

# **PORTFOLIO COMMITTEE NO. 6 - TRANSPORT AND THE ARTS**

**Wednesday 1 November 2023**

**Examination of proposed expenditure for the portfolio area**

## **REGIONAL TRANSPORT AND ROADS**

**UNCORRECTED**

**The Committee met at 9:15.**

### **MEMBERS**

Ms Cate Faehrmann (Chair)  
The Hon. Mark Banasiak  
The Hon. Susan Carter  
The Hon. Anthony D'Adam  
The Hon. Sam Farraway (Deputy Chair)  
The Hon. Dr Sarah Kaine  
The Hon. Jacqui Munro  
The Hon. Bob Nanva  
The Hon. Natalie Ward

### **PRESENT**

**The Hon. Jenny Aitchison**, *Minister for Regional Transport and Roads*

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

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

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



---

**UNCORRECTED**

---

**The CHAIR:** Welcome to the first hearing of the Committee's inquiry into budget estimates 2023-2024. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today. My name is Cate Faehrmann, and I am Chair of the Committee. I welcome Minister Aitchison and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Regional Transport and Roads. 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. I welcome our witnesses and thank them for making the time to give evidence. All witnesses will be sworn prior to giving evidence. Minister Aitchison, 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.

---

**UNCORRECTED**

---

**Mr JOSH MURRAY**, Secretary, Transport for NSW, affirmed and examined

**Ms BRENDA HOANG**, Group Chief Financial Officer, Transport for NSW, affirmed and examined

**Mr MATT FULLER**, Deputy Secretary, Regional and Outer Metropolitan, Transport for NSW, sworn and examined

**Ms SALLY WEBB**, Acting Deputy Secretary, Safety, Environment and Regulation, Transport for NSW, affirmed and examined

**Mr BERNARD CARLON**, Chief of Centre for Road Safety, Transport for NSW, sworn and examined

**Ms CAMILLA DROVER**, Deputy Secretary, Infrastructure and Place, Transport for NSW, affirmed and examined

**Mr DALE MERRICK**, Acting Chief Executive, NSW Trains, Transport for NSW, affirmed and examined

**Mr ROGER WEEKS**, Acting Chief Customer Officer, Regional and Outer Metropolitan, Transport for NSW, sworn and examined

**Mr ANTHONY HAYES**, Executive Director, Community and Place, Regional and Outer Metropolitan, Transport for NSW, affirmed and examined

**Ms CYNTHIA HEYDON**, Executive Director, Planning and Programs, Regional and Outer Metropolitan, Transport for NSW, affirmed and examined

**Mr RICHARD HOST**, Acting Deputy Secretary, Customer Strategy and Technology, Transport for NSW, sworn and examined

**The CHAIR:** We will now proceed to questions, starting with the Opposition.

**The Hon. SAM FARRAWAY:** It's good to see so many of you, sitting on the other side of the table now. Nevertheless, it's good to see you all still with Transport. Minister, good morning. First off the bat, as the Minister for Regional Transport and Roads, are you responsible for bus services in regional New South Wales?

**Ms JENNY AITCHISON:** Thanks for the question, Mr Farraway. I am very pleased to be here. Thanks to all the officials for taking time out to be here. In terms of the responsibilities for all the Ministers across transport and roads, we all have responsibility under the Act. When it comes to contracts, obviously, having been in the bus industry for 20 years before I came to Parliament, I was very clear with the department that I would have no role in contracts with operators.

**The Hon. SAM FARRAWAY:** But do you accept that you've made public statements that you do have the ability to review services?

**Ms JENNY AITCHISON:** The department reviews services. I have asked them in a lot of conversations that we've had around what is happening out in regional cities that have been really poorly served for 12 years and, in many cases, for decades beyond that in terms of public transport—that we can do better, in terms of looking at the whole of the transport operations that are available to people and options that are available. We came to government with a plan for strategic regional integrated transport plans, looking at a blue-sky approach. So that would be—

**The Hon. SAM FARRAWAY:** Minister, just to hone into that direct part of the question, do you accept that you have made public statements in the media that you would like bus services to be reviewed in certain regional cities?

**Ms JENNY AITCHISON:** I have made statements in the media that we should be getting the best outcomes for communities, and it's not just around bus services. It's around a better utilisation of community transport operators; of taxis, which really struggled under your Government—the wheelchair-accessible taxis, which we're having to step in because of the failure of your Government—

**The Hon. SAM FARRAWAY:** Thank you, Minister. For the benefit of the Committee, I would like to table a *Western Advocate* article, which is my local paper in Bathurst. Now, this is Monday 30 October, so it's very recent. It is titled "Eyes on bus services under new regional transport minister". It goes on to say that the current Regional Transport Minister, Jenny Aitchison, raised concerns that the services are not working effectively and she's calling on a review of these services. I might pass these copies just so they can be tabled.

**Ms JENNY AITCHISON:** To that point—

---

**UNCORRECTED**

---

**The Hon. SAM FARRAWAY:** No, no.

**Ms JENNY AITCHISON:** Sorry, you're not finished?

**The Hon. SAM FARRAWAY:** I would like to continue the question.

**The Hon. ANTHONY D'ADAM:** Can we just pause until the Minister has the document in front of her?

**The CHAIR:** Yes.

**The Hon. SAM FARRAWAY:** That's fine. I've printed enough copies, so one is for the Minister. But it's very recent, and you're directly quoted. So you would be familiar with this article?

**Ms JENNY AITCHISON:** Yes, I am because I'm familiar with the journalist. I am also familiar that—when you said what you just said, you said for "a review". That is not a review by me personally. That is a review by the staff who are doing the 16 cities process, which, under your tenure, in your community, did not provide direct hospital services and did not—

**The Hon. SAM FARRAWAY:** Thank you, Minister. I'm now going to ask the question—

**The Hon. Dr SARAH KAINE:** Point of order—

**The CHAIR:** A point of order has been taken. I think I know the general gist of what this point of order will be.

**The Hon. Dr SARAH KAINE:** I think it would be really useful if we started the day allowing the Minister to answer the questions. She needs to be able to answer.

**The Hon. SAM FARRAWAY:** I haven't actually asked the question.

**The CHAIR:** I uphold the point of order. We've just started—

**The Hon. NATALIE WARD:** To the point of order: I think it's important that at the beginning of the day we do establish that. I do think, though, that a question should be able to be posed to the Minister—

**The Hon. SAM FARRAWAY:** I've got to ask the question first.

**The Hon. NATALIE WARD:** —which I don't think it was posed. So if the question could be posed and then—

**The CHAIR:** Sure. I have been listening closely—

**The Hon. NATALIE WARD:** The Minister was straying from the topic into other topics.

**The CHAIR:** Thank you, Ms Ward. I think it cuts both ways. The Minister's response was being cut into as well. It's the first couple of questions. If we could at least allow the Minister to respond to get the general direction of where her answer was going. The same with questions from members, if members are able to ask the question without being interrupted. Let's see how we go with that as a general principle to kick things off.

**The Hon. SAM FARRAWAY:** I would like to redirect my specific question now, following the tabling of that article. I have tabled a CDC—off its website also. It's another press release from you, Minister. That will be circulated. But I'll just ask, based on the *Western Advocate* article to begin with, Minister, do you accept that, if you wish to review bus services, that would mean that you'd need to change contracts with that actual bus operator?

**Ms JENNY AITCHISON:** Not necessarily. And I don't know that, because it's not something I involve myself with. If you go back to the article, it says clearly that I'd heard of a need for direct services in Bathurst, where people were telling me they can't get to the hospital. And I have said, I think, probably a thousand times at least that—

**The Hon. SAM FARRAWAY:** The question is, Minister—

**Ms JENNY AITCHISON:** Sorry, am I not allowed to finish this bit?

**The Hon. SAM FARRAWAY:** No, I'm going to redirect because I want to focus specifically on the point of my question. The question was, Minister, do you accept that, if you wish to change the amount of bus services, you're going to alter the contract with the operator, whoever that operator is in that region? Isn't that a fair assumption to make, that if you're going to change the services—increase or decrease the services—that will mean a change of contract with that operator?

**UNCORRECTED**

**Ms JENNY AITCHISON:** And I go back to my previous question. It's not me who makes those decisions about how the services get changed. My work, as someone who is committed to ensuring that transport and roads—a social determinant of health, education, opportunity and jobs in our State—meet the needs of communities. When communities and councils come to me and say that they are not meeting that need, I have said repeatedly to Transport, "We want to make sure that there is a blue-sky approach to some of this thinking." So that community transport, that bus service, that taxi, that Uber—all of those other services—and even courtesy buses in clubs and pubs, that the Transport department is working with all of those stakeholders to do—

**The Hon. SAM FARRAWAY:** Redirecting the question, Minister, if you want to review services, how can you come out and say, "I want to look at reviewing the services"? Isn't that really up to Transport for NSW? Should you be having any commentary? If you don't oversee bus contracts or if you don't accept that there are no changes in contracts, why would you be reported in this paper as wanting to have a review of those bus contracts or those bus services in a regional city?

**Ms JENNY AITCHISON:** Because I learned that many of those services aren't well patronised by the community and there are gaps in the services that are there. I've said very clearly that there needs to be a review of that. That's not from me. We know that in the rollout of the services there are always going to be tweaks that need to happen because what has been envisaged by Transport, working with operators, community and council, may not have envisaged every aspect.

**The Hon. SAM FARRAWAY:** Who came to you with the referral or with the advice that those bus services needed to be reviewed?

**Ms JENNY AITCHISON:** The community; community members.

**The Hon. SAM FARRAWAY:** Who in the community?

**Ms JENNY AITCHISON:** Sue West, a long-time resident of Bathurst.

**The Hon. SAM FARRAWAY:** A former Labor senator from Bathurst.

**Ms JENNY AITCHISON:** Yes, a resident of Bathurst. Community transport operators told me that they were having to try to fill a gap that existed for apprentices going to Kelso. There was no bus service for them.

**The Hon. SAM FARRAWAY:** Did any of the bus contractors that contract to Transport for NSW, or any of the bus companies in Bathurst, come to you with direct feedback?

**Ms JENNY AITCHISON:** Absolutely not.

**The Hon. SAM FARRAWAY:** You met with BusNSW, Minister, recently. That's in your declarations. Have they ever raised this with you, or on behalf of their members?

**Ms JENNY AITCHISON:** No. When I talk to BusNSW it is to get an understanding of the macro issues of the industry. It's never a conversation about individual areas. Most of the feedback I've had is from the stream of MPs coming into my office saying that the services delivered under your Government were not meeting the needs of their communities.

**The Hon. SAM FARRAWAY:** Minister, what data do you have to support a review of bus services in Bathurst?

**Ms JENNY AITCHISON:** I have it from people in the community who have told me about the concerns they have that they don't have a direct service from some areas of Bathurst to the hospital. Obviously I understand—it's a great idea, 16 cities, but you didn't—

**The Hon. SAM FARRAWAY:** But no-one—

**Ms JENNY AITCHISON:** So you're going to talk over me or are you redirecting now?

**The Hon. Dr SARAH KAINE:** Point of order—

**Ms JENNY AITCHISON:** I think you need to say "redirect" before you—

**The CHAIR:** Order! A point of order has been taken. I will hear from members.

**The Hon. Dr SARAH KAINE:** Chair, once again, Mr Farraway is not allowing the Minister to speak. It is now to the point where we should be cognisant of the resolution about how we treat witnesses, particularly paragraph 19, about treating witnesses with respect. I understand Mr Farraway is very excited about this, but he does have to show some grace and listen to the answer.

---

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** To the point of order: I think the point at which Mr Farraway spoke was the point at which the Minister had diverted to the previous Government, was therefore off topic and straying from the directly relevant answer to his question. I would submit that at that point the member is entitled to draw the Minister back to the question, given the limited time. I don't think there was any disrespect meant by that at all. I think the honourable member just wants to get to the point of his question. I would submit that at that point he is entitled to draw the Minister back. That has been the practice.

**The Hon. BOB NANVA:** To the point of order: The *New South Wales Legislative Council Practice* suggests that these resolutions are a guide and that House procedures are a guide. Just as there is wide latitude given to the questioning of witnesses, there was also a degree of latitude with respect to the answer. I think the Minister was providing important context to the question that was asked of her by Mr Farraway.

**The Hon. NATALIE WARD:** Further to the point of order—

**The CHAIR:** Ms Ward, I think I'm ready to rule. I uphold the point of order in that, yes, there is wide latitude. The Minister is able to, absolutely—it happens every single estimates—refer to what has happened in previous governments. But if the member could please allow the Minister a little bit more time before interrupting because this is going to eat into your time. We know what the Government is going to do in terms of calling points of order when that happens. But we also do allow a little bit—a reasonable amount, shall we say—of sparring in terms of treating the witness with respect, but we also know that the lines of questioning and the response can be reasonably assertive. We'll continue to allow that as long as it is generally respectful.

**The Hon. SAM FARRAWAY:** I'll redirect the question, Minister. Have you ever met with redBus, Buslines, CDC NSW or any bus operator or lobbyist representing bus operators?

**Ms JENNY AITCHISON:** Yes, I have, at different times. They've all been as per my disclosures.

**The Hon. SAM FARRAWAY:** Have you met specifically with redBus, Buslines or CDC NSW?

**Ms JENNY AITCHISON:** Which one of those are you asking about specifically?

**The Hon. SAM FARRAWAY:** Any of them. Have you met with any of those three operators?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** Which ones?

**Ms JENNY AITCHISON:** It's a bit hard, Mr Farraway, to answer that, particularly in terms of time lines, because I met with them a lot before I was the Minister. But I have met with CDC recently about issues of antisocial behaviour. What was the other one, redBus? I think I looked at their buses on the hydrogen trial. And what was the other one, Buslines? I went to their management meeting in the Hunter Valley a couple of months ago and talked about safety in the wake of the Greta bus crash.

**The Hon. SAM FARRAWAY:** Minister, you have obviously met with stakeholders within the industry. You've obviously just said that. Have you ever received a brief from Transport for NSW on bus services and contracts across regional New South Wales?

**Ms JENNY AITCHISON:** I've never received a brief on contracts, as such. Obviously, on how the bus industry works, yes, I have. When I was an operator I didn't have any contracted services.

**The Hon. SAM FARRAWAY:** Have you ever signed or noted or acknowledged a department brief relating to bus policy or lobbied one of your colleagues?

**Ms JENNY AITCHISON:** No, I've been very clear with the department that I should not and would not be engaged in any of the contracts.

**The Hon. SAM FARRAWAY:** Who is the lead Minister around the Cabinet table on transport matters in regional New South Wales?

**Ms JENNY AITCHISON:** Minister Haylen is the lead for the Ministry of Transport and I am there on Regional Transport and Roads.

**The Hon. SAM FARRAWAY:** So are you the lead Minister on anything to do with regional transport around the Cabinet table?

**Ms JENNY AITCHISON:** Yes, but not on specific contracts.

**The Hon. SAM FARRAWAY:** Right, okay. Have you lobbied Minister Haylen on behalf of the bus industry to have reviews or changes or to look at certain contracts?



**UNCORRECTED**

**Ms JENNY AITCHISON:** Absolutely not. She's got the bus taskforce going, which she has been running with the Parliamentary Secretary, and that's appropriate. It's about six or seven years since I was in the industry. I've never had contracts, so I've left that to them to do. I've had no direct role in the leadership of that.

**The Hon. SAM FARRAWAY:** Going back to your meetings with bus operators, the most recent disclosure is out today. I note that you have had some meetings, which is obviously to be expected. You have met with Allens Coaches, the Bus Industry Taskforce and LiveBetter, which is a community transport operator. You said in your previous evidence that you have met with CDC. Is this after the declaration period? Why is that not disclosed?

**Ms JENNY AITCHISON:** I think it is.

**The Hon. SAM FARRAWAY:** When was the meeting with CDC?

**Ms JENNY AITCHISON:** Sorry, it might have been this October. To be honest, I can't remember. I was looking at the disclosures the other day and I was looking at my October diary. I know there has been a meeting in the past four months, but it may not have been in the past three months.

**The Hon. SAM FARRAWAY:** Would you like to take that on notice and come back to us maybe later in the day and get your office to check to see when that meeting took place? It is a little bit concerning. You've said you've met with these operators but they're not in the most recent disclosure.

**Ms JENNY AITCHISON:** But the disclosure you're talking about goes to 30 September. I was obviously checking at the end of each month, as I do, what my meetings were that will need to be disclosed because I try to be ahead on things, and I think that meeting might have been in October.

**The Hon. SAM FARRAWAY:** Okay. But would you mind confirming what date it is in October?

**Ms JENNY AITCHISON:** Well, my meetings are all in my disclosures. I'm happy if they want to find the date. That's fine.

**The Hon. SAM FARRAWAY:** Maybe you could come back to us later in the day and let us know when that took place, if that's possible, Minister.

**Ms JENNY AITCHISON:** Sure.

**The Hon. SAM FARRAWAY:** Did you notify Transport for NSW that there could be a perceived conflict of interest regarding bus contracts and bus policy?

**Ms JENNY AITCHISON:** I was clear with them that, given my extensive experience in the industry and the long-term engagement that I've had with that industry, it would not be appropriate for me to be directly engaged in contracts.

**The Hon. SAM FARRAWAY:** With regard to travelling around the State and announcing new bus contracts and new bus services—you've said that is part of your role, correct? You travel around the State as the regional transport Minister and you publicly advertise and promote the fact that, on behalf of the Government, you are announcing new bus services or new bus contracts. I refer to your own website, Minister, where on 26 September you are pictured in Dubbo. The media release says, "Dubbo bus services to be boosted by 87 per cent in major overhaul", with a nice, shiny photo of you and the general manager of Buslines. Do you think it is appropriate that you take political donations from companies, from bus operators, and then you are the public figure who announces these new contracts and services across regional New South Wales?

**Ms JENNY AITCHISON:** Before I was in Parliament, I did receive donations. They've all been disclosed in accordance with the obligations, and I've always met those obligations of disclosure. My role as regional transport and roads Minister is also to encourage people to take up the opportunities offered by Transport to use bus services more broadly, particularly in regional cities. When we were in Dubbo it was great. We heard from a person who lived in a retirement village that it was the first time they'd had a direct service. A person talked about the first time they'd had a direct service to the hospital and the first time they'd had a seven-day week service in Dubbo. These are things that the community won't know unless I actually tell them.

**The Hon. SAM FARRAWAY:** Thank you, Minister. I've got limited time. I would like to redirect my question. I've just tabled—directly from the NSW Electoral Commission website—section 6: "Donations received at a political function or venture". I note that in May 2022—so prior to the election—you held quite an extensive fundraiser with bus industry. That was a dinner with yourself and the now Premier, Chris Minns. Minister, I'd like to refer to the ministerial code of conduct. It is pretty clear. It states:

A Minister must otherwise avoid all situations in which it could reasonably be perceived that any person, through the provision of a gift, hospitality or other benefit of any kind, is attempting to secure the influence or favour of the Minister.

**UNCORRECTED**

This is really important—and I've tabled this extract from the website—because at this dinner you raised \$36,310 worth of donations from the bus industry, which included Buslines and CDC NSW. As we've tabled today, you are out in communities calling on services to be reviewed and you are increasing services to these companies by 87 per cent. Don't you think there's a perceived conflict of interest? You're taking significant donations from the bus industry after having been appointed the Minister for regional transport. You have now confirmed that you are responsible for this policy and that you're meeting with these stakeholders and promoting and advocating these new bus services. Don't you think that is a perceived conflict of interest?

**Ms JENNY AITCHISON:** At all times I have met my obligations under the ministerial code and under the disclosures. I have been very clear on that point. It is important that we—

**The Hon. SAM FARRAWAY:** Do you abstain from decision-making around the Cabinet table on regional bus services and policy?

**Ms JENNY AITCHISON:** There haven't been any of those issues put to Cabinet. I can't talk to you about Cabinet.

**The Hon. SAM FARRAWAY:** But we have here you promoting a major overhaul in Dubbo—services boosted by 87 per cent. This is going to Buslines. They've donated to you. You've got CDC in Coffs Harbour, where we're talking about hundreds of new bus services and they are in your disclosure. Is this not a perceived conflict of interest, Minister?

**Ms JENNY AITCHISON:** Mr Farraway, I've been very clear—both publicly and through the disclosures process—about any matters relating to my relationship with the bus industry. This was canvassed broadly in the media before I was elected in 2023 and before I was appointed. The dinner you refer to was in May 2022. I have been very, very clear with the community. They know what my background is. The information and knowledge that I have over many years in the industry has been helpful in terms of understanding how we could better deal with public transport in the State. I have always acted with integrity in this space and always made the appropriate disclosures at the appropriate time. To answer your other question—it's come back. It was 11 October when I met with Mr Mead from CDC. Partially, that was in relation, I must say, to some of those antisocial behaviour issues in my own electorate.

**The CHAIR:** We will now go to questions from the crossbench. I will ask a few to begin with. I want to move to the issue of wheelchair-accessible taxis. Does the Government have any idea how many wheelchair-accessible taxis there are in regional New South Wales?

**Ms JENNY AITCHISON:** Somewhere in the department would have that information. I'm happy to ask Josh to answer that if you want. But we have been getting a lot of feedback, particularly in the wake of the former Government's reforms, about the loss of those taxis in regional areas. We've been working with those communities to improve those services where we've been able to and to try to make a better transition. That is a point of trying to get better transport for some of those regional communities, where people with mobility issues are really struggling.

**The CHAIR:** I'll get that provided to me at some point in terms of the numbers so not to waste any time. When you're saying "to work on a transition", is there a plan, firstly? Or are there targets for increasing the number of wheelchair-accessible taxis in regional New South Wales? What are you doing about what I understand is a crisis now of many regional communities being unable to access wheelchair-accessible vehicles if they need one?

**Ms JENNY AITCHISON:** Unfortunately, you're right. It is a crisis and it's something that we've been dealing with since we came to government, where we've had operators that have left the industry as a result of the former Government's reforms. We've had to try and step in. Sometimes they've left through the death or ill health of the former owners of those businesses. So we have been trying to work with other operators to provide those services.

**The CHAIR:** What does that look like? Who are the other operators?

**Ms JENNY AITCHISON:** I think in Lismore there's been one that I know of and there are others around the State. You would want to get the detail from the department on that, but I'm happy to throw to them if you want to.

**JOSH MURRAY:** Our Point to Point Transport Commissioner, Anthony Wing, is coming to estimates next week to the transport hearing. But, perhaps if I could just note on his behalf, he has been in regional New South Wales extensively holding a number of community forums and also talking with operators who remain in the industry. There are a number of issues here regarding, as the Minister has just said, those who operate the services, the commercial viability of those services and right down to the accessibility of the vehicles which are now available to those services. He's looking at all of those elements. We do feel something different will be

**UNCORRECTED**

required, rather than just trying to establish services that look like the services that have always been there in those regional centres. That is something under development at the moment. I'm sure Mr Wing would be able to talk further to that in front of the Committee.

**The CHAIR:** In terms of that breakdown of regional versus the whole of Transport for NSW, from your perspective, Minister, is there an element of you lobbying to ensure that there is a particular target, though, in terms of wheelchair-accessible services in the regions? I'm aware that, yes, I can ask those questions next week. But specifically in relation to regional New South Wales in terms of your role as Minister, just to make sure that there is enough of that piece of the pie, if you like, for regional services, how does that work?

**Ms JENNY AITCHISON:** Yes. So, as Josh said, we are really working on getting that plan together of where we proceed to with this. It is of great concern to me because I raised this a number of times in the second reading speech on the legislation when I was in opposition. The former Minister said that he had a plan, which really was just around getting loans. I've had meetings with people from the taxi industry and I met with their industry associations and just the lack of wheelchair-accessible vehicles—there's a pipeline, I think, or a waitlist of about 12 months for those vehicles to come online. So getting new ones is difficult. When I talked before about that blue sky approach to community transport generally in smaller areas, that's really part of that—looking at where the gaps are, particularly for people who are experiencing mobility issues and require a wheelchair-accessible vehicle. It's not just them. There are also people who have walkers and things like that.

**The CHAIR:** I want to move to the issue of regional passenger rail and improvement of services for passenger rail. I'm aware of the spend in relation to the new trains and carriages. What additional services, though, in regional New South Wales are expected in terms of country rail? Is the Government looking at any new services, any new stations? Do you have a vision to increase and expand regional rail while you're Minister?

**Ms JENNY AITCHISON:** Certainly that is something that is on our radar. As I've talked about, the strategic regional integrated transport plans—we want them to be mode agnostic and purpose agnostic. At the moment when we came into government it's very clear that a lot of the transport and roads decisions were made really on an electorate-by-electorate basis and didn't reflect where people needed to go to access health, education, opportunity and jobs. What we're trying to do is look at: How can we better do that? We have put on some temporary additional services in particular areas. We had an incident recently near my electorate where we had a road closed and we actually put on extra services and we encountered a 15 to 20 per cent uplift in people using public transport, particularly rail, in that period. We're keeping that service on for a bit after the road is opened.

**The CHAIR:** What's that specifically, Minister?

**Ms JENNY AITCHISON:** Tarro bridge. So that's been something that we've been trying to do there. We had an election commitment about refurbishing and retaining existing fleet, including the XPT. That will be to sort of try to look at how we can do that. I know there have been lots of proposals around the State. I don't want to do a call-out because we're still talking to communities about those services and I don't want to be particularly raising expectations about time frames at this stage but there are ones that are on the table.

**The CHAIR:** To get a little more specific, there's obviously been the regional fast rail commitment between various regional centres that was on the cards over the last few years, for example. Is there any review or anything concrete that's happening within the department to look at the requirements of regional communities, particularly in terms of those centres that are growing? Is there any review that's taking place around what a modern passenger rail service looks like for regional New South Wales? I get a lot of constituents talking to me about how there are no options, the rail services are crumbling, they used to have a station here and there. Is it your vision as regional transport Minister to improve and increase the network and grow the network in regional New South Wales? What are you doing to do that, if so?

**Ms JENNY AITCHISON:** Absolutely it is, but it can't be done in isolation of other modes of transport and the purposes of transport. That's why we're doing our regional strategic integrated transport plan. We're looking at how we can better do that. We know that, when we have heavy rail in connections, that can be a real generator of jobs and opportunity and really lift people, particularly in times of economic downturn. There have been numerous studies on that. We want to make sure that we're getting the benefits of all of that. Obviously we can't do everything at once, but the planning has to happen so that we're not just looking at it in a piecemeal way. We want to make sure that the steps we take set up our communities. We've got opportunities post-COVID with the migration to the regions. We've got regional communities that are growing extremely fast that rail may be an answer for. But it may not be an answer for them. It might be bus rapid transit. It might be other forms of transport at the moment. So what we're doing is looking at what are the transport needs now, what are the options that are available for them and how do we make them go better in the future.

**The CHAIR:** What's the time line for that and who is undertaking that work in terms of consultancies?

---

**UNCORRECTED**

---

**Ms JENNY AITCHISON:** We're doing that through the department, so they're working right now on regional strategic integrated transport plans. They were meeting up in the Hunter. I think they're doing some work down south building on the work that was already in progress to tweak that a bit more to meet those goals. Matt can give you more information on it if you want either now or in the afternoon.

**The CHAIR:** Maybe in the afternoon.

**The Hon. MARK BANASIAK:** Picking up on questions around taxis from the Chair, you were pretty critical in your answer of the former Government's reform, but didn't your party support the bill that passed in Parliament in 2022 which has now caused all this mess?

**Ms JENNY AITCHISON:** I'm really glad you asked that question, Mr Banasiak, because I remember this process very well. I actually did a lot of negotiation to increase the funding for taxi operators. In fact, I spoke to the Treasurer at the time as well because I'd spoken to the Minister—

**The Hon. MARK BANASIAK:** Not necessarily about the funding—sorry, to redirect, more specifically about the deregulation. It was made very clear ad nauseum by some of us that this was going to be the impact, that you would have people leaving the industry in droves. Yet your party supported the deregulation.

**Ms JENNY AITCHISON:** We didn't oppose it because we had—

**The Hon. MARK BANASIAK:** Semantics.

**Ms JENNY AITCHISON:** —pressure from the industry that many of them wanted to move on. They'd been held on a promise since 2015 and we needed them to have that certainty. These were people that were in, as you know—and it's terrible. They were in severe financial difficulties, many of them, and we spoke at length with the Government. I had briefings with the former Minister for Regional Transport and Roads, the Minister for Transport, the Treasurer, as I said before, to try to assist in this process and to ensure that whatever package came out would make it viable. We got some conversation in the former Minister's speech in the other place that there would be a strategy for regional wheelchair-accessible taxis. Unfortunately that was just more of the same; it wasn't actually a real push through. We in government are working to deliver that to ensure that it is more appropriate and we are getting accessibility.

**The Hon. MARK BANASIAK:** Do you admit that the deregulation was a fail?

**Ms JENNY AITCHISON:** I would say that it has had some significant negative impacts for regional people, particularly those with mobility issues. We have been working with—

**The Hon. MARK BANASIAK:** Would you agree that those impacts were predicted before we voted on that bill—that it was noted at length that this would be the impact?

**Ms JENNY AITCHISON:** I would have hoped that the work on ameliorating those impacts would have started well before we came to government. I know that it's something I've definitely pushed in government when I've had the power to do that, once we got into government.

**The Hon. MARK BANASIAK:** Moving on, I asked questions of you around the Brig O'Johnston Bridge a while back. In some of the answers that came back you stated that there's been \$6.48 million expended already under the Timber Truss Bridge Conservation Strategy and then there was another \$19½ million due to be expended. Since I asked those questions, how much of that \$19½ million has been expended on rehabilitating that bridge?

**Ms JENNY AITCHISON:** On the detail, I think I would have to ask Matt if he would have that information in terms of the dollars.

**MATT FULLER:** Thank you for the question, Mr Banasiak. Obviously there's been quite a bit of work done on that timber truss bridge. It is the oldest bailey bridge, timber truss bridge that we have in the State. Recently we had some corrective maintenance work when it was struck by a heavy vehicle.

**The Hon. MARK BANASIAK:** More specifically, I'm just after the figure. I know the history of it. Do you have a figure of how much of that—

**MATT FULLER:** I would have to take that on notice as to exactly what we've spent on the bridge in recent times. But obviously, as you point out, there is funding there to do further work on the bridge.

**The Hon. MARK BANASIAK:** With the second bridge, Minister, I asked whether you would honour the commitment from the previous Government of \$5½ million. You said it would be subject to the Federal infrastructure review, which has now occurred. Will the people of Clarence Town be getting that \$5½ million to rebuild that bridge from your Government? I noted it wasn't in the budget so I'm just wondering where we're at.

**UNCORRECTED**

**Ms JENNY AITCHISON:** I was a bit confused there, sorry; I thought you might have advance notice on the Federal infrastructure review. My understanding is it hasn't landed.

**The Hon. MARK BANASIAK:** My understanding is it's been—

**Ms JENNY AITCHISON:** No, I don't believe so, sorry.

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

**The Hon. SAM FARRAWAY:** It was due in July; it's now November.

**The Hon. MARK BANASIAK:** Wheels turn slowly. So you've got no commitment to funding that bridge at all?

**Ms JENNY AITCHISON:** I have conversations with councils all the time. We will work through whatever we can work through. Obviously we have to wait until the infrastructure review by the Federal Government comes down. But we are trying to build a much more collaborative relationship with council, who are the ones who are engaged with this. I don't really want to be anticipating those conversations through budget estimates. I'd rather have those conversations directly with the council.

