget.

**The CHAIR:** If there are no further questions from the Government, we will break for lunch. Thank you very much for appearing, Minister. We will be back at two o'clock with the rest of the witnesses. See you then.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** Welcome back. We will move to questions from the Opposition.

**The Hon. NATALIE WARD:** I just have one quick follow-up from today, and then we'll go to the Hon. Damien Tudehope. Just that list, can we get that?

**TRUDI MARES:** Urban roads?

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

**TRUDI MARES:** I'll get Ms Hoang to help me, if needed. There are 15 projects in the budget papers that are allocated to the Urban Roads Fund. I'll just step you through the others that aren't in the budget papers.

**The Hon. NATALIE WARD:** If that's in written form, I'm happy for you to just hand that to me.

**TRUDI MARES:** I haven't got it in written form today, but we can prepare that, if you're comfortable.

**The Hon. NATALIE WARD:** Yes, if you can just quickly prepare that and hand that to me, that would be fine, so that Mr Tudehope can get on with his questions.

**TRUDI MARES:** Okay. No problem.

**The Hon. NATALIE WARD:** That's great. Thank you.

**The Hon. DAMIEN TUDEHOPE:** Ms Morgan, Julia Carland emailed you on 6 September, stating, "I presume you have separately obtained approval for the use of a method other than a competitive merit-based process, as required by guide 6.1.5", and I'm talking about the Local Small Commitments Allocation. Ms Carland's presumption, of course, was misplaced, wasn't it?

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**ALISON MORGAN:** Yes.

**The Hon. DAMIEN TUDEHOPE:** You hadn't obtained any such approval as required by the guide, had you?

**ALISON MORGAN:** We had obtained it as a part of the approval of the original grant guidelines, but following Ms Carland's advice we put a separate brief to the Minister, which was approved.

**The Hon. DAMIEN TUDEHOPE:** Did you prepare the mandatory documentation?

**ALISON MORGAN:** Yes.

**The Hon. DAMIEN TUDEHOPE:** Have you got a copy with you today?

**ALISON MORGAN:** Yes.

**The Hon. DAMIEN TUDEHOPE:** You would have heard the Minister's evidence, saying that he had in fact produced a copy to the House pursuant to the standing order—

**ALISON MORGAN:** On 10 November.

**The Hon. DAMIEN TUDEHOPE:** On 10 November?

**ALISON MORGAN:** Correct.

**The Hon. DAMIEN TUDEHOPE:** I might be absolutely blind or alternatively missing something which is supposed to be totally apparent. For my assistance—

**KATE BOYD:** Can I help?

**The Hon. DAMIEN TUDEHOPE:** Sorry?

**KATE BOYD:** Can I help with this?

**The Hon. DAMIEN TUDEHOPE:** Yes.

**KATE BOYD:** I think there might be a bit of confusion about what was produced under the SO 52 and what was tabled voluntarily by the Minister in the House. The document you're referring to, following the last budget estimates hearing, the Minister at the next opportunity went into the House and tabled it, I think, or wrote to the Clerk.

**The Hon. DAMIEN TUDEHOPE:** In the House, do you say?

**KATE BOYD:** Yes. It's available online and it has been since November. I think that's the cause of confusion here. It's not—

**The Hon. DAMIEN TUDEHOPE:** So it hasn't been produced to the Clerk; it was produced in the House—is that what you're telling us, Ms Boyd?

**KATE BOYD:** No, I can't recall whether it was produced—like, tabled on the floor of the Parliament—or whether we wrote to the Clerk for it to be tabled.

**The Hon. DAMIEN TUDEHOPE:** I think the Minister's evidence was that he in fact wrote to the Clerk and provided a copy.

**KATE BOYD:** It's publicly available, in any event, so we can send you the link or provide that to you.

**The Hon. DAMIEN TUDEHOPE:** I would be very happy if you would send me the link. Just in relation to that program, between 6 September and 28 September did you continue to assess applications pursuant to the small commitments allocation?

**ALISON MORGAN:** Yes.

**The Hon. DAMIEN TUDEHOPE:** Potentially that was unlawful. Do you agree?

**ALISON MORGAN:** The guidelines had been approved, which made it very clear that that was a non-competitive, one-off ad hoc grant program, and the guidelines didn't change—

**The Hon. DAMIEN TUDEHOPE:** But there was no document—

**ALISON MORGAN:** —so we assessed them.

**The Hon. DAMIEN TUDEHOPE:** But the 6.1.5 documentation wasn't in place, was it?

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**ALISON MORGAN:** There were significant elements of that that had been included in the approval, for the guidelines.

**The Hon. DAMIEN TUDEHOPE:** I'm not quibbling with you in your interpretation of potential other documents, but the actual documentation which is required to be produced wasn't in place, was it?

**ALISON MORGAN:** It was in place before the Minister approved any projects.

**The Hon. DAMIEN TUDEHOPE:** But while you were assessing them, it wasn't in place, was it?

**ALISON MORGAN:** Correct.

**The Hon. DAMIEN TUDEHOPE:** Just for my benefit, and since I don't have access to the document that Ms Boyd has just told me is available, what risks did you identify?

**ALISON MORGAN:** What risks did we identify? We outlined how we would approve achieving value for money. I'd have to go through this in more detail. It would be better for us to make it available to you, certainly.

**The Hon. DAMIEN TUDEHOPE:** Thank you. I take it that there were mitigation strategies also outlined in the document? Again, you'll have to excuse me for not having seen this document.

**ALISON MORGAN:** Certainly.

**The Hon. DAMIEN TUDEHOPE:** Were there mitigation strategies included in the documentation?

**ALISON MORGAN:** Yes, there were a number. One of the key mitigation strategies is that the individuals who nominated the projects were not a part of the assessment process. It was an independent assessment process.

**The Hon. DAMIEN TUDEHOPE:** Good. So, effectively, for the purposes of conflicts of interest, which I think that you're now alluding to as a potential mitigation strategy, your approach to conflicts of interest was to ensure that the proponent was not part of the assessment process?

**ALISON MORGAN:** The person that had nominated the organisation was not a part of the assessment process, nor the approval process.

**The Hon. DAMIEN TUDEHOPE:** So that was your focus in terms of what you thought might arise as a conflict?

**ALISON MORGAN:** It was one of them, certainly.

**The Hon. DAMIEN TUDEHOPE:** What other ones were there?

**ALISON MORGAN:** Having an assessment process that ensured that the grants represented value for money and were an effective, efficient way of using taxpayers' money.

**The Hon. DAMIEN TUDEHOPE:** But the assessment process, to the extent that it dealt with conflicts of interest, didn't deal with whether the actual proponent may have a conflict of interest, did it?

**ALISON MORGAN:** We had no part in the nomination process for those projects.

**The Hon. DAMIEN TUDEHOPE:** No, I accept that, but you didn't do an assessment of those projects on the basis of investigating whether the proponent—that is, the candidate or subsequently elected member—had a potential conflict of interest, did you?

**ALISON MORGAN:** No, we did not, until the Minister asked us to undertake a process.

**The Hon. DAMIEN TUDEHOPE:** When did he do that?

**ALISON MORGAN:** I will check the dates for you, but we were asked to do that in 17 electorates. That was done on 20 October 2023—we did the first 15. We were then asked to do another one, the Wyong electorate, later.

**The Hon. DAMIEN TUDEHOPE:** That was in January this year, was it not?

**ALISON MORGAN:** This year, that's right. We were also asked to assess one project in the Blacktown electorate, again earlier in October.

**The Hon. DAMIEN TUDEHOPE:** The Minister, in his correspondence to me, indicated that there were 121 projects with potential conflicts of interest. Are you aware of those 121 projects?

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**ALISON MORGAN:** There were 118 projects that were nominated in those 17 electorates that we were asked to undertake a conflict of interest review on.

**The Hon. DAMIEN TUDEHOPE:** And that was the—effectively, other than the 15 which you said that you had—

**ALISON MORGAN:** No, that's the same.

**The Hon. DAMIEN TUDEHOPE:** Included those 15 which you had done in October?

**ALISON MORGAN:** Yes. Across 17 electorates there were 118 individual projects that had been nominated in those electorates. I'm assuming they're the numbers you're referring to?

**The Hon. DAMIEN TUDEHOPE:** Yes.

**ALISON MORGAN:** There were 118 projects that were then assessed across 17 electorates.

**The Hon. DAMIEN TUDEHOPE:** And have you completed that process, have you?

**ALISON MORGAN:** Yes.

**The Hon. DAMIEN TUDEHOPE:** I think the Minister's evidence in his reply to me—and it's question on notice No. 1757—indicated that there were 121 projects. I think his evidence was that the process in relation to that additional probity requirement—and, I take it, the process that you are now adopting in relation to what he calls the "additional probity" investigation—includes the extent to which the member may have a conflict of interest.

**ALISON MORGAN:** Correct.

**The Hon. DAMIEN TUDEHOPE:** He seems to indicate that there were only 45 which had currently been assessed and that he wouldn't be finalising the others until he actually saw them. But you're telling me today that, for your part, you have actually completed that process?

**ALISON MORGAN:** We have assessed the interests that were declared. Not all of those projects have yet been lodged. We don't have submissions from them. They haven't all yet been assessed and they have not all yet been referred to the Minister with a recommendation about whether they should be approved or not.

**The Hon. DAMIEN TUDEHOPE:** For the purposes of actually carrying out the assessment of potential conflicts of interest by the member, do you just rely on the statement by the member?

**ALISON MORGAN:** Member or candidate, yes, completed an interest declaration form.

**The Hon. DAMIEN TUDEHOPE:** That's the only documentation that you look at for the purpose of satisfying yourself that there is no conflict of interest?

**ALISON MORGAN:** If there was any ambiguity in that documentation, we would have gone back to that candidate or member to ask for some clarification. I can think of one instance where we did that. But, yes, that's the document that we've relied on.

**The Hon. DAMIEN TUDEHOPE:** Can I accept then from you that in all other cases their members had already voluntarily disclosed a potential conflict of interest?

**ALISON MORGAN:** We've only asked the candidate or the member in those 17 electorates. If you're asking about other electorates—

**The Hon. DAMIEN TUDEHOPE:** Yes.

**ALISON MORGAN:** Not as a part of our process, no.

**The Hon. DAMIEN TUDEHOPE:** In terms of the documentation that was before you, on how many occasions had the member or candidate already identified a potential conflict of interest?

**ALISON MORGAN:** To somebody else? Identified it to whom?

**The Hon. DAMIEN TUDEHOPE:** Identified it as part of the application process, that they may have had a conflict of interest because, for example, the member for Wyong may have said, "I was a member of this club."

**ALISON MORGAN:** I can't speak to any conflict of interest process that happened prior to our office being involved in the process, from June.

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**The Hon. DAMIEN TUDEHOPE:** As part of the original application process, there was never any requirement that members or candidates identify or self-identify any potential conflicts of interest?

**ALISON MORGAN:** I can't answer that. We were not a part of the nomination process that was run by the Labor Party prior to the election.

**The Hon. DAMIEN TUDEHOPE:** It wasn't put in front of you, was it? There were no documents put in front of you which would indicate that you had access to a declaration or otherwise by the member or candidate.

**ALISON MORGAN:** That's correct.

**The Hon. DAMIEN TUDEHOPE:** Can I just ask you about two—and you've no doubt been aware of the applications in relation to Castle Hill and Kellyville. Have you assessed those two grants yet?

**ALISON MORGAN:** Excuse me one moment. Castle Hill has had nothing yet approved. I can't speak to exactly where those submissions may well be in the process of lodgement and assessment. Kellyville, similarly, has had no projects yet approved. I can't speak to exactly whether or not they've been lodged or where they are maybe in the assessment process yet.

**The Hon. DAMIEN TUDEHOPE:** But you would be aware, of course, that they have been included on the spreadsheet of projects which have been approved for the purposes of these grants.

**ALISON MORGAN:** They are included in the spreadsheet, yes, provided to us by the Premier's office, which said, "Yes, these are the election commitments."

**The Hon. DAMIEN TUDEHOPE:** Would you agree with me that a term of these grants would be that they were made as part of election commitments?

**ALISON MORGAN:** That's my understanding.

**The Hon. DAMIEN TUDEHOPE:** Do you actually assess the grants on the basis of checking whether they were election commitments?

**ALISON MORGAN:** No. If they are on the list that was provided to us by the Premier's office, and we were advised that they were election commitments, then we have accepted that they are election commitments.

**The Hon. DAMIEN TUDEHOPE:** If they are on that list and they go to the Minister's office for approval, is there any check done other than just accepting that projects which were on the spreadsheet as being election commitments?

**ALISON MORGAN:** No, we do no further checks.

**The Hon. DAMIEN TUDEHOPE:** No further checks?

**ALISON MORGAN:** If the Premier's office have advised us that they are election commitments and they are included in the list, then that is our evidence base that they are election commitments.

**The Hon. DAMIEN TUDEHOPE:** You are aware of the suggestion that the projects in relation to Castle Hill and Kellyville were not election commitments. Have you made any inquiries since being made aware of that as to whether they were election commitments?

**ALISON MORGAN:** No.

**The Hon. DAMIEN TUDEHOPE:** Do you think you should? That's a term of the making of the grants, is it not?

**ALISON MORGAN:** If the Premier's office have advised us that they are election commitments, then we have accepted that they are election commitments.

**The Hon. DAMIEN TUDEHOPE:** If they are included on that list and they weren't election commitments, it may well be the case that they have been falsely included in that list as being election commitments in circumstances where they were not, and you would not know and you would not query it.

**ALISON MORGAN:** As we have no involvement in the original collation of the list of election commitments or the making of election commitments, that is a question that we would refer back to the Premier's office.

**The Hon. DAMIEN TUDEHOPE:** Now that you've heard it both in my questions today to the Minister and to you, and to the Premier, is it your view that you should, in fact, refer it back to the Premier's office for clarification?



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**ALISON MORGAN:** I'll take that on notice.

**The Hon. DAMIEN TUDEHOPE:** The new probity process, of course—there would be a document which covers the things which would be covered off by you in relation to the additional probity checks which you would carry out?

**ALISON MORGAN:** I think you're referring to how we would assess the interests that are declared to determine whether or not we think they have a high, medium or low probity risk.

**The Hon. DAMIEN TUDEHOPE:** Correct.

**ALISON MORGAN:** Yes, there is a guide for that.

**The Hon. NATALIE WARD:** Can I just check back in on how we're going with the Urban Roads Fund list?

**TRUDI MARES:** It's just being prepared.

**The Hon. NATALIE WARD:** Can I have that in this session, please?

**TRUDI MARES:** Putting it together now.

**The Hon. NATALIE WARD:** I don't mind if it's handwritten. I'm not fussy. Thank you very much. I'll check back in on that.

**The Hon. SUSAN CARTER:** Just to continue with the grants theme—but I think my questions are probably to Ms Collins from Sound NSW. I'm just curious, Ms Collins, the one-off grants to both the Gadigal Information Service Aboriginal Corporation and the Sydney Fringe Incorporated—was it the Minister who approved the risk mitigation strategies and the reasons, or was it somebody that the Minister delegated?

**EMILY COLLINS:** The advice was provided in a brief to the Minister's office and that brief was approved by the Minister's office.

**The Hon. SUSAN CARTER:** So the Minister signed off on those?

**EMILY COLLINS:** Yes, I believe so.

**The Hon. SUSAN CARTER:** Can you provide us with copies of the documentation provided pursuant to 6.1.5 of the New South Wales *Grants Administration Guide*?

**EMILY COLLINS:** Yes, I can on notice.

**The Hon. SUSAN CARTER:** That would be lovely. I'm curious, why were these one-off grants considered necessary?

**EMILY COLLINS:** The support for Gadigal Information Service was for the broadcast of Yabun Festival, which was a festival that happened on 26 January. They sought support from the New South Wales Government to present the event specifically for the broadcast across the State. We felt that—

**The Hon. SUSAN CARTER:** Sorry, I'm not querying the event. I'm just wondering why it was a one-off process that was necessary.

**EMILY COLLINS:** Sure. So Sound NSW at the moment has this funding for one year, so we provided support to the festival to do the broadcast because it was of urgent need and we considered it to be of significant benefit to First Nations artists and community across the State and that the festival needed support.

**The Hon. SUSAN CARTER:** The Sydney Fringe—where did the funded performances occur?

**EMILY COLLINS:** The Sydney Fringe had multiple sites across the city.

**The Hon. SUSAN CARTER:** How much was spent for performances in Penrith?

**EMILY COLLINS:** I will have to come back to you with detail on the breakdown of that.

**The Hon. SUSAN CARTER:** If you could provide a breakdown of the locations and the LGAs—

**EMILY COLLINS:** Yes, we've got funding acquittals on that.

**The Hon. NATALIE WARD:** We've had over an hour to get this list. I do want to ask some further questions this afternoon. So if we could get that even just handwritten, that would be very helpful.

**The CHAIR:** I think the point has been made, with respect, to the public servants.

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**The Hon. NATALIE WARD:** I just want to get them while everyone is here today.

**The CHAIR:** They're aware of that. Mr Tudehope?

**The Hon. DAMIEN TUDEHOPE:** Ms Morgan, just a couple of things—these 17 electorates you identified. Where did you get that list of 17 electorates from?