**The Hon. MARK BANASIAK:** Well, they're having conversations with me at the same time. Do you have a contingency plan if the Federal infrastructure review doesn't come down in favour of this bridge being funded? They need a bridge.

**Ms JENNY AITCHISON:** With the number of projects that are in that review and the impact on the State Government, it would be impossible to have a hypothetical case for every single outcome of the review. What we're doing is getting on with the business of enhancing the roads that are there. We've got our Regional Emergency Road Repair Fund; Dungog Shire Council got a lot of money out of that. They also got—

**The Hon. MARK BANASIAK:** There's no accounting for this bridge being built if—

**Ms JENNY AITCHISON:** You're going to interrupt the answer?

**The Hon. MARK BANASIAK:** I'm just redirecting you. I'm just trying to seek some clarification. There is no work being done as to how this bridge will be funded if the Federal infrastructure review doesn't come down favourably?

**Ms JENNY AITCHISON:** My understanding is that Transport for NSW is working with council on this. If they've got issues and concerns with that, as I've said to them—the very first letter I wrote out to mayors, councillors and general managers of all the councils and local government authorities in the State was "We are here. If you want to speak to me, speak to me. If you want to speak to the director of north"—which is Anna Zycki—"speak to her. We will try to work with you through these issues." If they haven't felt they've got that hearing, I'm more than happy to talk to them again.

We have been working in the last seven months to really rebuild that relationship with all local government and local government authorities across the State so that they feel they can come to us with these issues rather than having them politicised, because to my mind that really doesn't help the communities that those mayors have to stand up in front of. We have given a \$3 million commitment in the regional road fund in the budget, in addition to the Regional Emergency Road Repair Fund, to Dungog. We have been very clear on trying to assist them with their roads backlog.

**The Hon. MARK BANASIAK:** Have you advocated to your Federal counterparts that this is a bridge that is a priority?

**Ms JENNY AITCHISON:** I've had conversations with Minister Catherine King on that bridge and on a whole number of different issues. We have to wait to see the outcome of the review to see how well that went.

**The Hon. MARK BANASIAK:** Just keeping with local government, the previous Government made a commitment to transfer roads back from local government responsibility to State responsibility. We learnt from the last estimates that zero roads have been transferred back. Is it your Government's policy to continue that work or have you abandoned that view of the world?

**Ms JENNY AITCHISON:** I'm really grateful for that question. Obviously on that promise from the former Government since 2019, it was an unfunded election commitment. There had never been money put into it until the first interim report came out, and it obviously transferred roads in Western Sydney rather than regional New South Wales; I think it was kilometres in maybe Blacktown. Going around the State before the election, it was very clear that councils were really struggling with the condition of their roads. That's why we came up with

**UNCORRECTED**

the policy of the Regional Emergency Road Repair Fund. That repurposed some of that funding towards them to do more serious patching and repairs.

In terms of reclassifications, it's generally been, previous to this former Government, a once-every-10-year process. We are trying to work on making that more of a business-as-usual process. We sought that report from the former Premier because at several public functions the former Minister was waving it around saying, "I could release it," which is not the case under the code. I take my responsibilities under the code very importantly.

**The Hon. MARK BANASIAK:** I'm getting a sense that you are going to do this work, or are doing this work. How many roads have been transferred so far or reclassified so far?

**Ms JENNY AITCHISON:** We have got some in the can that we are very close to doing, and part of that—

**The Hon. MARK BANASIAK:** So still none?

**Ms JENNY AITCHISON:** Pardon?

**The Hon. MARK BANASIAK:** So still none?

**Ms JENNY AITCHISON:** Yes, because that wasn't the priority of our Government. Our Government is about fixing the roads, not fixing the labels on them. There are some roads that have been held up in that process that started in 2019 that predate that by several years—hand-backs et cetera. We will be progressing them very shortly and then we are working with councils. The feedback we've had from some councils is that, with the post-COVID migration into the regions, their roads are operating differently. With the REZs, there are different roads they would allocate now. Some have been subject to disaster so have got disaster, DRFA—

**The Hon. MARK BANASIAK:** Some of them have been poorly constructed in the first place.

**Ms JENNY AITCHISON:** Yes. There's been a whole lot of things that would change—and they've said this to me—the options that they would have put up. If we were just to implement the former Government's report—which, by the way, we haven't got permission to release—then we would be in a situation where some councils would not be saying that's the road they want done.

**The CHAIR:** We will move to questions from the Opposition, and the Hon. Sam Faraway.

**The Hon. SAM FARRAWAY:** Thank you, Chair. Minister, just referring back to some of the tabled documents, obviously we've got you in Dubbo, 87 per cent increase, major overhaul of bus services and the contract in Dubbo; we've got the CDC, the 200 extra services that you've announced with a contract with CDC for Coffs Harbour; and we've got the declaration from the Electoral Commission. I want to refer back to the ministerial code of conduct. Specifically, it states that a Minister must refrain from making any decision or participating in any action relating to a matter. How can you possibly sit here and say that there is no perceived conflict of interest around bus services and contracts when you are publicly on the record announcing new contracts and services across regional New South Wales and you've accepted over \$36,000 in the last campaign from bus operators?

**Ms JENNY AITCHISON:** Because I have made my disclosures in accordance with the code and with my obligations as a parliamentarian. I have been very clear that I have had no decision-making at all in relation to bus contracts.

**The Hon. SAM FARRAWAY:** But it's a perceived interest, Minister. People assume, or can assume, that you are the decision-maker in this space. You are publicly announcing new contracts and new bus services across regional New South Wales. You are taking significant donations from the industry. You have met with those stakeholders, as you stated in your previous evidence, one on one. Are you saying that you believe there is no perceived conflict of interest around bus policy in your portfolio?

**Ms JENNY AITCHISON:** Absolutely. It's very clear to the department, it is very clear to those communities, that I'm about ensuring that they get serviced by any form of public transport or roads that are needed for their community.

**The Hon. SAM FARRAWAY:** Minister, do you complete your own disclosures?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** So no-one else completes them?

**Ms JENNY AITCHISON:** No.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Do you realise there's significant errors?

**Ms JENNY AITCHISON:** Sorry, which disclosures are you talking about? Those ones?

**The Hon. SAM FARRAWAY:** This disclosure in front of you.

**Ms JENNY AITCHISON:** That one, I think, is done by the party office.

**The Hon. SAM FARRAWAY:** Right. Minister, do you realise that there are a significant amount of errors?

**Ms JENNY AITCHISON:** No, sorry, that is done by the party.

**The Hon. SAM FARRAWAY:** All these circles are errors, Minister. We have nine ABNs that don't match—or ACNs that don't match the donor.

**Ms JENNY AITCHISON:** Right.

**The Hon. SAM FARRAWAY:** So, surely, part of your disclosure process—

**The Hon. BOB NANVA:** Point of order: The Minister has already answered the question. It's not within her purview. Those questions are best directed to the party office.

**The Hon. NATALIE WARD:** Stop running cover—it's a legitimate question—and wasting time.

**The Hon. BOB NANVA:** It's not running cover.

**The CHAIR:** I won't uphold the point of order. In terms of the Minister answering the question, it is a slightly different line of questioning on the same topic.

**The Hon. SAM FARRAWAY:** Have you advised the Premier of these errors in your disclosures?

**Ms JENNY AITCHISON:** I wasn't aware of them until you raised them.

**The Hon. SAM FARRAWAY:** Will you be advising the Premier following today's hearing that there are significant errors in your disclosures, as a member of Parliament and Minister of the Crown, to the NSW Electoral Commission?

**Ms JENNY AITCHISON:** Obviously I'll be raising them with his office, but those disclosures are done by the party. Those donations were made to the party at an event. The party's responsible for those disclosures.

**The Hon. SAM FARRAWAY:** But you are the member of Parliament, Minister.

**The Hon. NATALIE WARD:** Were they made during the time that the Hon. Bob Nanva was secretary of the Labor Party? Would they have been disclosed under the Hon. Bob Nanva's watch?

**The Hon. ANTHONY D'ADAM:** Point of order: The question has a supposition that's materially incorrect, and that is that the disclosure responsibility lies with the member. The donations were to the Labor Party. The disclosure obligation rests with the registered officer of the Labor Party, not with the member, so the question is inappropriate.

**The CHAIR:** I won't uphold the point of order. Again, it's not up to members to rule whether a question is correct or not. I'll allow the question to continue.

**The Hon. SAM FARRAWAY:** To redirect the question, Minister, even if the New South Wales Labor Party are the ones submitting this, don't you have an obligation as a member of Parliament to check it?

**Ms JENNY AITCHISON:** I give the party office the list of the names of people who attend the function. If they have donated in that entity or that personal entity or whatever, that is really the paperwork that the party does. You would know—having been in business yourself, having been in road construction and other things related to your portfolio, which you have divested yourself of before you were the Minister—that sometimes people have complicated financial arrangements. They may have given you an ABN for one of their entities that they're a director of and—

**The Hon. SAM FARRAWAY:** There's nine errors.

**Ms JENNY AITCHISON:** Have you checked all of those?

**The Hon. SAM FARRAWAY:** I have.

**Ms JENNY AITCHISON:** I don't accept—

**The Hon. SAM FARRAWAY:** I'm going to redirect the question, Minister.

---

**UNCORRECTED**

---

**Ms JENNY AITCHISON:** I can only give the information that those donors gave to us and to the party office.

**The Hon. SAM FARRAWAY:** I doubt that—

**Ms JENNY AITCHISON:** That is all that can be given.

**The Hon. SAM FARRAWAY:** I'm going to redirect the question, Minister. You have publicly put on the record that you came out of the bus industry prior to entering Parliament—a small businessperson. I accept that. I, too, was a small businessperson before entering Parliament. I'd like to find out—my concerns around your perceived conflict of interest, around your family dealings, and specifically with your husband who, in his local government declarations, has declared that he earns income from Palmer's Coaches. Do you see a perceived conflict of interest with direct family dealings in an industry where you are the regional transport Minister and the regulator, in some cases, of that industry. Do you feel it's appropriate that you are the regulator and Minister of the Crown responsible for policy in which your partner or your husband is earning an income?

**Ms JENNY AITCHISON:** I've declared all of my obligations and potential other conflicts of interest in accordance with the code, in accordance with everything. My husband—

**The Hon. SAM FARRAWAY:** Did you seek a ruling from the Premier in disclosing your husband's work and where he derives that income?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** So you've made that disclosure to the Premier?

**Ms JENNY AITCHISON:** Yes, and Palmer's Coaches does not have direct contracts with the New South Wales Government for school or bus services.

**The Hon. SAM FARRAWAY:** ASIC also lists Award Winning Tours as an active company and your husband as a director and shareholder. Is that still the case?

**Ms JENNY AITCHISON:** Yes, it's a dormant company. It was the company that owned our business before we sold it in 2016 when I was appointed to shadow Cabinet.

**The Hon. SAM FARRAWAY:** On some company searches, it has come up that that company obtained an \$800,000 loan in 2019, so it can't quite be dormant though.

**Ms JENNY AITCHISON:** Well, that's news to me, because I don't know what it got a loan for. I'm actually surprised. I'll have to ring my husband after this hearing, because I don't know what he's done with the money.

**The Hon. NATALIE WARD:** I hope he's watching and texting you now.

**The Hon. SAM FARRAWAY:** On your husband's LinkedIn page, it's listed that he's the business development manager of Cross Country Tours. Is this correct?

**Ms JENNY AITCHISON:** No, that was what he was when he lost his job during COVID, as so many people did in the bus transport. He's not really into updating his LinkedIn, so he probably hasn't updated that. But he hasn't been anything associated with Cross Country Tours as an employee since 2020, when he lost his job in March 2020.

**The Hon. SAM FARRAWAY:** Minister, I suppose a perceived conflict of interest—again, referring back to the ministerial code of conduct, it is clear that you need to refrain from making any decisions or participating in any action relating to the matter. With regard to the additional services that you are publicly announcing, which there would've been contracts involved with, do you think that that is a perceived conflict of interest and how are you managing that?

**Ms JENNY AITCHISON:** That my husband forgot to update his LinkedIn?

**The Hon. SAM FARRAWAY:** No, we've gone back to the ministerial code of conduct. I'm asking you again, Minister, how can you participate in being the Government spokesperson for new bus contracts and new bus services across regional New South Wales when you have admitted publicly, in evidence this morning, that you've declared a conflict of interest to Transport for NSW?

**Ms JENNY AITCHISON:** I am promoting the availability of services to people in the regions of transport. You'd be after me if I wasn't doing that. The reality is that I have made all of my declarations. All through my working life I have always act with the utmost of integrity and I have always worked to reduce any potential for conflicts of interest. I have been very clear—



**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Do you believe you are compliant with the ministerial code of conduct?

**Ms JENNY AITCHISON:** Yes, absolutely.

**The Hon. SAM FARRAWAY:** How is this not a perceived conflict of interest, if you are the public spokesperson for the Minns Labor Government, as the regional transport Minister, in publicly announcing new services, new bus contracts across regional New South Wales?

**Ms JENNY AITCHISON:** I don't know that they're new contracts. I don't know enough about that contracting space to be able to answer your question.

**The Hon. SAM FARRAWAY:** But they're your media releases, Minister.

**Ms JENNY AITCHISON:** They're new services?

**The Hon. SAM FARRAWAY:** Yes. It clearly says, "New Dubbo bus services to be boosted by 87 per cent in major overhaul." We're talking about 112 extra weekly services in Dubbo. We're talking about 200 extra services with CDC in Coffs Harbour. These are obviously—

**Ms JENNY AITCHISON:** I just want to check, is there a question coming?

**The Hon. SAM FARRAWAY:** The question is the perceived conflict of interest.

**Ms JENNY AITCHISON:** No.

**The Hon. SAM FARRAWAY:** "Refrain from make any decision or participating in"—do you believe that you are participating in the process of announcing new bus services with these two private companies?

**Ms JENNY AITCHISON:** I think you're conflating a number of issues there.

**The Hon. SAM FARRAWAY:** The question is: Are you participating in announcing and promoting new bus services and contracts with Buslines in Dubbo and CDC in Coffs Harbour?

**Ms JENNY AITCHISON:** I am not announcing contracts. I'm announcing new services for the community.

**The Hon. SAM FARRAWAY:** But if we've got new bus services, Minister, doesn't that mean that the team within Transport for NSW would have had to adjust, align, draw up a new contract to offer those additional bus services?

**Ms JENNY AITCHISON:** I have always complied with the code, and I have made my disclosures as required.

**The Hon. NATALIE WARD:** Have you made a specific declaration in relation to these particular announcements or the specifics of the bus services that you've been dealing with?

**Ms JENNY AITCHISON:** Pardon?

**The Hon. NATALIE WARD:** Have you made a specific declaration in relation to the bus industry or bus services?

**Ms JENNY AITCHISON:** What do you mean?

**The Hon. NATALIE WARD:** You said you've complied with your obligations—I understand that—but have you made a specific declaration in relation to the bus industry and bus services?

**Ms JENNY AITCHISON:** I've made a declaration of all of the issues that I needed to disclose and comply with my obligations.

**The Hon. NATALIE WARD:** Yes, and you've said that at a general level. Could I be more specific, though? Have you made a specific declaration in relation to bus services?

**Ms JENNY AITCHISON:** I have made disclosures around all of the obligations that I have been required to under the ministerial code.

**The Hon. NATALIE WARD:** You have declared a conflict of interest and you have asked for a Premier's ruling, and I accept that you've said that to this Committee. You would also appreciate that there's an obligation for ongoing management of that conflict. What steps have you put in place for ongoing management of that conflict, perceived or actual?

**Ms JENNY AITCHISON:** And that is to not be involved in decision-making around any contracts.

**UNCORRECTED**

**The Hon. NATALIE WARD:** How are you managing that on an ongoing basis to manage that conflict?

**Ms JENNY AITCHISON:** I have not been involved in any decisions regarding contracts.

**The Hon. NATALIE WARD:** If there are future decisions—I accept that you can't disclose what is discussed at Cabinet—will you assure this Committee that, going forward, you will recuse yourself from Cabinet decisions if they were to arise in the course of the Cabinet agenda in relation to bus services?

**Ms JENNY AITCHISON:** Absolutely.

**The Hon. SAM FARRAWAY:** Minister, I refer back to the disclosure on the NSW Electoral Commission website. We discussed that you are going to speak with the Premier's office post estimates. Will you as a member of Parliament be advising the NSW Electoral Commission that there are possible errors on this disclosure?

**Ms JENNY AITCHISON:** In the first instance I would take them back to the Labor Party and they would obviously keep that information—

**The Hon. NATALIE WARD:** Give them to Bob.

**Ms JENNY AITCHISON:** —and check it.

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

**The Hon. NATALIE WARD:** I was joking, Adam.

**Ms JENNY AITCHISON:** And then, obviously, if I'm aware that there's a disclosure error, then I would be reporting it to the appropriate authorities.

**The Hon. SAM FARRAWAY:** Can I ask, at this function, it was significant—

**Ms JENNY AITCHISON:** To be clear, Mr Farraway, I'm not going to take it on your advice that those are incorrect. I would actually make sure they get checked.

**The Hon. SAM FARRAWAY:** No, you need to do your own—of course I accept that. Minister, what was discussed at this fundraiser? This is a dinner with Chris Minns and Jenny Aitchinson—

**Ms JENNY AITCHISON:** Actually, my name is Aitchison.

**The Hon. SAM FARRAWAY:** Aitchinson. Sorry, Minister.

**Ms JENNY AITCHISON:** No, it is A-I-T-C-H-I-S-O-N. There is no "N" in the middle.

**The Hon. SAM FARRAWAY:** What was discussed at this fundraiser? What was discussed at this stakeholder bus industry gathering—fundraiser?

**Ms JENNY AITCHISON:** The Premier got up and gave a presentation. It was a talk about a fresh start from the Minns Labor Government if we were to be elected in over a year's time from then, I think it was—or 10 months. And then I gave a talk about a fresh start for Labor in a new government.

**The Hon. SAM FARRAWAY:** Do we talk about—

**The Hon. ANTHONY D'ADAM:** Point of order: This doesn't relate to the portfolio responsibilities of the Minister. This is an event that occurred prior to the Minister taking office.

**The Hon. SAM FARRAWAY:** She was the shadow Minister.

**The CHAIR:** Order! I will hear the point of order without interruptions.

**The Hon. ANTHONY D'ADAM:** This is not a budget estimates into the shadow ministerial responsibilities; it's into the Minister's responsibilities. The event occurred prior to the Minister taking office. It does not relate to that responsibility and therefore it is out of scope.

**The CHAIR:** I won't uphold the point of order. Again, we have got a very wide range in terms of what we allow during estimates. I will allow the Minister to continue.

**The Hon. SAM FARRAWAY:** Minister, did any bus operator at that dinner raise their business, what they do, the bus contracts that they may have with Transport for NSW and/or suggestions on future policy, if at that point the Labor Party won the election?

**Ms JENNY AITCHISON:** No. It was just meet and greet. "You're from this company. Hello, how are you?" I don't remember anyone saying anything like that.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** So you're trying to tell me people have paid \$1,500—well, I have here the bus association paid \$4,800.

**The Hon. Dr SARAH KAINE:** They also gave you money, Sam.

**The Hon. SAM FARRAWAY:** So \$36,000 was raised just for a meet and greet?

**Ms JENNY AITCHISON:** Is that how much it was? I can't remember how much it was, sorry. So they paid how much for what? What was that?

**The Hon. SAM FARRAWAY:** Are you advising this Committee that not one of these attendees from the bus industry attending your fundraiser spoke to you about bus policy?

**Ms JENNY AITCHISON:** To my recollection, they were all just really excited to meet Chris Minns and to have a future Premier of the State that was going to engage with them and ask them what they thought and actually have a collaborative relationship. There were a lot of donations that were flowing thick and fast in the former Government, probably a lot more than came to the Labor Party in that time.

**The Hon. Dr SARAH KAINE:** While you were Minister, Sam.

**The Hon. SAM FARRAWAY:** So, Minister, perceived conflict of interest, prior to the election—

**Ms JENNY AITCHISON:** Yes, 10 months.

**The Hon. SAM FARRAWAY:** —we have a significant fundraiser, with \$36,000 received. We have multiple bus operators, including companies that have won 200 new additional services in Coffs Harbour and an 87 per cent boost and overhaul to services in Dubbo. So we've got the election, we've got a fundraiser, we've got yourself appointed as the new Minister for Regional Transport and Roads and suddenly you are the public spokesperson for the Minns Labor Government announcing changes to bus services, which we've already maintained would have meant a change in contract. Minister, it's a pretty clear time line: donations received; appointment as a Minister; meetings, as given in evidence today; and public announcements of services and contracts. Do you really think this passes the pub test?

**Ms JENNY AITCHISON:** Mr Farraway, I'm just checking: The 16 cities program, which these services were rolled out on, was actually initiated under your Government. Are you trying to put forward the proposition that—

**The Hon. SAM FARRAWAY:** Minister, let's redirect the question.

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

**Ms JENNY AITCHISON:** —that your policy was not to put on one single service?

**The CHAIR:** Sorry, Minister, a point of order has been taken by Mr Nanva.

**The Hon. BOB NANVA:** The procedural fairness resolution paragraph 19 suggests that we should allow the witness a degree of courtesy. That extends to allowing her to answer a question and allowing that answer to extend more than five seconds.

**The CHAIR:** I uphold the point of order. Minister, continue your response.

**Ms JENNY AITCHISON:** Thank you, Chair. Mr Farraway, the idea that the 16 cities regional process, which your Government put in place—I know that they were underfunded, but I did assume that you would want to be putting more services out into the regions. That was the whole point of the program that predates me as Minister.

**The Hon. SAM FARRAWAY:** To redirect the question, did any of those attendees discuss with you the 16 cities program?

**Ms JENNY AITCHISON:** No. I would have remembered that.

**The Hon. SAM FARRAWAY:** Okay. Minister, again, there is a clear time line. You have received donations, we have had the election and you are appointed as the new Minister for Regional Transport and Roads. You are publicly travelling around the State announcing new services with private operators, such as CDC and Buslines. Do you think that is a perceived conflict of interest, if you maintain that you are not the decision-maker?

**Ms JENNY AITCHISON:** Mr Farraway, it is a policy that was initiated under your Government. If the idea is that it was never supposed to provide new bus services, I don't understand what the point of it was. I think those communities would be very interested to find out that you hadn't intended to put in new services. I have

**UNCORRECTED**

repeatedly been very clear with the department and very clear with the community that I have not had a role in the decision-making around contracts, and that is clear.

**The Hon. SAM FARRAWAY:** Did you discuss with Minister Haylen with regard to the Bus Industry Taskforce? Did Minister Haylen ever discuss the scope of that taskforce with you?

**Ms JENNY AITCHISON:** To be honest, I actually would not know of exact conversations. It was something that was driven as a result of the inquiry that was held into privatisation when you were in government, and then the terms of reference came out. When we made a commitment that we would have a taskforce, it was under Jo's jurisdiction and then the Parliamentary Secretary did the set-up of it. Given that I hadn't been in the industry for nine years, I think—well, it's nine years now so maybe eight years then—I didn't really feel that I should be directing it. Obviously they put the taskforce proposal together. I don't think I did anything other than say, "Just make sure you look at regions," because obviously regional New South Wales want to know about their bus services. Other than that, that's it.

**The Hon. MARK BANASIAK:** I go back to my questions about Brig O'Johnston Bridge, just quickly. In your answer when you were talking about rehabilitating the bridge you said pedestrian access is currently not included in that plan. What's the plan for pedestrian access across that section of the creek in the meantime?

**Ms JENNY AITCHISON:** To that level of detail I would have to refer to my colleague.

**The Hon. MARK BANASIAK:** Mr Fuller, do you have that detail to hand?

**MATT FULLER:** I don't have the detail on pedestrian access. Perhaps this afternoon in the session we might be able to provide more information.

**The Hon. MARK BANASIAK:** That would be great. Minister, under the previous regional Minister, the Freight Transport Advisory Council was set up. Is that still in place under your ministership?

**Ms JENNY AITCHISON:** My understanding is that it is. I don't have the major responsibility for freight under the current arrangements, but I believe it is there. I still obviously engage in the freight space, but not as the lead Minister.

**JOSH MURRAY:** Mr Banasiak, the Freight Transport Advisory Council met in August. It was reconvened and had a very successful half-day session in Sydney.

**The Hon. MARK BANASIAK:** Minister, you just said you're not in control of freight. Who is the Minister now responsible for freight?

**Ms JENNY AITCHISON:** Minister Haylen, in the sense that under the previous Government there was a disconnect because you had the port—everything that was the port was Minister Elliott—and then freight was Minister Farraway at the time. What we want is a paddock-to-port approach. Obviously there are issues in the regional space that are very specific around rest areas et cetera, but we wanted to have that whole-of-government approach and looking at a much more strategic look at our freight task across the State.

**The Hon. MARK BANASIAK:** So you have essentially nothing to do with freight, other than rest areas?

**Ms JENNY AITCHISON:** No, that's not correct. Obviously Fixing Country Roads is a program that I fought very hard for in opposition to get that funding, which was taken from the program under the former Deputy Premier—I think it was Barilaro—when Minister Toole was in place. We fought for that \$80 million to come back into the program. We just announced—I think it went out last night—that that money will come out under Labor. There's some things we're still very much involved in, but obviously the difference, Mr Banasiak, between our Government and the former Government is there is a very strong collegiate view between the Ministers, and we value the collaboration opportunities. But Minister Haylen, as the Minister responsible for ports and lead in the cluster, has the overall view on that.

**The Hon. MARK BANASIAK:** I will direct all my freight questions to her then. Just picking up on your answer there, you spoke about heavy vehicle rest stops. We heard in the inquiry into heavy vehicles a few weeks ago, particularly from the Transport Workers' Union, that they did a bit of research on heavy vehicle rest stops based on the map that's provided by your department, and they found that 50 of those heavy vehicle rest stops were actually missing. They couldn't be found. My first question is how often is that map updated on your website.

**Ms JENNY AITCHISON:** To the specifics of that, I think you probably need to go to the bureaucrats at the end, but I am very concerned obviously around heavy vehicles and fatigue. One of the things of being a tourist coach operator for such a long time was that I do understand the importance of managing fatigue in that

**UNCORRECTED**

task. I note the former Labor Government actually put in a bus facility that's still used down at King Street Wharf. There was never anything done in the next 12 years for freight operators.

**The Hon. MARK BANASIAK:** Does it concern you that 50 heavy vehicle rest stops have disappeared into the ether?

**Ms JENNY AITCHISON:** Absolutely. I have directed the department to have a look at that particularly, and to look at any Federal opportunities. There's Federal funding at the moment, and we've been progressing that. I know that's something the former Minister promised to do but it didn't seem to progress. We're getting on with it.

**The Hon. MARK BANASIAK:** Through you, Minister—I'm assuming it's to Mr Fuller—how often is that map updated?

**MATT FULLER:** The map is updated on a regular basis. I would have to take on notice exactly what time frames, but I certainly appreciate and understand what you've said in terms of the fact that there have been some inaccuracies and apologise for that, because that's something that we've been working very closely with industry on recently.

**The Hon. MARK BANASIAK:** If it's updated regularly, how do you not know that 50 have gone missing?

**MATT FULLER:** I think, Mr Banasiak, what's fair to say is we've had some challenges keeping that live and updated. As the Minister said, we've been given a very clear instruction to look at opportunities to do a better job and to make sure that all of the rest stops are clearly articulated.

**The Hon. MARK BANASIAK:** You've just contradicted yourself there. It's either updated regularly or you're having challenges to update it regularly.

**MATT FULLER:** There have been updates, but what I'm saying is that the accuracy of those updates is obviously something that we're reviewing.

**The Hon. MARK BANASIAK:** It was further noted in that inquiry that none of the rest stops complied with the Austroad guidelines for heavy vehicle rest stops. I think the figure was around 356 that were audited by your department, and none of them actually met the standard. Does it concern you, Minister, that your department's been building rest stops that don't actually meet the standards that every State government has signed up to?

**Ms JENNY AITCHISON:** Obviously some of them would have been built before those standards, but I'll defer to Mr Fuller, I think. But before I do, I will say, obviously—

**The Hon. MARK BANASIAK:** You're deferring to Mr Fuller to see whether you're concerned?

**Ms JENNY AITCHISON:** I was just going to say that bit, but I was just giving you the heads up about where I was going. But yes, I am very concerned. As I said in my previous answer, I take seriously the management of fatigue in the heavy vehicle industry. When the NHVR came into being, I was in the bus industry. I know that it has been important to get that safety for heavy vehicle operators right and that rest stops in the right places are really important. One of my directions to the department has been that we need to have much stronger engagement with freight operators on what their needs are because, having run a transport operation, I understand that operators know what they need best. It is about going back to them on that.

I am concerned, and I am very happy to hear that the department's looking at these. I'll say, on whether there was something there and it's not there, that was happening in the former Government. We had accessible stations which had three levels of stairs to get to them and no ramps. These things happen in bureaucracy. I accept that it's a really important safety issue and we will be doing all we can to address it.

**MATT FULLER:** I'd be happy to help the Minister, Mr Banasiak. It would be interesting just to get those exact figures and what you are specifically relating to because there are, under the Austroad guidelines, five different classifications of rest stops, and so they pick up a range of varying facilities, delineations and other things that relate to those standards. As the Minister said, a lot of the rest stops that exist across New South Wales and the country have been in place for many, many years, so reviews against standards are sometimes something that doesn't directly correlate.

What I can also say is that the Government's made very firm commitments around support and has the department working on some very key initiatives around rest stops. There's \$9.1 million that supports improvements to rest stops for bringing them better up to standard. There's 41 locations that are underway at the moment, and we've got seven locations we've recently finished in that regard. We also have a \$30 million

**UNCORRECTED**

commitment on creating a rest area in the hub in Sydney, which has been identified as a real gap, particularly if you think about that midpoint between Melbourne and Brisbane.

Not just Minister Aitchison but all Ministers have made it very clear to us that they want us to have a very strong engagement with the industry. Recently, one of the initiatives that we undertook—and Dr Kaine was present for some of that—was a round table with Minister Graham where we had all parts of industry come together on the Western Sydney rest stop. That was a very extensive process where we had operators—large, small, varying shapes and sizes—we had industry groups and we had worker representatives, and we spent a large amount of time actually understanding the challenges of the industry and really zoning in on appropriate locations for, like I say, that central hub in Western Sydney, which is going to be really important.

**The Hon. MARK BANASIAK:** To refocus out of Western Sydney, because this is a regional transport hearing, the figure that we were provided in the other inquiry was that there were 356 rest stops out of the network that required a potential upgrade. How is that \$9.6 million going to be divided amongst 356 rest stops?

**MATT FULLER:** Like I said, there's 41 locations underway at the moment. We're preparing a broader strategic business case at the moment to present further—

**The Hon. MARK BANASIAK:** Are the 41 receiving the \$9½ million?

**MATT FULLER:** The 41 are included as part of the \$9.5 million funding—correct. As part of that also, we're doing further strategic business case work to identify scope, costs and opportunities on what we can do across the statewide rest stop network so that we can put those options back to government and have a look at what that means in terms of future investment decisions and priorities.