**ALISON MORGAN:** The Minister.

**The Hon. DAMIEN TUDEHOPE:** He identified himself the electorates that he wanted covered?

**ALISON MORGAN:** Yes.

**The Hon. DAMIEN TUDEHOPE:** You say that there was an interest declaration form. Where did you get those forms from?

**ALISON MORGAN:** We generated those. That process was run by my office. It is a standard template—very similar to one you will have signed yourself. I then sent that to either the MP or candidate. We pre-populated it with the projects that we knew had been nominated and asked them to then fill it in and declare any interests, sign it, return it.

**The Hon. DAMIEN TUDEHOPE:** Would you be concerned if people were nominating projects which were not election commitments as being part of this grants program—that that in fact may constitute fraud?

**ALISON MORGAN:** I don't have a role to play in determining what a party has said are their election commitments. The Premier's office had provided us with a list to say that these are election commitments. We have relied on that list in terms of what are election commitments.

**The Hon. SUSAN CARTER:** I have a question in relation to jobs and tourism, if somebody could help me with that.

**ELIZABETH MILDWATER:** I can try. It depends on what the question is.

**The Hon. SUSAN CARTER:** Creative Communities—the Minister, in his capacity as the Minister for the Arts, was going to direct himself, as the Minister for Jobs and Tourism, to formally direct Destination NSW to adopt an experience tourism policy focus. Has that direction been given?

**ELIZABETH MILDWATER:** Yes, it has.

**The Hon. SUSAN CARTER:** What's the tangible effect of that? What difference does that make?

**ELIZABETH MILDWATER:** It has directed Destination NSW, amongst a few other things, to start work on revision of its Visitor Economy Strategy to take into account the new policy and align with that. That process is just starting now.

**The Hon. SUSAN CARTER:** What does that mean for tourists being attracted to New South Wales or for jobs in the tourism sector?

**ELIZABETH MILDWATER:** What it means is the strategy that Destination are currently working to—and Mr Cox can give you more detail—was set a few years ago, with targets over the next few years and what sectors they'll focus on, that sort of thing. They'll now revise the strategy to take into account both the new policy but also the passing of time—COVID, post-COVID impacts, that sort of thing. When that's produced, which I would anticipate would be maybe around the third quarter of this year, then that will set the way forward for Destination in terms of where it directs funding and where it focuses its activities. Some of that will be the same as it is now, but it's quite possible some of it will be different to take into account the new policy.

**Ms ABIGAIL BOYD:** I've got some questions in relation to the Powerhouse Museum again. Who should I direct that to? Coming off the questions I was asking earlier, we talked about the objects being decanted from the Ultimo museum. I think the Minister indicated that that had begun. What's the time line for that? When will it be complete?

**LISA HAVILAH:** We have a period of five to seven months where our collections and the conservation team are going to decant the collection from the Powerhouse in preparation to hand the museum then to Infrastructure NSW, who will deliver the infrastructure project.

**Ms ABIGAIL BOYD:** Sorry, what did you say—five to seven months?

**LISA HAVILAH:** Five to seven months.

**Ms ABIGAIL BOYD:** In the last estimates, I think that's when we heard about the hydraulic line at the Castle Hill storehouse that needed to be repaired.

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**LISA HAVILAH:** Yes.

**Ms ABIGAIL BOYD:** How much did that cost to repair or to replace and who pays for that?

**LISA HAVILAH:** That's part of the overall project cost. That issue has now been resolved and we're preparing to open the new Castle Hill building on 23 and 24 March, so we've got a big weekend of family celebrations. I might refer the cost of that to Annette Pitman.

**ANNETTE PITMAN:** I don't have the specific cost in front of me. However, that's been all taken care of out of the original project budget of \$44 million.

**Ms ABIGAIL BOYD:** Okay. So that's a Create NSW cost or a museum cost?

**ANNETTE PITMAN:** Create NSW manages the budget for the program, and that was dealt with within the cost.

**Ms ABIGAIL BOYD:** Are you able to come back on notice with how much that costs?

**ANNETTE PITMAN:** The specific cost? Yes.

**Ms ABIGAIL BOYD:** That would be great. Thank you. I have some more questions about the Castle Hill facility. I understand that the glass at the new building is only single glazing. Has any thought been given to the objects under that glass being subject to additional deterioration because of that single glazing?

**LISA HAVILAH:** I think the area you're referring to is the office space where staff will work. There won't be any collection items in that area.

**Ms ABIGAIL BOYD:** Okay. I'm being asked to ask if risk assessments have been completed on the new premises at building J in Castle Hill?

**LISA HAVILAH:** There's been a whole process over a period of three years in terms of developing the brief and working through the construction of the building. The governance of the project is done collaboratively with Create NSW, Public Works and the Powerhouse. Our responsibility in relation to that project is that we are the client. We have, in consultation with the staff as well—especially the collections and conservation team—undertaken a whole range of assessments, both risk assessments in relation to the moving of objects but a whole range of assessments in the delivery of the project.

**Ms ABIGAIL BOYD:** It's been reported that there's no drain in the hazard shower, meaning that hazardous materials will collect on the floor and staff will be forced to stand in them. Is that correct?

**LISA HAVILAH:** I would have to take that detail on notice, but I'm very happy to provide you an update.

**Ms ABIGAIL BOYD:** And, if it is correct, how it will be rectified would be useful.

**LISA HAVILAH:** Of course.

**Ms ABIGAIL BOYD:** I understand the labs have been fitted with stainless steel sinks instead of plastic, which risks damage to the objects when they are being washed. Is that the case?

**LISA HAVILAH:** The sinks are stainless steel but I can confirm that the design of the conservation labs was done very much in consultation with our collections and conservation team. I'm very happy to go back and get the detail. If there are any issues with that, we would rectify that immediately. But I would be surprised—

**Ms ABIGAIL BOYD:** If you could find out if the staff who were working with the objects were consulted about that.

**LISA HAVILAH:** They absolutely were.

**Ms ABIGAIL BOYD:** If you could perhaps come back on what the decision-making was around that.

**LISA HAVILAH:** Yes.

**Ms ABIGAIL BOYD:** I think maybe it was dealt with earlier that the Harwood Building is being excluded from the redevelopment plans. Did I hear earlier, though, that it won't be excluded from the museum altogether?

**LISA HAVILAH:** No, the Harwood Building will continue to be utilised by the museum on an ongoing basis. The way that we utilise the Harwood Building at the moment is we have conservation labs and our workshop is there. We have 100 staff based there. It's very much an important part of the operations of the museum and will continue to be utilised in that way.

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**Ms ABIGAIL BOYD:** I will turn to something different. I understand we had a chat—we talked about this in the last estimates around having a community-run, dedicated Indigenous cultural centre and the Buruk site. I understand now that there has been an announcement that there will be something developed at Barangaroo at the Cutaway there. Is only part of that going to be Indigenous?

**LISA HAVILAH:** My remit is the Museum of Applied Arts and Sciences, so I might refer you to Annette Pitman.

**ANNETTE PITMAN:** Sorry, could you repeat the question?

**Ms ABIGAIL BOYD:** I'm looking at an article that's talking about the plans for the Barangaroo Cutaway, which was, I thought—yes, it was the original site for plans for a community-led Indigenous cultural centre. Does that mean that that cultural centre idea has now been shelved?

**ANNETTE PITMAN:** There was a piece of work that was done a couple of years ago with a First Nations-led taskforce to consider the full-time programming of the Cutaway as an Aboriginal cultural centre. At the time, the Government made the decision to proceed with a more flexible multi-use option, which is what is being currently developed. That space will be used for a variety of cultural and commercial uses, including First Nations programming content but not exclusively.

**Ms ABIGAIL BOYD:** So we're not going to get a dedicated Indigenous cultural centre or is that somewhere else?

**ANNETTE PITMAN:** In Creative Communities, the policy has made the commitment to a First Nations cultural centre. We will be doing a piece of work in deep partnership with First Nations people to identify an approach and a location for that.

**Ms ABIGAIL BOYD:** Sorry, which government decided? It was the previous Government that decided not to have it as a dedicated site?

**ANNETTE PITMAN:** Correct.

**Ms ABIGAIL BOYD:** Was that something that the current Government could have overturned, though?

**ANNETTE PITMAN:** Obviously, the project had proceeded quite a long way after that decision was made. The design was complete and the project was well progressed from there. In order to change the approach, there would have been substantial time and cost, and the decision was made to progress with the existing—

**Ms ABIGAIL BOYD:** Do you have any sort of time line for when we might get some sort of a plan, then, for a dedicated Indigenous institution?

**ANNETTE PITMAN:** We're just in the process now of finalising the implementation plan, which will have individual time lines for each of the commitments that are in the policy. We don't have that at the moment, but we're very close to completing that.

**Ms ABIGAIL BOYD:** Okay. Just coming back to the Powerhouse in the little bit of time I have left, did the museum specifically pay for any of the sprinkler works at Castle Hill? I understand there was some issue with the sprinklers.

**ANNETTE PITMAN:** Not to my knowledge. There was an issue with the sprinkler main and the fire main. Basically, the capacity for that main line that fed the multitude of buildings there didn't have the capacity for the inclusion of the new building as well.

**Ms ABIGAIL BOYD:** Sorry, did the contractor pay for the faulty work or did the museum have to pick up the—

**ANNETTE PITMAN:** Again, I've taken that on notice and will provide you with—obviously, whenever anything like this occurs, you consider the cause. If it was a mistake on the builder's part, then there are negotiations to that effect. If not, then it would be something that the project pays for. I'm taking that on notice.

**Ms ABIGAIL BOYD:** Thank you.

**The CHAIR:** I just want to ask some questions about Sound NSW, Ms Collins. In relation to Groovin the Moo, just to continue that question, what did Sound NSW do when you found out about the cancellation of Groovin the Moo?

**EMILY COLLINS:** Sound NSW then organised a meeting with festival operators from across the State to try to get a better understanding of some of the acute issues being felt by festival operators.

**The CHAIR:** Okay. What information from them did you ask for?

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**EMILY COLLINS:** We didn't specifically ask them for information. They shared information around their decision-making process. This meeting happened on Friday with a group of festival operators, so they were able to share the factors around their financial position, what led to their decision and, generally, some of the considerations that impact the viability of their national festival.

**The CHAIR:** In terms of costs to festival operators, is there anything that is markedly different in New South Wales, compared to Victoria, Queensland and other States, that the Government can do something about?

**EMILY COLLINS:** Yes. The festival operators were able to share that, particularly for a national touring festival, there are differences in costs for operators in different States, specifically around issues for policing and health. They were able to identify the increased costs for New South Wales.

**The CHAIR:** Yes. Is it fair to say that that's largely the expense differential? I'm not saying that's the only reason that it's becoming very expensive for festivals to operate, but is that the largest differential between festivals operating in New South Wales and the rest of the country?

**EMILY COLLINS:** I think it's one of a few factors, another being audiences. Anecdotally, from festival operators I've heard that it is actually sometimes harder to sell tickets in New South Wales as well. When you're looking at potentially increased costs and reduced income, it makes it extra difficult to work here.

**The CHAIR:** You also mentioned NSW Health. What are the differences in price or what they're charging in terms of "user pays"? What are the differences—I assume you mean medical.

**EMILY COLLINS:** Yes.

**The CHAIR:** Or is there more than that?

**EMILY COLLINS:** No, no. My understanding is that it's medical. I didn't ask for the breakdown from the operators, and I would have to refer to NSW Health for detail on those costs.

**The CHAIR:** Because the statistics and the data that I have, that seems negligible, to be honest—any difference between States.

**EMILY COLLINS:** I think, primarily, the issues raised were around policing costs.

**The CHAIR:** They're raising that with you. You're with Sound NSW. What are the festival operators specifically calling for in that regard?

**EMILY COLLINS:** I think there are a range of things that they're requesting support from Government. They're asking about the current status of the Music Festivals Act and where that review is up to. That is underway. They were asking specifically for financial support for festivals across the State, looking at covering their increased costs. Some festivals are experiencing up to 40 per cent cost increase—separate to the regulatory issues—from things like increased artists' prices, the cost of booking talent that will help sell a show, cost of suppliers. There's a range of increased costs. They're really in a specific difficult time at the moment, and I'd say this is something that's reflected both nationally and globally that festivals are experiencing quite a lot of financial challenge in a changing market.

**The CHAIR:** Is there a possibility that some festivals will simply skip New South Wales because New South Wales just seems to be adding to the cost? As you said, if the consumers, the patrons, aren't able to afford it as much in New South Wales, are you hearing back from music festival organisers and the industry that it's becoming quite expensive to do this in New South Wales, compared to the rest of the country, and they might just skip New South Wales but keep operating?

**EMILY COLLINS:** I haven't heard—I mean, there's some talk, and it has been going on for many years, around festival viability in New South Wales. I think that these festivals—the impacts are being felt nationally. Whilst there are increased costs in New South Wales, I don't think the difference would necessarily support the viability of the national sector in a real way. So, yes, there are definitely things to consider there.

**The CHAIR:** Do you think that music festivals in New South Wales will announce that they can't continue in this State unless they get support from the Government before next summer?

**EMILY COLLINS:** I think that may be a consideration for festivals across both the State and across the country. I think it's a very difficult market for festivals nationally.

**The CHAIR:** Are you hearing that?

**EMILY COLLINS:** Absolutely.

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**The CHAIR:** I've certainly spoken to music festivals organisers, who have said to me that unless things change, particularly in terms of obviously their financial situation—whether that means government support but specifically in terms of how much police are charging—they're just not going to be able to operate next year.

**EMILY COLLINS:** I think that's one of the considerations that many of the operators have told me that they're considering. It doesn't solve all their problems. The viability, ongoing, of these businesses is greater than just that issue, but it's definitely one of the key considerations.

**The CHAIR:** Thank you. I wanted to turn to questions about St Peters interchange. I'm not sure who I direct this to. I understand that there have been contractors or a single contractor employed or used by Transport for NSW to monitor pollution at St Peters interchange. This is contracted by Transport for NSW, not by the EPA, between January 2020 and January 2024. Who are those contractors?

**JOSH MURRAY:** Yes, we do ongoing monitoring as part of the Transport oversight of that project.

**The CHAIR:** And the contractors are? Who can answer that? Ms Drover, is it?

**CAMILLA DROVER:** Yes, if I can just explain. You would be aware that St Peters interchange was an operating landfill site—a garbage tip—before WestConnex took it over and acquired the entity.

**The CHAIR:** Yes.

**CAMILLA DROVER:** It was used for the construction of two parts of WestConnex—initially, the M8 motorway. WestConnex was responsible for the delivery of the M8, and they employed their contractor. That contractor had responsibility for the site during their construction works. You would recollect that the M8 opened in July 2020. Part of that site was returned to WestConnex after construction, and part of it is now in the care of Transport. Another part of the St Peters interchange was also then used for construction of the M4-M8 motorway. Again, WestConnex was responsible for that, and they had their own subcontractor.

With time, the site has been used for various construction activities. Both those projects obviously are finished and are open to traffic. Some of those areas remain operational motorway, particularly the areas underneath the viaducts at the St Peters interchange. Those areas are well vegetated, as you say, and they'll never be publicly accessible because they're part of the areas where the motorway runs. There are some other areas, residual areas that, with time, we're hoping to hand back for community use. There have been a range of remediation works that have occurred at the St Peters interchange. Most of those works were delivered by the construction contractors, either for the M8 or the M4-M8. But for the areas that are now handed back in the care of Transport for NSW, we are undertaking some ongoing monitoring. We pay for that and we engage consultants that do that.

We are undertaking ongoing methane monitoring. That's in line with the EPA environmental licence for the site and that will continue. We mentioned earlier that we're still working with both Inner West Council and the City of Sydney in terms of design solutions that they would like for the park. When the design solution is confirmed, it will inform whether any further remediation works are required to support the preferred design and use of that area of parkland. But, in the interim, we continue to comply with our EPL, as we call it—the environmental protection licence—for the site, which does include ongoing investigation, monitoring and reporting of results. I have asked today whether we've had any recent exceedences but I haven't heard back from the project team. I'm happy to provide that on notice, if there are any.

**The CHAIR:** When you say "continue to comply", that implies that with Transport for NSW, everything has been in compliance to date. I understand that's not the case.

**CAMILLA DROVER:** I accept that during the construction of the M8 there were some exceedences of methane levels. The control of the site at that time was in the control of the then M8 contractor, and they were fined for that exceedence. But that project is finished, is opened to traffic, as I said, and it's now been handed back—or parts of it have been handed back—to Transport for NSW. We have an EPL that we need to comply with to manage that site. Of course, it will need management in perpetuity because it's an old landfill site, and we will comply with those obligations. The other thing we need to confirm is that if we were to hand part of that site back to the councils, we don't expect the councils to take on those contamination responsibilities. Transport has committed that we would maintain the responsibility for managing the contamination that's been there for decades and decades and is a result of the prior industrial use of the site.

**The Hon. NATALIE WARD:** Thank you for providing the list, Ms Mares. I might ask in the meantime if somebody could prepare another copy of that to table? I've written diligently on mine. You've handed me a list of 23 projects under the Urban Road Fund. Thank you very much. Could I ask about a couple of them, and then we'll go through the balance? Firstly, Richmond Road, which I think is number 15—to widen Richmond Road between Elara Boulevard and Heritage Road. Can you see that one on your list?

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**TRUDI MARES:** I can.

**The Hon. NATALIE WARD:** Is there funding in the budget for that project?

**TRUDI MARES:** Not in the budget papers, and I don't have the budget figures with me for that.

**The Hon. NATALIE WARD:** Can you get those numbers?

**TRUDI MARES:** I'd make a general statement that the eight that I've given you that aren't in the budget papers, we're still assessing or scoping and looking at timing for delivery, so I don't have exact budget figures for those for you today.

**The Hon. NATALIE WARD:** All right. I'm going to go through each of them so it might be repetitive, I'm sorry.

**TRUDI MARES:** Okay.

**The Hon. NATALIE WARD:** But let's go through them. Richmond Road was an election commitment. You're saying today that there is no funding in the budget papers for that?

**TRUDI MARES:** No, I'm saying I don't have that available. Ms Hoang may be able to assist. We'll do a bit of a double act here for you. Brenda?

**BRENDA HOANG:** If I can help clarify, there is—

**The Hon. NATALIE WARD:** That one was a line item in the budget as capital—

**BRENDA HOANG:** Is that the Townson Road to M7?

**TRUDI MARES:** No, Elara Boulevard to Heritage Road.

**The Hon. NATALIE WARD:** I've got really limited time. It is number 15, widening Richmond Road between Elara Boulevard and Heritage Road, yes. So, no funding in the budget for that—

**BRENDA HOANG:** There is \$19 million in this year's budget.

**The Hon. NATALIE WARD:** So \$19 million for that project. Is that planning funding?

**BRENDA HOANG:** Yes, it is planning for the time being.

**The Hon. NATALIE WARD:** Will that complete all of the planning for that project? Is that sufficient to complete all the planning?

**CAMILLA DROVER:** My advice is that we'll be going out for delivery tenders in the second half of this year.

**The Hon. NATALIE WARD:** Delivery tender in the second half of this year. So that's—

**CAMILLA DROVER:** Which will obviously be in the next financial year.

**The Hon. NATALIE WARD:** This year there is \$19 million. Is that over the four years?

**CAMILLA DROVER:** No, that's just for this year, 2023-24.

**The Hon. NATALIE WARD:** That will complete the planning and it will go out. How much is in over the four-year period for that project?

**CAMILLA DROVER:** Unfortunately I don't have that with me. I just have this year's.

**The Hon. NATALIE WARD:** Can someone get that for us today? It's a budget estimates question.

**CAMILLA DROVER:** We will take that on notice.

**The Hon. NATALIE WARD:** If it's possible, we would appreciate that one today because we are only concerned about the four-year allocation for each of these projects. I'll just make that clear at the outset. Over the four years, \$19 million.

**CAMILLA DROVER:** No, just this year is \$19 million.

**The Hon. NATALIE WARD:** And you are going to get us the number for over the four years allocated to that project, which was an election commitment.

**TRUDI MARES:** We can have a look, but I'll reiterate my earlier comment, which is that we are still working on scoping and timing.

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**The Hon. NATALIE WARD:** Yes, got that.

**TRUDI MARES:** I don't think we will have the forwards information for you today, Ms Ward.

**The Hon. NATALIE WARD:** Number 17, flood-proof the Wakehurst Parkway. How much is allocated to that one?

**CAMILLA DROVER:** This year we have \$4.9 million in the 2023-24 budget.

**The Hon. NATALIE WARD:** That's just for planning?

**CAMILLA DROVER:** Yes. I think one of the next milestones for that project is to determine the REF, the planning approval for the project.

**The Hon. NATALIE WARD:** That was an election commitment to deliver that project. We have \$4.9 million for planning. Will that be sufficient to complete the planning?

**CAMILLA DROVER:** As I said, the next milestone is the REF determination, which we are hoping to do by the middle of this year.

**The Hon. NATALIE WARD:** Within that funding allocation of the \$4.9 million?

**CAMILLA DROVER:** Yes.

**The Hon. NATALIE WARD:** All the planning will be complete under the \$4.9 million?

**CAMILLA DROVER:** I can't make that commitment, but this year's allocation is for \$4.9 million and our next milestone is the planning determination.

**The Hon. NATALIE WARD:** I understand. For those two election commitments where you don't have funding over the four years, we have some money for planning and we know that Wakehurst Parkway, for example, should be about \$13 million. There is nowhere near that; there is \$4.9 million. Is that correct?

**CAMILLA DROVER:** I would say it's not unusual for us to do the planning, confirm the scope of the project and the cost of the project and then go up for the balance of the delivery funding.

**The Hon. NATALIE WARD:** But given that they were election commitments and they said that they would be delivered, it seems that all the funding we have for those two projects—Richmond Road should be about \$100 million and Wakehurst Parkway should be about \$13 million. We have only \$4.9 million for Wakehurst Parkway and \$19 million so far.

**TRUDI MARES:** Again, Ms Ward, we've given you this year's budget and actions, but the forwards aren't provided today. We don't have that available. But we are working particularly on Wakehurst Parkway with Northern Beaches Council on full delivery. We just don't have the budget figures for the forwards here.

**The Hon. NATALIE WARD:** Yes, but I'm interested in the four-year figure because these are line items, they are election commitments and, having been a roads Minister, I know that you do have a capital budget. You know how much money is available for each project as a line item over the four years. That is a number that is in there. That's how you manage these big projects. I'm not telling you anything; you taught me. Let's go through the projects. The first project, number one, is planning to upgrade Fifteenth Avenue. I'll take on notice, obviously, the forward estimates, but how much is allocated to Fifteenth Avenue?

**TRUDI MARES:** That's in the budget papers. Fifty million dollars has been allocated as new money to progress the strategic business case for the corridor. As you know, it's a long corridor—12 kilometres—through from Liverpool to Bradfield. We are looking at segmentation and staging of that, and this will assist with the planning funding.

**The Hon. NATALIE WARD:** We do have 23 to get through, so I am going to move you along. Please forgive me. I'm not trying to be rude. I'm just interested in the dollar figures.

**BRENDA HOANG:** Ms Ward, if I may just confirm for Wakehurst Parkway that there is \$13 million in the forwards.

**The Hon. NATALIE WARD:** Allocated over the four years?

**BRENDA HOANG:** Yes.

**The Hon. NATALIE WARD:** That's very helpful. Thank you. We might have some hope of delivering that. So \$50 million is allocated for Fifteenth Avenue.

**TRUDI MARES:** Correct.



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**The Hon. NATALIE WARD:** That will cover and complete planning. Will that complete delivery of that project?

**TRUDI MARES:** We are still looking at staging and what delivery would look like, but we are looking at that funding planning.

**The Hon. NATALIE WARD:** How much would be needed, after planning, of that \$50 million?

**TRUDI MARES:** A 12-kilometre corridor? I couldn't estimate that for you. That's why we're undertaking the planning work.

**The Hon. NATALIE WARD:** We don't even have a capital budget estimate for a project at all?

**TRUDI MARES:** The planning work is underway.

**The Hon. NATALIE WARD:** That's not an answer but okay. Appin Road upgrade, number 2; how much is allocated to that?

**TRUDI MARES:** The commitment was for \$2 million for that. Again, we're still looking at scoping and what that project will look like, but that's for the northern end of Appin Road, safety improvement works around St Helens Park.

**The Hon. NATALIE WARD:** We don't have a number over the four years for the Appin Road upgrade?

**TRUDI MARES:** No.

**The Hon. NATALIE WARD:** We've just got \$2 million this year for planning. There will be a four-year figure for these. I know that there is a four-year capital allocation for these numbers.

**TRUDI MARES:** There is. Just to explain it, we are still working through those eight that I provided you that aren't in the budget papers on timing and scope.

**The Hon. NATALIE WARD:** Ms Hoang, do you have that number for Appin Road? Is there a capital budget allocation? You're the CFO of Transport for NSW. There will be a number.

**BRENDA HOANG:** It depends on which Appin Road you're talking about.

**The Hon. NATALIE WARD:** Number 2 on your list that you've provided to me, the Appin Road upgrade.

**BRENDA HOANG:** The election commitment was \$2 million and that \$2 million was funded in the budget.

**The Hon. NATALIE WARD:** And that's over the four years?

**BRENDA HOANG:** Yes.

**The Hon. NATALIE WARD:** Number 3, the school crossings across Camden, what is the four-year allocation capital budget for that project?

**BRENDA HOANG:** I can confirm it is \$1.5 million as per the election commitment.

**The Hon. NATALIE WARD:** That's allocated?

**BRENDA HOANG:** That's correct.

**The Hon. NATALIE WARD:** Thank you very much. That's helpful. Duplicate sections of Heathcote Road—number 4?

**CAMILLA DROVER:** There are several projects on Heathcote Road. I assume you're talking about the avenue to the Princes Highway. That's the one that's in development.

**The Hon. NATALIE WARD:** No, I'm talking about the election commitment that is on this list.

**CAMILLA DROVER:** Is that for further duplication of Heathcote Road?

**The Hon. NATALIE WARD:** To widen Heathcote Road, which was an election commitment—a promise to that community to widen that road. How much has been allocated to that in the capital budget over the four years?

**BRENDA HOANG:** I can confirm \$65 million was allocated over four years. There's also money in the planning years as well.

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**The Hon. NATALIE WARD:** That's not the \$180 million?

**BRENDA HOANG:** It is \$180 million within the 10 years.

**The Hon. NATALIE WARD:** Sorry, that's \$180 million over 10 years?

**BRENDA HOANG:** Sixty-five million over four.

**The Hon. NATALIE WARD:** Spring Farm Parkway stage two, over four years capital budget?

**BRENDA HOANG:** Apologies, I've got the number here. It is \$15 million.

**The Hon. NATALIE WARD:** Over four years, capital funding for Spring Farm Parkway stage two?

**BRENDA HOANG:** That's right.

**The Hon. NATALIE WARD:** Number 6, resurface Canterbury Road?

**BRENDA HOANG:** Twelve million dollars.

**The Hon. NATALIE WARD:** Also over four years?

**BRENDA HOANG:** Yes.

**The Hon. NATALIE WARD:** Number 7, the traffic study at Granville, South Granville, Auburn and Lidcombe?

**BRENDA HOANG:** One million dollars, as per the election commitment.

**The Hon. NATALIE WARD:** That's over the four years—one million? All of these are?

**BRENDA HOANG:** That's correct.

**The Hon. NATALIE WARD:** Number 8, install traffic lights at Bank Street and Constitution Road?

**BRENDA HOANG:** Four million dollars.

**The Hon. NATALIE WARD:** Number 9, install traffic lights at the intersection of Elara Boulevard and Northbourne Drive at Marsden Park?

**BRENDA HOANG:** That's \$25 million.

**The Hon. NATALIE WARD:** Number 10, the pedestrian safety barriers in Blaxland?

**BRENDA HOANG:** \$1.6 million.

**The Hon. NATALIE WARD:** Number 11, Toongabbie Bridge upgrade?

**BRENDA HOANG:** That's two million.

**The Hon. NATALIE WARD:** Sorry, could you speak up? Two?

**BRENDA HOANG:** Two million.

**The Hon. NATALIE WARD:** Two million over four years? Thank you. Number 12, the traffic study for intersection of Sunnyholt and Old Windsor Road?

**BRENDA HOANG:** At the moment, there is zero in the budget papers. However, we are looking at the costing for that before we allocate anything to that particular election commitment.

**The Hon. NATALIE WARD:** That's an election commitment that at the present time has zero allocated to it. When you say you're looking at it, how long? When will you have an answer on that? There's no allocation at this point?

**BRENDA HOANG:** I'll have to take that on notice.

**The Hon. NATALIE WARD:** Number 13, pedestrian overpass at Hurstville primary school?

**BRENDA HOANG:** It's \$5 million allocated.

**The Hon. NATALIE WARD:** Number 14, upgrade of Bandon Road?

**BRENDA HOANG:** Fifty-five million.

**The Hon. NATALIE WARD:** Number 15, widening the Richmond Road between Elara Boulevard, I think we said was \$19 million. Is that correct?

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**BRENDA HOANG:** We've got \$8 million in the forwards and \$100 million within the 10 years.

**The Hon. NATALIE WARD:** Number 16, upgrade Henry Lawson Drive at Milperra?

**BRENDA HOANG:** We've got 38 million in the forwards at the moment.

**The Hon. NATALIE WARD:** Over the four years?

**BRENDA HOANG:** Yes.

**The Hon. NATALIE WARD:** Thank you. I think number 17, Wakehurst Parkway, we said over the four years was—

**BRENDA HOANG:** Thirteen million.

**The Hon. NATALIE WARD:** But you said the 4.9 is allocated for planning.

**BRENDA HOANG:** Yes. So the 13 is over the forwards.

**The Hon. NATALIE WARD:** Eighteen—we might just get there in time—the Driftway roundabout in Londonderry.

**BRENDA HOANG:** Fifteen million.

**The Hon. NATALIE WARD:** Over the four years. Thank you. And 19, upgrade of Hill Road.

**BRENDA HOANG:** That's correct.

**The Hon. NATALIE WARD:** Thank you. And number 21, Richmond Road between Townson Road and the M7.

**BRENDA HOANG:** We've got 113.4 million in the forwards at the present.

**The Hon. NATALIE WARD:** Number 21, Riverstone: upgrade Garfield Road East.

**BRENDA HOANG:** Eighty million.

**The Hon. NATALIE WARD:** And then 22, the Pitt Town Bypass.

**BRENDA HOANG:** Seventy million.

**The Hon. NATALIE WARD:** And number 23, Elizabeth Drive at Kemps Creek.

**BRENDA HOANG:** One hundred and sixty at this point in time.

**The Hon. NATALIE WARD:** That's over the forwards over four years?

**BRENDA HOANG:** That's correct.

**The Hon. NATALIE WARD:** All of those are. Thank you. That's very helpful.

**BRENDA HOANG:** That should add up to the 770.

**The Hon. NATALIE WARD:** That should total the 770 over the four years.

**BRENDA HOANG:** That's correct.

**The Hon. NATALIE WARD:** How many of those projects out of the 770 have enough for delivery in the next four years? Clearly not number 12, because it's got zero allocated. But of any of those, can we get delivery of those projects?

**BRENDA HOANG:** I would like to take that on notice. Some of these are fully funded, but with others—as Ms Mares said earlier—we need to do some more work in terms of the scoping and the planning and development before we can finalise the cost to deliver that particular election commitment.

**The Hon. NATALIE WARD:** Which one can be delivered in the next four years?

**BRENDA HOANG:** Again, I'll have to take that on notice.

**The Hon. NATALIE WARD:** Of the 23 projects, Ms Mares, Ms Hoang, you can't identify one project in that fund? It's not a trick question; they're sheer numbers. What can be delivered in the next four years, of these projects?

**TRUDI MARES:** We'll take it on notice, Ms Ward.

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**The Hon. NATALIE WARD:** So the election commitments that were made to deliver these projects essentially, am I to understand, cannot necessarily be delivered in the next four years, even with some having, as you say, a fully funded allocation?

**BRENDA HOANG:** I think we just said we'll take it on notice, simply because we just need to go through what needs to be done before we can actually determine when they would start.

**The Hon. NATALIE WARD:** Okay. This is budget estimates. I'm not trying to have a go, but these are questions that are squarely within expenditure. Can you take on notice, then, for each of those projects what will be delivered within that funding in the next four years, specifically an itemised—

**BRENDA HOANG:** Happy to.

**The Hon. NATALIE WARD:** Thank you very much. Can you identify any of those projects that will get to contract award stage in the next 12 months? I think we had one that was close to it, but which of those projects will be at contract award stage?

**BRENDA HOANG:** I'll have to defer to Ms Drover.

**CAMILLA DROVER:** Given there are so many, I am happy to take that on notice and bring back which ones will be in contract award, or at least tender, this year.

**The Hon. NATALIE WARD:** Can you identify one?

**CAMILLA DROVER:** The one I gave you was Richmond Road, Elara Boulevard to Heritage Road, I believe.

**The Hon. NATALIE WARD:** Election commitment. Can Wakehurst Parkway be contract award?

**CAMILLA DROVER:** We're aiming for the planning determination by the middle of the year.

**The Hon. NATALIE WARD:** That's helpful. Is there any chance of being contract award this year?

**TRUDI MARES:** Yes. Some of them we're looking at funding delivery through council for a number of those as well, so we do need to take that on notice and check it.

**The Hon. NATALIE WARD:** Richmond Road is a \$100 million project but there's not \$100 million in the budget for that project. It just can't be delivered, can it?

**BRENDA HOANG:** Well, we've got 113.4 million over the forwards, unless we're talking about a different Richmond Road. This is the one between Townson Road and the M7?

**The Hon. NATALIE WARD:** No. This is Richmond Road, \$100 million between Elara Boulevard and Heritage Road—a \$100 million election commitment which doesn't seem to be able to be capable of delivery. Okay, I'll put it this way: Will it require more funding?

**TRUDI MARES:** There is Federal funding.

**The Hon. NATALIE WARD:** Will it require more funding for completion?

**TRUDI MARES:** We've taken those questions on notice to make sure we give the Committee the correct information. But there is an additional \$75 million for that project in Federal funding. That information is publicly available.

**The Hon. NATALIE WARD:** I am asking about the New South Wales allocation and I am asking about what can be achieved within this budget within the Urban Roads Fund's \$770 million and what is achievable in any of these projects. Can I ask it this way, then: Are you confident within the envelope of the \$770 million that the majority of these projects can be delivered?

**TRUDI MARES:** We would like to check. Some are council delivery and some are State delivery. We will respond to that on notice.