**The Hon. MARK BANASIAK:** I will put it to you: How do you respond to the fact that none of the rest stops meet the Austroads guidelines? I note that there's different types of rest stops, but the assertion or the evidence we received during that inquiry was that none of those rest stops, no matter what category they are, actually meet the standards. How are we building things that don't meet the standards?

**MATT FULLER:** I would have to take that on notice and seek some further information on what you refer to, because my understanding is we are building to Austroads standards, particularly in new builds. If I think about some recent examples underway on the Pacific Highway, we've got an example between Narrabri and Moree at the moment on the Newell Highway that I know is being built to classification 5 rest area under the Austroads guidelines. I would appreciate more information just to say that there's none that meet Austroads guidelines. I'm not sure that would be the case.

**The Hon. MARK BANASIAK:** When you say that you're building to Austroads guidelines, are you just talking specifically heavy rest areas, or are you talking about other road and traffic devices as well?

**MATT FULLER:** Austroads guidelines obviously inform our work broadly in terms of safety standards, road corridors. But, in this case, I was referring to the heavy vehicle rest stop classifications.

**The Hon. MARK BANASIAK:** Minister, how often are road construction contractors audited by your department for compliance?

**Ms JENNY AITCHISON:** I would have to take that question on notice. I don't know the exact operational details. I will give it to Mr Fuller to answer. He might know.

**MATT FULLER:** I don't have that number off the top of my head. I would have to take it on notice or perhaps ask Ms Drover in terms of other contractor assurance activities. What I can say more broadly, though, is that we do have a range of assurance activities that are undertaken with our contractors, whether they be long-term contractors or construction contractors. We have, in a number of cases, independent verifiers. We have our own quality assurance project inspection teams that go out and undertake work, whether that be for safety, environmental considerations and also other commercial responsibilities. Ms Drover, perhaps you've got other items you could add to that.

**CAMILLA DROVER:** Thank you. I can add to that. There are also pre-qualification schemes that contractors have to be part of before they even get the right to put expressions of interest and tenders in. We have the contract performance scheme, which we review contractors' performance in delivery. As Mr Fuller said, there's a whole lot of other checks and balances that occur, right from pre-procurement through to procurement and then into delivery.

**The Hon. MARK BANASIAK:** And that includes councils that have set themselves up as contractors to do this work, I assume? Or are they exempt?

**CAMILLA DROVER:** In my portfolio I don't have any councils delivering work, but that may be—

---

**UNCORRECTED**

---

**MATT FULLER:** Mr Banasiak, I can say that under the regional maintenance council contracts that is the case, yes. We have a pre-qualification scheme that we've entered into with local government, with the intent of supporting an increase and uplift in safety outcomes. It's a very important element of the work that is undertaken on the State road network. We had a lot of local government participants that support our work across the State, and we really value that and thank them for that, particularly given the flexibility that they availed us during natural disasters last year.

Those safety qualifications and the uplift in terms of capability across local government is something that we've been really actively encouraging. In the last couple of weeks, we've actually held an executive safety summit with local government, where we brought in a range of CEOs, general managers, mayors from across the State, and had two days where we jointly worked together on a commitment in terms of ongoing continuous improvement of how we would undertake that regional maintenance contract work and really ensure that safety is the number one paramount consideration in that work that we do in partnership.

**The Hon. MARK BANASIAK:** Ms Drover spoke about there's the pre-qualification—

**CAMILLA DROVER:** Schemes.

**The Hon. MARK BANASIAK:** —assessment, and then you mentioned one that's done on delivery. Is that the case?

**CAMILLA DROVER:** Yes, we have a contract performance process.

**The Hon. MARK BANASIAK:** Mr Fuller, are councils subject to that contract performance process as well?

**MATT FULLER:** Yes, that's right. We have local teams that work in partnership with local government that go out and undertake assurance activities on the work they provide on the State road network for us. Similarly, it's a different scheme to what we run with independent private contractors, but it is one, as I said, targeted at making sure that we—it's a long-held arrangement between local government and the State that they support the work on the State road network. In fact, they take up almost 50 per cent of the work on that network. That has been a really important consideration to maintain work in the regions and to continue to grow the capability in local government and to support that activity. It is something that we work with them very closely on. We do undertake a range of assurance activities as well as, as I said, that qualification scheme that we've entered into in the last few years to really zone in and to make sure that we're doing everything we can to foster the best possible safety outcomes in that space.

**The Hon. MARK BANASIAK:** Who is ultimately responsible for the quality of that work that's being done? With the previous Government, we had this argument going back and forward, "Well, council built that road, so it's not my responsibility." But if you can receive an infringement notice on that road, it's ultimately the State's responsibility, especially if you're providing State funding for that to be built. So who is ultimately responsible? Even if it's a council contractor that does the job, is it the State Government that's responsible when that road is not built to a standard or not built to, say, the Austroads guidelines, for example?

**MATT FULLER:** Sure. I think there are a number of elements to your question. The first that I will start with is the regional maintenance council contracts, where they're undertaking work on the State road network. We're engaging local government as a contractor to undertake work on our asset. So, ultimately, it is our asset. We are the road manager, we are the accountable authority, and we would be obviously taking responsibility and assuring ourselves that the work carried out in partnership with local government was to the standard that we specified. That's probably one example. There are a number of other examples. You've mentioned some of the discourse that has occurred previously on road ownership. Of course, local government own and manage and maintain local and regional roads across the State, and that is the overwhelming majority of roads across the national network, not just in New South Wales. Local government then takes ownership and responsibility for the delivery of those roads and maintaining and managing that network.

It is the case, when either the State or Federal Government provides funding to specific programs on those local road assets, that we will, on occasion, specify outcomes that we want to see from that work and that funding arrangement. It could be, as an example, to improve and increase access for heavy vehicles. It could be to undertake particular safety work, and we have key outcomes and standards that we want that work to comply with. There is a range of activities that are undertaken both on the State road network and the local and regional road network. They all have their discrete nuances.

**The Hon. MARK BANASIAK:** Is it not the case, though, if I can receive an infringement notice on a locally controlled road, ultimately, it's the State's responsibility for the maintenance of that road, regardless of

**UNCORRECTED**

what—it might say that it's locally owned, but if I can be issued with an infringement notice, isn't it ultimately the State's responsibility for that road, under the legislation?

**MATT FULLER:** Are you referring to an infringement notice for activity, for behaviour such as speeding?

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

**MATT FULLER:** I would say that is a personal responsibility issue versus a road manager issue.

**The Hon. MARK BANASIAK:** Yes, but doesn't that mean you are ultimately responsible for the condition of that road as a State?

**MATT FULLER:** I wouldn't characterise it that way, no.

**The Hon. MARK BANASIAK:** Can you on notice provide how many times Tamworth Regional Council has been assessed as part of its delivery of roads in the last five years and how many times they have failed to meet the standards expected by your department?

**MATT FULLER:** I'm happy to take that on notice. Just to clarify, could I ask—is that in relation to work they undertake on the State road network?

**The Hon. MARK BANASIAK:** Both, State road network and whatever they're doing as local maintenance.

**MATT FULLER:** Generally speaking, what I would say, just to qualify, is that our assurance activities would be undertaken on the State road network and/or in situations where there may have been funding that had specific conditions associated to it.

**The Hon. MARK BANASIAK:** Just on those two conditions.

**MATT FULLER:** Sure. Happy to provide that.

**The CHAIR:** Okay. Is that our break time?

**The Hon. Dr SARAH KAINE:** Government questions.

**The CHAIR:** Yours? That's right. Sorry, I am also asking questions in another estimates hearing, so you will have to excuse me sometimes throughout the day. I am a member of another committee.

**Ms JENNY AITCHISON:** I understand. It's really important.

**The CHAIR:** I tried to change it but to no avail. Dr Kaine, questions from the Government.

**The Hon. Dr SARAH KAINE:** Minister, can you update us on what budget measures have been introduced under this Government to help improve roads in regional New South Wales?

**Ms JENNY AITCHISON:** I want to really thank you for that question. It is a really important one. Coming into this role, the councils were really struggling with the whole concept of how they could manage the road network after 12 years of neglect and then obviously the floods. You're looking at 75 natural disasters in the last five years, so that has been a real challenge for them to deal with. Then we had the announcement at the beginning of this calendar year by the former Government of the \$280 million for regional roads in the region. The councillors were just absolutely furious that metro councils were getting over \$10,500 and they were getting in the order of \$1,823 per kilometre of road, particularly when they had seen probably the bulk of the disaster damages. They had worse conditioned roads to start off with.

We said we would put that \$208 million, together with a \$390 million commitment, to build a \$670 million fund. In the budget that's what we've actually done. On that initial \$280 million, the other problem that councils raised with us was that they were going to have trouble using that money effectively. Some of them used it straightaway, but some of them were saying they could spend it by February. They didn't want to give it back to us, but they wanted to make sure they were doing better works and fixing. So we have extended the eligibility for that until 2027, along with the other program. That will give them time to really schedule that work so they can take the best advantage of the availability of contractors, understanding that they've also got the DRFA funding that they've been seeking. Transport for NSW has been helping them with that.

We've also got the \$312 million betterment funding. We are working through that with councils now. We know that the way that it was rolled out—obviously, there have been a lot of changes in that Federal-State space around reconstruction since the floods. We've been working to ensure that the councils will get the money that was promised to them by the former Government on the eve of the election and also, for the communities most importantly, that we're giving them that funding. So in addition, we've got the \$334 million, which is the



**UNCORRECTED**

regional roads fund. Unfortunately, the Opposition didn't quite understand that in the budget and identified that there was only about \$46.9 million going out in the four years of that fund, but the reality is that a lot of that money will actually be in operation.

It wasn't in the infrastructure statements because it's not just about us building those roads as capital for us; it's also about giving grants to councils. I mean, it's concerning to me that you've got former Ministers of the Crown who don't understand the difference between opex and capex in the maintenance of our road network, but there we are. We're working through it. For me, I'm really proud of that funding that we're giving out. It will really be in the order of a billion dollars going out this year, including the money, I acknowledge, from the former Government, but also other money that has come in through our commitments. When I compare that to the money that was promised by the former Government at the last election, there was a billion dollars promised, but it was actually over 10 years, and it wasn't until the third year that you got the first tranche of that funding. It was less than 10 per cent of the fund.

That fund was not just for roads; it was also for rail. What we've tried to do is really work on those relationships with council to ensure that—I talk about it as a velcro approach—they know they can talk to Transport for NSW people, talk to myself as a Minister and all the officials, just to try to ensure we're getting the best use of those funds in the regional areas, because we've seen a situation where our roads really badly failed during the floods. I think it's a really important thing, as Minister, that we do everything we can to help those local communities recover.

**The Hon. Dr SARAH KAINE:** I note the recent changes to the use of seatbelt cameras. I wondered if you could let us know what else you and the Government are doing to improve road safety?

**Ms JENNY AITCHISON:** I'm really excited, actually, about our seatbelt legislation. I'm really excited that the first piece of legislation that I've moved in this place is around safety because, to me, that is always my number one priority. When we look at the budget, it sets the total Transport portfolio budget at about \$39 billion, but we've got a huge amount—

**The Hon. NATALIE WARD:** You've cut the road safety budget.

**Ms JENNY AITCHISON:** Road safety—yes, thanks for that. You're going to answer the question too.

**The Hon. NATALIE WARD:** No, I don't want you to mislead the Committee.

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

**The Hon. Dr SARAH KAINE:** Point of order—

**The CHAIR:** Order! You don't need a point of order. Continue, Minister.

**The Hon. NATALIE WARD:** The road safety budget has been cut.

**Ms JENNY AITCHISON:** The budget contained \$2.6 billion for road safety over the next four years. I'm advised that that is part of the capital expenditure—again, the \$793.8 million. The balance, about \$1.87 billion—I don't want to get that wrong with the emphasis here, so people think I'm saying the wrong thing—is operational expenditure. My advice is that, under the former Government's budget, that was only \$2.4 billion, so we are increasing that. It is a really strong driver for me. I was surprised to learn something at an event the other day: I'm the first Minister who has got the text about what's happening in terms of critical incidents on the roads every day. It's the first thing and the very first briefing I send to transport operators.

**The Hon. NATALIE WARD:** That is also misleading.

**The CHAIR:** If you have questions, you can ask after.

**The Hon. NATALIE WARD:** Don't mislead.

**Ms JENNY AITCHISON:** It was the very first thing I said, certainly in that first briefing with Mr Fuller—that it was coming up to the Easter long weekend. We know that those times are a critical time on our roads, and I wanted to be informed of incidents that were happening on the network in as real a time as possible. I'm really grateful for that information. It's very sobering. Our road toll as of last night is 298 people have died.

**The Hon. NATALIE WARD:** It's up.

**Ms JENNY AITCHISON:** It is way too many. Every single person is too many, and I take that so seriously because the grief and the trauma and the regret that happens from those incidents lasts a lifetime, particular on our regional roads. One of the things that I want to do is see that we have a regional road safety focus in all of our road safety campaigns. We know that two-thirds of people who die on our roads are from the regions, even though they only make up one-third of our population. That's a staggering statistic. But it's not a statistic,

**UNCORRECTED**

because when we talk to the families of those people and their friends, that trauma and grief is just there all the time. We've had some horrific situations this year with things like the Greta bus crash. I have spoken to some of the families in that situation, and I went to the memorial service. I acknowledge the presence of Ms Ward there as well.

These are very terrible times for our communities to work through. So every opportunity we can take—and obviously there are those behavioural things about not speeding, not using drugs or alcohol, not using mobile phones, looking at fatigue management, and obviously seatbelts. People are staggered when you say that lack of seatbelt wearing is increasing. They are behavioural things we can do. But I think, to Mr Banasiak's point earlier around the condition of the road, I mean, it is a problem. We have seen that that has been an issue that has been called out, and that's why we're seeing the investment in the road network, because it is a problem. So as I say, I take it very seriously. The thing that drives me in this portfolio is safety.

**The CHAIR:** We will take a break. We will be back at 11.15 a.m.

**(Short adjournment)**

**The CHAIR:** We'll get started with questions from the Opposition.

**The Hon. SAM FARRAWAY:** Minister, going back to our earlier questioning and session around Award Winning Tours. You said that it was dormant. In what year was it made dormant?

**Ms JENNY AITCHISON:** I haven't been involved in the day-to-day running of my husband's company for about nine years. He sold the business in November 2016, and I think he still had shares from some franchising thing. I think he sold those earlier this year. He had Helloworld Travel shares and he sold them in June, I think.

**The Hon. SAM FARRAWAY:** When did you remove yourself as a director and shareholder in Award Winning Tours?

**Ms JENNY AITCHISON:** I can't remember the exact date, to be honest, but it was 2015 or 2016—shortly after I was in Parliament. Maybe after I was appointed to shadow Cabinet or maybe before, I can't remember.

**The Hon. SAM FARRAWAY:** I would like to move on. I have tabled a media release from Sunday 25 June this year by Jenny Aitchison and Tim Crakanthorp, the former Minister for the Hunter. It is about 506 extra weekly bus services for the Hunter. Are you familiar with your media release, Minister?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** The media release says:

"As part of these 506 new services, there will be two brand new routes, route alterations that better serve growth areas and more buses running on weekends and at night," Ms Aitchison said.

What discussions did you have with the former Minister, Tim Crakanthorp, on these services?

**Ms JENNY AITCHISON:** I remember this really well. The department had worked on all these new services. We got a call, I think, on the Friday night that they were going to go live on the Sunday or Monday—within the next couple of days. Obviously, if there were services in Mr Crakanthorp's electorate and then across the broader Hunter, my team—

**The Hon. SAM FARRAWAY:** Did the former Minister, Tim Crakanthorp, have discussions with you prior to your election, as the shadow Minister, or, in fact, as the Minister for regional transport, around these bus routes?

**Ms JENNY AITCHISON:** I was just answering that. This was initiated by Transport for NSW through their planning processes. We got the notification on, I think, Friday night.

**The Hon. SAM FARRAWAY:** But I'm asking you about former Minister Crakanthorp. I accept that Transport—

**Ms JENNY AITCHISON:** No, he didn't, because normally transport services in Newcastle would be the purview of Minister Haylen.

**The Hon. SAM FARRAWAY:** So no discussions with former Minister Tim Crakanthorp?

**Ms JENNY AITCHISON:** Not that I remember.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Are these 506 weekly bus services in your electorate of Maitland as well?

**Ms JENNY AITCHISON:** I can't remember. I think there were some in Port Stephens, from my memory. Sorry, we're just going back. There have been a lot of services. I don't know that there were any in mine, to be honest, looking at them. No. They were operated by Hunter Valley Buses, but more into Port Stephens, Charlestown, Lake Macquarie, Newcastle, Cessnock and Wallsend.

**The Hon. SAM FARRAWAY:** You mentioned some shares in an earlier—do you have any questions to follow on with this?

**The Hon. NATALIE WARD:** You're absolutely sure that there were none in your electorate, or you don't know?

**Ms JENNY AITCHISON:** No, I can't say I'm absolutely sure.

**The Hon. NATALIE WARD:** Could you take that on notice?

**Ms JENNY AITCHISON:** Yes, absolutely. I can take that on notice.

**The Hon. NATALIE WARD:** Did you have any discussions with former Minister Crakanthorp about the media release, about the announcement?

**Ms JENNY AITCHISON:** Briefly. When we were given the notification on Friday night that the services would go live on the Sunday, I told him about it. It's one of those situations—you're a new Government. We'd only been in there for a couple of months or so. The department is chugging along doing their work and then they say, "Hey, we're going to do this", so I made sure that the local members knew about it.

**The Hon. NATALIE WARD:** What was the nature of your discussion with former Minister Crakanthorp?

**Ms JENNY AITCHISON:** If I had the exact discussion—because there were a number of them to talk to, it might have been my team—it would've been, "There are these services. Here's the media release"—probably the media team was doing it, to be honest—"What do you think?" The same with advising that they were across the Hunter.

**The Hon. SAM FARRAWAY:** Did former Minister Tim Crakanthorp ever lobby you for additional bus services in the Hunter?

**Ms JENNY AITCHISON:** No, because that would not have been the appropriate—

**The Hon. SAM FARRAWAY:** Did he ever have a discussion with you about bus services?

**Ms JENNY AITCHISON:** I don't know. Newcastle's bus services are the purview of the Minister for Transport, Minister Haylen, so it would've been more appropriate for him to do it in that sense. But I can't say that he's never said, "We should have more buses in Newcastle", so I won't rule that out on that basis. But I don't have a memory of a conversation.

**The Hon. SAM FARRAWAY:** Redirecting back to an earlier answer, you mentioned—and if I'm misquoting, I apologise, because it's from memory—that you're shareholding with your partner, Mr Aitchison. You sold some shares in, did you say, Helloworld?

**Ms JENNY AITCHISON:** I'll be very clear on the record so that you've got this, because I understand there have been a lot of your own concerns and you seem to have this issue. I left that business some nine years ago when I was elected to Parliament. Either shortly before or shortly after I became the shadow Minister, even though it was not a requirement, I decided it was time for me to divest myself of any shares in the business. Then my husband sold the business in November 2016. It had been a Helloworld franchise as well. It was a very mixed tourism business. I can't remember now, because it was about 2009 or 2010, but there were some shares that came when we took on the franchise, and they couldn't be sold with the business because of a caveat that had been put on there by Helloworld. They remained in that company, which my husband was the sole director of.

**The Hon. SAM FARRAWAY:** Award Winning Tours? That company?

**Ms JENNY AITCHISON:** Yes. They just sat there. I don't know if you look at the stock market, but apparently travel shares haven't been doing too good.

**The Hon. SAM FARRAWAY:** Minister, when were those shares sold?

**Ms JENNY AITCHISON:** I think they were sold after I did my disclosures. The Premier said that they should be sold, so they were sold—I think at a loss, to be honest, but I don't know.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Can you take that on notice and maybe come back to us? Can you maybe check and come back to the Committee?

**Ms JENNY AITCHISON:** What do you want me to take on notice?

**The Hon. SAM FARRAWAY:** When were those shares in Award Winning Tours sold?

**Ms JENNY AITCHISON:** No, not the shares in Award Winning Tours, the shares in—

**The Hon. SAM FARRAWAY:** In Helloworld.

**Ms JENNY AITCHISON:** —in Helloworld that were held by the proprietary limited company Award Winning Tours.

**The Hon. SAM FARRAWAY:** If you can find out when they were sold, Minister? Can you take that on notice?

**Ms JENNY AITCHISON:** I can do that.

**The Hon. NATALIE WARD:** It would be helpful if you can do that. As you rightly recognise, there is some interest in this and that would probably clear that up. That's the reason for asking. It would be helpful if you could be fulsome in your answers to put that to bed.

**Ms JENNY AITCHISON:** Totally. I think I'm giving you way more than most Ministers would give you. If the Committee is really interested in a small parcel of Helloworld Travel shares owned by my company when I had it, because it was part of a franchise arrangement, which I haven't been involved in for eight or nine years and which my husband sold the business that that company owned some time ago—I think he's been pretty good just saying, "I'm going to go and be a casual school excursions and charter driver", so that there are no perceived or real conflicts of interest.

**The Hon. NATALIE WARD:** Certainly. That would assist the Committee to clear that up and get that on the record, if you are fulsome about that. You can understand our concerns around that and you can understand that it's our job in this Committee to do that. We appreciate your fulsome response. Minister, can I turn back to the release that was tabled? Can you help us understand why this was not issued by Minister Haylen, given that you were not dealing with bus services, as you've said to the Committee?

**Ms JENNY AITCHISON:** Because they were services that related to my areas within that, which were some of Wallsend, Port Stephens, Cessnock—

**The Hon. NATALIE WARD:** So they were in your area?

**Ms JENNY AITCHISON:** Yes—Charlestown, Lake Macquarie, but not in the Newcastle LGA.

**The Hon. SAM FARRAWAY:** Minister, why would you be the public spokesperson for bus services when you admitted in a previous answer that the majority of these services and decisions would be with the metropolitan transport Minister, Minister Haylen?

**Ms JENNY AITCHISON:** That's not what I just said.

**The Hon. SAM FARRAWAY:** You said that in a previous answer, Minister.

**Ms JENNY AITCHISON:** No. Former Minister Crakanthorp was the member for Newcastle, and he had not lobbied me for services in Newcastle. The majority of these services, I understand, relate to areas outside of the Newcastle LGA, which under Restart, which I think you're aware of, and the definition, come into Regional Transport.

**The Hon. NATALIE WARD:** We're not trying to trick you here. It's just a factual matter.

**Ms JENNY AITCHISON:** Right.

**The Hon. NATALIE WARD:** You can roll your eyes, but I'm trying to get to the crux of this and give you the opportunity to answer. That's what we're trying to do. Given you've said that you're not involved in bus services and your title here is not as a local member or a member for the area and the then Minister Crakanthorp was, we're just trying to understand why Minister Haylen was not the person taking the run with this. What was your understanding of that?

**Ms JENNY AITCHISON:** As I've said, I have no interaction with the contracts and that is clear and I've explained the time line of how this release came to come out and how the decisions were made at complete arm's length from me having no input into the actual space. But as regional transport and roads Minister, informing

---

**UNCORRECTED**

---

the public of services that are available for them to encourage them to get onto public transport—that's what we've been doing.

**The Hon. NATALIE WARD:** But you can see how it could be inferred from this that you, as the regional transport Minister, are announcing bus services? That's how it reads from the document.

**Ms JENNY AITCHISON:** But I have been extremely clear that I have had no involvement in the contract both with the department—

**The Hon. NATALIE WARD:** But it doesn't say in here, "I don't have any involvement in bus service contracts." I'll leave it there.

**The Hon. SAM FARRAWAY:** Minister, in your electorate of Maitland there were 8,368 seniors that received the regional seniors travel card. What do you say to those seniors just in your electorate alone that are no longer able in the forward years to get access to that card?

**Ms JENNY AITCHISON:** We have been having discussions with seniors about what they want out of public transport and how they want to have better connectivity in the regions et cetera. This is a program that your Government did not fund in the forward estimates. You did not make one commitment coming up to the election, so it's very hard to say—

**The Hon. SAM FARRAWAY:** Did you support—

**Ms JENNY AITCHISON:** —we cut something that was not there.

**The Hon. BOB NANVA:** Point of order: Paragraph 19 of the procedural fairness resolution—can the Minister answer the question without interjection?

**The CHAIR:** We'll just go back to that, which was working reasonably well. Continue, Minister.

**Ms JENNY AITCHISON:** It's very hard to cut something that was not there in the first place. And the reality is—

**The Hon. SAM FARRAWAY:** I'd like to redirect the question, Minister. Did you put forward a submission to the Treasurer or to the Expenditure Review Committee for the Labor Party now in government to maintain the regional seniors travel card?

**Ms JENNY AITCHISON:** No, I didn't.

**The Hon. SAM FARRAWAY:** Are you a member of the Expenditure Review Committee?

**Ms JENNY AITCHISON:** No.

**The Hon. SAM FARRAWAY:** Is there a regionally based Minister on the Expenditure Review Committee?

**Ms JENNY AITCHISON:** No, we don't need one because when we want regional money like we got for the Regional Emergency Road Repair Fund, \$390 million—we got it.

**The Hon. SAM FARRAWAY:** To redirect this question—

**Ms JENNY AITCHISON:** Because the Minns Labor Government—

**The Hon. SAM FARRAWAY:** —how can the New South Wales Minns Labor Government make really wholesome decisions for regional people if there isn't a regionally based Minister sitting on the Expenditure Review Committee?

**Ms JENNY AITCHISON:** Because the Minns Labor Government is a collaborative, transformative government which seeks input from everyone across the State. My colleagues in ERC are well aware of the needs and the neglect that's happened to regional communities across New South Wales over the last 12 years and they are very motivated to address those issues.

**The Hon. SAM FARRAWAY:** Minister, did you support the regional seniors travel card?

**Ms JENNY AITCHISON:** In the time when that was a transfer payment, we actually said—when it first came out and your Government failed to include seniors with disability pensions, carers pensions or our veterans, we advocated for them to be included in that space.

**The Hon. SAM FARRAWAY:** Minister, to redirect the question, on 24 January this year you promoted the regional seniors travel card on your Facebook page. Have you since changed your mind since promoting that card for seniors in the Maitland electorate?

**UNCORRECTED**

**Ms JENNY AITCHISON:** What we have wanted to see as a government is that we have everyone who is entitled to access any kind of support from government have the opportunity to do that. In the case of the regional seniors travel card, it was a program that was available. Of course, I'm going to promote that to my constituents. I don't want them to miss out like they've missed out for so many years under your Government—

**The Hon. SAM FARRAWAY:** Thank you, Minister. To redirect the question specifically—

**Ms JENNY AITCHISON:** —from investment in infrastructure.

**The Hon. BOB NANVA:** Point of order: I've been reticent to move this point of order but procedural fairness resolution, paragraph 19—the courtesy requirements. I don't think you can get around the courtesy requirements by just constantly saying you'll redirect the question when the Minister is answering a question.

**The CHAIR:** Thank you, Mr Nanva. I've heard the point. I won't uphold it. I have upheld several but there also has to be a recognition that sometimes, when the Minister answers the question, the member will want to redirect the question, or they're not getting the answer that they wish, or the Minister might be trying to talk out the time. That happens a lot. I'm not going to not allow some interruptions in what is usually just a healthy spirited debate in budget estimates. Mr Farraway, continue.

**The Hon. SAM FARRAWAY:** Minister, you have publicly, in the House and in media, raised concerns about the regional seniors travel card and possible misuse. What data do you have to support that concern?

**Ms JENNY AITCHISON:** I had briefings from the department, which I understand you were also privy to despite your public statements that it couldn't be done, that once people got that card they could walk into any merchant that was approved to use it and purchase any item for sale in that—

**The Hon. SAM FARRAWAY:** So you received a specific brief from Transport for NSW with actual data that suggested that packets of cigarettes, bottles of Fanta and, as you describe, lollies were bought using that card?

**Ms JENNY AITCHISON:** I received a brief from the department telling me about the regional apprentice university travel card and it indicated very clearly in that brief that the card could be used for those other purposes. It also indicated that it was \$98 million out of Transport funds.

**The Hon. SAM FARRAWAY:** But, Minister, we're talking about the regional seniors travel card, not the apprentice card.

**Ms JENNY AITCHISON:** That also then led me to ask the question about the regional seniors travel card and if that applied to it as well.

**The Hon. SAM FARRAWAY:** Minister, I'd like to redirect the question to a question on notice that I put to you as the Minister. It's question on notice 497. Obviously, since receiving this answer there has been, as you know, an SO 52, which has made these answers and the draft answers from Transport no longer privileged. Minister, you'd be fully aware of the process and these answers. Why have you changed your answers to questions on notice to me around the regional seniors travel card, specifically the answers in paragraphs (3), (7) and (8)?

**Ms JENNY AITCHISON:** Can you just table those for me, please, so I can have a look at them?

**The Hon. SAM FARRAWAY:** I think I've already tabled that. Minister, can a regional senior purchase a bottle of Fanta, cigarettes or a packet of lollies using the regional seniors travel card? Your answer to me initially is yes. In the documents that no longer have a claim of privilege over them, the suggested response from Transport for NSW is:

The Regional Seniors Travel Card can be used for travel-related purchases. It has been restricted for use at retailers based on their merchant category code. Merchant category codes are used to classify businesses by the types of goods and services they provide. If those retailers sell additional non-transport related goods, it is possible for scheme participants to add additional items to their transactions, however this is against the intent of the scheme and the scheme rules.

What data has Transport for NSW supplied you on how many packets of cigarettes, bottles of Fanta and lollies have been purchased using the regional seniors travel card?

**Ms JENNY AITCHISON:** That's the whole point, Mr Farraway. You implemented a scheme that could not actually protect against fraud or misuse of the card and there could be no data of what could happen. When we came to government inheriting \$187 billion of debt, the largest debt ever handed from one government to another we made a decision to look at—

**The Hon. SAM FARRAWAY:** Minister, to redirect the question, I really want to hone in—what data do you have, Minister, to support the concern that how many packets of cigarettes, bottles of Fanta and lollies have been purchased with the card? I'm interested to know. Any fraud with taxpayers' money shouldn't be

**UNCORRECTED**

tolerated, but surely you have supporting data, documentation and briefs to suggest how much the card was being rorted.

**Ms JENNY AITCHISON:** The whole point of the approach from the Government has been that if you cannot control for fraud, if you cannot get specific data but there is the potential for fraud, you should ensure—

**The Hon. SAM FARRAWAY:** Does Transport for NSW have specific data—

**Ms JENNY AITCHISON:** Sorry, you're redirecting now? Or is this a new question?

**The Hon. SAM FARRAWAY:** Yes, I am redirecting, Minister. Does—

**Ms JENNY AITCHISON:** So you don't want to hear that answer to that one? Okay.

**The Hon. SAM FARRAWAY:** Does your ministerial office or Transport for NSW have specific data to support that concern?

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

**The Hon. NATALIE WARD:** There's 10 seconds left. You don't need to run cover.

**The CHAIR:** A point of order has been taken. I do need to hear it.

**The Hon. ANTHONY D'ADAM:** There is an issue here that the member asking the question is repeatedly using the notion of redirection to prevent the Minister from actually providing an answer to the questions that they have asked.