**The Hon. NATALIE WARD:** So we have a fund, we don't know what can be delivered, we don't know when and we are going to take it on notice.

**TRUDI MARES:** We just want to give you the most accurate information.

**The Hon. NATALIE WARD:** I do ask that the information that is provided is in respect of each of the projects and what is actually allocated and whether there is confidence of delivery of that project, understanding that projects do cost money for planning and for delivery. Clearly, it seems to me that these will require more funding. Is there a project that you are confident can be delivered within this envelope?

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**TRUDI MARES:** We'll take it on notice, Ms Ward.

**The Hon. NATALIE WARD:** Are there any of these projects that are likely to not be part of this funding, given that it doesn't seem that they can all be delivered? It seems perhaps the traffic study for the intersection of Sunnyside Road and Old Windsor Road is going to be—

**TRUDI MARES:** We have internal funding for that study. That's within my budget. Sorry, can you repeat that question again?

**The Hon. NATALIE WARD:** Are there any projects that seem like they are not capable of delivery at all, given that there are line items for capital delivery but we don't seem to have any allocation for that one and within the envelope. I have tried three different ways to ask you what you are confident of, what can be delivered and what is required, so I'm trying to come at it the other way.

**TRUDI MARES:** We have full allocation within the 770, as Ms Hoang went through. Ms Drover has given some updates on project status for delivery. The rest are in planning or we're looking at scoping. We do want to come back to you with the right information, but we are absolutely working towards delivering all of those commitments under the Urban Roads Fund.

**CAMILLA DROVER:** If I could just add, you do need to draw your attention to what the election commitment was because in many instances it was an allocation of a certain amount of money towards the project, not necessarily the delivery funding. For example, for the \$50 million for planning to upgrade Fifteenth Avenue, the commitment was not actually the delivery funding; it was an allocation of money towards the project.

**The Hon. NATALIE WARD:** So the commit to deliver it wasn't really a commitment to deliver it; it was just a commitment to put some money towards some planning for it sometime and see how we go.

**CAMILLA DROVER:** No, you just have to be clear what the election commitment was—

**The Hon. NATALIE WARD:** The election commitment was—

**CAMILLA DROVER:** —specific to each individual project.

**The Hon. NATALIE WARD:** Sorry to interrupt you. I can clarify that. The Minister said, "Labor will upgrade Fifteenth Avenue." Labor didn't say, "We will do the planning work or the preliminary work for Fifteenth Avenue." The commitment to the electorate was "We will upgrade Fifteenth Avenue." That was what the electorate was told. That is just not capable of happening now, is it, realistically?

**CAMILLA DROVER:** Transport for NSW is working towards the election commitment, which was as per the Urban Roads Fund.

**The Hon. NATALIE WARD:** The fund is going to need more money.

**The CHAIR:** Order! Who am I addressing questions to about Appin Road, koalas and speed limits? Who is that?

**TRUDI MARES:** I can assist.

**The CHAIR:** Firstly, the question is what consideration has there been given by the department to reducing the speed limit on those portions of Appin Road that koalas are particularly susceptible to being killed on?

**TRUDI MARES:** I think we did talk about this at the last estimates. Also, Mr Carlon is here today as well. He can assist. Certainly, as part of our review of environmental factors, speed zones were assessed as part of the conditions of approval for those. We have got particular measures in place, mainly around signage. I don't believe there was a speed zone reduction recommended as part of that project, but it was considered.

**The CHAIR:** So you've got signage of koalas, is that what you mean?

**TRUDI MARES:** Yes, "Fauna on road" warning signage to show that there would be movement through the corridor and for drivers to be careful in that area.

**The CHAIR:** Have we had koala signs on Appin Road for some time, though?

**TRUDI MARES:** I think we've got some VMSs where there are construction works in place. Mr Carlon may know if we've got permanent signage there. To answer your question, it was considered as part of the upgrade, and we've got three other sections we're still looking at.

**The CHAIR:** Okay. I will come back to that in a second. Mr Carlon, I think I have seen those koala signs on Appin Road two years ago—or am I mistaken?

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**BERNARD CARLON:** My understanding is that there is permanent signage. We could get back to you on the scope of how many there are and where they are located. With regard to the speed zone standards—I think the question that was asked previously in estimates—there's a current review of the new speed zone standards, and there was a request for consideration of including a specific criteria for consideration where there are high volumes of animal traffic in those corridors, and that's being considered as part of the update of those standards now.

**The CHAIR:** Just to be clear, those koala signs have been there for some time?

**BERNARD CARLON:** I would have to take that on notice and get back to you on how long they have been in position, the big signage.

**The CHAIR:** Specifically in relation to the additional traffic lanes that will be part of Appin Road because of the upgrade, I'm of the understanding that there are already koala signs there. There are already lots of koalas being killed on that road—an unsustainable level in terms of that koala population. So it seems like those signs are already there. My question is what is the department doing to reduce the deaths? I will get to the underpasses in a minute.

**TRUDI MARES:** Sure.

**The CHAIR:** But you're obviously aware that speed plays a huge factor in deaths of people but also deaths of wildlife. So why did the department not agree, for example, to reduce the speed limit there from 100 kilometres to 80?

**TRUDI MARES:** I would have to look at the exact details of the assessment, but my understanding was that with all of the measures—and you just mentioned the underpasses; exclusion fencing and koala grids—it was seen as being the correct level of intervention without the speed zone reduction. I just want to check if we have done—I believe there's one section where we have implemented a reduction that we spoke about last time as well.

**The CHAIR:** If you could get back to me about that when you can, that would be good. In relation to the underpasses that I understand will be built at some point in time, I am being told that, of course, hundreds of trees are going to be planted, but that there's also potentially 12 months when connectivity between koala habitat—I am assuming from one side to the other—will be cut off for up to 12 months. Are you aware of that?

**TRUDI MARES:** No, I don't know that there would be connectivity cut off. No, I'm not aware of that. I would have to check. I haven't had any discussion about that.

**The CHAIR:** Okay. If you could get back to me about that. I've also had concerns raised with me about the—there's one particular underpass that I understand is the reinforced concrete box culverts adjacent to Noorumba Reserve. They are going to be 53 metres in length, I understand, because that stretch of Appin Road is the one that's being widened to four-lane dual carriageway. What advice have you received to say that 53 metres of this concrete box is better for koalas and wildlife to use than overpasses? We've got a couple of—not enough, but very good overpasses in New South Wales on our motorways that wildlife use. They're very successful. What advice have you received that that underpass is going to be better than an overpass for koalas, particularly?

**TRUDI MARES:** You would be aware there has been two years of intensive work with koala specialists, both by ourselves and with the developer that's working on that particular section that you mentioned. We have worked to the chief scientist's findings. They did recommend that ground access and underpass is actually better for koala connectivity than the overpass in the chief scientist's report, as well as the koala grids and exclusion fencing. They were the key recommendations from the chief scientist. We also worked really closely with other key stakeholders that are experts in that field in coming up with those as the best options for the site.

**The CHAIR:** I think we might have gone through this, but if you could take on notice who the koala experts and ecologists are that you worked with to get that advice?

**TRUDI MARES:** Yes, certainly.

**The CHAIR:** I'll go back to the speed limit. There are different speed limits. There will be a different speed limit on the four-lane dual highway, of course. Appin Road is currently 80 kilometres per hour, the part of Appin Road that is particularly terrible for koalas. I understand that that particular stretch of Appin Road, we've had people advocating for at least a 70 per cent reduction, if not more than that, for some time. Just in terms of the history of that, has Transport for NSW undertaken a study or research into those optimal speeds and considered the requests by the community, which I think were submitted to you some time ago?

**TRUDI MARES:** Yes, it has. I will have to take the detail on notice, unless Mr Carlon has got any further information? Let me get the specifics for you for that.

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**The CHAIR:** I will go back to St Peters interchange. I understand that environment contractors hired by Transport for NSW—this is in their May 2022 monitoring, which you said, I think, Ms Drover, but not the detail—reported methane at 99 per cent, with carbon dioxide at 11 per cent in gas monitoring at one of the wells that they were monitoring in May 2022. I've heard that it's not possible for methane to be above 70 per cent in a landfill. Are you aware of that anomaly, firstly?

**CAMILLA DROVER:** I'm not aware of that anomaly if it was in 2022, but I'm happy to take it on notice and get some information. Obviously, if there are any exceedences, we need to address them.

**The CHAIR:** I have questions in relation to that for you to take on notice, as well. What action did Transport for NSW take when you were made aware of that anomaly? Was this raised with the EPA, or did the EPA raise it with you?

**CAMILLA DROVER:** Yes, I'm happy to take it on notice, particularly where it was, at the St Peters interchange—whether that was a site that had been handed back to us or whether it was a site that was still the subject of, say, the M4-M5 Link construction sites. I'd have to take that on notice.

**The CHAIR:** I've also been advised that—well, this is on your website, actually—on the Transport for NSW website, environmental consultants lost the December leachate sample before delivering it to the laboratory. Is that correct?

**CAMILLA DROVER:** I'm not aware of that incident but, again, I'm happy to investigate.

**The CHAIR:** I also understand that they failed to resample, that it was lost. This is from the website. It was lost and they failed to resample. So Transport for NSW didn't require them to resample?

**CAMILLA DROVER:** As I said, I'm not familiar with this particular incident, but I'm very happy to go away and get enough information to answer. If there has been any noncompliance et cetera, I'm happy to address it.

**The CHAIR:** You said earlier that there had been a few instances but that they were complying with their licence.

**CAMILLA DROVER:** Yes, the EPL. And that's very much our intention, of course, to comply with our EPL. Given the nature of the site, that's why there is ongoing monitoring and public reporting of the results. If there are any noncompliances, yes, they will absolutely be addressed, and if in the future further remediation is required, that will be undertaken.

**The CHAIR:** Does "public reporting" mean publicly reporting pollution monitoring results? Is that what you mean?

**CAMILLA DROVER:** I am aware that we do put on the website some of the results of the monitoring and testing.

**The CHAIR:** Do you put all of the results on there?

**CAMILLA DROVER:** I would just have to go away and check the extent.

**The CHAIR:** Why wouldn't all of the results be on the website? You're here—

**CAMILLA DROVER:** I agree; it's a good proposition. I'm happy to go away and check. We have air quality monitoring on there, both inside the tunnels and external to the tunnels. There is a high degree of information available. I'll just have to go and confirm the exact extent of monitoring that is provided on the website.

**The CHAIR:** The conditions of the EPL 4627 licence, part of that is to undertake annual monitoring—that's required—as well as to publish the monitoring results. Correct?

**CAMILLA DROVER:** Yes, that's my understanding.

**The CHAIR:** Does the licence specify "only publish these particular pollution samples"?

**CAMILLA DROVER:** I'm not across that level of detail, but I'm very happy to take on notice the extent of—

**The CHAIR:** If somebody here could look, or one of your people behind you, at the EPL. I could do it. I can do it when the Opposition has 20 minutes, if you like, and then I'll come back to you, because clearly the EPL specifies to publish the pollution results. I can tell you right now, Ms Drover, I am pretty sure that that EPL does not specify "just publish these results". For example, there are no monitoring results of the leachate and

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groundwater monitoring requirements that have ever been published by Transport for NSW for the St Peter's landfill interchange. Are you aware of that?

**CAMILLA DROVER:** I'm not aware of that, and that's why I have taken it on notice to confirm exactly what is publicly available. If there is any disconnect between what we should be doing, we will absolutely address it.

**The CHAIR:** Is it standard, if there is a requirement to publish results, that Transport for NSW handpicks particular results and not others?

**CAMILLA DROVER:** Not in my experience but, as I said, I have taken that away to confirm because we absolutely want to be transparent with any results that we have.

**The CHAIR:** If you are breaching conditions of your licence, what happens then? Do you just correct it after being—I don't want to say caught out, but it's almost a bit like that. Do you just correct it?

**CAMILLA DROVER:** I think that would depend on the nature of the breach but, as I said, I'll take it away because I'm just not familiar with that level of detail. We have taken it on notice.

**The CHAIR:** I also understand that all leachate samples taken between 21 May 2022 and 22 June 2023—these are the latest available results—failed the industry standard quality control agreement for the ionic balance and TDS conductivity agreement. Any explanation for why that happened as well?

**CAMILLA DROVER:** No, I'm not aware of that failing but, as I said, I'll take the matter away and investigate everything.

**The CHAIR:** We'll come back to that once we find out exactly what the EPL required. Has Transport for NSW agreed to retain and maintain in a safe state the land—this is one of the blocks of land we have talked about—which was originally intended to open as a park, the one near the corner of Canal Road and Princes Highway in late 2022? Have you agreed to retain and maintain that in a safe state, or is it more making it into a safe state before you give it to Inner West Council, or is it giving it to Inner West Council in a contaminated state and just maintaining it the whole time because it can't ultimately be decontaminated and made safe?

**CAMILLA DROVER:** My division is not leading those discussions with both councils, but my understanding is that Transport is not expecting the councils to take over responsibility or accountability for managing the pre-existing contamination which arises out of that site.

**The CHAIR:** If they're not agreeing to manage the contaminated site—I thought that was one of the key reasons, to be honest, why they didn't want the site at all. But you are saying here today that Transport for NSW is looking after the contamination side of it. What are the other reasons then that they don't want to take over those sites?

**CAMILLA DROVER:** My understanding is the reason they haven't taken over the sites to date is obviously concerns about the ongoing management of the sites in terms of contamination. I understand we've made a commitment that we will meet those obligations. But the other factor is getting agreement—consensus on what the future design will be of the areas. Those discussions are ongoing.

**The CHAIR:** I think it was with the conditions of approval or when it was first proposed when the public were promised—as a condition of approval, actually, not just a promise at the beginning. As a condition of approval, the 8½ hectares of parkland was promised. Is the community going to get the 8½ hectares of parkland that they were promised originally?

**CAMILLA DROVER:** There is land available. Obviously, it will be a function of what areas of land councils want for public open space or some other community use. Those discussions are continuing.

**The CHAIR:** This is, I should say at this point, from a report that I understand has been sent to the Minister and probably Transport for NSW by a community group called Community Environment Monitoring undertaken by environmental scientist Charlie Pierce, who has pulled all of this together. We know often that is what happens. It's up to the community to uncover all of this. So 8½ hectares, hundreds of mature trees, but there is no commitment or promise by Transport for NSW to the community that they will get their 8½ hectares? I don't think it is fair to say it is up to councils, because it was a condition of approval. How is this condition of approval enforced and made a reality for the community? When can they expect this to occur and, if not, how many hectares are they going to lose ultimately?

**CAMILLA DROVER:** What I can confirm is there is absolutely land that is able to be handed over for community use. The discussions with the councils about what that comprises and the design of it and its long-term purpose—those discussions, I understand, are still continuing.



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**The CHAIR:** Is any of that land going to be handed over to the community? Is any of that actually not contaminated?

**CAMILLA DROVER:** I think that precinct, given its historic use, is subject to varying degrees of contamination. The site obviously includes the old landfill—the tip—and there are other adjacent sites as well which were not subject to the tip and therefore have different levels of contamination. That was the original purpose of that St Peters interchange site—was a landfill tip.

**The CHAIR:** Was Transport for NSW ever under the impression or did it say to the community that the site could be made safe? The conditional approval and public meetings and public statements—has Transport for NSW said it could be made safe? Is this a new kind of revelation recently that the contamination issues are so bad?

**CAMILLA DROVER:** I'm not sure what commitments—but we've always known that, given its long-term historic use, it will always be subject to an environmental protection licence, and there will always be management and ongoing measures that will need to be undertaken for that site.

**The CHAIR:** A spokesperson for Transport for NSW, I understand, did tell *The Daily Telegraph* in September 2021 that—this is following an Inner West Council meeting where there was a motion on this very issue—the site would be made "safe and enjoyable" when offered to Inner West Council. That was in 2021. It's now March 2024. It seems like a lot has changed in those 2½ years.

**CAMILLA DROVER:** A lot of remediation works have obviously occurred at that site, so the landfill was capped—there are various capping layers across the site. There is a passive gas collection line, there is a gas fence, groundwater monitoring bores. A lot of work has been done to make the site safe, but it is, of course, subject to that ongoing EPL to make sure that it always continues to be safe and, if there are additional measures required with time, they'll be put in place. But the intent is always to keep some of that area for the operating motorway but any surplus land—the intent is to hand it back in a safe manner for the community to use.

**The Hon. SUSAN CARTER:** Mr Cox, I'm curious. Was an evaluation done of the previous tourism policy, which has informed the new policy which you've been directed to implement?

**STEVE COX:** The direction is to review the Visitor Economy Strategy that we currently have in place and also to take into account, of course, the Creative Communities policy within that work as well. So, absolutely, part of the work will be looking at what's currently in place, results and doing an update. In fact, the original policy when it was set out did put in there that there would be a review conducted after three years of operation, and we are now at that three-year time zone.

**The Hon. SUSAN CARTER:** How long do you anticipate the review will take?

**STEVE COX:** We've been directed to have the review completed and to the Minister for review by, I think, 15 July.

**The Hon. SUSAN CARTER:** And this is an internal review, not an external review?

**STEVE COX:** It's a full review, so it will include external consultation. And, as was mentioned previously by the secretary, we're just establishing that work and we'll map out the program.