**The Hon. NATALIE WARD:** That is rich, coming from you. You set the standard when you were in opposition.

**The Hon. ANTHONY D'ADAM:** The Minister has to be afforded an opportunity to answer the questions that are asked. Saying "I'm redirecting the question" is not—the question has been asked.

**The Hon. NATALIE WARD:** That's eight points of order between you.

**The Hon. ANTHONY D'ADAM:** The Minister must be afforded an opportunity to answer.

**The CHAIR:** Thank you, Mr D'Adam. I have been trying to ensure there is some time for the Minister to answer a question. We'll see how it goes at the beginning of the next round. But I remind the member to ensure that the Minister does have enough time to answer the questions; I think multiple times he has been skating very close to that. I will start questions from the crossbench. Minister, when will cyclists in New South Wales be able to use country trains without having to box up their bicycle?

**Ms JENNY AITCHISON:** I'm so glad you've asked this question. It's been a real bugbear for us. When we were in opposition it was something that I was very concerned about. When looking at the take-up of electric bikes and all those sorts of things and the frustration that's been put to us, that is something that we are working on. Obviously, with the regional rail fleet and the delays there, that's been slower to roll out than we would have liked but we are coming to it as fast as we can. I can get the department to give you probably more detail on that. But that was a concern that I raised when I was in opposition, and I appreciate your raising it because it is really important. We want to have people being able to use multimodal transport.

**JOSH MURRAY:** If I could just address that as well, obviously with the regional rail program we've taken a number of soundings from communities concerned about the accessibility for bicycle travel, in particular having their bicycles with them. I may ask our NSW TrainLink team to help respond to this question. Certainly we are factoring in a number of different ways to be able to move bicycles, both boxed up but also in the passenger cabins, as those new rolling stock come on line.

**The CHAIR:** The question was when will people be able to—so we're talking roll on, roll off like you can do in Victoria and multiple other jurisdictions. You're saying that people won't be able to do that, at the very earliest, until the new trains come on board? Even then, is there a guarantee that people will be able to roll their bikes onto those trains?

**JOSH MURRAY:** There will be a mix of solutions. I might ask Dale to join us at the table and provide some more information.

**DALE MERRICK:** Thank you, Secretary, and thank you for the question. What I'd say at the outset is the safety of our passengers is paramount. The way in which bikes are transported across the regional network now on our trains is a reflection of the way the trains are constructed. The safety of our staff and our passengers is achieved by ensuring that the bikes today are boxed and made safe—stowed safe—on the train.

---

**UNCORRECTED**

---

As the secretary said, we're looking at—through the design of the new regional fleet but also with the existing fleet—opportunities to maximise more bikes. We are, and we have, consulted with a number of the bike user groups in the State, with our unions and with our employees around how we can provide potential opportunities, with the current fleet, to have either a roll-on or additional storage function. We're looking to start those trials early next year on the current fleet. But, as I said, the safety of our staff and our passengers is paramount. Having a bike not stowed safely is something we obviously can't entertain. But what I can say absolutely is that we're looking for every opportunity with the current fleet, and in the design of the new regional fleet, to have additional bike options.

**The CHAIR:** Is there research that suggests that roll-on bikes are particularly dangerous and harming passengers? Is that the delay? Has that happened in other jurisdictions? It sounds like that's the main concern.

**DALE MERRICK:** Thanks again for the follow-up question. I'm not referring to any research per se, but what I'd say is the way in which we transport bikes today is similar to many of our peer operators across the State. Some have different procedures that support the transportation of bikes. Ours is similar to most aviation at the moment. Like I said, today is a reflection of the current rolling stock. Obviously the age of the rolling stock currently and the way it's configured means that bikes today need to be boxed for the safety of everyone. But again, I'm not pointing to any research in that sense.

**The CHAIR:** Minister, taking a bike on a train is very different to taking a bike on a plane, isn't it? We just heard the current approach in New South Wales is similar to the approach in aviation; that was in response to my question as to whether roll-on bikes are particularly dangerous or have hurt passengers. I'm not sure that's particularly satisfactory. Your view, in terms of roll-on bikes—surely it's a reasonably simple premise, isn't it? You said you supported it in opposition. All we're hearing now is a couple of trials next year for roll-on bikes. It sounds like the momentum within government to make it happen so that regional trains can accept roll-on bikes has slowed or isn't quite there. Have we got some kind of deadline for this to happen?

**Ms JENNY AITCHISON:** Given that we're still waiting for the regional trains to come—and we have to do that work around safety. We have to be evidence informed. The momentum is there. The passion is there to do it. I talk to the cycling groups all the time. If there's suggestions that you've got—

**The CHAIR:** Multiple other jurisdictions are doing it—Victoria, for example, and other jurisdictions across the world. Again, I'm just not sure where that safety issue has come from. It sounds like a delaying tactic. Where is the delay within the department on this? Why the hesitation?

**Ms JENNY AITCHISON:** I think if you're looking for that, it probably has to go back to the department. Certainly from my perspective, it is something that I have raised a number of times with the department.

**The CHAIR:** Something you've raised that you wish to see happen on existing trains as well? I understand there are options of, say, removing a seat, for example, to have a bike storage area. There are multiple ways to do this. The will has to be there. You provide that will, don't you?

**Ms JENNY AITCHISON:** Yes, that's right. We are looking at safety implications for passengers, for the cyclists themselves and just to make sure that we have got everything in alignment. There are different things that can happen—

**The CHAIR:** When is the expectation that those new trains are going to be rolled out in the regions?

**Ms JENNY AITCHISON:** We're working hard on that. Minister Haylen is the Minister responsible for the procurement of them, so I think it would be best for her to give that specific answer to your question. But I can get the department to give you a bit more clarity, if you'd like.

**JOSH MURRAY:** In terms of time frames, we're looking at a solution that will enable us to put the bikes in the carriage and also be secured for those longer trips. That's really the question. There's not a delaying tactic. This is about making sure we have the right practical solution for longer trips.

**The CHAIR:** So those trials—so next year?

**JOSH MURRAY:** I'm advised they will be early next year—an engineered solution that would enable us to stow the bikes carefully.

**The CHAIR:** In an extensive trial across the network?

**JOSH MURRAY:** It will be in the existing rolling stock that we're looking to have that solution.

**The CHAIR:** In the time I have remaining, I will ask about the patronage figures for intercity rail travel. I note that there has been a decline since pre-COVID levels and it hasn't rebounded even like city travel has. What is the Government doing about trying to increase patronage on regional rail services? Do you have targets to



**UNCORRECTED**

increase that patronage over the next however many years? What are your targets and how are you increasing patronage?

**Ms JENNY AITCHISON:** Can I clarify, are you asking about the intercity fleet particularly or the regional fleet?

**The CHAIR:** Sydney, Wollongong, Blue Mountains.

**Ms JENNY AITCHISON:** So the intercity fleet?

**The CHAIR:** Yes.

**Ms JENNY AITCHISON:** Just to be clear—because I know it is important to be clear—Minister Haylen has responsibility for that fleet. I think that's appropriate, given what we saw last year with the shutdown of the rail under the former Government. That was one that was impacted by that. She as Minister has undertaken a really quite strong initiative, a well-funded rail repair plan on the city services. Obviously that is relevant. The department can probably give you far more detail on this because that's within their purview rather than mine.

**The CHAIR:** What about beyond that then, in terms of regional rail? What about patronage figures and setting targets to increase patronage?

**Ms JENNY AITCHISON:** This comes back to the regional strategic integrated transport plan.

**The CHAIR:** Which is integrated. I'm asking specifically about rail.

**Ms JENNY AITCHISON:** Yes. So that is getting to the nub of why people are choosing to—or not to—go onto rail, and then to your previous question before about new services et cetera: Are they meeting the needs, are they fit for the future in terms of the task that's required for people who are now living in the regions? So part of that planning has to be about looking at where we are now. Dale's probably got the stats that he can talk to more specifically on it. But I think the whole approach is to get an understanding of how the movements have changed. If you look at somewhere like Lismore, for example, post floods, the population is moving; COVID, the population is moving. Why are they—or not—taking up rail at the same level? Has there been a general reluctance, post COVID, to use—

**The CHAIR:** It's because the rail services were scrapped. There is no rail.

**Ms JENNY AITCHISON:** Well, we're looking at a whole number of aspects here. It is a whole approach to transport and getting the most appropriate forms of transport that community will use and engage with. That's what we're committed to.

**The CHAIR:** Thank you. My question time has expired. We'll go to Mr Mark Banasiak.

**The Hon. MARK BANASIAK:** I might just pick up where I left, talking about roads being built in our regions in adherence to certain guidelines. Minister, how much money has the State Government committed to the Country Road roundabout that was completed just recently?

**Ms JENNY AITCHISON:** Sorry? The Country Road roundabout?

**The Hon. MARK BANASIAK:** The Country Road roundabout in Tamworth. It's just on the outskirts.

**Ms JENNY AITCHISON:** Rangari Road? No, the other one.

**The Hon. MARK BANASIAK:** The big roundabout outside of the airport.

**Ms JENNY AITCHISON:** Yes, Goonoo Goonoo. Sorry, you just said "country roundabout" first so it took me a while to get up there.

**The Hon. MARK BANASIAK:** It's colloquially termed as the Country Road roundabout, but it's off Oxley Highway and Country Road intersection.

**Ms JENNY AITCHISON:** I don't have the exact figure on that, but I'm sure someone can help me with that.

**MATT FULLER:** We would have to take that on notice, Mr Banasiak, and check on the grant that was provided.

**The Hon. MARK BANASIAK:** Yes. It was originally stated \$4,056,700, but in March this year the council said that they had incurred an additional cost of \$2.4 million. I'm wondering whether they have sought to recoup some of the additional funds through the State Government at all.

**MATT FULLER:** I'd have to take that on notice. I don't have that detail on hand.

**UNCORRECTED**

**The Hon. MARK BANASIAK:** Okay. Do you have to hand as to who designed this roundabout? I note that council built it, but was it Transport for NSW or the council that designed it?

**MATT FULLER:** I'd be happy to take some further information on that and come back in the afternoon session, if that's available. If it is a council-owned asset and a council project—

**The Hon. MARK BANASIAK:** It's on a State-owned road, but they were the ones that built it. I'm just wondering who actually did the design of the work.

**MATT FULLER:** We can take that on notice and see if we've got that detail to hand.

**The Hon. MARK BANASIAK:** Okay. While you're taking that on notice, can you take on notice as to why, when it was designed, no consideration was given to the Austroads guidelines part 4B where it states, "Don't do dual-lane, five-leg roundabouts, because they increase the risk of confusion and accidents"?

**MATT FULLER:** We can take that on notice. It's probably fair to also say, in relation to standards, that they're generally guides. We use those to guide design and elements more broadly. There are logically nuanced decisions taken in different environments at different stages. But on that particular roundabout, we will be happy to take that on notice.

**The Hon. MARK BANASIAK:** I want to understand why we go outside those guides or why we make nuanced decisions when those guides are pretty clear when they say, "Don't do it; it increases the risk." Why would you do something that increases the risk? I note this is not the only five-leg, dual-lane roundabout that we're having problems with at the moment. The Oak Flats interchange has been a festering sore ever since it was built. That is also a dual-lane, five-leg roundabout. We're grappling with how we fix that mess. I'm trying to understand why we go down the route of building things that are outside the guidelines, that are outside the recommendations, when those guides are telling us, "Don't do it, because it increases safety risks."

**MATT FULLER:** I note your question. I guess there can be a range of reasons why we might seek to challenge standards for innovative solutions. There are environmental considerations. There are a range of things that come into play when we assess standards as a guide. But on those two roundabouts—five-leg, dual-lane—we'll take that on notice and see if we've got some information for you.

**The Hon. MARK BANASIAK:** With this specific roundabout, can you take on notice as to whose suggestion it was to place it in the location that it was put in? I think that has a lot to do with the cost blowout. It was essentially placed in a creek. Then you wondered why you kept having to dig it up and rebuild it because it kept getting washed away. That might be a contributing factor to the cost blowout. I'm just wondering who was making that decision to place it in a creek. It seems pretty silly.

**MATT FULLER:** Sure. I'm happy to take that on notice.

**The Hon. MARK BANASIAK:** If we're looking at not only safety but also value for money, in terms of taxpayers' dollars—and that's a big concern of mine that we're building roads that are getting washed away or not being built to a standard—how is that value for taxpayer money?

**Ms JENNY AITCHISON:** That is really part of our approach to having these regional strategic integrated transport plans. It's also been the Federal/State reviews into these projects, which are really about: Are they meeting the need of the whole State or was this just a passion project for a member of Parliament that gets supported by a Minister and then gets delivered?

**The Hon. MARK BANASIAK:** My concern is we're throwing all this money out, and all it does is send the council spray patcher around and the road is buggered again in six months' time.

**Ms JENNY AITCHISON:** Yes, and that's why I want to do things better.

**The Hon. MARK BANASIAK:** With your permission, Minister, I might call up Anthony Hayes. He answered some questions at the last estimates on Wee Waa High School. I wanted to see if I can get an update on that.

**ANTHONY HAYES:** On which one, sorry?

**The Hon. MARK BANASIAK:** It was the Wee Waa High School, the new school that was being built out there. There were some concerns over, more specifically, the transport element of it in terms of the road, the crossing and the kiss and drop section being put in. I know your department objected to the original proposal of a crossing across the Kamilaroi Highway, understandably. You put forward some other suggestions where you would have a drop-off zone installed on a more local road, George Street. I'm just wondering whether you had any progress as to progressing?

**UNCORRECTED**

**ANTHONY HAYES:** I'm sorry to say I'd have to take that on notice. I don't have anything top of mind immediately, but I can come back to you quickly with an update. My apologies.

**The Hon. MARK BANASIAK:** That would be good. While you're chasing that update, maybe whether you have an update on a time line for work. I believe the school build, as it stands, is delayed in its building. I'm just wondering how far that's pushed back your side of things. I imagine the kiss and drop and the road stuff would come after the physical build of the school.

**ANTHONY HAYES:** Happy to take that on notice.

**The Hon. SAM FARRAWAY:** Minister, with regard to the New South Wales electoral disclosure that I tabled earlier, can you confirm if you've held any discussions at all, or you or your office, with any of those bus companies that have benefitted from the new bus services announced by Transport for NSW and the New South Wales Government?

**Ms JENNY AITCHISON:** Ever? Yes.

**The Hon. SAM FARRAWAY:** As the Minister for Regional Transport and Roads?

**Ms JENNY AITCHISON:** Can you just repeat the question because I just want to get it very clear.

**The Hon. SAM FARRAWAY:** Have you ever held any discussions with any of those bus operators that attended your fundraising dinner that I tabled earlier with you today? Have you, as the Minister—a Minister of the Crown—ever held any discussions regarding bus routes, alterations with regard to the contracts and change of services that we have spoken about today?

**Ms JENNY AITCHISON:** I would not be able to give you the detail of anything like that. We have not talked about contracts. That has not been anything that we have discussed. They have raised with me in opposition—and it's something that I was very clear in discussing from a perspective of the community—about the slowness of the bus service alteration request that had gone from three weeks to two years under your reign.

**The Hon. SAM FARRAWAY:** I would like to redirect because you have made it very clear that you haven't spoken about the contracts. Have you had any discussions with any bus operators, as the Minister for Regional Transport and Roads, about proposed changes to services—

**Ms JENNY AITCHISON:** No.

**The Hon. SAM FARRAWAY:** —or about bus services in any regional city or any regional area within your portfolio?

**Ms JENNY AITCHISON:** Not in relation to them asking me, "Are you going to change this or can you change this?" No, absolutely not.

**The Hon. SAM FARRAWAY:** Minister, I think you said earlier in a previous answer that you do not look after freight as part of your portfolio responsibilities.

**Ms JENNY AITCHISON:** I'm not the lead Minister on that, correct.

**The Hon. SAM FARRAWAY:** Are you the lead Minister on heavy vehicle policy?

**Ms JENNY AITCHISON:** No.

**The Hon. SAM FARRAWAY:** You have made clear that there is a conflict of interest due to your previous working career in the bus industry. So no decisions on bus policy are actually signed off by you. That's clear from your evidence today.

**The Hon. Dr SARAH KAINE:** Point of order: I don't think it's been established that there is a conflict of interest. I think what's been established is that the Minister has declared where there potentially might be and has recused herself from any decision-making.

**The Hon. SAM FARRAWAY:** Perceived.

**The Hon. Dr SARAH KAINE:** You didn't say that, with respect.

**The CHAIR:** There is no point of order. Continue.

**Ms JENNY AITCHISON:** I want to talk to the perception here. I was pretty excited before the break when my husband apparently had taken out a loan through his company for \$800,000 because I was wondering "Was Christmas going to be pretty good this year?" But I have gone back to him and he said, "Well, Mr Farraway did not spoil any surprises", because he checked with his accountant and he could not have taken out a loan in that company because it was not trading at that time.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Thank you for that follow-up answer.

**Ms JENNY AITCHISON:** There's lots of questions that you're asking that I don't know where your basis of fact is.

**The Hon. SAM FARRAWAY:** We have maintained that you do not look after freight. We have maintained that you do not look after heavy vehicle policy. To ensure there is no perceived conflict of interest, you do not look after bus policy.

**Ms JENNY AITCHISON:** Bus contracts.

**The Hon. SAM FARRAWAY:** You are not looking after the purchasing and arrangements for any new train fleets. That was in a previous answer, I think. Was that correct?

**Ms JENNY AITCHISON:** I think where you're going with this—

**The Hon. SAM FARRAWAY:** No, I just want an answer.

**Ms JENNY AITCHISON:** I want to be very clear on it—that I am not the lead Minister for those particular items. With the exception of my disclosures, I have a very strong input into the freight industry and I met with the NHVR just last week.

**The Hon. SAM FARRAWAY:** So you input; you're just not the lead Minister. Thank you for that clarification. With regional rail, who is the lead Minister for regional rail policy, whether it's freight, whether it's our new passenger services or the new fleet? Is that Minister Haylen?

**Ms JENNY AITCHISON:** Minister Haylen is responsible for procurement of the fleet and that is within her purview. Myself and John Graham, we have a very collaborative relationship and we talk about those sorts of issues as they impact on various parts of our portfolios. So, yes.

**The Hon. NATALIE WARD:** Is that correct, though? Sorry, can I just clarify that, just to be clear for the Committee? Is Minister Haylen responsible for procurement or is that Minister Houssos?

**Ms JENNY AITCHISON:** She is responsible for the procurement of the regional rail fleet—

**The Hon. NATALIE WARD:** Just regional rail?

**Ms JENNY AITCHISON:** —and the NIF. That's what I said.

**The Hon. NATALIE WARD:** You are clear about that.

**The Hon. SAM FARRAWAY:** Minister, are you aware of a project to build a film studio in Coffs Harbour?

**Ms JENNY AITCHISON:** Yes.

**The Hon. SAM FARRAWAY:** Do you support that project and would you love to see it go ahead?

**Ms JENNY AITCHISON:** As a citizen of New South Wales, of course. It's great.

**The Hon. SAM FARRAWAY:** With regard to the Coffs Harbour bypass project, is your agency preparing a new noise assessment on the variation to the project since the EIS was signed off?

**Ms JENNY AITCHISON:** I would have to get exact information on that. I've met with those proponents and I've had discussions with the department about it, but I would want to give you the exact update of where we're up to. Mr Fuller?

**The Hon. SAM FARRAWAY:** I will come back. I have Mr Fuller all afternoon and I think we have some additional representatives coming. Do you support the noise wall, Minister, being included as part of the Coffs Harbour bypass project?

**Ms JENNY AITCHISON:** Across all of the portfolio, I support an evidence-based approach to the spending of taxpayer funds on any kind of mitigation that is required as a result of projects.

**The Hon. SAM FARRAWAY:** Specifically, with the Coffs Harbour bypass project? We've already space-proofed and allowed for the possible future build of a noise wall. The community and the council support this. As the Minister for Regional Transport and Roads building and overseeing a \$2.2 billion project in regional New South Wales, do you support a \$10 million addition to include a noise wall as part of that project to allow Coffs Harbour's largest legacy-built infrastructure project to coexist with a new film studio?

**Ms JENNY AITCHISON:** I have had discussions with the proponents. I think, really, you should get to detail of where we're up to at the moment in those discussions because I don't want to foreshadow any of those

---

**UNCORRECTED**

---

decision-making processes. I believe the last time I spoke to them they hadn't submitted the paperwork, but I stand corrected if that's to be corrected.

**The Hon. SAM FARRAWAY:** When do you envisage a decision could be made on this?

**Ms JENNY AITCHISON:** When we have an application, I think, is usually the process.

**The Hon. SAM FARRAWAY:** Again, on principle, would you like to see this noise wall included as part of the Coffs Harbour bypass project?

**Ms JENNY AITCHISON:** As I said to you, Mr Farraway, I really think that it is important when we are dealing with vast sums of money—and \$10 million may not be a lot to you but it is to the New South Wales taxpayers—we need to make sure that we are doing our due diligence and looking at the evidence base. I understand there might have been some variations in the traffic from the site, which may also be impactful, but the bottom line is we need an evidence base before we go out spending money.

**The Hon. SAM FARRAWAY:** The member for Coffs Harbour made an election commitment in the last State election of a \$10 million commitment to support the development of the film studio and to support Transport for NSW with \$10 million to build the sound wall. Would you support that for the people of Coffs Harbour—for that \$10 million to be included as part of the Coffs Harbour bypass project?

**Ms JENNY AITCHISON:** There were numerous election commitments made by your Government. I can't remember the exact number—maybe \$27 billion worth of unfunded commitments, or a huge number in any case. Are we going to support every single one of those commitments made by the former Government without looking at evidence? No. We look at the evidence and we actually work out what is required and where we go.

**The Hon. SAM FARRAWAY:** Thank you for the answer, Minister. I appreciate it. Moving on to the Great Western Highway. Have you had discussions with Federal Minister Catherine King about 80-20 funding arrangements for the future build of regional road projects?

**Ms JENNY AITCHISON:** Yes, I have.

**The Hon. SAM FARRAWAY:** Do you support the 80-20 funding model to support regional road funding projects?

**Ms JENNY AITCHISON:** Of course we do, because it's great if you can get 80 per cent from the Feds. Do they support it? Not in all cases. I'm not sure.

**The Hon. SAM FARRAWAY:** Have you made a case and a submission to Minister King that all future regional road projects should be at the 80-20 funding model as per the previous Federal Government's?

**Ms JENNY AITCHISON:** We have been having ongoing discussions with the Federal Government as Ministers in New South Wales about what our preferred model is going forward. At the appropriate time, those discussions will arise in an outcome.

**The Hon. SAM FARRAWAY:** How many times have you met with Minister King?

**Ms JENNY AITCHISON:** I have spoken to her on the phone a couple of times and I have met with her at a site.

**The Hon. SAM FARRAWAY:** How many discussions have you had with Minister King regarding the Great Western Highway?

**Ms JENNY AITCHISON:** We've had one fairly detailed one. I know my office and I know Transport more generally has been talking to her agencies and Transport. As I said, it's a velcro relationship. It's not just about the Ministers having a conversation, it's also ensuring that the public service and officers are in constant conversation.

**The Hon. SAM FARRAWAY:** Has Minister King expressed a view or opinion to you that the Federal Labor Government no longer support an 80-20 funding structure for regional road projects?

**Ms JENNY AITCHISON:** I believe that it's probably not my role to give Minister King's views on those to this Committee. If the Committee wants to know, I think it is better for her to have a conversation with you.

**The Hon. SAM FARRAWAY:** So Minister King has obviously expressed a view to you?

**Ms JENNY AITCHISON:** No, that's not obvious, Mr Farraway. I am saying I'm not going to speak for Minister King. It's a very important relationship for New South Wales to have a good relationship with the Minister for Infrastructure in the Federal sphere, and we are working to improve that relationship, as we are across all

**UNCORRECTED**

Federal agencies. I will not put words in her mouth, and I suggest if you have a question you should direct it to her.

**The Hon. SAM FARRAWAY:** Thank you, Minister. With regard to the proposed long tunnel under Mount Victoria and Medlow Bath, do you support the concept and design of an 11-kilometre-long tunnel?

**Ms JENNY AITCHISON:** This is something that your Government talked about for many years. You were in Government for 12 years—not delivered. I remember in fact when we were in opposition, you yourself had concerns that with a pause on it from the Federal Government, you wouldn't be able to go forward with that project yourselves. We are obviously looking at what we're doing. We're spending an enormous amount of money. We're spending \$316.8 million on Medlow Bath and Coxs River.

**The Hon. SAM FARRAWAY:** To redirect, let's specifically talk about the design and proposal of an 11-kilometre-long tunnel. Do you support an 11-kilometre-long tunnel or two short tunnels and, more broadly, do you support a tunnel underneath, bypassing the communities of Blackheath and Mount Victoria?

**Ms JENNY AITCHISON:** This goes to the issues that we have been talking about earlier, and in fact all through this hearing, and which I have been talking about as the Minister and the former shadow Minister, that we need strategic regional integrated transport plans. I understand the Federal Government has asked us to prepare a corridor assessment. If we go back and look at 1998, National Party members have been talking about Bells Line, then you wanted a four-lane highway, then you wanted a tunnel.

**The Hon. SAM FARRAWAY:** Minister, I have given a bit of latitude. I really want to redirect and focus on the concept and design of a tunnel. Do you support the proposed design of the 11-kilometre-long tunnel, bypassing the communities of Mount Victoria and Blackheath?

**Ms JENNY AITCHISON:** Mr Farraway, you have even put together an SO52 on the fact that you don't like me to give you one-word answers. I'm trying to give you the context you're asking for and, in that space, I am saying to you that it has been a policy of your Government and your parties to do something for probably nigh on over 20 years now. There have been a variety of options there.

**The Hon. SAM FARRAWAY:** I am going to redirect—

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

**Ms JENNY AITCHISON:** I am looking at the evidence that is before us, and making sure that we have a proper corridor assessment and that we have a project which is achievable. I mean, your own Infrastructure NSW, Infrastructure Australia put this at risk—

**The Hon. SAM FARRAWAY:** Minister, to take that part of your answer about the corridor, I think you may have recently said to media in Bathurst that you would like to review the corridor. Is that something you and your office have instructed Transport for NSW to do, to review the Great Western Highway corridor?

**Ms JENNY AITCHISON:** Did you hear my last comment? Are you listening to the answers here? I just said that the Federal Government had asked us to do a corridor assessment, and that is an appropriate way to look at it. We are doing strategic regional integrated transport plans across the State. We are trying to connect communities, not just sit there and advocate for our election prospects in Orange.

**The Hon. SAM FARRAWAY:** Minister, with regard to the corridor, have you received the results of the submissions from the EIS on the proposed tunnel, where those submissions closed prior to the State election?

**Ms JENNY AITCHISON:** I understand they have been received by Transport for NSW.

**The Hon. SAM FARRAWAY:** Have you reviewed them?

**Ms JENNY AITCHISON:** No, not personally at this stage.

**The Hon. SAM FARRAWAY:** Do you know what the overall view or opinion of those submissions was?

**Ms JENNY AITCHISON:** I am working on going forward with a project which you had no funding for and you had no firm budget for, and which you failed to deliver in 12 years in government. We are looking at how we're going to clean the mess.

**The Hon. SAM FARRAWAY:** Is it correct to say, as per the budget papers, that \$1.1 billion that was quarantined and put aside for the future build and development of the tunnel under the mountains was redirected to Western Sydney roads?

**Ms JENNY AITCHISON:** That's not correct.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** That's not what the budget papers say, Minister.

**Ms JENNY AITCHISON:** That is not correct, because we were very clear that the \$334 million for the regional roads fund went to the regions, and then we did have money on the \$319 million. I'm not sure where that one—

**The Hon. SAM FARRAWAY:** Misleading estimates.

**Ms JENNY AITCHISON:** Sorry? No.

**The Hon. NATALIE WARD:** Can I jump in here? I have four minutes. Can I go back to road safety and give you the opportunity to be clear about your evidence to the Committee?

**Ms JENNY AITCHISON:** Just before you start, I would like to clear that up, because the former Minister, Mr Farraway, has made a very serious allegation about me misleading—

**The Hon. NATALIE WARD:** Sorry, I've got four minutes.

**Ms JENNY AITCHISON:** He's made a very serious allegation about me misleading estimates.

**The Hon. NATALIE WARD:** I have four minutes.

**Ms JENNY AITCHISON:** I'm sorry he's taken your time with it, but I will correct the record. He said that \$1.1 billion has all gone to Western Sydney. It has not and that is not correct.

**The Hon. SAM FARRAWAY:** Thank you, Minister. We will resume the questioning.

**The Hon. NATALIE WARD:** Thank you, Minister. In the three minutes I now have left, can I go back to road safety? I have tabled a media release setting out some figures for you. Can I start by saying this: I think you have complete bipartisan support when it comes to road safety, so let's make that the starting point and be very clear about that. I thank Ms Webb, Mr Carlon and all the teams who work on road safety in Transport. They do a great job. So we agree on that. Can I ask you what the road toll is today?

**Ms JENNY AITCHISON:** It is 298.

**The Hon. NATALIE WARD:** Thank you. The road safety budget is down year on year in the allocation of your Government's budget. That's correct, isn't it?

**Ms JENNY AITCHISON:** That's not my understanding. I think probably I can—

**The Hon. NATALIE WARD:** I'll take you to the budget papers. In the last financial year, 2022-23, it was \$421.521 million.

**Ms JENNY AITCHISON:** Which papers did you want me to look at, sorry?

**The Hon. NATALIE WARD:** Our budget paper. Now in your budget paper, the equivalent allocation for road safety, under Transport for NSW, is 280,294. That is down \$141 million, is it not?

**Ms JENNY AITCHISON:** You're not looking at the whole lot.

**The Hon. NATALIE WARD:** The allocation—

**Ms JENNY AITCHISON:** I'm going to direct this to—

**The Hon. NATALIE WARD:** It is summarised in this document, which is tabled, but in the budget papers for the previous year, it is printed 421,521. In the same line item for road safety in your budget for this year—280,294. I'm a lawyer and I'm not great with numbers, but on my numbers that is down over \$141 million.

**Ms JENNY AITCHISON:** Ms Ward, I'd be very—

**The Hon. NATALIE WARD:** I want to give you the chance to correct that evidence to the Committee.

**Ms JENNY AITCHISON:** Ms Ward, I would be very—

**The Hon. NATALIE WARD:** That line item is reduced.

**The Hon. Dr SARAH KAINE:** Point of order—

**The Hon. SAM FARRAWAY:** I'll hear the point of order.

**Ms JENNY AITCHISON:** Ms Ward, I would just give you the heads up that your colleagues in the lower House in the National Party have already made this fatal mistake in reading the budget papers—

**The Hon. NATALIE WARD:** I think "fatal" is not a great choice of words.

**UNCORRECTED**

**Ms JENNY AITCHISON:** —of only looking at the capital expenditure on these funds.

**The Hon. NATALIE WARD:** Sure. Can I redirect?

**Ms JENNY AITCHISON:** There is also operational expenditure, because some of those funds are for grants and other items. I'm happy to get Bernard to talk to this more briefly as the Centre for Road Safety.

**The Hon. NATALIE WARD:** I'll deal with that in the afternoon. My question to you is about your earlier comment that funding is up. It is not, because the line items for road safety are 421 in our year and 280 in your year. That is a line item that has clearly been reduced by 141 million. That's correct, isn't it?