**The Hon. SUSAN CARTER:** But those doing the review will be internal to the body?

**STEVE COX:** That's correct. It will be operated by Destination NSW.

**The Hon. SUSAN CARTER:** Sound NSW—if you could think about while you're coming up—I'm interested in the live venue accelerator workshops. I wonder whether you can tell me how many expressions of interest were received?

**EMILY COLLINS:** I might have to refer you to my colleague Michael Rodrigues, who's running that program.

**The Hon. SUSAN CARTER:** Okay. I understood that was Sound NSW.

**The CHAIR:** That's the night-time economy.

**EMILY COLLINS:** There are two programs as part of the umbrella for Venues Unlocked.

**The Hon. SUSAN CARTER:** Thank you. Who has carriage of the contemporary music budget? I believe there's \$103 million available.

**The CHAIR:** Maybe we'll go Mr Rodrigues, because you're here now.

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**MICHAEL RODRIGUES:** I think your question was in respect to the live music venue—

**The Hon. SUSAN CARTER:** Live venue accelerator workshops.

**MICHAEL RODRIGUES:** Yes, correct. Apologies for a little bit of confusion. We are working with Sound NSW on delivery of—

**The Hon. SUSAN CARTER:** No, no—just happy to get the answer. Thank you.

**MICHAEL RODRIGUES:** That has 24 participants in it currently. There were 25.

**The Hon. SUSAN CARTER:** How many expressions of interest were received?

**MICHAEL RODRIGUES:** In terms of applications, I may need to take that on notice. But there were 25 places in the accelerator.

**The Hon. SUSAN CARTER:** And what's the cost per participant?

**MICHAEL RODRIGUES:** I might need to take that on notice as well.

**The Hon. SUSAN CARTER:** Thank you. How was the program to be assessed?

**MICHAEL RODRIGUES:** In terms of the applications?

**The Hon. SUSAN CARTER:** No, whether it's successful or not. It's a new program. What's the protocol for assessment of the success of the program?

**MICHAEL RODRIGUES:** After the program is complete, it will be evaluated.

**The Hon. SUSAN CARTER:** By?

**MICHAEL RODRIGUES:** By the department.

**The Hon. SUSAN CARTER:** So it's an internal—

**MICHAEL RODRIGUES:** It's an internal program.

**The Hon. SUSAN CARTER:** Against what criteria?

**MICHAEL RODRIGUES:** Against the program objectives. The program objectives are to enable the sector to adopt and diversify the offerings of their venues to incorporate live performance, particularly live music.

**The Hon. SUSAN CARTER:** Great. Thank you.

**The CHAIR:** The Powerhouse Museum—Ms Havilah, is it?

**LISA HAVILAH:** Yes, that's right.

**The CHAIR:** Is the Powerhouse Parramatta on track to open in mid-2025?

**LISA HAVILAH:** There isn't a date set for the opening, but yes, it will be opening in 2025.

**The CHAIR:** Mid-2025?

**LISA HAVILAH:** Around about. There will be a review of that date by Infrastructure NSW and Lendlease, as there is. I'm hesitant to name the date, but the commitment is 2025.

**The CHAIR:** Okay. Because the previous commitment has been given by the former arts Minister, in fact, that it was mid-2025. So that commitment is no longer locked in stone from this Government?

**LISA HAVILAH:** There isn't a date set, but it is 2025 and it is on track.

**The CHAIR:** It was committed. It seemed to have been set by the previous Government.

**LISA HAVILAH:** Yes.

**The CHAIR:** Is there a reason why Infrastructure NSW needs to look at that to revise this opening date?

**LISA HAVILAH:** I think that's a matter for Infrastructure NSW, to answer that question in more detail.

**The CHAIR:** Right. What are they assessing to revise the opening date, just to be clear?

**LISA HAVILAH:** It hasn't been actually set as an opening date. It's always under review in terms of reviewing the delivery as it gets delivered.

**The CHAIR:** When will they know that?

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**LISA HAVILAH:** I'll have to take that on notice. That's also a question for Infrastructure NSW.

**The CHAIR:** During estimates under the previous Government, they said mid-2025. The Minister was able to tell us that then. It is now, as I said, March 2024 and this Government can't tell me whether it is still mid-2025, even though that was probably 18 months ago. Now it's up to Infrastructure NSW, not yourself or the Minister for the Arts, to say when that date is.

**LISA HAVILAH:** It will be around that date, but there just hasn't been a date specified.

**The CHAIR:** Is it possible it's going to be delayed?

**LISA HAVILAH:** There has been a lot of rain and there has been a lot of weather, so it is something that could be possible.

**The CHAIR:** How many of the dedicated event spaces, as well as the limited edition spaces, are available to hire for commercial events?

**LISA HAVILAH:** The museum altogether is 30,000 square metres and of that there is 18,000 square metres of public space—museum exhibition space. There is one dedicated event space, which is PS 7, which is around 700 square metres.

**The CHAIR:** I will come back to that. We will break and come back at 3.45 p.m.

**(Kate Boyd, Sally Webb, Bernard Carlon, Steve Cox, Susan Carroll, Mary Darwell and Alison Morgan withdrew.)**

**(Short Adjournment)**

**The CHAIR:** Welcome back. We'll move to questions from the Opposition.

**The Hon. SUSAN CARTER:** I have some questions about the Powerhouse. Ms Havilah, if you could come up to the table. Thank you. The Ultimo site, originally allocated \$500 million—that's now looking like \$250 million, although there is not quite that in the budget. What are we losing? What won't proceed because of the changed budget for the Ultimo site?

**LISA HAVILAH:** The total budget for the project is \$300 million; \$250 million is being provided by the New South Wales Government, and the Powerhouse will raise \$50 million through a philanthropy program. Leading up to and since the announcement, we've been working really close with the architectural team—Durbach Block Jagers and Architectus—to work through the design and refine the design in response to the policy direction of the Government, which is focused on heritage revitalisation. That has been a really fantastic process, and it has really focused us on how we develop a really integrated circulation system in the museum, because that's one of the things—we've got a lot of feedback from the community in terms of how people orientate and how the museum connects to the public domain. That has been a big focus. We've also been focused on how we develop within the Wran building, an international-standard exhibition space which is really critical for our operations going forward.

**The Hon. SUSAN CARTER:** Can I ask you about that? One of the challenges with the existing site is the ability, as I understand it, to provide adequate travelling exhibition spaces within the footprint of the Wran building. Is that going to be reconfigured internally? Will we have those exhibition spaces for travelling exhibitions?

**LISA HAVILAH:** Absolutely. One of the things that has been really great in terms of working so closely with Infrastructure NSW, with Create NSW, with the design team and the broader team, including the engineers, is to look at how within the Wran building—because over time there have been a lot of changes to the interior of the Wran building, including new mezzanines and other areas that have broken it up.

**The Hon. SUSAN CARTER:** So you're confident that we will get a travelling exhibition space?

**LISA HAVILAH:** Absolutely.

**The Hon. SUSAN CARTER:** Comparable to what we were looking at before?

**LISA HAVILAH:** Yes, absolutely. It will be an exceptional space that will be able to work with national and international partners to present international exhibitions that really go across both the applied arts and applied sciences in that building.

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**The Hon. SUSAN CARTER:** I understand that the original plans included an academy with residential opportunities for regional students so that they could engage with the museum. Will that still be proceeding on the Ultimo site?

**LISA HAVILAH:** Yes. We will proceed with the academy, which was one of the really key things that we wanted to continue with. That academy program, in the same way as it is in Parramatta, is very much about providing access for students from across regional New South Wales and from across Western Sydney to access the museum's programs and learning programs. Those programs are very much tied into our new partnerships with UTS and Western Sydney University, as well, and really looking at how we can provide pathways for young people into those disciplines but also pathways for young people from regional and remote areas into tertiary learning and into new jobs, essentially, as well.

**The Hon. SUSAN CARTER:** So there will be an academy at Parramatta and an academy at Ultimo?

**LISA HAVILAH:** Correct.

**The Hon. SUSAN CARTER:** Great. And where are we with building approvals for the Ultimo site?

**LISA HAVILAH:** We've just finished the consultation on the early—on the concept. The team are preparing INSW, and the design team are preparing to submit the State significant development application.

**The Hon. SUSAN CARTER:** Do we have a realistic time frame for when all of these works will be completed?

**LISA HAVILAH:** I believe that we do. We are, as you know, preparing the museum to hand over to Infrastructure NSW, and the program that we have at the moment includes the securing of a construction contract before the end of the year and then starting those works early next year.

**The Hon. SUSAN CARTER:** At the moment we've got Castle Hill about to open, and we've got Parramatta and Ultimo not available. What impact does that have on educational programs?

**LISA HAVILAH:** We have actually significantly increased our investment into learning programs over the last 12 to 24 months. We have done that through a very transformative investment by both the New South Wales Government but also through a \$20 million investment by Mr Lang Walker, alongside a \$10 million investment by Western Sydney University and UTS. Through those programs—we are delivering them across New South Wales, but we are very much focused on delivering them in schools across Western Sydney. So we are working with, at the moment, seven schools on those programs, and they are very focused on really looking at how we can use, I suppose, the specialisation of the museum to provide very distinctive and unique experiences for young people in Western Sydney.

**The Hon. SUSAN CARTER:** So you're taking the museum to the students, rather than the students to the museum?

**LISA HAVILAH:** Exactly.

**The Hon. SUSAN CARTER:** And regional schools? This operates in regional schools?

**LISA HAVILAH:** Yes, we are expanding it out into regional schools. We are working very closely with the New South Wales Department of Education to really develop and make sure that the academy programs that we do in both Parramatta and Ultimo really are embedded in the syllabus and provide extension experiences from that syllabus.

**The Hon. SUSAN CARTER:** So if I'm a student in Wagga, what access do I have to these programs?

**LISA HAVILAH:** When Powerhouse Parramatta opens, students and classes will be able to come and stay at the Powerhouse Museum for up to three days.

**The Hon. SUSAN CARTER:** Would they be able to come to stay at Powerhouse Ultimo as well?

**LISA HAVILAH:** Absolutely, yes.

**The Hon. SUSAN CARTER:** I wonder if I could ask Dr Brand some questions.

**MICHAEL BRAND:** Sure.

**The Hon. SUSAN CARTER:** Thank you for being here. Congratulations on the extra \$12 million, although we found out that that's one offer, not recurrent. I understand that you've got a change management plan because you are needing to separate from some staff because of funding issues?

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**MICHAEL BRAND:** Correct. We have a change management plan in place. That is, partly, we are undergoing a small realignment after the first year of operations and also addressing the budget issue.

**The Hon. SUSAN CARTER:** As well as the 10 permanent roles and the 21.5 FTE roles that won't be filled, how many workers on temporary contracts and how many casuals will be affected by the gallery's change management program?

**MICHAEL BRAND:** I'll have to take that particular number on notice.

**The Hon. SUSAN CARTER:** Are you confident that alternative jobs in the public sector will be available to all of these sacked workers?

**MICHAEL BRAND:** It's beyond my remit what will happen in the workplace mobility program, but we are delighted that that program is in effect. As I think you mentioned earlier—I should also say that we're currently still in the consultation phase, so these numbers are not final numbers, but it looks like at the moment about 9.5 positions currently filled would then be referred to the workplace mobility program.

**The Hon. SUSAN CARTER:** If you're not an employment lawyer, that means you're losing your job, doesn't it?

**MICHAEL BRAND:** No, not necessarily. It means that—

**The Hon. SUSAN CARTER:** Will you still have the same job that you had before the change management plan was in place?

**MICHAEL BRAND:** Not at the Art Gallery of NSW, no—

**The Hon. SUSAN CARTER:** No. Thank you.

**MICHAEL BRAND:** —but the hope is that a similar job would be found somewhere else within the New South Wales public service.

**The Hon. SUSAN CARTER:** What impact do you think these job cuts will have on the workload of other workers still employed at the gallery?

**MICHAEL BRAND:** It's my responsibility to make sure that we manage our program and our responsibilities. We have very important responsibilities caring for the State art collection, for example. I have to make sure that those responsibilities and programs and services to the public can be balanced with the resources we have, both human resources and financial resources.

**The Hon. SUSAN CARTER:** I understand that there is a review of the Destination NSW tourism policy and a move in the Creative Communities to move to an experience tourism policy. Are you in discussions with Destination NSW? What would be the likely workload impact on the gallery of drawing in more tourists into the gallery?

**MICHAEL BRAND:** We have had a very close relationship with Destination NSW for a number of years now. They're a major supporter of what we do, particularly in terms of our major exhibitions. But they were also a great supporter of our opening program when the new building opened at the end of December 2022, which allowed us to keep free admission for the first six months of operation, which was a goal—to have that across the campus. We are always in discussions about current and future programming. We would be very happy to participate in their planning for the future, but I don't see that as a particular burden on the Art Gallery at all.

**The Hon. SUSAN CARTER:** Just a quick question, a follow-up from that: You said free admission for the first six months. You're not going to proceed with free admission after that?

**MICHAEL BRAND:** No, sorry, what I meant was we had no ticketed exhibitions in that first six-month period. We're totally committed to free admission, as always, to the whole Art Gallery of NSW. But for those first six months or so we had no ticketed exhibitions, so all spaces were accessible free of charge until the Archibald opened in the original south building. But we didn't have a ticketed exhibition in the new north building until Louise Bourgeois opened; I think that was in November last year. Sorry for that; I should have clarified.

**The Hon. NATALIE WARD:** Mr Murray, or whoever is dealing with Rozelle mulch—I know we've dealt with these but I want to add a couple of questions. On what day did the member of the community email Transport concerning their finding of asbestos in mulch?

**JOSH MURRAY:** Yes, thank you for the question. That was 2 January.

**The Hon. NATALIE WARD:** When were you informed, Mr Murray?

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**JOSH MURRAY:** I was informed the following week; let me just check the exact date. I was informed on the morning of the ninth that we were investigating a discovery that had come to our attention the day before, formally.

**The Hon. NATALIE WARD:** So 2 January, the email comes through. You were informed on the morning of 9 January that you're investigating?

**JOSH MURRAY:** Yes.

**The Hon. NATALIE WARD:** Who informed you of that?

**JOSH MURRAY:** It was the acting deputy secretary.

**The Hon. NATALIE WARD:** Who is that?

**JOSH MURRAY:** It's Peta Gamon.

**The Hon. NATALIE WARD:** Can you walk me through the reporting lines between the person that's responsible for that email address through to you?

**JOSH MURRAY:** Yes. As we covered at the time, the important thing to note is that we do apologise for the time taken between the member of the community coming forward and making and following up on their original call and that being escalated. We also have to remember that it was the first week of the new year. The project teams around Rozelle interchange and parklands were taking some well-deserved rest time, but the office was staffed and the email should have been picked up. Unfortunately, due to human factors, it wasn't assessed properly at the time and it didn't make its way to the proper people.

**The Hon. NATALIE WARD:** I understand all of that. You've said that publicly. Thank you for that. Back to my question, can you talk me through the reporting lines between the person responsible for that email address through to you?

**JOSH MURRAY:** I'd have to check exactly who that came through. It was reported to our environmental teams in terms of the fact that there was a complaint. It came through the project—as we said, initially through that project email address. By the time it was notified to the correct teams was that following week, it was Monday the eighth. Then it was obviously escalated quickly through the leadership that we had—not confirmed at that point—a member of the public who had concerns and we had organised by that stage, on the ninth, to meet with that person.

**The Hon. NATALIE WARD:** You then met with that person, when, on the ninth?

**JOSH MURRAY:** Transport met with members of the community on the ninth.

**The Hon. NATALIE WARD:** From the time that that email came through the project team, what was the line of communication? Where did that go from the recipient of that email through to you? Talk me through the steps there.

**JOSH MURRAY:** I'd have to check exactly how many hands that passed through at the time. Certainly it was notified to me within a very short period of time of it being notified that we had initially missed this public comment but that we were on with it and obviously, because it was asbestos, it was escalated through to the secretary.

**The Hon. NATALIE WARD:** How many people have access to that email inbox?

**JOSH MURRAY:** I'd have to take that on notice. It's a project inbox that was being staffed at the time on the project related to the parklands.

**The Hon. NATALIE WARD:** You can't talk me through the lines and you can't talk me through how many people are staffing that particular email inbox. Is it concerning that that email sat for a week without being actioned?

**JOSH MURRAY:** I would say that it didn't sit for a week. It was as a result of errors. It was not assessed properly and it didn't end up in the right place. It certainly didn't sit, but the actions were not satisfactory to start the processes that we would require.

**The Hon. NATALIE WARD:** I'm not quite sure what that means though. I've tried to talk through the steps and I have tried to understand the timing. Can you just clarify for me. You said it didn't go to the right place. Did it sit there unattended or did it go through various channels? If so, what were those channels?

**JOSH MURRAY:** Yes, my advice is the email was received, it was read and it was forwarded on, but it wasn't forwarded to the right place. It was almost, "This is for someone else to deal with." Because of the

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understanding of the email at the time, it then made its way back to that project team who, upon second receipt of it, realised that this was something that they needed to deal with and, as a result, they initiated the protocols. That's my advice.

**The Hon. NATALIE WARD:** It wasn't satisfactorily dealt with in the first place. How many people saw that email before action was taken on it?

**JOSH MURRAY:** Again, I'd have to take the exact number on notice.

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

**JOSH MURRAY:** But given it was the eighth when that email was assessed as being of note, and by the morning of the ninth the deputy secretary called me and said, "We've had a member of the public report asbestos and we are investigating," that was a fairly quick transition.