**Ms JENNY AITCHISON:** Ms Ward, you're talking about one aspect of the funding—

**The Hon. NATALIE WARD:** Yes, road safety.

**Ms JENNY AITCHISON:** —which is capital expenditure. You're not talking about the operational expenditure as well.

**The Hon. NATALIE WARD:** You can fudge it with other words, but there are two very clear line items—

**Ms JENNY AITCHISON:** It's not fudging it.

**The Hon. NATALIE WARD:** —and the numbers are very clearly down.

**Ms JENNY AITCHISON:** It is concerning that a former Minister of the Crown can't read the budget papers—

**The Hon. NATALIE WARD:** Well, there's no need to be rude.

**Ms JENNY AITCHISON:** —but there are capital expenditure items and there are operational expenditure items.

**The Hon. NATALIE WARD:** There is no need to be rude.

**The Hon. Dr SARAH KAINE:** Point of order—

**Ms JENNY AITCHISON:** It's not being rude, because you're saying that I've misled—

**The Hon. SAM FARRAWAY:** I'll hear the point of order.

**The Hon. Dr SARAH KAINE:** I draw the Committee's attention, as has my colleague several times this morning, to the resolution in paragraph 19 about how we treat witnesses. Currently there has been badgering.

**The Hon. NATALIE WARD:** The Minister was just extremely rude to me.

**The Hon. Dr SARAH KAINE:** Intervening and interjecting, even on points of order, is unhelpful. I ask that the Minister be allowed to answer questions before being further badgered.

**The Hon. SAM FARRAWAY:** Thank you, Ms Kaine. I'm not going to uphold the point of order.

**The Hon. Dr SARAH KAINE:** That's Dr Kaine to you, Mr Faraway.

**The Hon. SAM FARRAWAY:** I say to Ms Ward and the Minister, let's get a couple more questions in and keep it simple.

**The Hon. NATALIE WARD:** There's no need to be rude. I'm just asking you to compare the two—

**Ms JENNY AITCHISON:** I was trying to give you the answer earlier. I clearly articulated—

**The Hon. NATALIE WARD:** The numbers are down.

**Ms JENNY AITCHISON:** —that there was a difference between the total figure—

**The Hon. NATALIE WARD:** Yes, \$141 million.

**Ms JENNY AITCHISON:** —and the operational and capital expenditure. I gave you that opportunity to get the answer and you keep making the same incorrect claim—repeatedly.

**The Hon. NATALIE WARD:** You said it was a fatal mistake. I think that's a very poor choice of words, but it's down nonetheless, when the road toll is up. There's a 30 per cent increase in the road toll, and a 34 per cent decrease when you compare year on year the same line item. It is down.

**The Hon. ANTHONY D'ADAM:** The time for Opposition questions has been exceeded.



---

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** My time was taken up with a number of points of order. I'm just trying to finish the sentence. It's a very important thing. This is road safety and fatalities.

**The Hon. ANTHONY D'ADAM:** The bell had already gone and you hadn't asked your question. We move on to Mr Banasiak's time.

**The Hon. NATALIE WARD:** Do you have any concerns—

**The Hon. MARK BANASIAK:** To expedite, can I indicate that I don't have any further questions until things come back to me on notice, so I'm happy for the Opposition to continue.

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

**The Hon. ANTHONY D'ADAM:** No, the procedure is that if the crossbench do not take their time—

**The Hon. SAM FARRAWAY:** Do you have a point of order, Mr D'Adam?

**The Hon. ANTHONY D'ADAM:** Yes, I do.

**The Hon. SAM FARRAWAY:** I will hear the point of order.

**The Hon. ANTHONY D'ADAM:** The point of order is this: The procedure is that if the crossbench do not take their time, then we just wait.

**The Hon. NATALIE WARD:** No, that's not the case at all.

**The Hon. MARK BANASIAK:** No, that is not the procedure.

**The Hon. NATALIE WARD:** That's not the practice at all. Stop running cover.

**The Hon. SAM FARRAWAY:** No, no, that is not the process. For clarity, I'm going to defer to Mr Banasiak. As the only crossbench member in attendance at the moment whilst the Chair is attending another estimates hearing, do you have any questions?

**The Hon. MARK BANASIAK:** No, I don't until the public servants come back with their answers on notice.

**The Hon. SAM FARRAWAY:** Thank you, Mr Banasiak. There being no further crossbench questions, it will revert back to the Opposition.

**The Hon. NATALIE WARD:** Thank you, Chair. This is a very important matter, Minister. I think that we agree on that. There are two very clear line items in the budget for road safety. Do you agree that capital expenditure is down when in the previous budget it was \$421,521,000, and this year the same line item is \$280,294,000? That is, when you compare the two line items on capital expenditure, down \$141 million, when the road toll is up. Do you have concerns?

**Ms JENNY AITCHISON:** Ms Ward, I thank you for the question. I am concerned about the road toll, and I do appreciate bipartisan support from your party on this. But the reality is that the information I have is that we have a higher overall figure. In reality, whether it's in capex or opex, whether they are up or down, the overall figure is higher than it was last year. I would invite you to ask a question of Brenda this afternoon, if it would be more helpful.

**The Hon. NATALIE WARD:** Thank you. I will do that. What is helpful—

**Ms JENNY AITCHISON:** I would like to say that there has been a number of public statements made by the Coalition about errors of fact in reading the budget papers, so I would just urge you to be very clear for that—

**The Hon. NATALIE WARD:** I don't need correction, but thank you for your advice, unsolicited. What I'm concerned about is that when the road toll is up, significantly—almost 30 per cent—we have deaths on our roads up 30 per cent, and when you line up the two line items, one budget to the other, as printed documents, the allocation for road safety is down from \$421 million. Does that concern you?

**Ms JENNY AITCHISON:** As I've said, I reject the premise of your question, because my understanding is that road safety funding is up. I have expressed to this Committee very clearly my personal commitment to improving road safety, particularly in regional areas, where we know that two-thirds of deaths occur on regional roads when only one-third of the State lives in the regions. So of course I am concerned about that issue—

**The Hon. NATALIE WARD:** So will you lobby the—

**Ms JENNY AITCHISON:** —but I reject the premise that the funding is down.

---

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** So is 420 higher or lower than 280?

**Ms JENNY AITCHISON:** I would really like to get Bernard Carlon to—

**The Hon. NATALIE WARD:** I will ask Mr Carlon this afternoon; I have already acknowledged his great work. But is \$420 million higher or lower than \$280 million?

**Ms JENNY AITCHISON:** As a part of the overall package for road safety, we are spending more money than was spent by your Government.

**The Hon. NATALIE WARD:** That's just fudging it, isn't it, Minister?

**Ms JENNY AITCHISON:** No, it's not fudging it. It's the same—it's dollars.

**The Hon. NATALIE WARD:** It really is.

**Ms JENNY AITCHISON:** There is an overall bigger bucket of funding.

**The Hon. NATALIE WARD:** There are two line items. When you compare them, your allocation under your Government, when the road toll is up, you've allocated less money to road safety. How?

**Ms JENNY AITCHISON:** That is incorrect.

**The Hon. NATALIE WARD:** How are you comfortable with that?

**Ms JENNY AITCHISON:** That is incorrect.

**The Hon. NATALIE WARD:** Will you lobby the Treasurer—

**Ms JENNY AITCHISON:** That is incorrect.

**The Hon. NATALIE WARD:** Will you lobby the Treasurer to reinstate the allocation of funding for road safety?

**Ms JENNY AITCHISON:** Once again, your assumption is incorrect because it's based—

**The Hon. NATALIE WARD:** No, no. My question is: Will you lobby?

**Ms JENNY AITCHISON:** You're saying I would do that on the assumption that there has been a decrease in funding, and there hasn't. I'm being very clear with you on that.

**The Hon. NATALIE WARD:** So you disagree with your own budget figures then? They're wrong?

**Ms JENNY AITCHISON:** No, I don't. I agree with my budget figures, and I agree with the department. I would really encourage you to get—

**The Hon. NATALIE WARD:** The budget papers are wrong?

**Ms JENNY AITCHISON:** Your colleagues in the lower House tried that angle, Ms Ward, and they were actually shown very clearly to be incorrect. So—

**The Hon. NATALIE WARD:** You seem a bit miffed, Minister, that we're asking.

**Ms JENNY AITCHISON:** No, I'm not miffed.

**The Hon. NATALIE WARD:** Do you think that it's improper that we're asking?

**Ms JENNY AITCHISON:** No, I'm just perplexed that people who were former Ministers of the Crown can't read the budget papers.

**The Hon. NATALIE WARD:** Now you're insulting members of the Parliament, your colleagues, and you seem frustrated that we're asking these questions about road safety.

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

**Ms JENNY AITCHISON:** It's either they can't or they won't read it. I don't know what it is. Is it wilful ignorance or just ignorance?

**The Hon. NATALIE WARD:** We have a job to ask these questions.

**The Hon. SAM FARRAWAY:** I will hear the point of order.

**The Hon. BOB NANVA:** There has been a bit of criss-crossing of personal reflections during this line of questioning. I ask that you pull that into order, Deputy Chair.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** I would say to both the Minister and Ms Ward that we only need one person speaking at a time. I am going to ask a question, Minister. I just tabled an article from *The Daily Telegraph*. This is from 27 June 2023. It's regarding the Regional Apprentice and University Student Travel Card. Given that the journalist is not a university student or an apprentice, how did he obtain the card?

**Ms JENNY AITCHISON:** My understanding is that he was given it by Transport for NSW to test, because you had made public statements that were incorrect on the record in *Hansard* that it was not possible to undertake fraudulent behaviour with the card. So we asked—

**The Hon. SAM FARRAWAY:** To redirect—because you've just answered the question; you've just said Transport for NSW issued this card to James O'Doherty from *The Daily Telegraph*.

**Ms JENNY AITCHISON:** No, not issued to. I think that was where it came from. I would have to— someone in my office, I think, but I can't remember exactly who.

**The Hon. SAM FARRAWAY:** So did your office provide a briefing note to the journalist?

**Ms JENNY AITCHISON:** I'm not sure. We spoke to the journalist—I can't remember, to be honest.

**The Hon. SAM FARRAWAY:** Can you take that on notice for us, please?

**Ms JENNY AITCHISON:** I'm happy to take it on notice. Sorry, before you go on, I think Mr Fuller has got an answer for—

**The Hon. NATALIE WARD:** That's all right. I will do that in the afternoon.

**The Hon. SAM FARRAWAY:** We will come back—

**Ms JENNY AITCHISON:** —Mr Banasiak. I think it's his time, isn't it?

**The Hon. SAM FARRAWAY:** No, it's back to the Opposition.

**The Hon. MARK BANASIAK:** It's back to the Opposition's time.

**The Hon. SAM FARRAWAY:** But we're happy to come back—

**Ms JENNY AITCHISON:** Sorry. I just didn't want him to miss out. It's very important.

**The Hon. SAM FARRAWAY:** That's all right. If we've got some time at the end of this session, we will come back for that.

**Ms JENNY AITCHISON:** Okay. Great.

**The Hon. SAM FARRAWAY:** Did anyone in your office authorise Transport for NSW to issue the card to a journalist?

**Ms JENNY AITCHISON:** It's not something that I was directly involved in, so I couldn't tell you how that was working. But we had a claim being made by yourself, as the former Minister, that it was not possible, and the media wanted to test this for themselves.

**The Hon. SAM FARRAWAY:** Minister, just to bring you into the question, did you, as the Minister, or anyone from your ministerial office authorise the card to a journalist for use?

**Ms JENNY AITCHISON:** Are you talking about that in a legal view? I'm just not quite sure what the question you're asking is.

**The Hon. SAM FARRAWAY:** How did a journalist who is ineligible for the card get a card to use?

**Ms JENNY AITCHISON:** It was given to him.

**The Hon. SAM FARRAWAY:** By who?

**Ms JENNY AITCHISON:** I will have to take that on notice.

**The Hon. SAM FARRAWAY:** Was it by yourself or Transport for NSW?

**Ms JENNY AITCHISON:** I've never actually seen one of the cards, Mr Farraway, so it wasn't me, definitely.

**The Hon. NATALIE WARD:** Isn't that telling?

**The Hon. SAM FARRAWAY:** Who made the initial inquiry about loopholes into the cards? Was it the journalist or did you provide a briefing to the journalist?

**UNCORRECTED**

**Ms JENNY AITCHISON:** As you will recall, Mr Faraway, there was a fair amount of media comment. You had stood up, I think, in the other place and said very empathetically on the record that there was no way it could be used for this purpose. We had got the briefing, which I understand you had also had, that it could be used for purchasing items other than travel-related services. Obviously the journalist had an interest finding out who was correct and whether you had misled the House.

**The Hon. SAM FARRAWAY:** But, Minister, if you're talking about fraud, isn't issuing a card to a journalist who is not eligible to use it—because he used taxpayer funds on that card and he did not meet the guidelines and the rules of that scheme. That in itself is fraud, Minister. Do you accept that your own office and agency by default have committed fraud?

**Ms JENNY AITCHISON:** No, I don't, because it was for testing. You've asked me earlier in this hearing about the evidence that we had. You had called into question, through misleading the other place, that it couldn't be actually used for that purpose. So we did a clear one—

**The Hon. SAM FARRAWAY:** Minister, can I redirect the question about the purchases that the journalist made? You're claiming that testing is the reason why you or the agency issued the apprentice card to an ineligible person to receive it. What was purchased on that card for the testing?

**Ms JENNY AITCHISON:** I think, from the media report—actually, you've got it in here. What did he say? There's a picture—which I assume is what he has purchased—of cigarettes, a doughnut and a can of soft drink.

**The Hon. SAM FARRAWAY:** So, effectively, have you allowed taxpayers' funds to be used for a journalist to go and get some lollies, a soft drink and a packet of cigarettes?

**Ms JENNY AITCHISON:** Look, my understanding was that I would be paying that money back.

**The Hon. SAM FARRAWAY:** Have you paid that money back, Minister?

**Ms JENNY AITCHISON:** I can't tell you off the top of my head because I'm not sure whether that has gone—

**The Hon. SAM FARRAWAY:** Can you take that on notice and come back to the Committee?

**Ms JENNY AITCHISON:** Yes, I will check that. If I have not, if there has been an oversight—because it has been a pretty busy couple of months—I will definitely be paying that back. But that was always the intention.

**The Hon. SAM FARRAWAY:** Did your office or Transport for NSW instruct the journalist that any products purchased on that card needed to be returned or couldn't be consumed?

**Ms JENNY AITCHISON:** Well, the funds were going to be repaid.

**The Hon. SAM FARRAWAY:** Yes, but if they haven't been repaid, Minister, isn't that technically fraud?

**Ms JENNY AITCHISON:** The testing came around because you misled the upper House by saying that you believed it had not been—

**The Hon. NATALIE WARD:** No, you can't make that allegation.

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

**The Hon. SAM FARRAWAY:** Do you seriously have a point of order?

**The Hon. BOB NANVA:** I don't know that you should be seeking a legal opinion from a Minister in this line of questioning.

**The Hon. SAM FARRAWAY:** No, it's not upheld.

**The Hon. Dr SARAH KAINE:** That is not a surprise, is it?

**The Hon. SAM FARRAWAY:** To the point of order: This is directly relating to newspaper articles and it is directly relating to budgetary items and decisions made by this Minister in the current Government.

**The Hon. ANTHONY D'ADAM:** Point of order: My point of order is a procedural question of the Chair being in a position to rule on a point of order taken against his own question.

**The Hon. NATALIE WARD:** The Deputy Chair can hear it. You're just wasting time and you're running cover on a very important question.

**The Hon. ANTHONY D'ADAM:** I'm still speaking to the point of order.

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** It's a protection racket.

**The Hon. ANTHONY D'ADAM:** In that circumstance, the Chair should be ceded to the Deputy Chair so the Deputy Chair can make an appropriate ruling.

**The Hon. SAM FARRAWAY:** For clarity, because I don't believe I have to, I will refer it to the Deputy Chair for a ruling.

**The Hon. MARK BANASIAK:** In terms of the point of order given by Mr Nanva, I don't uphold it. I believe the Minister can navigate not giving legal opinion if she feels like she's been pressured to do so, but I don't believe she is. I think now the question is more a case of will she pay the money back or has it been paid back, and the point of whether it has been consumed or returned or whether the journalist enjoyed the doughnut—

**The Hon. SAM FARRAWAY:** And the ciggies.

**The Hon. MARK BANASIAK:** I think that is probably the question at hand at the moment.

**The Hon. BOB NANVA:** And the adverse questions around fraud or what is fraud or not fraud.

**The Hon. NATALIE WARD:** There have also been reflections made by the Minister against a member.

**The Hon. Dr SARAH KAINE:** I don't think the commentary by Ms Ward is at all helpful.

**The Hon. NATALIE WARD:** Hello, pot.

**The Hon. MARK BANASIAK:** The line of questioning has moved beyond fraud. It's now looking at whether the money has been paid back and the products consumed.

**The Hon. SAM FARRAWAY:** Minister, do you believe the journalist or your office or agency have actually, by accident, possibly broken the law?

**Ms JENNY AITCHISON:** Again, it's a legal opinion.

**The Hon. SAM FARRAWAY:** Do you believe that allowing a journalist—who is not eligible to use the card or entitled to the card—to use taxpayers' funds to buy a bottle of soft drink, some lollies and a packet of cigarettes is, in fact, fraud?

**Ms JENNY AITCHISON:** That is a question for lawyers to answer, but the reality is you made various claims that it was not possible and, as government, we made claims that it was possible. I'm informed that you were also given the same information to make that understanding.

**The Hon. NATALIE WARD:** Just for fairness, I'll ask it this way—

**The Hon. SAM FARRAWAY:** Minister, I'm going to redirect the question. With regard to the journalist who purchased those goods and products with a card he was not eligible to use, are you or your office aware that he consumed, inhaled or smoked that packet of cigarettes?

**Ms JENNY AITCHISON:** I don't know. I don't even know if James O'Doherty smokes. I don't know.

**The Hon. NATALIE WARD:** Can I ask it this way to avoid the legal opinion concerned and the concerns that have been raised by your colleagues, who are running cover: Are you concerned—

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

**The Hon. NATALIE WARD:** Oh please! Are you concerned—

**The Hon. Dr SARAH KAINE:** No, you can't say "Oh please" to get out of a point of order.

**The Hon. SAM FARRAWAY:** No, I'll hear the point of order. What is the point of order, Mr Nanva?

**The Hon. BOB NANVA:** There has been a personal reflection made of me in terms of my motivation behind these points of order, and it's not to run cover. The Minister is quite capable of standing on her own two feet.

**The Hon. NATALIE WARD:** Well, then let her answer.

**The Hon. Dr SARAH KAINE:** Ask a reasonable question and we will.

**Ms JENNY AITCHISON:** Are you the Deputy Chair now? What is happening, sorry?

**The Hon. SAM FARRAWAY:** No, I won't uphold the point of order. Please continue, Ms Ward.

---

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** In order to be clear to this Committee about your evidence, Minister, can I invite you to answer this question, which avoids the legal opinion: Are you concerned that the law has been broken by this act?

**Ms JENNY AITCHISON:** I always act with the utmost integrity. We had a process in place to check that this card and the claims were real because, obviously, when Minister Farraway was saying very publicly that it was not possible for this to happen—

**The Hon. NATALIE WARD:** Yes, we've heard that. I will redirect it this way. You have said that three times already.

**Ms JENNY AITCHISON:** I was concerned—

**The Hon. NATALIE WARD:** And so you put in place a process.

**Ms JENNY AITCHISON:** —and I wanted to make sure for myself. Let's test it, right?

**The Hon. NATALIE WARD:** You're doing that. Thank you. That's helpful.

**The Hon. Dr SARAH KAINE:** Point of order—

**Ms JENNY AITCHISON:** There was media interest in it. I didn't want to buy cigarettes.

**The Hon. NATALIE WARD:** Thank you. That's helpful.

**The Hon. SAM FARRAWAY:** I will hear the point of order.

**The Hon. Dr SARAH KAINE:** At this stage we've gone beyond asking reasonable questions to the badgering of the witness, which does not accord with the resolution about how we treat witnesses. I know there's lots that people want to get through, but I think if we could at least uphold some decorum in the process that would be appreciated.

**The Hon. NATALIE WARD:** To the point of order: Quite the contrary. I have invited the witness to be clear about her evidence to the Committee.

**The Hon. SAM FARRAWAY:** The point of order is not upheld.

**The Hon. NATALIE WARD:** Minister, in being clear about your evidence to this Committee, you said that as a result of media attention you put this process in place. Am I correct in understanding that is your evidence?

**Ms JENNY AITCHISON:** I was also concerned about the fact that the former Minister was very clearly saying that it could not be possible, so I wanted to have it checked. I think it's a very serious issue when \$390 million-odd had been allocated for this program, and if there were not robust controls over fraud that was very concerning to me.

**The Hon. NATALIE WARD:** So you put this process in place, in doing so, knowing in advance that it wasn't within the guidelines—as in, it wasn't a senior or an apprentice. Knowing that that was not within the guidelines, was there probity around this arrangement, or a written agreement around the repayment of the funds?

**Ms JENNY AITCHISON:** I'm not aware of that.

**The Hon. NATALIE WARD:** Is that a no? There was none?

**Ms JENNY AITCHISON:** I'm not aware. I will take it on notice.

**The Hon. NATALIE WARD:** No probity, no written agreement. Was there a briefing note to say, "We will put in place this process and we will ensure the money is repaid"?

**Ms JENNY AITCHISON:** Ms Ward, I can't remember exactly at that time.

**The Hon. NATALIE WARD:** Will you take that on notice?

**Ms JENNY AITCHISON:** I just said I can't remember exactly where that process was. I do know that it was discussed with the department, with the former acting secretary—what was happening.

**The Hon. NATALIE WARD:** Will you take it on notice?

**Ms JENNY AITCHISON:** There was clarity around what was happening. So yes.

**The Hon. NATALIE WARD:** So will you take it on notice to produce any advice given about this very serious matter that you had concerns about and the process you put in place to address your concerns? You won't?

**Ms JENNY AITCHISON:** If you want it, I can. But, like, it's—

---

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** Are you not concerned about probity?

**Ms JENNY AITCHISON:** I'm absolutely concerned about probity.

**The Hon. NATALIE WARD:** Are you not concerned about fraud?

**The Hon. Dr SARAH KAINE:** Concerned about what? I didn't hear that.

**The Hon. MARK BANASIAK:** Fraud, I think.

**The Hon. ANTHONY D'ADAM:** Could you just repeat that? I didn't hear that question.

**The Hon. NATALIE WARD:** I said are you not concerned about probity? Are you not concerned about fraud?

**Ms JENNY AITCHISON:** I think I have answered that question very clearly, Ms Ward.

**The Hon. NATALIE WARD:** I'll take that as a no.

**Ms JENNY AITCHISON:** I am very concerned about fraud. I'm very concerned about it. That's why we made the decision to pause new applications on that card, because the former Government had put out a \$390 million allocation of funds toward a card without putting in a robust anti-fraud aspect to it.

**The Hon. NATALIE WARD:** We've heard that four times, thank you. We've been clear about that. What we want to know is about the process.

**Ms JENNY AITCHISON:** So I think that answers the question very clearly.

**The Hon. SAM FARRAWAY:** Minister, just to follow on from that theme, why didn't your office instruct Transport for NSW to test the card? Why didn't you speak with the Deputy Secretary of ROM or whoever was the Secretary of Transport at the time to test the card? Why did you pick a journalist to test the card?

**Ms JENNY AITCHISON:** As I said before, Mr Farraway, you had repeatedly said on the record that you did not believe—despite the fact that you'd been briefed—that there was a potential for this fraud, and there was media interest in it. Having a secret look at it from the department again and a test that was not in the public domain would not have answered those questions.

**The Hon. SAM FARRAWAY:** Minister, to redirect specifically—

**Ms JENNY AITCHISON:** Because I have given you the information on the briefings—

**The Hon. SAM FARRAWAY:** I understand you wanted testing done. I will redirect the question. Minister, it is clear from your answer that you wanted testing done—I accept that. But, Minister, my question is why did you pick a journalist and not Transport for NSW to test the card.

**Ms JENNY AITCHISON:** Because you as the former Minister did not believe Transport when they told you there was potential for fraud, and you went out in the public and said that that was not the case.

**The Hon. NATALIE WARD:** No-one in the department—not a single person.

**Ms JENNY AITCHISON:** So what would get them to go and show again what you had been told as Minister and failed to take into consideration?

**The Hon. SAM FARRAWAY:** Minister, to redirect that, why did you pick *The Daily Telegraph* to test the card and no-one from Transport for NSW? Transport for NSW has 20,000-plus employees. I'm sure you could've found someone to test the card and have the probity. Why was Transport for NSW not tasked with the testing? Why did you allow a journalist to do it?

**Ms JENNY AITCHISON:** I can't remember exactly why *The Daily Telegraph* was chosen. Maybe they were the only outlet that came to us, or we came to them. I can't remember. We were asked questions by a number of outlets at that time.

**The Hon. NATALIE WARD:** To be clear: Was there a written agreement prior to that task being undertaken?

**Ms JENNY AITCHISON:** As I said, I can't tell you that off the top of my head, to be honest, because it was not done directly by myself.

**The Hon. NATALIE WARD:** Either it was written down or it wasn't.

**Ms JENNY AITCHISON:** Yes, but I don't write down every single piece of correspondence, letters or emails or whatever—agreements—that go out of my office. So, no, I don't know for sure.

**UNCORRECTED**

**The Hon. NATALIE WARD:** You've undertaken a process but there's no written agreement.

**The Hon. SAM FARRAWAY:** Minister, after today's estimates session, will you be advising the Premier that you and your office have possibly committed fraud and broken the law?

**Ms JENNY AITCHISON:** No, I won't, because I don't have a legal opinion that says that I have or that my office has done anything wrong. It's not the case. I'm not going to make a legal judgement about that.

**The Hon. SAM FARRAWAY:** Will you be advising the Premier that taxpayers' funds were used to purchase cigarettes, lollies and a bottle of Fanta at the instruction of your office?

**The Hon. NATALIE WARD:** Without a probity agreement.

**Ms JENNY AITCHISON:** This has been well canvassed in the media. As I said, I take all of these issues—of fraud, of probity and of integrity—very seriously, and I act at all times with that.

**The Hon. SAM FARRAWAY:** Does the Government have questions?

**The Hon. BOB NANVA:** Yes, thank you, Deputy Chair. Minister, I want to come to some of the matters discussed this morning, particularly with respect to bus contracts. What is your understanding of the conflict requirements under the ministerial code of conduct?

**Ms JENNY AITCHISON:** Obviously under the code you must not knowingly conceal a conflict of interest from the Premier. At all times I have been very clear in my declarations to the Parliament and to the Premier and I have not made any decisions or taken any other action in relation to a matter in which I'm aware that there are conflicts of interest. We're talking about the fact that nine years ago I was involved in a bus company. It was a private coach tour company. It had no contracts with government, particularly in terms of bus services or school buses.

**The Hon. BOB NANVA:** You are aware of the requirement with respect to whether or not a Minister's private interests could objectively have the potential to influence the performance of their public duty?

**Ms JENNY AITCHISON:** Absolutely, even to the point that—I take this very, very seriously. My husband is someone who has worked in the transport industry since before I met him. He now takes kids on school excursions to Canberra or seniors on day trips, despite his very significant skills and experience, because he doesn't want to work with any companies that have any potential conflict of interest.

**The Hon. BOB NANVA:** Is it your view that there's an actual or even perceived conflict of interest in relation to the matters from this morning?

**Ms JENNY AITCHISON:** Absolutely not. I've been very clear with the community, with the State, with the Premier, with my ministerial colleagues and with the department that I do not have any desire or wish to be involved in bus contracts, the bus industry. I've been very clear in that in any conversations I've had with them at any time. I saw, before I was elected to Parliament, some 11 people from the Coalition sent to the ICAC for corruption. I take that very, very seriously, and I will not ever resile from ensuring that I make all declarations in accordance with the ministerial code.

**The Hon. BOB NANVA:** Regardless of there even being a perceived or actual conflict, you're not even the decision-maker in relation to those matters?

**Ms JENNY AITCHISON:** Correct.

**The Hon. BOB NANVA:** Can you advise the Committee of what other probity measures Transport for NSW has in relation to the assessment of tenders and the awarding of contracts?

**Ms JENNY AITCHISON:** I might refer that to the department. I've been very clear that I don't have any engagement, but I think it's better if you hear it from them. Obviously they do have a probity aspect.

**JOSH MURRAY:** The examination of bus contracts is done in a separated manner. Obviously we have dealings with the industry body as a whole in terms of policy matters, then negotiation with individual bus companies is done on a one-on-one basis with our bus contracts team—it's either the metropolitan team or with the regional operators. Members may be aware that, in terms of regional bus contracts, we have sought to extend the current existing contracts by two years to enable operators to have more time to prepare their business cases for examination by government. As I say, that is handled by the individual bus contracts management team, separate to the rest of Transport for NSW, which handles the policy outcomes. Over the top of all of this we have the bus reform taskforce that has been running since around April/May this year. That is looking at more dramatic reforms to the industry that will enable long-term sustainability. It is turning its attention to regional bus contracts as part of the next wave of reform. So they are a summary of the matters that we look at.



---

**UNCORRECTED**

---

**The Hon. ANTHONY D'ADAM:** Minister, can you provide an update on the pipeline of major infrastructure projects underway in regional New South Wales?

**Ms JENNY AITCHISON:** Yes. We've obviously got a lot going on at the moment. Obviously the infrastructure review at the Federal level has put some changes in there, but we are delivering new infrastructure in our regions. One of the things that I heard across the State—in opposition and since I've been the Minister—is that a lot of councils and communities have been crying out for infrastructure that just wasn't delivered. We know that there are some projects that the former Government had started but we are continuing those. Commitments made in the regional road fund were often around looking at things that had been overlooked by the former Government.

If we look at the Golden Highway, for example, a major route from Dubbo to the Port of Newcastle, we had feedback—in fact, I think the former Minister was at the forum, particularly with NSW Farmers—around the need for overtaking lanes around Merriwa, so we made a commitment around that. We didn't fully allocate that fund because we knew that there would be more to do and that, once we got into government, we would have a better view of what projects were needed. I know there was an issue at Tuross Head, where there was an intersection with the Princes Highway that needed upgrading that had been overlooked.

We had Cuttagee Bridge, which had got some funding announced under the Fixing Country Bridges Program and then they were then told, "No, you're actually not eligible for it because it's a composite bridge, not a timber bridge." So we put some funding towards that. What we've been doing through our time in opposition and in government is engaging closely with the councils and the communities about what their needs have been and having, as I said, that whole regional strategic look. We've got projects that are still continuing: the Parkes bypass, Wallaroo and Goulburn with the duplication of the Barton Highway, and Coffs Harbour. We're finally sealing the Cobb and Silver City highways. On the South Coast we've got the Nowra Bridge and we've got the some funding going to the East Nowra Sub Arterial, the ENSA project. There is also the Jervis Bay Road Intersection flyover.