**The Hon. NATALIE WARD:** Except that the other view is that it came in on the second and it wasn't actioned until the ninth. That's another take, which is why I'm trying to establish what happened. What steps have been put in place to ensure that something like this doesn't happen again?

**JOSH MURRAY:** One of the first elements is we have gone through, obviously, the administration behind project stakeholder management. That includes auditing email addresses and telephone numbers so that there aren't errant links. Obviously projects that may have finished or handed over at some time in the past, we don't want there to be any outstanding email addresses that might not be monitored. In addition, all project teams who are staffing an email address or a phone number such as this have had all the protocols reasserted to make sure that there is constant coverage of those and that there are backups. There were backups in this case. They weren't actually needed because the email was received, but we are making sure that when someone isn't perhaps staffing the mailbox, out of hours or the like, there are still ways that a member of the public can escalate. We want to make sure that that's in place in every project.

**The Hon. NATALIE WARD:** Maybe in that week, if the cricket is not here during that week, maybe people might be monitoring the email.

**JOSH MURRAY:** Please let me assure the Committee that the email inboxes were staffed and we had coverage.

**The Hon. NATALIE WARD:** I'm going to redirect. I just got two minutes left and I think we've answered that. When will the parklands be opened to the public?

**JOSH MURRAY:** We are working through that at the moment with the contractor. Obviously the scale and the size of that one individual site has to be taken into account as well as what has developed since.

**The Hon. NATALIE WARD:** A month? Six months?

**JOSH MURRAY:** We've been public that we expect staged openings to be able to inform the community through March and April.

**The Hon. NATALIE WARD:** Who is paying for the remediation works currently?

**JOSH MURRAY:** The contractor.

**The Hon. NATALIE WARD:** Do you anticipate that will continue?

**JOSH MURRAY:** Yes.

**The Hon. NATALIE WARD:** Can I go to the opening of the Rozelle interchange? The Government has conceded that things could have been done better. What specifically does Transport for NSW feel could have been better managed?

**JOSH MURRAY:** I think we've already discussed quite publicly that there were some elements of signage, if I take that as a starting point, in particular with the Iron Cove Link, where it was very difficult for people to understand, when presented with a brand new underground motorway tunnel, that it was free of charge. That was addressed very quickly after the motorway opening. We had new signage up and VMS signage throughout the Victoria Road corridor within the first 24 hours.

**The Hon. NATALIE WARD:** I'm not having a go, but you're not blaming the drivers, are you? There was a sign saying "toll" so, clearly, the interpretation from the sign is to not take that road if you don't want to pay the toll.

**JOSH MURRAY:** I think we've all accepted it. The fact that we moved very quickly to change the sign showed that we didn't feel it was enough. Earlier in the day I was asked, "Do you feel as though there were own

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goals?" I also felt as though, when we moved to do very quick work to rectify that—and I commend the teams for getting out and working through the night to do that—we also lost some attention to detail because of the pace at which we were working.

**The Hon. NATALIE WARD:** Speaking of the pace, was there pressure on the department to open the interchange on that date?

**JOSH MURRAY:** No, there wasn't. The interchange opening relates to the independent certifier declaring that it was ready to open, which was something we were waiting on.

**The Hon. NATALIE WARD:** I think Mr Collins is on the public record saying there was some pressure for opening. I may not have used the exact words. I'm not trying to verbal you, but there was some concession that there was some pressure for the opening. Talking points highlighted by Channel 7 and Sarina Andaloro highlighted that traffic disruption was expected to be only five to 10 minutes at the time of the opening. Was that consistent with Transport for NSW's advice to the Minister prior to the opening?

**JOSH MURRAY:** I think I'll redirect to my earlier comments on this. In public statements made multiple times, we said that we believed there would be significant disruption in the inner west. I would make the point now that, on most days, traffic disruption is around five to 10 minutes. Obviously, traffic to the west is now seeing significant improvements of at least five to 10 minutes on their journey times.

**The CHAIR:** I want to go back to St Peters interchange. Ms Drover, have you found anything else out about the EPL?

**CAMILLA DROVER:** Yes, I have. The EPL, or the leachate plan, is with Transport. I have checked the website myself, and all the data is on there. The landfill gas monitoring, which is subsurface gas monitoring, does occur quarterly, in line with the EPL. The results are all on the website.

**The CHAIR:** Have they been on the website the whole time or has there been a correction made recently?

**CAMILLA DROVER:** I can see here that the last data was received on 8 February and published on 9 February 2024.

**The CHAIR:** I understand that Inner West Council has been seeking an urgent briefing from Transport for NSW about the contamination issues and the remediation works. There have been several motions passed by Inner West Council. The latest that I'm aware of was in June 2022, calling for an urgent briefing from the relevant Ministers—the Premier, the Minister for the Environment and the Minister for Transport. This was obviously the previous Government. That letter requested that Transport for NSW shares the reports into the remediation ordered by the EPA with council, along with any other relevant reports and information about investigations into ongoing contamination issues. The motion goes on. I understand that Inner West Council has not received the requested information and that the urgent briefing has never happened. Is that the situation?

**CAMILLA DROVER:** As I said, I'm not aware of those specific incidents. I can see that there is a lot of information on the website, not just about the leachate quality monitoring but also groundwater quality monitoring, surface water quality monitoring, air quality monitoring et cetera. The other thing that should be noted is my division has delivered the project and we have now handed over to the operations team. So I'm not sure whether my colleague Ms Mares has any information about those ongoing discussions with Inner West Council.

**TRUDI MARES:** Are you referring to St Peters interchange or the Rozelle Parklands prior to—

**The CHAIR:** St Peters interchange is what I've been talking about the whole time.

**TRUDI MARES:** Just clarifying. I can check what engagement we have had, but we have regular engagement with Inner West Council. I'll get specifics related to St Peters for you.

**The CHAIR:** Is Inner West Council satisfied with the engagement by Transport for NSW on the St Peters interchange, would you say?

**TRUDI MARES:** I have met with Inner West Council on a range of matters, as have some of my colleagues—not specifically on St Peters, though, so I would like to check that if I could.

**The CHAIR:** What I'm hearing is that despite requests from the Inner West Council in relation to getting this urgent briefing that I was just talking about—plus reports that Transport for NSW has not responded to those—they're not supplying the information as requested by Inner West Council. What's the reason for that?

**TRUDI MARES:** I understand the question. I'll endeavour to get some information for you now.

**The CHAIR:** So Ms Drover doesn't know that? You don't know that?



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**TRUDI MARES:** Not specifically to St Peters interchange, no.

**The CHAIR:** In terms of positions within Transport for NSW, where does that decision-making rest then? If it's not with you, if it's not with Ms Drover, who makes the decision not to send reports?

**TRUDI MARES:** I just want to check if we have not provided it. I'm unaware of that. I do know that we certainly have undertaken a reset, if I can call it that, of our engagement processes to try to meet the needs of our councils, inner west being one of them. We have regular engagement at executive director, director and officer level into the council itself, and with officials. I know the matter would've been discussed. But specifically about if we did not respond to a motion, I would just like to check that.

**The CHAIR:** I understand that there has been an extension for submission of something called the revised hazardous ground gases risk assessment, as well as an interim audit advice.

**TRUDI MARES:** I don't have any information on that, sorry.

**The CHAIR:** I understand that there have been several ongoing extensions of this by Transport for NSW. If you look at the number and the extent, the time in terms of extension, it does seem like there is a hell of a lot of problems at St Peters interchange with contamination.

**TRUDI MARES:** I don't have any information on that, I'm sorry. Ms Drover, did you have any other—

**The CHAIR:** My previous question earlier in the day—when I asked about this, Ms Drover, you said that you understand that you're complying with the licence. But I'm just wondering what the ongoing extensions of these—which is this hazardous ground gases risk assessment. It does seem that the problem in relation to the emission of gases—you could call it a wicked problem—is just not being fixed, is it?

**CAMILLA DROVER:** That's why there is an EPL, an environment protection licence, that covers the site—because there is the need for ongoing monitoring and management of the site. That's what the EPL does cover. I'm not aware of the particular matter you're referring to, an extension of—what was it again? Can you just clarify what the—

**The CHAIR:** I'll get that back to you on notice. I've just gone to another question. I had to read that out myself, so I'll get it to you on notice. I also understand there was a licence variation in May 2021. The EPL you're referring to was varied by the EPA. Do you understand that that's the case?

**CAMILLA DROVER:** It may well have been. Sometime we amend the management strategies that we're putting in place to manage the problem. We undertake monitoring depending on what we find. We continue with the approach. Sometimes we need to change the approach, and that would necessitate a change to the EPL. Occasionally there are—I wouldn't call it a breach. But, for example, I can see here that we didn't test from one particular well. That was because the construction of the gateway project, for example, meant that we couldn't test from that well. There's another example I can see where there was an equipment failure for the testing of one particular well, so that's noted. If there is any material breach of the EPL, we are required to report that to the EPA, and we do. Sometimes breaches do not become apparent until later and they are then later reported, when they become apparent, to the EPA. We have an ongoing commitment and responsibility to manage that site and that's why, with time, sometimes our approaches do change.

**The CHAIR:** With that variation that you are aware of, in May 2021, of the EPL—

**CAMILLA DROVER:** I'm not aware of that specific change. I'm happy to take that on notice and get the exact nature and detail of it. But I'm aware that, with time, we sometimes do. And sometimes we undertake additional monitoring.

**The CHAIR:** Yes, thank you, Ms Drover. Under that amendment in May 2022, the EPA varied the licence to include a voluntary environmental audit—it's interesting it's voluntary, frankly—and the completion of two pollution studies. This is what I was referring to before. The first pollution study required the licensee to undertake a revised hazardous ground gases risk assessment and submit a report to the EPA by 30 September 2021. Transport for NSW was required to do that. It has been delayed and delayed a number of times, I understand. It's a requirement of the licence—the variation of the licence. But it's a requirement—two pollution studies. Why do they keep being delayed and extended?

**CAMILLA DROVER:** I don't know in that instance but I'm very happy to take that on notice and find out why there is a delay and whether that delay still persists. I'm not familiar with that particular matter.

**The CHAIR:** Let us go to Ms Lamb—music festivals. What is ILGA advising the Government when it comes to the regulatory framework for music festivals and just how difficult it is operating music festivals in this

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State? What are you advising in terms of making it easier? The question is also around police presence because I know ILGA has something to do with that in terms of the application process.

**CAROLINE LAMB:** Two things, ILGA has one role in relation to music festivals and that's basically a risk assessment role. If ILGA determines that a festival is, if you like, higher risk, then it's characterised as a subject festival and that requires additional medical facilities at the site. In relation to your question, however, we've been consulted by the team as part of the review into the music festivals legislation. We provided some input to that team and, like everybody else, we're awaiting the outcome.

**The CHAIR:** In terms of subject festivals—let's just say "subject festivals"—at this point is it your view that you think that ILGA's involvement of risk assessing that system of subject festivals is working? Do you want to see it continue?

**CAROLINE LAMB:** I suppose to the extent that there's a correlation between our involvement and the framework of the existing legislation and the characterisation of some festivals by ILGA as subject festivals and the general decline in adverse events, and particularly deaths, arising from music festivals, you could say, yes, it has been successful. But it is only a correlation.

**The CHAIR:** Do you take into consideration with this, in terms of assessing the risk of music festivals to designate them a subject festival, the number of police that attended in previous years, the number of interactions with the police and not arrests but at least the number of patrons that were subject to searches, and what have you? Do you take that into consideration?

**CAROLINE LAMB:** We look at a range of data. The history of the festivals, if it does have a history, is certainly a factor that we take into consideration in terms of our risk assessment. Typically we look at data in relation to incidents, if I can put it like that broadly, particularly medical, perhaps less than in relation to police because we don't determine how many police will attend a particular festival.

**The CHAIR:** So you don't take into consideration then anything in terms of the police stats and data, other than you're saying medical incidents recorded by the medical crew?

**CAROLINE LAMB:** Yes. We do ask police for input. We ask police and Health specifically whether in their opinion a particular festival should be classified as "subject" and we take their response into account in making our determination.

**The CHAIR:** Do you also take into consideration when you are making your determination the potential conflict of interest that the police have in determining a music festival a subject festival?

**CAROLINE LAMB:** Because we are not the arbiters of how many police attend and the extent of user-pay policing, that's not something that is relevant to our determination.

**The CHAIR:** So even though the police may recommend particular festivals be subject festivals—which means usually that enables them to say, "Well, this number of police are expected at this," and put more police on and put more dogs on and charge more—you don't think that that's a factor and that they don't have any self-interest in this?

**CAROLINE LAMB:** I can't comment on any degree of police self-interest in their recommendations, but what I can say is that what we're interested in from the police is their view as to the likely health risks associated with a particular festival. We're predominantly concerned with the risk of particularly drug-related misadventures at music festivals, and sometimes the police have some very useful data in relation to that.

**The CHAIR:** How much balance is the police given, for example, compared to DanceWize? Are their views taken into consideration in the same way?

**CAROLINE LAMB:** We don't specifically ask for input from DanceWize, but we do from NSW Health. NSW Health typically provides some very valuable input into our consideration.

**The CHAIR:** What sort of input do they provide?

**CAROLINE LAMB:** The sort of input they provide is the extent to which there may be health risks associated, for example, with the distance between the venue and the nearest tertiary hospital, so that if people become seriously ill they can be transported promptly. They also take into account the history of the festival, if indeed there is a history. But the location of the venue and the incidence of particularly drug-related misadventure in previous years is probably the most important consideration.

**The CHAIR:** Does ILGA take into consideration the Coroner's report into music festival-related deaths, the recommendations of that in relation to the presence of police, the presence of sniffer dogs and the increased risk to drug overdoses as a result? Is that also taken into consideration?

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**CAROLINE LAMB:** We would always take into account any recommendations from the Coroner, but, as I said, we're not responsible for determining how many police are at a particular venue and the number of sniffer dogs and so on that the police recommend.

**The CHAIR:** How do you weigh up the police evidence compared to the police's contribution when you're determining this compared to other organisations' contribution? You say you weigh up, for example, the Coroner's recommendations. Is there a formula?

**CAROLINE LAMB:** No, there's no formula. It's very much dependent on the strength of the recommendations, particularly from Health but also from police. It's also very much a function of the material that is quite extensive material that's provided to us from Liquor and Gaming NSW in relation to, for example, the specifics of the event organiser and their track record in terms of managing events of this kind. Some organisers have a very strong track record, and that gives us a great deal of confidence. On the other hand, if it's the very first time a particular organiser is putting on a festival, then obviously we can't give credit to them for being an organisation with a very strong track record in this space.

**The CHAIR:** In terms of formula, then, what does it take for a festival to get off this subject festival list?

**CAROLINE LAMB:** There are a number of festivals that have previously been characterised as subject and are now no longer subject. In the last six months we've characterised most festivals as not being subject, and I think that that's largely due to the fact that we now have a number of festival organisers with a very strong track record of harm minimisation at their events.

**The CHAIR:** So in terms of what it takes, you're saying a couple have come off the list?

**CAROLINE LAMB:** Yes.

**The CHAIR:** Have any gone on the list in that time?

**CAROLINE LAMB:** I'd have to take that one on notice, but I think, as a generalisation, there are far more—I know there are far fewer festivals that are characterised in the last 12 months as subject, by comparison with the previous 12 months.

**The CHAIR:** Thank you, Ms Lamb. I want to go back to some questions about the Powerhouse in relation to the commercial spaces I was asking about earlier. How many dedicated spaces aren't available for commercial hire, out of all the spaces available?

**LISA HAVILAH:** There are seven spaces altogether; six are museum exhibition spaces. If it's helpful, I can take you through the square metreage.

**The CHAIR:** That'd be great, thanks.

**LISA HAVILAH:** There are 11,157 square metres of exhibition space, which is delivered over six spaces. There's 1,700 square metres of education space. There is 4,000 of circulation, which is concierge and cloakroom, and retail is 1,000 square metres.

**The CHAIR:** What was the 11,157, did you say—or roughly?

**LISA HAVILAH:** That is museum exhibition space.

**The CHAIR:** Is that ever available for commercial hire?

**LISA HAVILAH:** We'll be developing a commercial program that will include events and conferences. They'll be integrated into the museum's program, but very much in line with how—

**The CHAIR:** I've got 10 seconds left, so the question was which spaces will be free, as in not available for commercial hire?

**LISA HAVILAH:** There'll be six spaces not available, and there'll be one space that is fully available, which will be an event space.

**The Hon. NATALIE WARD:** I know the Chair has asked some questions about Cammeray Voices and the Warringah Freeway upgrade, but I just wanted to ask about those—perhaps Ms Drover, or whoever is responsible.

**TRUDI MARES:** Yes, I can try to assist.

**The Hon. NATALIE WARD:** Thank you, Ms Mares. I know we've covered off some of this, but complaints have also been raised with the Opposition by local residents about Transport for NSW's failure to

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adhere to the planning conditions. I want to ask specifically about complaints handling. Is there data on complaints for the project?

**TRUDI MARES:** Yes, there is, thank you. Ms Drover and I did look at this in the break to see if we had any information. We weren't aware of the matter, but we did want to reiterate to the Committee that we do take complaints seriously, and we'll look into this one ourselves. The complaints-handling process is through a complaints management and communication plan that each project has. That outlines the response time. For example, if a complaint or an inquiry is received, it has to be acknowledged within two hours, I think it is, in the plan for those two projects, and a response provided within a certain period. There are protocols specified, and they meet the conditions of approval requirements. We do send, weekly, a report to DPHI on how we're complying with that complaints-handling process.

**The Hon. NATALIE WARD:** It does seem that there are some ongoing concerns about how that's being handled.

**TRUDI MARES:** There's a process in place.

**The Hon. NATALIE WARD:** What oversight is there for the complaints-handling process?

**TRUDI MARES:** It's managed through the project and community teams. Assessing that, if there were any significant gaps, there would be escalations and that would be dealt with. As I mentioned, we haven't seen an escalation of that particular matter. We did want to check the stats that you provided.

**The Hon. NATALIE WARD:** I don't mean to interrupt you, but I think we're escalating it now.

**TRUDI MARES:** Yes. We haven't before today. For the statistics around the response rate and things, we'll check those against what we've provided to DPHI.

**The Hon. NATALIE WARD:** That would be helpful.

**CAMILLA DROVER:** If I can just add, regardless of the process, we do take construction workers parking in residential streets very seriously and we will address that problem that if it persists. We particularly appreciate the impact Warringah Freeway is having on the adjacent community. We will take any feedback on noncompliance very seriously.

**The Hon. NATALIE WARD:** That's helpful. I drive it every day, as you're aware. I know that you take complaints handling seriously, but we are getting a lot of feedback on this. I personally am very pleased to see it continuing but the impact to locals is obviously of concern and they want confidence that their concerns are being mitigated. In terms of the new operating model, will that impact this process and who will it report to?

**JOSH MURRAY:** The planning and performance relating to projects before they go into delivery will be handled by Ms Mares through the client division of the organisation. Delivery and a broader remit for project delivery remains with Ms Drover.

**The Hon. NATALIE WARD:** In designing the new operating model, you want to ensure that the objective of the business line is to deliver the project. That's correct, isn't it?

**JOSH MURRAY:** That's right. That's why we've removed the geographic boundaries of the interface, as it takes out a step in all of these processes.

**The Hon. NATALIE WARD:** While also balancing what we call the human impacts of the project, as a result of the project. In terms of human impact, are there still outstanding claims or matters in relation to the Rozelle interchange and the area and the residents around there? Are there any outstanding claims or concerns by those residents?

**CAMILLA DROVER:** What nature of claims do you mean?

**The Hon. NATALIE WARD:** Community concerns and complaints about the impact to residents in the Rozelle interchange area.

**CAMILLA DROVER:** Not that I'm aware of. What I can say is that we've still got the community drop-in centre open. Although the project has largely finished and is open to traffic, of course, we're very cognisant that we're still addressing the issues of the parkland. For that purpose, the community centre on Lilyfield Road remains open. We've had the odd person drop in to that facility in recent weeks. Of course, all the online helplines et cetera are still running and will remain running until the project is fully finished and the project team has demobilised from the site.

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**The Hon. NATALIE WARD:** Is that the contractor that is dealing with individuals in terms of impact on and damage to buildings and residents' homes? Is that going through Transport for NSW or through the contractor?

**CAMILLA DROVER:** You'll be aware that we've got what we call the IPIAP process. The condition survey of properties was done pre-construction and another condition survey is done post-construction. If there is any damage, property owners can make a claim to the contractor.

**The Hon. NATALIE WARD:** Are there any outstanding claims?

**CAMILLA DROVER:** If you just give me two seconds, I will check. We've had very low numbers referred to IPIAP for the Rozelle interchange, but I'll just double-check for you.

**The Hon. NATALIE WARD:** While you're doing that, I think I can tell you there are outstanding claims. I'm just interested in who is now handling those and what the resolution process is.

**CAMILLA DROVER:** Under the IPIAP process, property owners can apply to Transport for NSW.

**The Hon. NATALIE WARD:** Assuming that's all been done and they're still in train, what is—

**CAMILLA DROVER:** And then they are referred to IPIAP and the independent panel makes a determination. That is binding on Transport and, for stage three of WestConnex, it's binding on the contractor. If IPIAP says there's damage due to the construction activity, then it will be remedied, whether that's us undertaking the remediation works or whether it's paying compensation to the landowner.

**The Hon. NATALIE WARD:** Is there an appeal process for that if IPIAP finds that the resident is not in agreement with the assessment?

**CAMILLA DROVER:** We're bound—as is contract—to the determination of the IPIAP process. In terms of an appeal process for landowners, I don't believe there is.

**The Hon. NATALIE WARD:** Can I move on to the M6 stage one sinkhole. Late last week media reports say that the M6 stage one project—I'm very supportive of that, but it was evacuated due to fears of worker safety, possibly related to a sinkhole near the tunnelling. Can I just ask what happened?

**JOSH MURRAY:** I might start and then perhaps hand to Ms Drover. Just noting that the workers in the tunnel were safely evacuated at the time—very early on Friday morning—and there were no workers present in the associated building that were directly affected. But we did make sure, in conjunction with fire brigades New South Wales, that that site was deemed safe, and an exclusion zone was put in place. Investigations into the exact cause of the slippage and the subsidence are now ongoing.

**The Hon. NATALIE WARD:** Who is conducting those, Mr Murray?

**JOSH MURRAY:** They're being done by the contractor.

**The Hon. NATALIE WARD:** The contractor is investigating the cause of the slippage.

**JOSH MURRAY:** That's right.

**The Hon. NATALIE WARD:** Okay. And they'll be reporting that back through to you?

**JOSH MURRAY:** Yes, that's right.

**The Hon. NATALIE WARD:** Or will they be managing that?

**JOSH MURRAY:** The priority—Ms Drover was there on Friday and both of us were there across the weekend. The contractor is taking this very seriously. They're extremely experienced in terms of Sydney and broader tunnelling. Their priority was to stabilise the works, as you would have seen through the coverage that was completed on Sunday night in terms of the concrete pour.

**The Hon. NATALIE WARD:** The concrete pour, yes.

**JOSH MURRAY:** Now the work to further stabilise the surrounding ground will enable them to conduct those investigations.

**The Hon. NATALIE WARD:** Do we know what happened, or just a sinkhole appeared? I understand there's an investigation, but what is the initial early understanding?

**JOSH MURRAY:** Ms Drover?

**CAMILLA DROVER:** We don't know yet. The investigation continues. The contractor is obviously undertaking their investigation, as is Transport. The building owners also have their own engineering team. You'd

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be aware that WorkSafe have put a prevention notice on further tunnelling for the M6 on the southbound tunnel. This is an area where the southbound tunnel is heading towards the portal, so it's coming up to the surface. They were tunnelling about 18 metres below the ground level, so there's about 14 metres between the depth of the sinkhole and the tunnel, but we don't know exactly the cause. There's obviously not—it's obviously an anomaly in the ground conditions in that area. About 76 per cent of the tunnelling overall for the M6 stage one is complete, so they are heading towards the end of the tunnelling activities.

**The Hon. NATALIE WARD:** It's a great project, and your knowledge of it is extraordinary. Are there any new issues concerning the possibility of increased risk to workers for the project? Have you been made aware of any further issues prior to last Friday?

**CAMILLA DROVER:** I hadn't been made aware of any issues prior to Friday. WorkSafe, of course, is continuing their investigations and we'll be supporting that. The fire brigade have handed the site back to the property owners. That was done Sunday night—I believe, 6.00 p.m.

**The Hon. NATALIE WARD:** What's the current status of the project considering the events of last Friday?

**CAMILLA DROVER:** Yes, as I said, WorkSafe have stopped tunnelling on that southbound tunnel. The rest of the works are proceeding. We have approval from WorkSafe to do that. There was a closure on President Avenue over the weekend—that proceeded—but, obviously, the highest priority is to understand what happened and to resume the safe tunnelling of the project. There were about—I think it was—four or five workers at the face when the event occurred. It was about 5.30 in the morning. They followed the protocol. As soon as they saw material coming in the crown of the tunnel, they took initial measures and then they evacuated the tunnel as per the protocol. It was then that they observed the subsidence on the surface. No-one has been back in the tunnel yet, since that incident. They have been using drone technology to get some really amazing footage of what's happening within that tunnel.

**The Hon. NATALIE WARD:** I'll move on, but when do we expect tunnelling to start again?

**CAMILLA DROVER:** I'm not going to give you a date. We need to wait for that investigation to conclude and to understand what caused the issue, and also get WorkSafe clearance to proceed with tunnelling again.

**The Hon. NATALIE WARD:** I understand. Thank you. Can I move on to another project, the Western Distributor network improvement plan. When will work start on the Western Distributor network improvement plan?

**CAMILLA DROVER:** You'll be aware there are a couple of elements to that initiative. There are the Allen Street intersection works. We have done the planning for that. I understand the utility relocations, which are non-contestable, are underway. They need to be done before we actually make the changes to the intersection. There are also changes at the Pyrmont—

**The Hon. NATALIE WARD:** Sorry, how long will they take?

**CAMILLA DROVER:** It will be subject to moving the utilities, but I understand we're hoping to start that later this year after the utilities have been moved. There's also the Pyrmont Bridge Road intersection works. They will not occur until after the fish markets open. I understand that's next year. So that's subject to the fish markets opening. And then we're also in the planning phase for the Fig Street on-ramp. We have planning approval for all of those works, but the various elements have different implementation dates. Obviously, the weave ramp is more complex. We have started the property acquisition activities for that. The design is well advanced. We're also coordinating the delivery of that with activities at the ICC. That's also driving the delivery program for that element of the project.

**The Hon. NATALIE WARD:** That's helpful. Thank you. Why did the Government delay the start of that project?

**CAMILLA DROVER:** I wouldn't categorise it as delaying the start. We obviously needed the REF. That obviously did generate some commentary in the community, so we took our time to respond to that community feedback. The REF was then determined, and then that allowed us to get on with those various elements. You'd be aware it's a complex bit of Sydney.

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

**CAMILLA DROVER:** It's right on the edge of the CBD; there is not much space. We need to program those works so that we balance the need to improve the capacity and resilience of that network whilst actually keeping it flowing as an operational network.

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**The Hon. NATALIE WARD:** I believe the REF said that it would begin in the second quarter of 2023. We're well beyond that. When will the whole thing be delivered?

**CAMILLA DROVER:** When will the whole thing be completed?

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

**CAMILLA DROVER:** As I said, the Allen Street works are fairly straightforward, but they'll just be subject to those utilities being moved. We've got to wait for the fish markets for Pymont Bridge Road, and then we're just finalising how quickly we can proceed with the Fig Street ramp because, as I said, it's, in part, a function of the activities at the ICC. But we have commenced the property acquisition. That is now funded, and that's probably the other thing I need to confirm: All those elements are now funded and we're proceeding as soon as we can.

**The Hon. NATALIE WARD:** I understand the elements of the project and the complexity of it and acknowledge that. Given it all went to the REF as one project, when will it be complete?

**CAMILLA DROVER:** I'd need to take that on notice and just look at that for all elements. I don't have an exact date for the Fig Street on-ramp.

**The Hon. NATALIE WARD:** If you could take on notice when that will be complete or anticipated, the entire thing, given it went as one bundle to the REF, that would be helpful.

**CAMILLA DROVER:** Yes.

**The Hon. NATALIE WARD:** As part of that, when will Berrys Bay be delivered as part of the Western Harbour Tunnel project?

**CAMILLA DROVER:** I've got some information on that. I can say that given we've now received the modification for the Western Harbour Tunnel—which was great, the change of construction methodology—it will now mean that we can actually deliver that Berrys Bay park back to the community earlier than was initially anticipated.

**The Hon. NATALIE WARD:** Great.

**CAMILLA DROVER:** I know we've been out with the urban design landscape for consultation recently, and there were some changes to that. If you just give me a minute, I'll get the exact dates for you.

**The Hon. NATALIE WARD:** That would be very helpful. I think the community would welcome that Berrys Bay being delivered earlier. It's certainly helpful that the change of methodology occurs. I think I announced that at the time—that Berrys Bay can be delivered and it will be back to the community as part of that Western Harbour Tunnel change of methodology. Not only is the tunnel going to be delivered but the community will not be impacted in the way that it may have been.

**CAMILLA DROVER:** We're expecting to start construction early next year on the park.

**The Hon. NATALIE WARD:** So early 2025?

**CAMILLA DROVER:** Early 2025. The Berrys Bay master plan has been informed by the community engagement and also responds to the conditions of approval for the project, which must result in an increase in usable open space and continuous foreshore path.

**The Hon. NATALIE WARD:** Yes, it's a terrific project and I think the community will welcome that. If we can get some dates on that, that would be fantastic for everyone to be a part of. Thank you.

**The Hon. SUSAN CARTER:** Ms Mildwater, I'm hoping you can help me in relation to funding relating to the Creative Communities policy?

**ELIZABETH MILDWATER:** I can try, yes.

**The Hon. SUSAN CARTER:** I notice that principle two talks about agility in funding. Last September there was an announcement of \$60 million of cuts to screen funding programs, which would have impacted the Made in NSW funds and the Post, Digital and Visual Effects Rebate, but then that was reversed, which was a very good decision but, of course, it creates funding uncertainty within the creative community. Is this what's meant by "agility" in a new approach to funding in Creative Communities?

**ELIZABETH MILDWATER:** I can speak to the individual matter you raised, if you like, and then perhaps Ms Pitman can talk to the principle more generally. With the post digital effects and the—well, the screen funding generally, based on feedback received by the Minister, we then reinstated funding for those programs, yes, because we heard the strong feedback. But that was a one-off decision related to those programs where we

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were able to find some money out of other programs this year and in the budget process for the forward years. That was not what was meant by that principle, and maybe I'll throw to Ms Pitman to talk more about the principle.

**ANNETTE PITMAN:** Creative Communities is a 10-year policy and so the—

**The Hon. SUSAN CARTER:** I'm focusing on principle two, the funding, because what's interesting about Creative Communities is there is not a lot of dollars allocated in it—that I could find, anyway.

**ANNETTE PITMAN:** Creative Communities is a high-level policy document and there are a number of commitments that are made specifically within the policy document, but also, as I mentioned previously, an implementation regime which is just being worked through now with specific actions and time lines.

**The Hon. SUSAN CARTER:** Sorry, "implementation regime", does that mean dollars for projects?

**ANNETTE PITMAN:** It means specific actions that will be taken around on delivering on the objectives of the policy and then the time frames and, of course, the cost to do that.

**The Hon. SUSAN CARTER:** Infrastructure funding for the arts, is that part of the implementation policy?

**ANNETTE PITMAN:** Infrastructure funding, as you would have seen in the policy, there is quite a significant space for the arts component of the policy. And that space, the space initiative broadly, is around ensuring that communities have the ability to have access to space for enjoying and making art. Those space initiatives are—there will be specific things. You would have noticed in the policy there was a commitment for individual hubs for creative space in the regions and in Western Sydney that would be delivered.

**The CHAIR:** Mr Barakat, I want to ask some questions about the Vibrancy Reforms that came in on 12 December. I'm particularly interested in the number of venues that have applied to take particular things up. I understand with the Sunday trading there was the change but then every individual venue still had to apply if they wished to trade earlier or later. Is that correct?

**TAREK BARAKAT:** That's right. Sunday trading traditionally finished at 10.00 p.m. That has now been extended—to align with other days of the week—to midnight. That's up to individuals, so it's not mandatory. Obviously individual venues will make that decision based on their own circumstances and then they'll apply to us and the authority to seek that extension. If you're after an exact number, I don't have that with me, but I'm very happy to take on notice how many have applied for that extension.

**The CHAIR:** Yes, I was going to ask the exact number but, maybe generally, has there been strong interest in that?

**TAREK BARAKAT:** At the moment it has taken time, I think, for venues to take this up. In addition to this, we've had the changes to the way that the Minister can designate special event extended trading.

**The CHAIR:** Yes, I was going to ask about that.

**TAREK BARAKAT:** Venues can still have extended trading on Sundays for special events that the Minister has designated of State, regional or local significance. I think a lot of them are still utilising that to have their extended trading on Sundays, so I don't know if there has been a huge amount. But, again, I'm very happy to take on notice the exact number who have applied.

**The CHAIR:** How are venues notified of these changes? How have they been told about them?

**TAREK BARAKAT:** Once the reforms passed Parliament we sent out information—through our newsletter, through our mailing lists, through the peak bodies—to all licensees, all operators about what the reforms are, what they mean for venues, how they access them and what they need to do to apply for different things.

**The CHAIR:** And that was just once, after the reforms changed, at this point?

**TAREK BARAKAT:** Yes, there were some that commenced on assent, so for those ones it was immediately upon that assent that the information went out. Liquor and Gaming taking on noise regulation, for example, across the State will commence on proclamation. For those ones that are still yet to commence, once they come online we would do the same thing.

**The CHAIR:** The special entertainment precincts, I understand there was the extension for venues within that. There were live music conditions, for example, weren't there? A couple of live music performances a week?



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**TAREK BARAKAT:** There are two separate things—and I will correct this if I get it wrong, but there are live music venues across the State, or venues across the State can apply to be designated as a live music venue and, yes, they have to meet certain criteria, which I think is a minimum of two performances a week of 45 minutes or more after 8.00 p.m., from memory. That's one. They get two hours extended trading for that, I think is what they're allowed.