Where there have been delays because of the Federal infrastructure review, we've negotiated on a case-by case basis so that we can get those projects that are close to tender completion out the door with certainty. So there are quite a few things. Of course there is the M1 Pacific Motorway—the Hexham Straight and the M1 to Raymond Terrace, which will be a game changer for that region. We started that when we were in government last time. It was held back for 12 years until the election of the Albanese Labor Federal Government. We are taking that on. The former Government, to its credit, did tick that one, but there was a lot of work that should have been done. If we look at the Tarro bridge, that's probably one where, if it hadn't had the load it's been carrying for the past 12 years, it might have been in a better state than it is today.

**The Hon. ANTHONY D'ADAM:** Minister, can you update us on what initiatives have been introduced under the New South Wales Labor Government to help local councils to repair damaged roads across regional New South Wales?

**Ms JENNY AITCHISON:** This, again, is something that we're really excited about. We're using artificial intelligence. One of the great things about that is that it's not just being rolled out in the cities. The first councils are being onboarded, collecting data to feed into an Australian-first statewide asset trial of artificial intelligence, using that groundbreaking software. We've got streetsweepers in Griffith council helping to scrub out road safety issues that will have the onboard cameras to detect those road defects and help train people on the machine-learning technology. That's one of them.

There are obviously other things we're doing with AI too. I'll divert a little bit on that. But the work out at Cuda—I was there a few months ago—where we had the trial of motorcyclists. This is testing automated vehicles and their capacity to see different risks on the road, so that's been really interesting as well. We really are trying to embrace the technology. Another one, I was down at Annie Pyers Drive at Gundagai a few months ago and they had an AI camera just checking. Instead of the situation, which I know a lot of communities have been really frustrated by in the past, that you've got to get the crash data, and it can sometimes come as you've got to have fatalities before you can get improvements on the network, which is not where we want to be. We want to be ahead of that. This is using AI to look at all of the movements around intersections to identify near misses and other unsafe issues. So then we can use that and we don't have to get to the stage where we have an actual collision or worse before we start making changes to the roads.

**The CHAIR:** Thank you, Minister, for appearing today. That is the end of our session with you. We will have a break until 2.00 p.m. We'll see the public servants who are back at 2.00 p.m. for our afternoon session.

**Ms JENNY AITCHISON:** Thank you very much. Thanks to Hansard and thanks to all of the questioners. I appreciate it. And my team, thank you.

---

**UNCORRECTED**

---

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**Ms SAM KNIGHT**, Regional Director South, Regional and Outer Metropolitan, Transport for NSW, affirmed and examined

**Ms ANNA ZYCKI**, Regional Director North, Regional and Outer Metropolitan, Transport for NSW, affirmed and examined

**Mr TOM GROSSKOPF**, Executive Director, Network and Assets, Regional and Outer Metropolitan, Transport for NSW, affirmed and examined

**Ms HOLLY TAYLOR**, Acting Executive Director, Transport Partnerships, Regional and Outer Metropolitan, Transport for NSW, sworn and examined

**Mr ED DEBENHAM**, Executive Director, Customer Strategy and Technology, Transport for NSW, affirmed and examined

**Mr LEWIS CLARKE**, Executive Director, Customer Systems and Operations, Transport for NSW, sworn and examined

**The CHAIR:** Welcome back to our afternoon session of this hearing for the Regional Transport and Roads portfolio. Mr Murray, you had some information to provide the Committee?

**JOSH MURRAY:** Thank you, Chair, for the opportunity to come back on a couple of issues from the morning session. Firstly, the matter that was raised by members of the travel card testing, it was not a matter that I was aware of prior to this. We have sought some information during the break and I'm advised that Transport for NSW has a number of test cards that we use for practical and probity testing at retailers. Using these cards, officers have conducted tests at retailers, buying products that are both inside and outside the scheme's parameters. As they are test cards, they do not have the same guidelines as user cards. One of the test cards was provided to the Minister's office for the purposes of a test earlier this year. I'm advised that Minister Aitchison indicated that she would reimburse Transport for any goods purchased in a test using a third party. We are now checking on the status of that payment and the administration of it and I'm happy to advise the hearing of further detail in regards to that once we have it.

If I could also turn to the questions that you asked around wheelchair accessible taxis in the region, as we said at the time, we do acknowledge that we have a serious issue regarding the ongoing numbers of wheelchair accessible taxis in regional New South Wales. The number currently registered outside of metropolitan Sydney as at 1 September this year is 264 vehicles. Before COVID many of those wheelchair accessible taxis had multiple drivers and therefore they were available multiple shifts per day, but many now have come down to one shift a day or perhaps less, depending on the availability of that driver and the location in which they are operating. We have a number of approaches looking into that scenario, including low-interest loans to enable people to set up new vehicles for wheelchair accessible taxis, which has just begun in September. We will be tracking that very carefully in terms of the policy outcomes to try to get more vehicles and operators into the regions.

Finally, if I could just turn to the issue of road safety from just before the lunch break, I'm advised that year on year the budget for road safety initiatives has increased by \$36 million in the current budget papers. There are some different accounting and layout measures that have occurred from year to year, which means it is not a like-for-like analysis. But those budget numbers have increased year on year, as well as in the four-year forward estimates. Mr Bernard Carlon is available to detail that expenditure if the hearing would like further detail.

**The Hon. SAM FARRAWAY:** Mr Murray, thank you for the update. I would like to pose a question to Mr Clarke. Are you familiar with *The Daily Telegraph* story that ran on 27 June regarding the loopholes in the Regional Apprentice and University Student Travel Card?

**LEWIS CLARKE:** I'm aware that it exists. I'm not overly familiar with it in terms of having read it in detail.

**The Hon. SAM FARRAWAY:** Within your remit as an executive director, you're responsible for the travel cards within Transport for NSW and their operation?

**LEWIS CLARKE:** Yes, that's correct.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** When was your department advised or made aware of loopholes with the card?

**LEWIS CLARKE:** The features of both the regional seniors travel card and the Regional Apprentice and University Student Travel Card have been known since inception, so in terms of sort of making trade-offs between policy, risk, deliverability and customer amenity, while we restricted the cards to spend at certain merchants, a risk has always existed in terms of being able to purchase non-fuel products at service stations that sell more than fuel.

**The Hon. SAM FARRAWAY:** When was Transport for NSW made aware that there were fraudulent claims or purchases with the Regional Apprentice and University Student Travel Card?

**LEWIS CLARKE:** I'd have to take the details of that on notice. What we do know is over time, especially at the early days of the regional seniors travel card, there were changes made by certain retailers to their merchant category to allow purchases to be made when they would not otherwise have been. In terms of the risk with service stations, we've not been specifically made aware of people purchasing products that they should not have done at service stations, but the risk of that happening is a feature of the scheme—

**The Hon. SAM FARRAWAY:** Just to home in on that point of your answer, Mr Clarke, you're saying that Transport for NSW—your department—has not had concerns raised directly with it around non-fuel-related purchases at service stations?

**LEWIS CLARKE:** No, I'm not sure that's what I did say or intended to say. Transport for NSW is aware that there is a risk when using either the regional seniors or the regional apprentice card that purchases other than fuel can be made at service stations. To the extent I'm aware, we have not been—nobody has told us that non-fuel purchases have been made at service stations, but it's a risk. The purchases that are made at service stations are effectively unknown as to whether they're fuel or whether they're something else non-fuel related.

**The Hon. SAM FARRAWAY:** Mr Murray has given us some information around test cards. How many test cards do you have for the regional seniors travel card?

**LEWIS CLARKE:** I would have to take that on notice. There's a number of test cards, as Mr Murray indicated, part of the preparation—

**The Hon. SAM FARRAWAY:** Mr Clarke, you don't know how many test cards you have for the regional seniors travel card?

**LEWIS CLARKE:** I don't know off the top of my head, no. I'm happy to take it on notice.

**The Hon. SAM FARRAWAY:** Thank you, Mr Clarke. The Regional Apprentice and University Student Travel Card: This was a program rolled out in February of this year and within months suspended. How many test cards did your department have available for testing?

**LEWIS CLARKE:** Again, I'd have to take that specific question on notice.

**The Hon. SAM FARRAWAY:** Mr Clarke, your boss, the Secretary of Transport for NSW, has openly said that there are a number of test cards and one has been given to the ministerial office, or at a request of the ministerial office.

**The Hon. ANTHONY D'ADAM:** Point of order: The witness has provided an answer. He's taken it on notice. Re-asking the question is not appropriate.

**The CHAIR:** I uphold the point of order. If the witness has taken an answer on notice, I would ask the member to ask a different question of the witness, recognising that witnesses are able to take a question on notice and it's not okay for members to continue badgering on the same line of inquiry if that's what the witness has chosen to do.

**The Hon. SAM FARRAWAY:** Mr Clarke, when did Minister Aitchison's office request a test card for usage?

**LEWIS CLARKE:** I'd have to double-check the date on that and come back to you.

**The Hon. SAM FARRAWAY:** Do you know, Mr Murray?

**JOSH MURRAY:** No, I'm not aware. I'm happy to provide that information. I should just say, in regards to the risk factors that Mr Clarke has identified, certainly in the briefings provided to me the problem with the cards is a lack of visibility. While we know that these transactions have all occurred, 95 per cent or 96 per cent of all transactions occurring at service stations, that is the only detail that is provided in the accounting for the cards. The risk and the transparency does not match up.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Mr Clarke, did your department supply a brief to the Minister's office on fraudulent use of the Regional Apprentice and University Student Travel Card?

**LEWIS CLARKE:** We provided briefs for both the regional seniors travel card and the Regional Apprentice and University Student Travel Card in a number of areas related to that scheme.

**The Hon. SAM FARRAWAY:** What data does your department have on fraudulent use? Are you able to specify how many packets of cigarettes, bottles of Fanta or packets of lollies have been purchased fraudulently using that card? Are you able to collect and have that data on hand?

**LEWIS CLARKE:** Specifically for service stations, as I indicated earlier, we're unable to add visibility of exactly what's purchased at service stations. What we do know is the construct of the card allows for purchases to be made at service stations and those may or may not be fuel.

**The Hon. SAM FARRAWAY:** What data have you supplied to Minister Aitchison's office on non-fuel-related items that have been purchased using the card?

**LEWIS CLARKE:** I would need to double-check. But I'm fairly sure we gave them information on some of the areas where cards were misused, for example, merchants changing the merchant code on their terminal to be a service station when in fact they weren't. We have some information available on that.

**The Hon. SAM FARRAWAY:** Did Minister Aitchison's office specifically task your agency to do testing on the Regional Apprentice and University Student Travel Card?

**LEWIS CLARKE:** Not specifically that I can recall. They did ask for information about the features of the card and where there may be risks of misuse and other things. We would've provided information to the Minister's office on that.

**The Hon. SAM FARRAWAY:** Did Minister Aitchison's office task your department to do any testing on the regional seniors travel card in 2023?

**LEWIS CLARKE:** They did not, no. However, they did ask for clarification about what scenarios had and had not been tested.

**The Hon. SAM FARRAWAY:** Does your agency hold any specific data on non-fuel-related purchases on the card?

**LEWIS CLARKE:** Yes, we do have information on non-fuel-related purchases on the card, if you give me a moment. For the regional seniors travel card, we can tell you that 2.29 per cent of spend has been on taxicabs. We can tell that you 0.44 per cent has been spent on TrainLink and Opal services. We can tell you that 0.07 per cent has been spent on other government services and 0.11 per cent has been spent on coach services. For the Regional Apprentice and University Student Travel Card, we can tell that you \$3.40 has been spent on coaches, \$60.11 on EV charging, \$484.78 on government services, \$4,958.60 on taxicabs, and \$4,362.15 on TrainLink and Opal services.

**The Hon. SAM FARRAWAY:** Thank you, Mr Clarke. That's very specific and I appreciate that extra information. Is the information you've just provided the only specific non-fuel-related data that your agency holds on those two programs?

**LEWIS CLARKE:** To be clear, the set of information we have is spend on specific non-fuel merchants, which I've just read out. We also have information on spend at service stations but, as we've previously indicated, we're unable to determine to what extent that was spent on fuel or what may have been spent on non-fuel-related purchases.

**The Hon. SAM FARRAWAY:** Is it fair to say, from your evidence and answers, Mr Clarke, that you don't hold data within your department that can point to how many non-fuel-related items are purchased at a service station?

**LEWIS CLARKE:** That is correct.

**The Hon. SAM FARRAWAY:** To confirm, Mr Clarke: You would not have any data to draw upon from the collection of that data—through Westpac or through the service providers that Transport for NSW uses for that program—that would indicate how many bottles of soft drink, packets of chips or cigarettes would be purchased using the card?

**LEWIS CLARKE:** That's correct. As I previously indicated, for purchases at service stations, we know how much is spent on that merchant category. We do not know whether that's spent on fuel or other products.

**The Hon. SAM FARRAWAY:** Did anyone within your department issue a test card to a journalist?

**UNCORRECTED**

**LEWIS CLARKE:** No.

**The Hon. SAM FARRAWAY:** Was Transport made aware of a journalist testing the card?

**LEWIS CLARKE:** Not that I'm aware. We were asked to provide a card to the Minister's office for them to be able to undertake testing themselves, which we did.

**The Hon. SAM FARRAWAY:** What was your understanding about the cost that would be incurred in the Minister requesting that card and being able to use it? What was your understanding of who would pay for that cost?

**LEWIS CLARKE:** Just in terms of context, the test cards were issued and there's a number of them—acknowledging that I don't know the specific amount—that are used for testing both positive and negative scenarios. The cost of that testing is part of the administration and the roll-out of the scheme. As Mr Murray indicated earlier, the Minister had offered to reimburse that amount, and we need to validate where that is in the process.

**The Hon. SAM FARRAWAY:** Did Minister Aitchison's office make you or your department aware that the test card was going to be given to a journalist?

**LEWIS CLARKE:** No, not that I recall.

**The Hon. SAM FARRAWAY:** Was any brief supplied by your department, Mr Clarke, to Minister Aitchison's office when the test card was issued?

**LEWIS CLARKE:** I'm not clear what you mean by "brief".

**The Hon. SAM FARRAWAY:** Was a briefing note sent with the testing card when it was sent—

**LEWIS CLARKE:** There was not, no.

**The Hon. SAM FARRAWAY:** With regard to the understanding that you had around the Minister's office—or the Minister herself—possibly covering or reimbursing for those costs, is there an email, is there anything in writing to confirm that?

**LEWIS CLARKE:** I would need to double-check.

**The Hon. SAM FARRAWAY:** Would you be able to take that on notice, Mr Clarke, and see if we've got an answer before the end of estimates today?

**LEWIS CLARKE:** I can certainly take it on notice. I can't commit to whether we can provide it today.

**The Hon. SAM FARRAWAY:** I think from your previous answer, we don't have the definitive date of when that card was sent to Minister Aitchison's office, correct?

**LEWIS CLARKE:** Correct.

**The Hon. SAM FARRAWAY:** That's fine. I'll take that you'll take that on notice. Was the Secretary of Transport for NSW—or maybe, at that point, an acting secretary—made aware that a testing card had been sent to Minister Aitchison's office at their request?

**LEWIS CLARKE:** Not that I'm aware—no.

**The Hon. SAM FARRAWAY:** So the request was made directly to you, Mr Clarke?

**LEWIS CLARKE:** Correct.

**The Hon. SAM FARRAWAY:** And you did not advise the secretary or acting secretary at that point that you had issued Minister Aitchison's office with a test card?

**LEWIS CLARKE:** No, and, for context, that's not necessarily an uncommon thing to do. When I think of some of my other areas of responsibility and project rollouts that I've been involved in—for example, Opal card and other things—it is not an abnormal request.

**The Hon. SAM FARRAWAY:** As executive director for customer systems and operations, who do you directly report to, Mr Clarke?

**LEWIS CLARKE:** At the moment, I report to the acting deputy secretary of customer, strategy and technology, Mr Host.

**The Hon. SAM FARRAWAY:** Was Mr Host made aware of the issuing of a test card to Minister Aitchison's office?

**UNCORRECTED**

**LEWIS CLARKE:** Not that I recall. You should double-check with Mr Host.

**The Hon. SAM FARRAWAY:** I will do that later in the day. How was it issued to the Minister's office? Was it mailed? Was it taken over there in person? How was it sent to the office?

**LEWIS CLARKE:** Again, I'd have to double-check, but I can do that.

**The Hon. SAM FARRAWAY:** Do you carry a test card yourself, as the executive director for that program?

**LEWIS CLARKE:** Not routinely, but on some occasions I have, yes.

**The Hon. SAM FARRAWAY:** Do you believe, Mr Clarke, that an individual using that card who was not eligible for that card and who did not work for Transport for NSW was actually committing fraud themselves?

**LEWIS CLARKE:** As Mr Murray indicated earlier, the test cards are issued outside of the scheme and the terms of use for the purpose of testing. Testing, to the extent the test card is provided, would be valid. But certainly, the test cards aren't subject to the terms of use and other such things—if that's the question you're asking.

**The Hon. SAM FARRAWAY:** Are you the only person within Transport for NSW who has the ability to issue a test card?

**LEWIS CLARKE:** No. For clarity, the test cards are issued by the provider to the project team that are involved in delivering the card.

**The Hon. SAM FARRAWAY:** Is that Westpac?

**LEWIS CLARKE:** Westpac. As you might imagine, there are a number of people involved in delivering projects such as this, including business analysts, including project managers and including testers. Those cards would be used by a number of staff as we go through the process of testing and validation.

**The Hon. SAM FARRAWAY:** Mr Clarke, when Minister Aitchison's office made a request directly to you to issue a test card to her office, you then completed that request, so Westpac would have delivered the test card?

**LEWIS CLARKE:** No, we would've had a pool of test cards that we use for testing within the project team, and I provided one of those to the Minister's office.

**The Hon. SAM FARRAWAY:** Was the request from Minister Aitchison's office for the test card made verbally or put in writing?

**LEWIS CLARKE:** To the best of my recollection, verbally.

**The Hon. SAM FARRAWAY:** Do you remember who in the Minister's office requested the test card?

**LEWIS CLARKE:** I do. I'm not entirely clear on the protocol of sharing other people's names.

**The Hon. SAM FARRAWAY:** You are under oath, and I'm asking you a question regarding a program that has been axed and was part of the budget papers and the money redirected, so I think it's important to note who requested that, Mr Clarke. I'll ask again: Who in the ministerial office requested the test card on behalf of Minister Aitchison?

**The Hon. Dr SARAH KAINE:** Point of order: I'm a little concerned that we might get into naming individuals, not because that's out of the bounds of this forum but there have been very heavy suggestions by Mr Faraway earlier that there is somehow something fraudulent in this behaviour. It would cast aspersions on that individual at this time if we were to disclose that in this open forum. I'm sure there are other ways to have that information presented to the Committee that is not aired publicly.

**The CHAIR:** I have heard the point of order. At this point, in terms of naming individuals, what is recommended is to provide anything like that on notice. The Committee can then make a decision as to the way to proceed with those individual names.

**LEWIS CLARKE:** Thank you, Chair.

**The Hon. SAM FARRAWAY:** Was the test card that you arranged to be issued to Minister Aitchison's office returned?

**LEWIS CLARKE:** It was, yes.

**The Hon. SAM FARRAWAY:** When was it returned?

**LEWIS CLARKE:** Again, I would need to go away and double-check that.

**UNCORRECTED**

**The CHAIR:** I want to see whether somebody here is able to answer some questions about the recently announced—the net zero emissions freight policy?

**JOSH MURRAY:** Chair, Mr Fuller will be able to take questions on that.

**The CHAIR:** I want to ask a question about the trial. I understand that the crux of this, as far as I can tell from the media release, is that there is a trial, which is a two-year trial, enabling heavier vehicles to go through the weigh station. Is there more than that over the next two years for this zero emissions strategy for heavy vehicles and freight, or is that the extent of it for two years?

**MATT FULLER:** Thank you for the question, Chair. I can say there's comprehensively quite a lot more. That's just one element. The trial that you speak of relates to us supporting industry to advance the take-up of technologies. We have, in recognition of the fact that those heavy vehicles—and in one particular instance, if I think about one of the providers, they use a very large battery. It weighs about 4½ tonnes. We've made some allowances on axle loadings to enable those vehicles to run at the same productivity levels as existing heavy vehicles. What we didn't want to do was effectively disincentivise new technologies and we didn't want to incentivise further use of diesel fuels when we know there's an opportunity here.

Beyond that, it extends to a host of other activities and policy procedures and decisions. Some of those are works in progress, some of those have been undertaken by the State in our own right and some are in conjunction with the Federal Government and other jurisdictions. One of the initiatives that was outlined in the net zero commitment policy was continuing to work with the Federal Government on the addition of Euro 6 vehicles, so it's not just zero-emission but low-emission vehicles as well. In September the Federal Government, with the agreement of the States, announced the Safer Freight Vehicles package, which now allows vehicles that are up to 2.55 metres in width to actually participate in the road network. One of the good things about that is that not only are they vehicles that are bringing sustainability elements and advantages to our freight ecosystem but all of those vehicles have the latest safety technology. They all generally have telematics and they have a range of other assist measures that really advance the safety technologies that are available.

**The CHAIR:** I'm asking about the net zero emissions strategy. Safety is very important, but this is about net zero emissions. Freight accounts for 25 per cent of total greenhouse gas emissions in New South Wales. The media release announcing this projects that to rise to 34 per cent by 2061. As part of what was announced in early October, are there any targets as to how much freight will reduce emissions? As I said, there's one trial so far that's been announced, which is a two-year trial. Are there any goals in terms of the reduction of emissions and how they will be achieved as part of this policy?

**MATT FULLER:** Absolutely. Our broader ambition in this space—and I will actually bring Ms Webb in on this as well—is a 50 per cent reduction in emissions by 2030. As part of the net zero freight policy, there are a range of other initiatives, like increasing our freight on rail, working with the freight rail industry on sustainable fuels and the powering of rail locomotives. There are a range of other changes in terms of working with the Federal Government on Australian design rules and consideration on working with industry on other concessions.

**The CHAIR:** Can I check that the 50 per cent by 2030 is the part that Transport or regional Transport has committed to in terms of the overall Government's emissions reduction goals, which I understand isn't 50 per cent by 2030 now if the legislation before the Parliament has anything to do with it? Are you talking about the New South Wales Government's goal of 50 per cent by 2030 or is that the freight or regional transport component of the Government's reduction targets?

**MATT FULLER:** In terms of the commitments, we've got obviously the New South Wales Government commitment but then we've got the aim of achieving net zero emissions on Transport operations across fleet by 2035 and helping the sector achieve net zero emissions by 2050.

**The CHAIR:** The 2035 target is what you have in front of you?

**MATT FULLER:** On Transport emissions through its fleet use.

**The CHAIR:** But what is the percentage reduction by 2035 that you have in front of you?

**MATT FULLER:** The aim there is to achieve net zero emissions from Transport operations through its fleet in 2035.

**The CHAIR:** Is that what you have in front of you? Net zero emissions on the Transport fleet by 2035? That's correct?

**MATT FULLER:** Yes. Ms Webb, I might ask you. That is Transport's fleet.

**UNCORRECTED**

**SALLY WEBB:** Yes, that's correct. Last week we announced our Net Zero and Climate Change Policy, together with the sustainable infrastructure policy released by Ms Drover's team. That policy was released after extensive consultation with industry, and it has a number of sub-targets. It is aligned with the Government commitment but it also breaks it down into a number of sub-targets to achieve those goals. One of those is to achieve 100 per cent renewable energy for all operational electricity for the rail, light rail and metro train network by 2025, and we're already well progressed in that target. Then 50 per cent of our passenger fleet transitioning to all electric by 2026 and 100 per cent of the passenger vehicle fleet transitioning by 2023.

**The CHAIR:** Sorry, just to go back to 2026, the passenger fleet was—

**SALLY WEBB:** Transport's passenger fleet. And then 65 per cent in Transport operational emissions by 2030 and then net zero in Transport operational and fleet emissions by 2035 and then fossil fuel transport construction maintenance by 2040.

**The CHAIR:** And is that government-owned fleet?

**SALLY WEBB:** No, that is government owned and also fleet supporting our infrastructure program.

**The CHAIR:** Sorry, the one by 2035 is net zero emissions and the one you quoted just before about 2035 was what again?

**SALLY WEBB:** A 65 per cent reduction in Transport operational emissions.

**The CHAIR:** Is there a component of offsetting within that? If emissions can't be reduced, ultimately, is there a component of some that are offset or purchasing offsets elsewhere?

**SALLY WEBB:** Some of these targets are going to be very challenging to meet. We are developing a road map to enable us to work towards achieving that. Ideally, we will achieve these targets through technology and procurement and standards innovation, but there may be occasions where we will have to procure offsets in hard-to-abate sectors as well.

**The CHAIR:** I go back to the trial, in terms of the heavy vehicles that do go and are going electric. What other incentives or subsidies are being considered? Again, there's one trial. Is there anything else that is before you that you're working on to incentivise freight and heavy vehicles to go electric?

**MATT FULLER:** Thank you for the question. Certainly, one of the things that is active at the moment is an online comparison tool that is allowing industry to have an assessment of how they would weigh up if they were to look at a lower- or zero-emission vehicle. That is a really practical measure to assist industry in looking at the entry into that market. We've also got other initiatives to work, obviously, with other jurisdictions and the Commonwealth on what would be an appropriate road user charging framework for heavy low-emission and zero-emission vehicles.

As I said, then there's other initiatives that move into the rail space and some of the other safer higher productivity vehicles. Some of them that are related—not specifically called out in our zero-emission freight strategy—are our heavy vehicle access framework and the fact that we're encouraging the uptake of what's called performance-based standard vehicles. These are higher productivity vehicles that, again, come with that latest technology so they naturally are lower in emissions and also come with both safety and productivity benefits.

**The Hon. SAM FARRAWAY:** I go back to Mr Clarke, if he could come back to the table. Do you keep a record of all the test cards that are issued?

**LEWIS CLARKE:** I personally don't. I would imagine my team does.

**The Hon. SAM FARRAWAY:** Could you take that on notice, if that's the case? Do you have a log system around who is issued the test card and when it's issued and when it's returned?

**LEWIS CLARKE:** I would have to double-check. I would think it unlikely in that level of detail. As I mentioned earlier, we generally have a pool of test cards which are able to be used for a group of individuals. There's certainly a level of control over those. The specifics of that, I don't know.

**The Hon. SAM FARRAWAY:** When you say "level of control", could you elucidate what that level of control is?

**LEWIS CLARKE:** I would have to take the detail on notice.

**The Hon. SAM FARRAWAY:** Do you keep and track what the balance of the test cards are?

**LEWIS CLARKE:** I would imagine we do, but we'd have to take that on notice.



**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Even with test cards, Mr Clarke, that perhaps your own team use to test the program, how do you know what the balance is?

**LEWIS CLARKE:** I think my answer was probably I imagine we do, but I would have to double-check. Obviously, for the purposes of reconciling the test transactions have worked, and that we undertook a transaction here and it was assigned to the right merchant code and being able to do that, we would have those records. Yes.

**The Hon. SAM FARRAWAY:** Are there internal rules around how the test cards are to be used within your department?

**LEWIS CLARKE:** There would be general guidance within Transport policies, and certainly preventing the use of them for personal benefit, I would think. Yes.

**The Hon. SAM FARRAWAY:** Have your team actually tested the card to see if you could buy non-fuel-related products with it?

**LEWIS CLARKE:** Almost definitely, yes.

**The Hon. SAM FARRAWAY:** When was the first time that this occurred in your own internal testing?

**LEWIS CLARKE:** I would have to go away and validate that.

**The Hon. SAM FARRAWAY:** Very interesting. Does the test card look the same as a real card? As someone who could be eligible as a senior, university student or apprentice—does it look the same?

**LEWIS CLARKE:** It does, yes.

**The Hon. SAM FARRAWAY:** So from your previous answer, the way it works is those cards, whether it's a test card or a card that—let's keep the test card. If you want a test card, you need to request that by Transport to Westpac. Correct?

**LEWIS CLARKE:** That's my understanding, yes.

**The Hon. SAM FARRAWAY:** Westpac then obviously issue the card. There must be product disclosure, or there must be regulations and guidelines around the usage of the card from the banking institution, aren't there? Even for test cards?

**LEWIS CLARKE:** I would be surprised if that was the case. The purpose of testing is to be able to validate, as I said earlier, both positive and negative scenarios. It's to be able to validate things like interfaces between Service NSW and the provider to be able to issue cards. But the nature of testing is very much to undertake positive and negative testing so we know that the product does what we expect it to do or doesn't do what we expect it to do, and that, in my experience, needs you to be able to test a number of things that would be outside the bounds of the normal terms of use.

**The Hon. SAM FARRAWAY:** But surely, Mr Clarke, even as test cards, there must be program guidelines, and surely they must be governed by some public service protocols.

**LEWIS CLARKE:** In what manner?

**The Hon. SAM FARRAWAY:** In the way that you are issuing test cards to be used, because taxpayers' funds are being used with these test cards.

**LEWIS CLARKE:** Test cards are issued for the purpose of being able to test and validate that the system does or does not do what it is meant to do. Testing—very, very commonly, in my experience—includes positive and negative testing, and the nature of that means that you need to be able to test that the card is doing things that it perhaps should not ordinarily do.

**The Hon. SAM FARRAWAY:** Mr Clarke, I'll redirect the question.

**The Hon. Dr SARAH KAINE:** Point of order—

**The Hon. SAM FARRAWAY:** I'm redirecting the question. I have given latitude.

**The CHAIR:** Hang on. A point of order has been taken. Dr Kaine?

**The Hon. Dr SARAH KAINE:** I would ask that Mr Farraway let Mr Clarke answer the question that he has asked various versions of repeatedly.

**The CHAIR:** Yes. I will say—and I will uphold the point of order—that if allegations are being made, there should be enough time to enable the witness to answer the question as fully as they can. If the witness wasn't

**UNCORRECTED**

finished, I ask the witness to continue. I remind the member to allow the witness to have the time they need to explain the situation.

**LEWIS CLARKE:** Thank you, Chair. I might just reiterate where I was getting to with the last point, that the purpose of testing is to test that things do the things they're supposed to, as well as the things that they are not supposed to, and in many instances, that needs people to be able to validate that the card does things that it is not supposed to, or any other product.

**The Hon. SAM FARRAWAY:** What responsibility is on the individual that has the test card?

**LEWIS CLARKE:** In what manner?

**The Hon. SAM FARRAWAY:** What responsibility does your team that uses the test card, or an individual that you issue a test card to, have around the testing guidelines?

**LEWIS CLARKE:** As I think I mentioned earlier, generally the conduct of Transport for NSW staff, I would expect, will be governed by broader Transport policies, which are probably not for me to answer.

**The Hon. SAM FARRAWAY:** Can someone outside of Transport for NSW be issued with a test card?

**LEWIS CLARKE:** Yes. As I mentioned earlier, it's not uncommon practice to issue cards and products for the purpose of using those test cards for testing or other things.

**The Hon. SAM FARRAWAY:** If non-fuel-related purchases are made, what happens with the goods? Are those goods returned to Transport—to your department—and are receipts logged with your department on what the test card was used for?

**LEWIS CLARKE:** As I mentioned earlier, I would need to check the details of that, but there's certainly a need to be able to reconcile transactions in some instances. But there's a variety of things that test cards might, outside of this scheme, have been used for, in my experience, over a number of years.

**The Hon. SAM FARRAWAY:** With the test cards, Mr Clarke, if you don't have any receipts or if receipts are not logged back with your team after the card has been tested, how do you collate any data on what the card was used for and the results of the testing?

**LEWIS CLARKE:** Again, it's a level of detail that I'm not across. But if I take an example for something I'm more familiar with from early in my career, a tester may get a series of activities to go and undertake. They'd have a sheet of those and they'd undertake the activities. You would know what the expected outcome of that is, and you'd be able to compare that with what did or did not happen in the system. Considering it from a sort of financial reconciliation perspective, which you seem to be doing, it isn't necessarily the case. Again, if you think of another example, if the outcome that you're looking for is testing a card or a product at somewhere where it shouldn't be accepted, you might expect the system to generate a code that indicates that that wasn't accepted. The suggestion that it must always be receipt-based, I think, isn't true.

**The Hon. SAM FARRAWAY:** How much has been budgeted or expended on both the travel cards as test cards?

**LEWIS CLARKE:** I don't have that information to hand.

**The Hon. SAM FARRAWAY:** Would you be able to take that on notice, Mr Clarke?

**LEWIS CLARKE:** I can take that on notice, yes.

**The Hon. SAM FARRAWAY:** Thank you. If you weren't aware that a card was forwarded on to someone outside the Minister's office or Transport for NSW, is it still really considered a test card then, if it's not in your control and if you don't have the data about what that card was used for? How are you collating the data if it is genuinely a test card?

**LEWIS CLARKE:** I would probably characterise the purpose of the test card as being not in general use. I think you've touched on yourself some of the reasons that might be relevant. When a customer applies for a card, it goes through a process, and it's subject to terms and conditions and other such things. The purpose of issuing the test cards, as its name suggests, is being able to test those, but it's also not subject to the terms and conditions and the restrictions that would be in place for a customer.

**The Hon. SAM FARRAWAY:** In the life of the program and in your time within your department, have you ever asked a journalist to test either travel card?

**LEWIS CLARKE:** Me personally? No.

---

**UNCORRECTED**

---

**The Hon. SAM FARRAWAY:** In your knowledge, has Transport for NSW ever contracted out its testing regime to a journalist?

**LEWIS CLARKE:** Not that I'm aware.

**The Hon. SAM FARRAWAY:** Is it usual for anyone that is using the test cards to offer to repay any of the testing itself? Is that a usual condition with the test card?

**LEWIS CLARKE:** It would be unusual.

**The Hon. SAM FARRAWAY:** Has any Minister in the past, other than Minister Aitchison, requested a test card?

**LEWIS CLARKE:** Other Ministers' offices have requested test cards, yes.

**The Hon. SAM FARRAWAY:** Which Ministers? I never asked for one.

**LEWIS CLARKE:** Your office previously requested test cards to be brought and made available—

**The Hon. SAM FARRAWAY:** Are you talking about the actual plastic cards or are you talking about—

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

**The CHAIR:** Really? I would keep it going if I were you, Mr Nanva.

**The Hon. BOB NANVA:** Could we allow the witness to answer the question without interruption?

**The CHAIR:** Well, the witness was responding, so the witness can continue, and the member can ask a question when he—I think you interrupted him, in fact, Mr Nanva. That's why I'm a bit confused here. Mr Clarke, if you just wanted to continue.

**LEWIS CLARKE:** Previous Ministers' offices have asked for test cards to be made available for certain circumstances—for example, maybe media events.

**The Hon. SAM FARRAWAY:** So were they actual cards, Mr Lewis? Were they actual cards that could have products purchased with them?

**LEWIS CLARKE:** Test cards? Yes.

**The Hon. SAM FARRAWAY:** Okay. We're going to challenge this after estimates, if that's the case. Did you think it was unusual for a Minister to offer to repay for a testing card, to reimburse for the costs?

**LEWIS CLARKE:** I don't have a view either way, to be honest. The purpose of the—as I mentioned earlier, there's a level of testing that goes on. The costs associated with that testing are part of the program. Positive and negative testing is also part of the program. I think it's a matter for the Minister.

**The Hon. SAM FARRAWAY:** Was there an agreement or was there any understanding of how the reimbursement would be made to your department? Was it to come out of the ministerial travel budget or was it to be paid for personally by the Minister?

**LEWIS CLARKE:** I think that would need to be a question to the Minister.

**The Hon. SAM FARRAWAY:** Yes, but in your understanding was there any understanding on how it would be paid or where the funding for the reimbursement would come from?

**The Hon. Dr SARAH KAINE:** Point of order: The witness has answered the question, so reframing it or not even reframing it, just restating it—the witness has said that it's an issue for the Minister.

**The CHAIR:** I won't uphold the point of order. The member is entitled to ask the questions, as long as he does so respectfully. The witness can always say and answer it how you see fit, including taking it on notice and including saying that you've already answered the question. Proceed, Mr Farraway.

**The Hon. SAM FARRAWAY:** Going back to the issuing of test cards, are you saying that test cards have been provided to government in the past, pre-loaded with \$250 on them?

**LEWIS CLARKE:** I indicated that previous Ministers' offices—in my experience, it is not uncommon for test cards to be provided to Ministers' offices or Ministers for a variety of purposes, some of which may include media launches. Some of it may include people wanting to be able to demonstrate and see how a whole range of—

**The Hon. SAM FARRAWAY:** Are some of those cards fake plastic ones that are really there for show and then some of them are, obviously, real testing cards? Is that correct?

**UNCORRECTED**

**LEWIS CLARKE:** I would say a mixture of both.

**The Hon. SAM FARRAWAY:** So I would like to ask you again, because I think you need to clarify this, Mr Clarke. You said that a previous Minister was issued with a test card with cash loaded on it. Is that correct?

**LEWIS CLARKE:** So I—

**The Hon. SAM FARRAWAY:** I'm more than happy for you to take it on notice, if needed.

**LEWIS CLARKE:** No. Hopefully what I said is that we have been asked by previous Ministers' offices to make test cards available for purposes such as, for example, maybe providing a demonstration for media that a card works.

**The Hon. SAM FARRAWAY:** Okay. When you request a card from Westpac, are they under the assumption that only Transport for NSW employees are there using the test cards? Are they aware that third parties could be possibly given the test card to use?

**LEWIS CLARKE:** I wouldn't know what Westpac are and aren't aware of. I would certainly be surprised if there was a restriction on people that could do testing. It's not uncommon for some elements of testing to be outsourced as a general thing, so I wouldn't imagine there was a restriction.

**The Hon. SAM FARRAWAY:** Mr Murray, does it concern you that a test card was issued to a journalist?

**JOSH MURRAY:** Mr Farraway, I think we've given an indication today that we'll come back with a range of additional details. Mr Clarke has said that he doesn't have with him the number of cards or the dates on which cards may have been provided. I think it's best if we take that on notice and give you those details.

**The Hon. SAM FARRAWAY:** I'm happy for that to happen, but as the new Secretary of Transport for NSW, are you concerned—

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

**The CHAIR:** You haven't heard the question, though. I was listening very carefully to it—

**The Hon. ANTHONY D'ADAM:** No, I am going to take a point of order.

**The CHAIR:** Okay. Have the point of order.

**The Hon. ANTHONY D'ADAM:** The point of order is this: The witnesses are here to provide factual information; they're not here to express opinions. Opinions are the preserve of the policymakers, which is the Government and the Minister. Those questions are appropriately directed to a Minister, not to a public servant.

**The CHAIR:** I will remind the member that we're not asking opinions of the public service. I will also remind the member, before you continue, that Mr Murray has said that they have taken a lot on notice in relation to this line of questioning. I would urge the member to perhaps look at a different line of questioning, given the number of times both Mr Clarke and now Mr Murray have said they've taken everything they can, really, on notice.

**The Hon. SAM FARRAWAY:** I will go back to the questioning. Mr Murray, as the new Secretary of Transport for NSW, with the evidence that you've heard today, would you consider establishing a review of what has happened with these test cards?

**JOSH MURRAY:** As the secretary, I would need to understand the scope of the test cards in existence and, upon getting that information, I'm happy to respond further—understanding that, of course, whenever taxpayers' funds are tied up in this manner, there needs to be the right level of accountability and also noting that it is Government policy to discontinue with this scheme.

**The Hon. SAM FARRAWAY:** So we'll take all of that on notice, if that's the case. I'm going to now move maybe to Mr Hayes, if he could come to the table, and Ms Drover. Good to see you, Mr Hayes. I have questions regarding the regional transport and roads package, better known as the betterment package. Are you the right person to ask? I understand Andrea Mears, who was invited, couldn't attend today. Is that correct?

**ANTHONY HAYES:** It's probably a combination of several of us, to be honest. I'm happy to lead off and see how I go.

**The Hon. SAM FARRAWAY:** Okay. What is an appropriate time, do you think, to issue and execute a road infrastructure deed?

**UNCORRECTED**

**ANTHONY HAYES:** It's probably not an easy question to answer, because it would depend on the amount of appropriate governance that needs to be put in place and, obviously, working with the appropriate approvals, both within Transport and through the Minister and through government.

**The CHAIR:** Mr Murray, I might just go back to the data that you provided me earlier, the 264 wheelchair accessible taxis. You also provided data around the reduction in drivers. I assume you won't have this data in front of you, in terms of an indication of how much of a drop that is or a decline in the number of wheelchair accessible taxis that there has been in the past. You suggested that there was a drop in drivers. Firstly, do you have any of that information?

**JOSH MURRAY:** I wouldn't be able to give you that for regional New South Wales. However, statewide the number has declined from 941 pre-COVID, October 2019, to 704 in total in September 2023. Of those 704, 264 of them are outside metropolitan New South Wales.

**The CHAIR:** What are the others? I know potentially Uber. However, that also has its restrictions. But what is the department doing? I'm thinking particularly regionally, because this is a regional inquiry, but what is the department doing to, firstly, ascertain the need in regional areas, and the work that you've done to date in that regard?

**JOSH MURRAY:** One of the other elements that we are looking at is other taxis—so not registered as wheelchair-accessible taxis—that do have the capacity to work in that manner through their size; also community transport operators who have local knowledge around the needs in those communities; and, finally, one of the areas that we're looking at is just additional incentives and individual benefit packages that might be attractive to lure more operators to move to wheelchair-accessible taxis. I mentioned earlier the \$100,000 interest-free loans that would be available to eligible applicants.

**The CHAIR:** With the \$100,000 interest-free loan, is that the one where I think the applications hadn't opened but they've since opened? They hadn't opened by 30 June. Are they currently open or have they been open and—

**JOSH MURRAY:** My understanding is they opened on 15 September.

**The Hon. SAM FARRAWAY:** Mr Murray, as the new Secretary of Transport, is it your preference that the good work Mr Fuller and his team does in Regional and Outer Metropolitan remains distinctly different and separate to metro and Greater Sydney?

**JOSH MURRAY:** We're having a look at the operating model, as it is called—I have mentioned this in other discussions in the past—to make sure that we can have the absolute right operating basis for the Transport department and its operating bodies. We're doing that work at the moment. I have been incredibly impressed by the penetration that we have into regional communities and the very distinct role that Transport for NSW plays in the regions. It is a great support basis for councils, for community organisations and for local communities. That is absolutely something that is at the centre of that operating model discussion, as to how we make sure that that is optimised for the scenario that we find ourselves in going forward, where the environment changes very dramatically, and the expectations on Transport.

**The Hon. SAM FARRAWAY:** Within such a large arm of government, such a large agency that Transport is, how do you envisage ensuring that regional infrastructure projects and a regional perspective isn't left behind within the department, if you were to change the operating model away from the way Regional and Outer Metro is set up now?

**JOSH MURRAY:** It's a significant question, and it's one that I don't think has necessarily been solved by having a regional business unit. I'm not making any judgments on where we will move to as a result of these discussions, but it's something we're weighing up. One of the elements that Transport people across the State have said to me is that we have an area of duplication in between policymaking arms and operational arms, and we have to make sure that we are absolutely streamlined to ensure value for taxpayer funds.

**The Hon. SAM FARRAWAY:** Will you be maintaining the dedicated freight branch that exists within your agency?

**JOSH MURRAY:** Again, I'm not going to comment on the operating model work. It's too early to be able to talk about that in any certainty in this environment. However, I have been impressed by the freight work, both within the organisation and also in the way that we interact with the freight community and stakeholders.

**The Hon. SAM FARRAWAY:** Ms Drover, what is the latest feedback that you could provide to the Committee on the new regional rail project from the most recent trip, where representatives from your team went to Spain?

---

**UNCORRECTED**

---

**CAMILLA DROVER:** I haven't attended any trips to Spain to inspect the new regional rail fleet, but we are sending technical representatives on a regular basis. We're in dynamic testing for the regional rail fleet. We've got nine trains in production. We're hoping to see a train here in New South Wales early next year, so we're regularly sending teams. As part of the process, they do need to prepare a report at the end of every trip and inspection session in Spain.

**The Hon. SAM FARRAWAY:** Just to confirm, our first train for the new regional rail fleet will arrive in the first quarter of next year or the first half of next year?

**CAMILLA DROVER:** Well, the arrival of the train is obviously subject to that testing that is happening in Spain, but that's the current advice from our supplier. We hope to have a train here early next year.

**The Hon. SAM FARRAWAY:** Have there been any further developments or changes to the train design this year?

**CAMILLA DROVER:** No. We've substantially completed the detailed design process for the train. That is a contractual milestone that has been achieved. Although we've achieved that, we say "substantial" because there are some actions that arise out of that milestone that we are still completing. But, generally, we have agreed the detailed design for that train. As I said, there are nine trains in production and the dynamic testing of the first train is well advanced.

**The Hon. SAM FARRAWAY:** Is the RTBU part of the formal design process of the new regional rail fleet? I note they went on a trip with Transport officials, and the RTBU paid their own way—I'm not suggesting anything. I'm asking a genuine question around the design and around that consultation that was started under the previous Government with the RTBU for the regional rail fleet. Is their feedback forming part of the design process?

**CAMILLA DROVER:** We're in regular discussions with the RTBU, particularly as we head towards bringing the train into the final testing and commissioning and then into service. Yes, there are regular forums with the RTBU. They have, as you say, visited the train in Spain. They have given us their feedback. They were pretty positive about the train. They now have confirmed their comments on the design of the train, and we have confirmed acceptance of those comments.

**The Hon. SAM FARRAWAY:** The RTBU's feedback to Transport for NSW post that trip—has that meant any significant change to the design?

**CAMILLA DROVER:** Not significant changes at all. There is one very modest change to the train that we will implement before the train is tested and commissioned. That's actually a change to the step in the crew cab—so how the drivers step onto the train. It's a modest change, as I said. We have acknowledged that and we will implement that.

**The Hon. SAM FARRAWAY:** That's something you obviously could implement and change within budget, if you're saying it's not—

**CAMILLA DROVER:** It's a very, very modest change.

**The Hon. SAM FARRAWAY:** Excellent. Can any of the feedback from that trip be shared? Obviously you have an arrangement with the RTBU and that dialogue that is going. Is there any update that can be given to the Committee or maybe taken on notice on some of the feedback, post that trip, and how that will be implemented in the process and the rollout of the new regional fleet?

**CAMILLA DROVER:** When we send staff and the technical team to review that testing, they do have to write up a report. That is shared, and clearly with the Minister's office. The RTBU—there's no requirement on them to give us any formal feedback, so I'm not aware of any formal feedback or report from them per se, but there were verbal comments. As I say, we are having ongoing and regular discussions with them, and they have written to us confirming their comments on the design of the train. As I said, I think recently the secretary has written back to them and confirmed our acceptance of those comments.

**JOSH MURRAY:** Mr Faraway, I should also say that, as Ms Drover said, the staff members who attended that visit have completed a journal of their studies and that has recently been cleared for release on the Transport website.

**The Hon. SAM FARRAWAY:** Excellent. Are you able to give a date when it will be posted to the website?

**JOSH MURRAY:** It would be imminent. I have signed that off. It should be provided very soon.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Excellent. The XPTs served us well, but we need new trains, Mr Murray, so it's good to hear it's progressing. Moving on to Ms Hoang, if I could, please. Can you confirm that the \$193 million that was left over from the regional reclassification and transfer program was redirected to the Regional and Local Roads Repair fund?

**BRENDA HOANG:** Thank you for the question, Mr Farraway. In the most recent budget, as you're aware, the current Government obviously made some decisions around the \$193 million. To the best of my knowledge, that money was returned to the Consolidated Fund. Therefore, in terms of how that money was repurposed, I can't give an answer, simply because I don't know what government's decision was.

**MATT FULLER:** Mr Farraway, I could probably add to that. In your Regional and Outer Metropolitan budget for this financial year, in addition to what Ms Hoang has said, we have \$24 million in opex funding for road reclassifications and another \$5 million for capex. So we have a total of \$29 million in this financial year towards supporting road reclassification.

**The Hon. SAM FARRAWAY:** Mr Fuller, how many recommendations were completed from the priority round of the reclassification review, because we heard earlier today that zero roads had been transferred? That is actually incorrect, isn't it?

**MATT FULLER:** I think perhaps what the Minister was referring to is since the priority round. What she was talking about this morning was our intent now to move road reclassifications into business-as-usual activity. The priority round was an isolated round that occurred earlier.

**The Hon. SAM FARRAWAY:** So there were 37 recommendations. How many were implemented prior to the election?

**MATT FULLER:** I might ask Ms Heydon to update. I don't know if she's got the exact, up-to-date figures, but I think we're pretty close to all of them being reclassified.

**The Hon. SAM FARRAWAY:** Or transferred.

**CYNTHIA HEYDON:** Thank you for that question. Let me just get into my notes. What I can say is that for those recommendations that were actioned up to March, 33 of the 37 endorsed recommendations have been implemented. That has resulted in 62.6 kilometres coming under State authority or responsibility.

**The Hon. SAM FARRAWAY:** Have the remaining four recommendations been delivered as of today?

**CYNTHIA HEYDON:** No, they have not been implemented as of today.

**The Hon. SAM FARRAWAY:** What are those four recommendations that are left over? I am happy for to you take it on notice.

**CYNTHIA HEYDON:** I might have to take it on notice.

**MATT FULLER:** I think, Ms Heydon, they relate to some of the other funding arrangements that might have been around in place around natural disasters and ensuring that they're taken up by the local government authority before they're transferred across, as an example.

**CYNTHIA HEYDON:** We can provide you the details of the four roads in question.

**The Hon. SAM FARRAWAY:** I'm happy for Mr Fuller or Ms Hoang to answer this. With regard to page 30 in *Budget Paper No. 03*, the regional roads fund, would you be able to confirm for me how much from the regional roads fund—which is a \$340 million fund in total that's been announced by the Labor Government—is to be spent in the current financial year, 2023-24?

**MATT FULLER:** I think *Budget Paper No. 03* refers to the capital amount that Minister confirmed this morning. In terms of the regional roads fund in the 2023-24 budget, we have \$28 million in opex and the capital amount is outlined in *Budget Paper No. 03*, as you say.

**The Hon. SAM FARRAWAY:** I've left them in my office, but that was the note I've written down here.

**MATT FULLER:** There's a range of projects outlined in *Budget Paper No. 03*: Bulli bypass investigations, \$1 million; Gosford bypass, \$1 million—

**The Hon. SAM FARRAWAY:** Mr Fuller or Ms Hoang, I'm looking just for the dollars. How much of the \$340 million for the regional roads fund is to be spent over the next four years?

**MATT FULLER:** I might have to take the full amount on notice. As you say, *Budget Paper No. 03* outlines the capital. I have the next 12 months on opex and we can come back on the remainders.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** If you're taking it on notice, Mr Fuller or Ms Hoang, would you mind breaking down the rollout of that fund for the next four financial years?

**MATT FULLER:** Sure.

**The Hon. SAM FARRAWAY:** Ms Heydon, whilst you're still there—

**CYNTHIA HEYDON:** I've also got the answers for you on those four roads. It's the balance of the regional road in Narromine, the regional road in Ballina shire, Clarence Valley, and Kempsey shire and Armidale regional road.

**The Hon. SAM FARRAWAY:** Excellent. Ms Heydon, are you still responsible for the Fixing Local Roads Program?

**CYNTHIA HEYDON:** Yes, I am.

**The Hon. SAM FARRAWAY:** Can you confirm, was there any underspend in round four?

**CYNTHIA HEYDON:** I will say that the Fixing Local Roads Program is fully committed at this stage. There is an amount of funding there for management, so it's not an underspend as such.

**The Hon. SAM FARRAWAY:** So you're saying that there is no underspend?

**CYNTHIA HEYDON:** The program is fully committed at this point, yes.

**The Hon. SAM FARRAWAY:** That's not my understanding of it, but that's okay. Do you still look after Fixing Country Rail?

**CYNTHIA HEYDON:** Yes, I look after Fixing Country Rail—all the "Fixings".

**The Hon. SAM FARRAWAY:** Yes, all things fixing. How much money is left in the Fixing Country Rail program?

**CYNTHIA HEYDON:** Let me just go to my notes. Currently allocated for Fixing Country Rail is \$273 million for 53 projects at this stage. What the balance of that program looks like will be subject to a piece of work that Transport is doing around a future pipeline for the next 10 years for the CRN network.

**The Hon. SAM FARRAWAY:** How much was originally committed—\$400 million?

**CYNTHIA HEYDON:** That was \$400 million.

**The Hon. SAM FARRAWAY:** So are you saying that the difference that is left in the Fixing Country Rail program is looking to be repurposed?

**CYNTHIA HEYDON:** No, I'm not saying that. I'm just saying we haven't made a commitment on that and we haven't asked for that funding.

**The Hon. SAM FARRAWAY:** Is that funding still parked and secured under that program?

**CYNTHIA HEYDON:** I can't answer that because the funding does not sit with Transport.

**The Hon. SAM FARRAWAY:** It sits still with Treasury? Okay. Do you still require a business case for Fixing Country Rail?

**CYNTHIA HEYDON:** Yes. We still require their process, which is a business case that needs a BCR above one.

**The Hon. SAM FARRAWAY:** Does your department have a list of projects? Have you sought any expressions of interest for new applications for that program?

**CYNTHIA HEYDON:** No. It wasn't an application-based process. It was actually one that's informed by departmental strategy and engagement with freight. That's a piece of work that we're looking to do now around what future program and funding requests for freight rail benefit projects could look like.

**The Hon. SAM FARRAWAY:** Ms Zycki, I want to go to the Coffs Harbour bypass. You probably know why you're here. With regard to the bypass, is your agency preparing a new noise assessment on the variation to the project since the EIS was signed off?

**ANNA ZYCKI:** Through the course of the project we do a number of noise assessments at different stages, depending on what the issues are. We also do additional noise assessments around changes to design and other features of the project.



**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Ms Zycki, have any additional assessments been carried out?

**ANNA ZYCKI:** There have been a couple of additional assessments based on different issues that have arisen and that will continue through the course of the project.

**The Hon. SAM FARRAWAY:** When was the most recent assessment carried out?

**ANNA ZYCKI:** I'd have to take that on notice.

**The Hon. SAM FARRAWAY:** When do you expect to make any of those results public?

**ANNA ZYCKI:** Those are provided throughout the project depending on what they're being done for and what that assessment is. We would negotiate with the department of planning as part of that process.

**The Hon. NATALIE WARD:** Can I just follow up. You've mentioned there are a couple of issues. Are you able to elaborate on what those issues were?

**ANNA ZYCKI:** Typically, throughout the design process if there's a change to the design, if there are matters that come up through construction, where members of the community might raise issues to do with noise—for instance, if there is noise at a residence and a member of the public raises concerns about that—we would do local noise assessments there. We would also do noise assessments if there is some sort of design matter. I might refer to Ms Drover for some of the response to that.

**CAMILLA DROVER:** Through the tender phase and the nomination of a preferred contractor, who is now our contractor delivering that project, we did make some minor modifications to the design. So that, in some instances, could necessitate review of assessment but we're still operating under the current planning approval conditions. That hasn't necessitated any change to the noise management or the noise criteria, and the other thing to note is at the end of the project we have to do a consistency assessment to make sure the as-built infrastructure actually still meets the original requirements of the planning approval.

**The Hon. NATALIE WARD:** That's covered planning. Does that cover off—were there additional costs incurred as a result of those changes?

**CAMILLA DROVER:** Usually we make changes to make savings or improve functionality of the infrastructure.

**The Hon. SAM FARRAWAY:** In your discussions or in Transport for NSW discussions, Ms Zycki, with Coffs Harbour City Council, are they supportive of a noise wall to be built as part of the Coffs Harbour bypass project?

**ANNA ZYCKI:** I can't really comment on Coffs Harbour City Council's view of the noise wall. At this stage I haven't been party to any meetings or discussions with them recently on that matter.

**The CHAIR:** Okay. Let's break and we'll be back at quarter to four.

**(Short adjournment)**

**The CHAIR:** Welcome back. We'll commence questions with the crossbench. Mr Carlon, I don't know whether you've had a question yet, have you? No. I wondered if you could tell the Committee what the Government is doing in terms of reducing what is a very concerning road death toll in New South Wales.

**BERNARD CARLON:** Thanks very much for the question. The Road Safety Action Plan 2026 has a range of measures in it. We're very concerned currently with the increase in the road trauma in New South Wales. We've seen a significant increase in almost all factors associated with speeding and drink driving and non-restraint use. You would've noted that the Government has announced that they will be moving forward—and they've actually lodged legislation in the Parliament with regard to the automated enforcement of seatbelt wearing, where we have on average around 29 deaths each year when people are unrestrained driving their vehicles.

**The CHAIR:** Has that gone up or decreased?

**BERNARD CARLON:** We've seen that go up this year as part of these overall increases, so we have actually seen an increase in non-restraint use during this period as well. That's gone from 24 at this time last year up to 34 for the same period. Clearly, measures to increase that are going to make a difference in terms of what we've assessed in the modelling for that initiative. Clearly, the police do a great job out there on the roads. They issue around 10,000 infringements for people not wearing their seatbelts every year. Police have actually, as part of their response to the road toll as well and under our partnership with them in terms of enhanced performance, commenced Operation Katana, which is looking at those locations across the State where there have been

**UNCORRECTED**

significant increases, particularly in the north and the south of the State in the metropolitan area, where we've seen really quite significant increases.

In the regional areas, we've seen an increase of 46 fatalities up to now 212 so far this year. But in the greater metropolitan area, we've also seen a 41 per cent increase—although the numbers are lower. We've seen an increase of around 26 fatalities. Initiatives like the additional police operations, the campaigns which have been rolled out by Transport for NSW in terms of engaging the community are still critical, and we're looking at the data associated with the increase this year. There's been a significant increase in urban-related fatalities and particularly country urban-related fatalities as well. We've been looking across the State and working with our regional colleagues in terms of the sorts of initiatives, like high pedestrian activity area zones to impact on pedestrian fatalities, which are up this year, and also the Safer Roads program this year.

We actually in regional New South Wales have funding of around \$270 million combined—sorry, that's the additional funding coming from the Commonwealth. So we're looking at around \$267 million worth of life-saving infrastructure on the network. We know from the evaluations that we've done on the projects that happen within the regions as well that there are significant reductions in trauma. We've had a look at 256 projects which have been implemented across the regional areas in that Safer Roads and Saving Lives on Country Roads program and seen a 44 per cent reduction just in those projects that have been implemented and a 33 per cent reduction in fatalities. The more we can invest in the safety on the roads is clearly going to make a difference in the longer term.

**The CHAIR:** You mentioned a number of factors there, seatbelts being one of them. What are the trends in terms of speed on New South Wales roads and how much that's playing a factor in the increased road toll?

**BERNARD CARLON:** We have seen an increase in speed-related fatalities so far this year. As at 15 October there were 117 speed-related fatalities, compared to 99 last year. There's a bit of a lag in the alcohol figures because they come through the health system, so we see about a three-month lag, but already we've seen an increase from 31 up to 38 of fatalities that are alcohol-related. I've mentioned seatbelts, but also the fatigue-related fatalities this year have gone from 30 to 37 across New South Wales.

**The CHAIR:** With the increase of quite a few things, as you've said—an increase in potential alcohol-related trauma, speed, plus seatbelts—what research is being undertaken to determine why these increases have occurred this year? What's happening? Is it a post-COVID environment? What is the Government's own thinking?

**BERNARD CARLON:** Certainly we're looking at the trends and looking at where those crashes are happening. The interventions for reducing trauma are pretty well researched, documented and evaluated, so we are looking to where we need to apply additional effort. Again, I mention Operation Katana with the police, where we're specifically investing in those areas where we're seeing an increase in terms of a short-term operational enforcement that can be done to try and turn that around in those local areas. Certainly that enhanced enforcement program with police—this year we're investing \$10 million in enhanced enforcement over and above the baseline activity with police. That has an immediate impact where we target it on those locations where we see trends in terms of increases.

Certainly we are having a look at where we see pedestrian and other vulnerable road user fatality increases as well to ensure that we're looking at the infrastructure, the education programs that are operating in those local communities where that's happening, and increasing our effort at that level, particularly at the local level, and engaging. We have a very strong behavioural program, which is run by our regions in conjunction with local government. Certainly we've been increasing the education around those issues where we've seen these increasing trends.

**The CHAIR:** My last question in this area—I'm not sure if you'll be the one to answer it, Mr Carlon—is in relation to heavy vehicles and bicycle safety. There was a fair bit of work in campaigning a few years ago now and I'm wondering where that's up to with the new Government. There has been a number of very concerning fatalities as a result of heavy vehicle drivers not being able to see cyclists, for one thing, with those cyclists sucked in under the vehicle. There is a solution, which is a particular guard on the trucks that prevents that from happening. Have any changes been made within the heavy vehicle regulation to fix that problem? Where is that up to?

**BERNARD CARLON:** I've mentioned a number of programs that are there to address those issues. Of course, sharing the road with heavy vehicles, it's particularly important for all road users to understand the blind spots of heavy vehicles. Our Be Truck Aware and Be Bus Aware campaigns, which we conduct regularly, are all about trying to have the other road users understand. As well, we've been conducting a program providing what they call Fresnel lenses to heavy vehicles for retrofitting on heavy vehicles in urban areas. Those Fresnel

---

**UNCORRECTED**

---

lenses provide that sort of visibility for the driver and decrease their blind spots. We've been providing those free to the heavy vehicle industry as well. On a broader context, we are definitely working with the heavy vehicle industry on what's called the CLOCS program, which is a construction logistics and community safety program that is national. Transport for NSW is working with the industry itself to improve work-related road safety on construction projects, which is around choosing the right sort of routes for drivers but also having them be aware of the other road users within those routes. It is a bit of an education program.

From a safer freight perspective, the Commonwealth has recently announced that Safer Freight Vehicles package and lane departure warnings, where vehicles are being given an additional width, so we will be able to import vehicles which are much safer from the European markets and other overseas markets. That requires additional safety features on those heavy vehicles, like devices for indirect vision, lane departure warning systems, blind spot information systems and the side underrun protection that you've mentioned. Side underrun is critical for motorcycle riders and bicycle riders in that context of sharing the road. There are a range of initiatives at both national and local level that are being undertaken to try to mitigate, in particular, those tragic crashes involving vulnerable road users.

**The CHAIR:** Thank you, Mr Carlon. I appreciate it.

**The Hon. SAM FARRAWAY:** I have questions for Mr Clarke and Mr Host. Mr Clarke, did the Premier's office ever request a test card for the Regional Apprentice and University Student Travel Card?