The special entertainment precincts are slightly different, I think. If you're in a designated special entertainment precinct—and Mr Rodrigues might be able to talk about a program that's in place to expand those more broadly across the State—my recollection is if you're a venue within that precinct and you're putting on live music, you actually have an hour of extra trading every night of the week, even if you're not putting on live music on those nights.

**The CHAIR:** That's not like the previous question in relation to venues having to apply for a variation of their licence—they automatically have it?

**TAREK BARAKAT:** Yes, in the special entertainment precincts, because they're really council driven, and land and council has to be taking ownership of those designated areas, the development consent can be overridden by the special entertainment precinct. In other situations, your development consent will determine when you can trade and it will override your licence conditions. But in the special entertainment precincts, because councils are driving it, the licence condition extension can override your development consent and allow you to trade for that extra hour.

**The CHAIR:** We will go to you, Mr Rodrigues, to talk about what is happening with the new special entertainment precincts in terms of which other councils—if you're able to say—which other areas are interested and the potential time line of New South Wales seeing more designated special entertainment precincts as here, for example.

**MICHAEL RODRIGUES:** Thanks for the question. As you and Mr Barakat have just indicated, the laws were passed at the end of last year. Over the time we have then worked to get live an expression of interests form for local councils, which went live, I think, on 26 February. I don't have details of the councils that have applied or registered via that expression of interests form. There have been, of course, media reports, and you would have seen the discussion around Waverley and Bondi Junction. Of course, I'm aware that there is interest from councils across the State in investigating special entertainment precincts.

In terms of the role that our office will play, it is a new scheme. We will be assisting councils through that process. The point of the EOI is to start that process in motion and then start concierging, essentially, a small group of entertainment precincts through the system, working with councils and making sure that they have the capacity, that they've gone about their stakeholder engagement, that indeed the areas that they're designating are in line with the State's vision, which takes into account things like transport, lighting—the things that would lead to success, ultimately, for those precincts. In terms of the time frame which you just asked, it's a new process. We're estimating it may take two to four months for that initial phase two to happen and then a further period through the planning system.

**The CHAIR:** I'm glad you mentioned transport just then. I was going to ask you about transport and the lack of, largely, in terms of 24-hour transport in Sydney.

**MICHAEL RODRIGUES:** Me or Mr Murray?

**The CHAIR:** I'll ask you because the question is relevant to you—whether that's part of your remit, whether you're doing what you can to advocate within government the need. You've got the night-time economy, yet for us it's stopping. The night-time economy dwindles when the transport stops. So have you been advocating for more services, for more, ideally, 24-hour transport in some places? I know you've been to the conference in—London, was it?

**MICHAEL RODRIGUES:** Manchester.

**The CHAIR:** For night-time economy or night-time mayors, night mayors—which is a terrible expression—and I know you've been to that. So I assume other cities have better transport than we do, who have more vibrant night-time economies than we do.

**MICHAEL RODRIGUES:** Maybe I can take a couple of pieces of that. Absolutely, we've learnt, from our experience here in Sydney, that the overall experience begins with to, during and getting home. Cessations in public transport at a particular time present challenges. In terms of the ambition for the State, it really is to include transport solutions in thinking about night-time economy. In terms of specifics, we have had a couple of things that I'd draw attention to, including, for example, around point to point transport. So we have worked with the

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Point to Point Transport Commissioner in Transport to include a secure taxi rank into the YCK district, as an example of what happens when you can start collaborating.

In terms of the wider discussion around late-night transport, oftentimes this is punctuated with the remark that we should extend the network live 24 hours a day, and of course there'd be a significant cost that would result from that. As going-out habits are starting to normalise now post-COVID, I think we are in a position to perhaps work more closely with Transport to progress that discussion. It's been quite challenging, as the rhythm of the cities has been upset with people's work habits changing and with us not being able necessarily to baseline the activity across districts. One thing that I would just tease out because you mentioned Manchester, it was an interesting thing to observe that—

**The CHAIR:** I mentioned London, but you corrected me to Manchester.

**MICHAEL RODRIGUES:** Sure. I want to be accurate in my testimony.

**The CHAIR:** Thank you. I do, too.

**MICHAEL RODRIGUES:** And I think this does resonate here. One of the challenges that we are seeing is that, particularly for the workforce, as public transport networks are ceasing service, venues who have kitchens are now needing to also cease service so that their workers can get to trains et cetera to get home. It's a bit of a chicken-and-egg situation. Manchester's interesting because I think from 19 March Greater Manchester are taking back control of buses and focusing on night worker transportation. I think it's an approach that we need to really think about here.

**The CHAIR:** Thank you for that. Just to be clear—I'm not sure whether you said it in that answer. Are you submitting within government to do more, put on more services to enhance the night-time economy to ensure that the work you do is successful, because that's a key part?

**MICHAEL RODRIGUES:** Yes, I think so. And, in terms of advocating for that, we work with Transport as best we can to coordinate delivery where we can. In terms of specific services, I think there's work to be done. I don't know if it's appropriate, but my Transport colleagues might like to—

**The CHAIR:** This is Roads and the Night-time Economy. I should've asked Transport last week but I didn't. I've got you, so I am asking you. I can't ask Transport questions of Mr Murray.

**MICHAEL RODRIGUES:** Of course I'm going to advocate for it, but I understand that there is complexities in—

**The CHAIR:** Do you think it's needed? More services, different hours?

**MICHAEL RODRIGUES:** I think that we need to understand with an evidence base what is needed and where. One of the challenges we have in our area is the manipulation or accuracy of data around the night-time economy generally. Particularly as the market responds from COVID into a new regime, which is now being boosted by the vibrancy reforms, we're seeing changing habits. I've given evidence previously around Data After Dark as a tool that will, as it's in the process of getting commissioned, give us much better visibility on mobility generally and expenditure. We'll be able to use that to make a proper assessment.

**The CHAIR:** Just to be clear, when you headed up the Night Time Industries Association you advocated for better transport services at different hours?

**MICHAEL RODRIGUES:** Yes, absolutely.

**The CHAIR:** Going back to Powerhouse Museum, Ms Havilah, I wanted to turn to the issue of artistic associate, which, I understand, are full- or part-time paid contractors with Powerhouse Museum. How many artistic associates have been hired for Powerhouse Museum?

**LISA HAVILAH:** I can get that figure for you straightaway. I just don't have it on the top of my head, but we do have a program of artistic associates, which we've just now widened out to be a program that works across both the applied arts and the applied sciences. We currently have an EOI out for that program.

**The CHAIR:** So there are quite a few? You'll get back to me about that.

**LISA HAVILAH:** I'll get back to you. There are less than 10.

**The CHAIR:** I'm also keen to know what the conditions of their employment are in terms of part time or full time, what the contracts are and what are their payment bands or daily earnings. I understand there's a salary scale for employees and these are artistic associates. That would all be very useful.

**LISA HAVILAH:** Yes, no problem.

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**The CHAIR:** I also understand there's something called residency programs that the Powerhouse is also running. How many artists are involved in that?

**LISA HAVILAH:** Yes. We have a residency program that we run at Ultimo. That provides subsidised accommodation across the creative industries. We've just now expanded that program so it also supports the applied sciences industry as well. Currently we have 21 creative residents. In exchange for the rental subsidy, we work with those residents to provide programs, whether they be learning programs or education programs—or contribute to exhibitions and other work of the museum, essentially.

**The CHAIR:** When you're saying subsidised rental, you're talking subsidised workspaces for these artists? Is that what you mean by subsidised rentals?

**LISA HAVILAH:** That's correct, yes.

**The CHAIR:** Is it subsidised in terms of 100 per cent subsidised?

**LISA HAVILAH:** No, it's a 50 per cent subsidy.

**The CHAIR:** So then, when you're talking about education programs, and everything that you said, are the residents paid for that work?

**LISA HAVILAH:** No, it's work in lieu of that subsidy. It's work in lieu and each one is individually negotiated depending on their expertise and the work they do.

**The CHAIR:** Are some of them paid for it on top of any negotiated reductions in their subsidy?

**LISA HAVILAH:** No, not that I'm aware of, but I can take that on notice.

**The CHAIR:** Yes, that would be interesting. I'll put some more questions on notice about that, probably. The potential for imposing Art Gallery ticket prices, can I check whether—sorry, I missed some of the discussion earlier on that. Did you rule out future prices for tickets at the Art Gallery?

**MICHAEL BRAND:** No, we haven't ruled out future increases. Obviously we want to keep our tickets as affordable as possible for the broadest possible audience, but for the coming summer, this summer's shows are \$35 for an adult ticket, which is in line, we believe, with other State institutions, both in Sydney and other States in the country.

**The CHAIR:** So \$35, and at this point it could increase—for example, next Christmas—from \$35. There is no guarantee that that is ever locked in for a certain period of time?

**MICHAEL BRAND:** No, there is no guarantee for it to be locked in.

**LISA HAVILAH:** I now have the numbers for artistic associates. We have six in total.

**The CHAIR:** Thank you. I still have those other questions, if that is okay.

**LISA HAVILAH:** Yes, sure.

**The CHAIR:** Efficiency dividends, in terms of particularly the Powerhouse Museum and the Art Gallery, I am particularly interested in what I understand—there are normal efficiency dividends that all of the departments have to meet. That is still continuing, I understand, under this Government. That is correct, isn't it?

**ELIZABETH MILDWATER:** There are efficiency dividends that were applied in previous years—and continue through—that continue to impact some of the budgets, and then there was also something called efficiency savings that was applied in the last budget. Depending on the part of the department or which organisation, you might have one or both of those.

**The CHAIR:** In terms of efficiency savings, let's stick to the cultural institutions here: the Powerhouse, the Art Gallery—and Museums has gone. Maybe, Ms Mildwater, you can answer this question anyway. Do the efficiency savings apply as well as the efficiency dividends?

**ELIZABETH MILDWATER:** For some institutions, yes.

**The CHAIR:** Which ones?

**ELIZABETH MILDWATER:** I think for the three you just mentioned, the Art Gallery of New South Wales, the Australian Museum and the Museum of Applied Arts and Sciences—and they will correct me if I'm wrong—they received efficiency savings.

**The CHAIR:** What does that mean compared to efficiency dividends?

**ELIZABETH MILDWATER:** They're called something different.

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**The CHAIR:** They're called something different but do they mean the same?

**ELIZABETH MILDWATER:** They are savings applied to their budget. They are savings targets applied during the budget process.

**The CHAIR:** How has that impacted those three institutions? What does that mean in terms of what they are needing to—it sounds like a double whammy for these cultural institutions by this Government. Is that correct? The efficiency savings were applied in the last budget.

**ELIZABETH MILDWATER:** There were some savings applied to some institutions in the last budget, yes, from prior use.

**The CHAIR:** What are they required to do in terms of the efficiency savings?

**ELIZABETH MILDWATER:** It just changes their budget. It just reduces their budget level. That's it.

**The CHAIR:** Yes, I'm just asking for more specifics. By what—is it a percentage? Is it a figure?

**ELIZABETH MILDWATER:** I think they're actually figures. We could take that on notice and get back to you. I haven't calculated as to whether they're specific percentages. I think they're just figures applied, but we could get back to you with that.

**The CHAIR:** It's pretty significant. This is budget estimates. If they have already had efficiency dividends and there is something called efficiency savings, which you're saying are actually just efficiency dividends, it is like a double efficiency dividend. We have institutions—the Art Gallery of New South Wales is saying that they can't rule out increasing their prices. Has it doubled the pace? Is it essentially a doubling?

**ELIZABETH MILDWATER:** Using the Art Gallery as an example, if they had savings already into their budget and then received another savings target this year, that would give them the total they needed to find. I think, as you've heard, we've worked with the Art Gallery based on what they ended up with—a budget—and we've worked with them to find savings elsewhere in the department to give them further funding this year.

**The CHAIR:** Including job cuts? That obviously means job cuts. We have been talking about job cuts already. Job cuts? Program cuts?

**ELIZABETH MILDWATER:** No, they were given dollar figures as a total budget to find, and then we worked with them to see what they were able to accommodate and found reasonably significant amounts in the department to give to the Art Gallery to make up the difference.

**The Hon. NATALIE WARD:** My question is to Create NSW and Ms Pitman, just pivoting to Arts. Just in relation to the Create NSW arts advisory panels—I just wanted to ask about those—how many chairpersons of the various Create NSW arts advisory panels were not reappointed by the Minister?

**ANNETTE PITMAN:** Just to clarify, I think you're talking about the Artform Advisory Board groups. Is that correct? There are 10 art form boards—

**The Hon. NATALIE WARD:** The Create NSW arts advisory panels.

**ANNETTE PITMAN:** We haven't got anything that is specifically called that. We have 10 Artform boards. Each of those Artform boards is charged with reviewing applications for funding that relate to a particular art form. We have renewed some of the memberships on those boards in the last year. I don't have the specific information that you've asked, but we can take that on notice.

**The Hon. NATALIE WARD:** Could you? You're quite right—the Artform advisory panels. I think they were, at some point, called advisory panels. Specifically, how many chairpersons of those various boards were not reappointed by the Minister? Did the Minister personally inform these distinguished volunteers or personally write to them to thank those not reappointed for their service, years of volunteering and the work they've done?

**ANNETTE PITMAN:** I do believe there were letters that were sent to people who were retiring off of those boards to thank them, but I can confirm that on notice.

**The Hon. NATALIE WARD:** Could you check, please? One might say retiring; one might say not reappointed. Could you clarify whether each of those was, in fact, thanked either personally or in writing? More generally, what percentage of all Artform advisory panels were replaced? You might take that on notice.

**ANNETTE PITMAN:** For each of the Artform boards, there was a maximum of 10 members—six members for a quorum. At least six members were appointed in each of those Artform boards, but I can clarify that.

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**The Hon. SUSAN CARTER:** Ms Mildwater, if I could go back to the efficiency savings and the efficiency dividends. As I understand it, some institutions had an efficiency dividend applied. Others also had efficiency savings applied. Is the expectation that if those savings can't be found, they will go out to philanthropists to make up the shortfall?

**ELIZABETH MILDWATER:** You would probably need to ask the Government the question of what the expectation was. From a portfolio perspective, our expectation is to work within our budgets. There are various ways of doing that.

**The Hon. SUSAN CARTER:** If savings are applied year on year on year, what happens to the budgets?

**ELIZABETH MILDWATER:** The other process that we have now instituted with some of the institution is a bit of an audit. So we're working with the Art Gallery to have a look at the baseline budget. It might mean that it needs to be reset.

**The CHAIR:** I have got a figure of cutbacks to the arts and culture budget of \$200 million over four years. Is that roughly what has been—

**ELIZABETH MILDWATER:** I'd have to take that on notice.

**The CHAIR:** In the ballpark?

**ELIZABETH MILDWATER:** I'd have to take it on notice. I don't want to guess. I'll get the exact figure for you.

**The CHAIR:** That sounds like a lot. That's what somebody who is in the industry has given me. It has got to be somewhere around that figure—over 150.

**ELIZABETH MILDWATER:** I can't confirm that because I also know that some of the program funding in the forwards is actually pretty significant. It depends what you're counting in and out.

**The CHAIR:** Fair enough. I'll go to something completely different now, which is a question about—it might be a bit too specific for everybody—the New Line Road through Cherrybrook into Dural. I understand that joint funding for the feasibility study was announced at 10 million each by the Federal and State Coalition back in April 2019. That has been undertaken, I understand, that feasibility study. Is that you, Ms Drover?

**CAMILLA DROVER:** If it's in the planning phase—

**TRUDI MARES:** Yes, I think it's in planning. I'm just seeing if I've got anything. It's not one I prepared.

**The CHAIR:** The question is, that has been undertaken—the investigation. You're saying that the \$20 million went to Planning to undertake that study, or was it Transport for NSW?

**TRUDI MARES:** It has been a while since I've looked at that one. From memory, yes, we undertook planning studies to investigate beginnings of a strategic business case option.

**The CHAIR:** Where is that up to? Just to be clear, The Greens probably don't support it in some parts because of the blue gum high forest impact, but I'm just curious in terms of where that is up to.

**TRUDI MARES:** I don't believe it has been prioritised in our current budget process or in our portfolio. I will clarify that and check for you.

**The Hon. NATALIE WARD:** Has the feasibility been completed?

**TRUDI MARES:** Let me take that on notice.

**The Hon. NATALIE WARD:** Very quickly—Pier 2/3, Hickson Road. What negotiations have been entered into between Create NSW and the companies operating on Pier 2/3—that is Bell Shakespeare, the ACO and the ATYP—to provide some form of rent relief from their repayments to Create as they struggle to re-establish some degree of financial viability post-COVID?

**ANNETTE PITMAN:** All of the tenants at Walsh Bay Arts Precinct have rental agreements with Create. Those were negotiated in advance of and sort of during the repopulation of the precinct. There are ongoing discussions that we are having with the individual organisations about their current financial circumstances and what can be done in order to ensure that they can remain in their spaces and remain sustainable.

**The Hon. NATALIE WARD:** But my question is including rent relief.

**The CHAIR:** Thank you. That is it, sorry. Are there questions from the Government?

**The Hon. ANTHONY D'ADAM:** No questions from the Government.

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**The CHAIR:** Thank you very much for appearing today and for your time. I know for many of you it is not the first day that you've appeared. The secretariat will be in touch with any questions you've taken on notice, supplementary questions—the usual thing. Enjoy your evening. That is the end of our hearing.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**