**LEWIS CLARKE:** Not that I'm aware of. Not from me, no.

**The Hon. SAM FARRAWAY:** Did the Premier's office ever request a test card for the regional seniors travel card?

**LEWIS CLARKE:** Not that I'm aware of, no.

**The Hon. SAM FARRAWAY:** Did you ever have to provide a brief to the Premier's media advisers or anyone in the Premier's office on the status of either of those two programs?

**LEWIS CLARKE:** Not that I recall, no.

**The Hon. SAM FARRAWAY:** Mr Host, are you aware also of *The Daily Telegraph* article that has been referred to in today's estimates hearing?

**RICHARD HOST:** I have read it.

**The Hon. SAM FARRAWAY:** Mr Host, when were you made aware of the loopholes in the program and in the card, as reported in *The Daily Telegraph* article?

**RICHARD HOST:** My understanding is that the briefing note to the Minister of the day that outlined the benefits and the risks did explicitly state that this was one area of risk that could be partially mitigated, but not entirely.

**The Hon. SAM FARRAWAY:** Were you aware of the request from Minister Aitchison's office for a test card?

**RICHARD HOST:** No.

**The Hon. SAM FARRAWAY:** Have you ever had a request for a test card come to you as the acting deputy secretary in this area?

**RICHARD HOST:** No, but then I would not expect such a request to come to me particularly.

**The Hon. SAM FARRAWAY:** Did Mr Clarke and his team advise you that a test card had been requested from Minister Aitchison's office?

**RICHARD HOST:** No.

**The Hon. SAM FARRAWAY:** Do you believe there needs to be greater transparency around the test cards and how they're logged and the receipts to collect and collate that data?

**RICHARD HOST:** Well, I certainly do now.

**The Hon. SAM FARRAWAY:** Mr Host, do you find it unusual that someone offers to reimburse the costs of a test card?

**RICHARD HOST:** I don't—I'm not across all the circumstances of this and therefore I can't really respond to that.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Mr Host, were you aware that Minister Aitchison's office had made an offer to reimburse the cost?

**RICHARD HOST:** I really can't recall.

**The Hon. NATALIE WARD:** If you can't recall, will you take it on notice to check?

**RICHARD HOST:** I'm happy to take it on notice, but I'm erring on the side that I was not aware of this.

**The Hon. NATALIE WARD:** Just to give you the opportunity to properly check.

**RICHARD HOST:** Yes, I'm happy to take it on notice. Thank you.

**The Hon. SAM FARRAWAY:** Do you believe that if additional testing of either the Regional Apprentice and University Student Travel Card or the regional seniors travel card needed to be conducted because of concerns, your department with Mr Lewis' team should have been charged, commissioned, requested to conduct that testing rather than a journalist?

**RICHARD HOST:** Again, I'm not sure of the full circumstances around this particular issue. I don't know who was there. I don't know enough of the details to answer.

**The Hon. NATALIE WARD:** Who does, or who would you expect to?

**RICHARD HOST:** I think we would speak to people within Mr Clarke's team to get to the bottom of what precisely occurred.

**The Hon. SAM FARRAWAY:** If Mr Clarke had advised you at the time that Minister Aitchison's office had requested a test card for the regional university and student travel card, do you feel that you were in a position to then tell the Secretary of Transport or advise your superior at the time?

**RICHARD HOST:** With respect, am I to answer a hypothetical?

**The Hon. NATALIE WARD:** Are you looking for cover?

**RICHARD HOST:** No, it's just something that hasn't happened and—

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

**The CHAIR:** I am aware of what the point of order is. Ms Ward, if you could treat the witnesses with respect—and I'd probably suggest you withdraw what was essentially an allegation.

**The Hon. NATALIE WARD:** I withdraw it. I didn't mean any offence—

**RICHARD HOST:** No, that's fine.

**The Hon. NATALIE WARD:** I'm interested in the answer.

**The Hon. BOB NANVA:** Point of order: I take a point of order to the question. It is a hypothetical question.

**The CHAIR:** Yes—

**RICHARD HOST:** I think I'm here to answer facts.

**The Hon. NATALIE WARD:** Could we rephrase it this way, then: In circumstances where this may or may not have occurred—it seems that it has, and we've been given that evidence today—if that were to have come before you, what steps would you have taken?

**RICHARD HOST:** I think I prefer to say that if ever anything happens that's unusual or out of the ordinary, I always seek advice.

**The Hon. NATALIE WARD:** From who?

**RICHARD HOST:** Whoever is appropriate to seek advice. If something is unusual, I will always consult with someone who is appropriate to obtain advice.

**The Hon. SAM FARRAWAY:** Mr Host, do you believe that any items that a journalist has purchased using a test card—if those items still exist, do you think that they should be returned to Transport for NSW or to the person that's offered—

**The Hon. Dr SARAH KAINE:** A six-month-old doughnut?

**UNCORRECTED**

**The CHAIR:** I will jump in here before the Government does. That is asking, again, a public servant for an opinion on something. They're not here to answer questions like that, and we have to be very clear in the questions that we do ask. It's certainly not opinion. It's certainly not their views on something. I'll ask the member to go back to asking him about actual things.

**The Hon. SAM FARRAWAY:** Mr Host, as the acting secretary, do you believe that any sort of review should be done of the procedures that are put in place within your team for test cards?

**RICHARD HOST:** Certainly after today, yes.

**The Hon. SAM FARRAWAY:** Just to confirm, you had no knowledge that a journalist was using a test card?

**RICHARD HOST:** I did not have knowledge of that, when the journalist was using the card.

**The Hon. NATALIE WARD:** In relation to the expenditure policies of the department, does this scenario align with the expenditure policies of Transport for NSW?

**RICHARD HOST:** Can I say that if testing takes place of any system—perhaps it could be someone travelling using an Opal card to test something—the cost of that is taken into account as part of the program testing. There are, of course, policies to say that no public servant can purchase something for their own benefit. There are policies in place that generally govern purchasing products for oneself, but there's also an understanding that you will spend money to test systems on a regular basis, one way or the other, and since we deal with cards of all different varieties, that would include using the cards.

**The Hon. NATALIE WARD:** In this circumstance, it was an external party. Of the many public servants who are in the department, it wasn't one of those. It was an external party. Would that align—

**RICHARD HOST:** Yes, but as I've said, sitting here now, I don't have enough details to know the circumstances in which it actually took place.

**The Hon. NATALIE WARD:** Under the existing policy—where an external party is requested to test an item, has this been undertaken in accordance with the existing policy?

**RICHARD HOST:** I'm not trying to be difficult, but if we have an external party—which could be a subcontractor; it could be a range of external parties—we can delegate to them to do testing.

**The Hon. NATALIE WARD:** In the circumstances where delegation was made—for example, to a journalist, in this case—what would be the requirements for procurement around that delegation?

**RICHARD HOST:** I would prefer to take that on notice because, again, I don't have enough of all the details to answer, for this particular circumstance.

**The Hon. NATALIE WARD:** Thank you. In doing so, could you also provide to the Committee, if you're not able now, about what probity measures might have been put—would be expected to be put in place under the existing policy?

**RICHARD HOST:** I'd be happy to.

**The Hon. SAM FARRAWAY:** Mr Clarke, I want to return to the request from Minister Aitchison's office to you for a test card. I don't want the name because I think we've got a process there, but was it a media adviser that requested—

**The Hon. Dr SARAH KAINE:** Point of order—

**The Hon. SAM FARRAWAY:** I'm asking for the position. I'm not asking for the person's name.

**The CHAIR:** Yes, Dr Kaine?

**The Hon. Dr SARAH KAINE:** The point of order is that by naming the position it's going to be very easy to identify the person in the office. If we go to the protocol we established earlier, it would be preferable.

**The CHAIR:** I uphold the point of order. I request that the member not go down the path of what role, what position, to the point where it would be essentially naming the individual. It will be provided on notice, is what we're being assured.

**The Hon. SAM FARRAWAY:** Thank you. Ms Zycki, has a noise wall been fully costed as part of a possible scenario with the Coffs Harbour bypass?

**ANNA ZYCKI:** I would probably hand that question over to Ms Drover.

**UNCORRECTED**

**CAMILLA DROVER:** The noise wall that I think you're discussing is the one adjacent to a proposed development for the film studio. That's not part of the scope of the Coffs Harbour bypass, nor is it in the budget for the Coffs Harbour bypass. If I can just clarify, some of the detailed design changes that arose out of the tender process has meant that we are slightly moving the interchange away from that proposed development. I should clarify, it is still a proposed development. It doesn't have planning approval. But those design changes move the interchange and the road further away from that proposed development, so therefore the impact is expected to be lower on that proposed development. Having said that, as you have stated before, we have futureproofed that if a noise wall does go in, there is at least space for it.

**The Hon. SAM FARRAWAY:** Ms Zycki, what is the current status of the early works program for the Muswellbrook bypass?

**ANNA ZYCKI:** Again, I would hand that question to Ms Drover.

**CAMILLA DROVER:** I think we have done some enabling works. I will just confirm. We are obviously not in the tender phase for the Muswellbrook bypass because it's subject to that Federal infrastructure review.

**The Hon. SAM FARRAWAY:** So the Muswellbrook bypass is subject to—did you say the Federal Government's 90-day review?

**CAMILLA DROVER:** Yes, given it's proposed to have Federal government funding, it's subject to that review.

**The Hon. SAM FARRAWAY:** Just to confirm, Ms Drover, the Muswellbrook bypass is currently on hold because of the Federal Government's 90-day infrastructure review?

**CAMILLA DROVER:** We have started some early work activities; you're correct. But proceeding with the tender phase, the RFT phase, for that project—we are not proceeding with that until we get confirmation from the outcome of that Federal infrastructure review.

**The Hon. SAM FARRAWAY:** In not being able to go to a tender process, how far will that delay the overall Muswellbrook bypass project?

**CAMILLA DROVER:** It will depend on when we get an outcome from the Federal infrastructure review and when we go forward with a tender process. That doesn't necessarily mean to say there will be an actual delay. I would need to look at the original program for the Muswellbrook bypass.

**The Hon. SAM FARRAWAY:** For how many months, Ms Drover, have you been waiting for a response from the Labor Federal Government on their 90-day infrastructure review, which was meant to be concluded at the end of July? You've obviously been waiting several months to then progress the next stage of going to tender. July, August, September, October and we're now in November so you've got at least a three-month delay to the project because you haven't been able to go to tender. Is that correct?

**CAMILLA DROVER:** As I said, we haven't shortlisted and gone to tender because the project is subject to that Federal review. But, as I also said, we are proceeding with early works and that will mitigate any delay because early works help de-risk the critical path for a project.

**The Hon. SAM FARRAWAY:** Has the New South Wales Government committed to the construction of a full connection to the Muswellbrook bypass at Coal Road, which would provide a link directly to Muswellbrook town centre?

**CAMILLA DROVER:** Given the amount of Federal funding in that project or proposed to be in that project, we would need to await the outcome of that Federal review.

**The Hon. SAM FARRAWAY:** I think Muswellbrook Shire Council have really called for that connector at Coal Road. You can't give any certainty to that being a part of the overall project until the Federal Government's infrastructure review is completed. Is that correct?

**CAMILLA DROVER:** I think that's my understanding. Maybe my ROM colleagues could confirm that, but that is my understanding.

**The Hon. SAM FARRAWAY:** Ms Zycki? You're pretty across this.

**MATT FULLER:** I can add to that just to clarify that, although—exactly what Ms Drover said—it is subject to the Federal infrastructure review, in April 2021, after the public display, connections to Coal Road were added to the project. But I think the overall scope of the project is being reviewed and that's something that we will need to reconfirm following the infrastructure review.

---

**UNCORRECTED**

---

**The Hon. SAM FARRAWAY:** Has Transport for NSW commenced any property acquisitions for that project?

**CAMILLA DROVER:** I would need to take that on notice to confirm.

**The Hon. SAM FARRAWAY:** Can the project be completed by the original date of 2027 or will it have to be revised due to the Federal Government's infrastructure review?

**CAMILLA DROVER:** It will obviously depend on when we get a definitive answer and the funding for the project. So, yes, it will depend on that timing. In terms of property acquisition, I suspect we have if we've started early works. But, as I said, I will go away and confirm that.

**MATT FULLER:** Ms Drover, I could add that there are definitely property acquisitions that are underway. Muswellbrook Coal Company actually owns about 80 per cent of the alignment. Given that many of the acquisitions are partial acquisitions—i.e., there is no displacement of landholders—I think the property team is well advanced. We can provide those accurate numbers.

**The Hon. SAM FARRAWAY:** Is the design of the Muswellbrook bypass completed? There was an EOI for that. That has closed, has it?

**CAMILLA DROVER:** Yes. The EOI closed but we haven't announced a shortlist arising out of that EOI.

**The Hon. SAM FARRAWAY:** When did the EOI close, Ms Drover?

**CAMILLA DROVER:** I think it was either the end of Q1 or early Q2 this calendar year. I can take on notice exactly the timing of that.

**The Hon. SAM FARRAWAY:** When was the original scheduled date or time line to go to market with the shortlist of tenderers?

**CAMILLA DROVER:** I know we started the EOI process earlier this year but I have to come back to you with exact dates on that project.

**The Hon. SAM FARRAWAY:** I'm happy if anyone wants to jump in here, Ms Drover or Ms Zycki or Mr Fuller. What is the latest advice on the signing of the Singleton bypass construction contract?

**CAMILLA DROVER:** We are hoping to award that shortly.

**The Hon. SAM FARRAWAY:** Is the Singleton bypass project under the Federal Government's infrastructure review?

**CAMILLA DROVER:** No. We've had confirmation from the Federal Government and we've had the funding instrument for that project. That will allow us to proceed and award a contract for the Singleton bypass.

**The Hon. SAM FARRAWAY:** Have any issues during the early enabling works caused delays which could impact the start of construction once the construction contract has been issued and executed?

**CAMILLA DROVER:** Not that I'm aware of, no.

**The Hon. SAM FARRAWAY:** Have all compulsory property acquisitions for the Singleton bypass been completed by Transport for NSW?

**CAMILLA DROVER:** The very large majority of them. There are a couple of matters that will be outstanding and we anticipate to resolve them fairly quickly. We're not anticipating significant impacts on the construction schedule, though.

**The Hon. SAM FARRAWAY:** How many properties are yet to be acquired?

**CAMILLA DROVER:** I'll get exact numbers. I think there's three matters that are yet to be finalised.

**The Hon. SAM FARRAWAY:** Relating to three separate properties?

**CAMILLA DROVER:** Yes, that's my understanding.

**The Hon. SAM FARRAWAY:** How many compulsory acquisitions have been referred to the Land and Environment Court for mediation or decision?

**CAMILLA DROVER:** Six went to the Land and Environment Court. Most of those have now been determined. One is still waiting early Land and Environment Court determination, one is in train to be resolved and the other matter is awaiting the statutory period because the VG has made a determination and the period by which people can respond to the VG's determination has not yet expired.

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Whilst I still have you, Ms Drover, and we're talking infrastructure, for the Great Western Highway, when will results of the EIS be released to the public?

**CAMILLA DROVER:** As you would be aware, the State Government has deferred the Great Western Highway program for more than two years, other than the two projects that obviously are in delivery, the Coxs River Road project and Medlow Bath upgrade project. We're also awaiting the Federal infrastructure review, too, for the balance of their funding to that program. The greater than two-year deferral was the State Government decision. On that basis, the EIS process has paused.

**The Hon. SAM FARRAWAY:** With the EIS process, though, the submissions were received and closed prior to the election, so you would know what the results are or what the feedback is of those submissions.

**CAMILLA DROVER:** Yes, I confirm that the community has given their submissions.

**The Hon. SAM FARRAWAY:** What was in the submissions? Were they majority positive for an 11-kilometre tunnel or were they majority negative? What were the results of those submissions?

**CAMILLA DROVER:** I don't have the result outcome yet. I think those submissions were still to be prepared and collated, so I don't have that information.

**The Hon. SAM FARRAWAY:** Are you able to take on notice the number of submissions received for the Committee and the number in favour of the project and the number opposing the project?

**CAMILLA DROVER:** I can take on notice the number received. It's not always clear whether respondents are in favour or not. Sometimes they are more comments. But I can take it on notice and see what information we can bring back in that regard.

**The Hon. NATALIE WARD:** Thank you for your attendance today, Ms Drover. On the 90-day review, could you let the Committee know how many projects and what quantum of funding is on hold? You alluded to some other projects. Is it possible to give an answer on the funding that's on hold and the number of projects as a result of the 90-day review? If you need to take it on notice, that would be very understandable.

**CAMILLA DROVER:** The vast majority of all the projects in New South Wales that had Federal funding are subject to that review. There were a couple of exceptions that were very well advanced, like the Singleton bypass. You would be aware that there were a couple of other projects that were subject to the review but, again, they were well advanced. One we awarded just a couple of weeks ago was the Jervis Bay intersection project. We were able to communicate with the Feds and get their agreement—

**The Hon. NATALIE WARD:** It was saved.

**CAMILLA DROVER:** —to say it was okay to proceed and award that contract, and their funding would be there for us. In terms of the number that are subject to that review, I don't have an itemised list but we could take that on notice and bring that back for you. But it was the vast majority of projects with Federal funding in New South Wales.

**The Hon. NATALIE WARD:** That would be appreciated, thank you. That is understandable and pleasing about the Jervis Bay intersection because I think the early works had started there, in any event. Given fatalities on that intersection, that's pleading that that's continued. So those projects are yet to be confirmed by Transport, subject to the finalisation of that review. Is that essentially what you're saying?

**CAMILLA DROVER:** They're yet to be confirmed by the Federal Government about which projects they are going to fund, and how they're going to fund those on the basis of that funding.

**The Hon. NATALIE WARD:** Are those projects that are in the review referenced in the budget as such?

**CAMILLA DROVER:** I would have to refer that to my colleague, Ms Hoang.

**The Hon. NATALIE WARD:** Good afternoon, Ms Hoang. Thank you for your attendance.

**BRENDA HOANG:** Good afternoon. Thank you for the question. No, they are not specifically referenced in the budget papers.

**The Hon. NATALIE WARD:** Where would that information be available then? If they're not in the budget, and that information has not, I assume, been publicly released, where would that be available, or is it not available?



---

**UNCORRECTED**

---

**BRENDA HOANG:** It is not available simply because it is subject to the review and the information at the moment is with the Federal Government. We have not had any indications as to what the results will be at this point in time.

**The Hon. NATALIE WARD:** But those projects that are joint Federal projects with Federal funding are itemised in the budget. Is that correct?

**BRENDA HOANG:** Yes, they are.

**The Hon. NATALIE WARD:** They're listed in there separately?

**BRENDA HOANG:** Yes. It is noted where the Federal Government has a contribution to a particular project. It is in *Budget Paper No. 03*.

**The Hon. NATALIE WARD:** So all of those are subject to the review, except the ones that have been—three, I think?

**BRENDA HOANG:** That's right. Those that are currently under construction or Federal Government election commitments are not subject to the review.

**The Hon. SAM FARRAWAY:** I'll go back to Great Western Highway. This one may be for Mr Fuller. How much road freight is currently being transported on the Great Western Highway?

**MATT FULLER:** I would have to take the exact number on notice and go back and ascertain from the traffic studies that we have undertaken.

**The Hon. SAM FARRAWAY:** Also, could you take on notice how much road freight is forecast to be transported on the Great Western Highway by 2035? I don't expect you to have that answer on hand. Can you advise—you may have to take this on notice as well, unless Mr Weeks or someone could answer—how many heavy vehicle incidents or accidents there have been on the Great Western Highway this year, and how many road closures they have caused?

**MATT FULLER:** I think that's something that we'd like to take away and get the details.

**The Hon. SAM FARRAWAY:** Also, how many times has the highway been closed due to weather over the last 10 years? I'm more than happy—it's quite an extensive one—for you to take that on notice.

**MATT FULLER:** Sure. I think with that, we would be happy to take on notice any closures that go back and ensure that we have records of those, whether that covers the full 10-year period or how far back. We'll endeavour to take that on notice, yes.

**The Hon. SAM FARRAWAY:** I might direct this to you, Mr Murray, and then we can work out who can answer it. Has Transport for NSW provided the Minister for Regional Transport and Roads with a copy of the reclassification and transfer report that was commissioned by the former Government?

**JOSH MURRAY:** I'm aware of the work that we've done, and seeking the advice of the former Premier in terms of access to that report. Matt, do you have anything further?

**MATT FULLER:** Yes. My understanding is that the Minister's office has been provided with that. I think that's correct. Ms Heydon?

**CYNTHIA HEYDON:** Yes.

**MATT FULLER:** But we also understand that the released information that was provided from the previous Government was effectively to be treated as a Cabinet-in-confidence document and not distributed publicly.

**The Hon. SAM FARRAWAY:** On what date did Minister Aitchison's office request a copy or request that the former Premier or the former Government release that report to the new Minns Government?

**MATT FULLER:** Ms Heydon, I don't know if you have that information. I know it was some time ago. Perhaps we might have to check the exact date.

**CYNTHIA HEYDON:** We will have to come back on notice just to confirm the dates. What Transport did was seek advice and request from the former Premier to be able to share that report with the new Government, which was provided. What we are currently doing is looking at if and how we can release that publicly.

**The Hon. SAM FARRAWAY:** Are you saying the former Government—the former Premier—has stipulated that that report be treated as Cabinet-in-confidence?

---

**UNCORRECTED**

---

**CYNTHIA HEYDON:** The advice is that it can be provided to the Government, but the terms of reference for the independent panel was that it is treated as Cabinet-in-confidence.

**The Hon. SAM FARRAWAY:** Did Transport for NSW specifically request that that report be made public?

**CYNTHIA HEYDON:** I will have to take on notice as to what the specific request was.

**The Hon. SAM FARRAWAY:** Can you also tell us—you may need to take this on notice, unless you know, Mr Fuller or Mr Murray—on what date the report was delivered to the new Minns Labor Government, and on what date Minister Aitchison's office was provided with a copy?

**MATT FULLER:** We can take that on notice, certainly.

**The Hon. SAM FARRAWAY:** Moving on, and this may be one for Mr Tom Grosskopf. I have some questions regarding the Regional Roads and Transport Recovery program, and I think that is within your department. Is that correct?

**TOM GROSSKOPF:** No.

**The Hon. SAM FARRAWAY:** Whose department is it in?

**MATT FULLER:** Are you referring to the resilience program?

**The Hon. SAM FARRAWAY:** The Betterment Fund. Yes.

**MATT FULLER:** Yes. I'm happy to take questions and then others can contribute.

**The Hon. SAM FARRAWAY:** I asked Mr Hayes this earlier, and it may be one that I will ask Mr Murray a bit later as well, regarding issuing of the deeds. Mr Fuller, how many deeds with local councils have been signed and executed under the Regional Roads and Transport Recovery program?

**MATT FULLER:** My understanding is that we have 30 of the local government projects that have now been confirmed and approved with the Reconstruction Authority and with NEMA, the Federal Government emergency management agency. I might just ask Ms Heydon to confirm this. I'm not sure if this is up to date overnight, but I had 21 deeds issued and five executed. Is that still the current number?

**CYNTHIA HEYDON:** Yes, that number is correct as of yesterday.

**The Hon. SAM FARRAWAY:** Why has it taken so long to issue deeds to local councils?

**MATT FULLER:** Thank you for that question. There is a clear answer, but firstly I would acknowledge that the time that it has taken has led to some frustration from some of the original proponents. As you would recall, there was a process that was applied for applicants and submissions were undertaken. In fact, announcements were made obviously earlier this year about that program. On review with the Reconstruction Authority, it was assessed that there was risk of the Federal Government component, which was coming through the disaster relief funding arrangements, specifically through the category D in that program. We had to ensure that there was no risk, I guess, of not being eligible for those funds and ensure that the full extent of that program could be undertaken. There were some gaps that were identified in some of the eligibility criteria, so working very closely with the Reconstruction Authority. What the Reconstruction Authority offered to all proponents was to engage a third party, who had been heavily involved in a similar process in Queensland, that have assisted particularly the local government areas and now—

**The Hon. SAM FARRAWAY:** Mr Fuller, who raised the concerns around the compliance with the category D funding?

**MATT FULLER:** That was in discussion with the Reconstruction Authority.

**The Hon. SAM FARRAWAY:** Did the Commonwealth raise those concerns, or it's just the Reconstruction Authority?

**MATT FULLER:** It was a joint discussion about the Commonwealth's eligibility criteria and ensuring that what had been submitted and how the program had been established really made sure that that was locked and loaded, and that we weren't going to risk any projects not achieving eligibility. It's been a bit of an involved process, but one that has been well supported to the proponents—the partners.

**The Hon. SAM FARRAWAY:** How many projects were originally proposed earlier this year to be funded under that program?

**UNCORRECTED**

**MATT FULLER:** There were 33 local government projects that were originally proposed, and at the moment we're at a stage where we're able to approve and proceed on 30.

**The Hon. SAM FARRAWAY:** How many State road projects—transport projects?

**MATT FULLER:** On State roads we had 24 initially and at this stage we have reviewed and assessed that nine can continue. One of the reasons there's a lower number on the State roads is we prioritise the local government partner arrangements and set to work—as I said, the Reconstruction Authority engaged a consulting company, Indras, that were very heavily involved in the Queensland process. They worked alongside local government to help them fill any gaps in their applications and ensure that we had a robust application.

**The Hon. SAM FARRAWAY:** So was the Reconstruction Authority concerned that they wouldn't get reimbursed through the guidelines for the Commonwealth?

**MATT FULLER:** There was some concern about that, yes—about the eligibility criteria, yes.

**The Hon. SAM FARRAWAY:** Even though the criteria was stepped out and approved by two consecutive Federal governments as a new policy, they still had concerns that they wouldn't get reimbursed from the Commonwealth?

**MATT FULLER:** I think it's fair to say there was a commitment from the Federal Government on the funding. It was very specific that that was linked to category D disaster funding arrangements, and what we needed to ensure was that that—those disaster funding arrangements have a very specific criteria, and we needed to make sure that it lined up very closely to that, and there was no risk of not being able to seek that funding.

**The Hon. SAM FARRAWAY:** Which three local government projects are not going to be funded? Or have they just not yet been approved under the criteria?

**MATT FULLER:** They've not yet been approved. Whether or not they are able to be funded, we would have to come back, because, as I said, we're undertaking a continued and ongoing review of all of the projects to either get them to a stage where we are very certain they will have the eligibility attached to them or otherwise. In the event that they aren't, we'll be looking at options as to how we—

**The Hon. SAM FARRAWAY:** Which three projects are they?

**MATT FULLER:** I would have to come back to you on the three projects specifically.

**The Hon. SAM FARRAWAY:** Are there any transport projects—we've had nine of 24 approved. The remaining non-approved transport projects—is it a matter of an approvals process or do you have concerns that they don't meet the criteria?

**MATT FULLER:** We are doing a thorough assessment to either ensure that they do meet the criteria or look at alternatives if those projects are at risk.

**The Hon. SAM FARRAWAY:** Are you able to supply—on notice, because I don't expect it now—those transport projects that are, at this stage, not funded?

**MATT FULLER:** We can take that on notice, yes.

**The Hon. SAM FARRAWAY:** Because you're obviously supplying the three council ones on notice, if we can—

**MATT FULLER:** Yes.

**The Hon. SAM FARRAWAY:** Yes. Have there been any discussions with the Commonwealth on a stage two of this program?

**MATT FULLER:** There haven't been formal discussions on a stage two. I think what has been discussed and what the Reconstruction Authority obviously distributed in the last couple of days is other resilience works that they have sought and rolled out for the Central West. I know that ongoing resilience opportunities are certainly something that we are continuing to discuss with the Reconstruction Authority, but there isn't a formal proposal in front of the Federal Government at this point—from Transport, I should say. I can't say for other government agencies.

**The Hon. SAM FARRAWAY:** I just want to go backwards to the review. Who requested the review? The NSW Reconstruction Authority requested that Transport have another look at this?

**MATT FULLER:** Correct. In the discussions with the Reconstruction Authority and assessing the eligibility—

**UNCORRECTED**

**The Hon. SAM FARRAWAY:** Who in the Reconstruction Authority?

**MATT FULLER:** Sorry, the Reconstruction Authority as in the NSW Reconstruction Authority.

**The Hon. SAM FARRAWAY:** But who in the Reconstruction Authority?

**MATT FULLER:** Officials within the authority. I don't think it's appropriate that I necessarily name names.

**The Hon. SAM FARRAWAY:** Wasn't this program signed off by the former Resilience NSW, though?

**MATT FULLER:** That's correct. They participated in the project and were part of the selection process.

**The Hon. SAM FARRAWAY:** What was the date that they advised Transport that they wanted it reviewed?

**MATT FULLER:** I would have to go back and check that, but it was soon after the establishment of the Reconstruction Authority in going back and doing due diligence on all of the programs that they had responsibility for.

**The Hon. SAM FARRAWAY:** Are you able to take the date on notice for me?

**MATT FULLER:** I would have to take that on notice, yes.

**The Hon. SAM FARRAWAY:** That's fine. Do you accept, Mr Fuller, that the extended delay in issuing these deeds is going to possibly increase the construction costs of what was originally proposed as part of these betterment projects?

**MATT FULLER:** I accept that the delay has not been ideal. We're certainly happy to say that, as I know are our colleagues at the Reconstruction Authority. Part of going back and looking at the criteria—my understanding is that the team have also been able to reconfirm that the allocated budgets are still appropriate and that the projects are able to be carried out, in accordance with what the original proposals were, and I understand that that is the case.

**The Hon. SAM FARRAWAY:** When this program was originally established, was there any oversight then by Resilience NSW? The criteria, the grading, the assessment—wasn't that purely for Transport for NSW, within their remit?

**MATT FULLER:** My understanding was that Resilience were part of the panel that undertook the selection process of projects and were also involved in the set-up of the original criteria. Clearly, when the Reconstruction Authority did a review, they were concerned about gaps. That was apparent, and we worked very closely with them to ensure that that has been overcome, and now we're in the good position of having the vast majority of the projects approved and executing deeds.

It has also been something, I have to say, that has been shared incredibly transparently with the proponents, through to discussions on the Northern Rivers reconstruction steering committee that the Reconstruction Authority has stood up and leads. All of the councils have been active participants in that, and it has led to very transparent discussions about that, about the support that they've received from Indras. I know our team was up in the north only weeks ago, and we met with the seven Northern Rivers councils who were most predominantly affected during those events. I have to say that they certainly iterated to us that it's not ideal that there has been a delay, but they were very happy with the support they were receiving and the partnership that we were—

**The Hon. SAM FARRAWAY:** I accept that, Mr Fuller. Just to redirect the questions, has Lansdowne Road in the MidCoast local government area had its deeds approved?

**MATT FULLER:** I'm just checking to see whether I've got that information. I don't know that I do. Ms Heydon, do you have that information?

**CYNTHIA HEYDON:** We will have to confirm whether that's one of the ones that has been executed.

**MATT FULLER:** I think we might have to—

**CYNTHIA HEYDON:** I'm fairly certain that's one that has been issued.

**The Hon. SAM FARRAWAY:** The second one I have for you is the Yamba off-ramp, which would be a Transport for NSW—well, it's a State highway. Is it part of the 24 that are not yet approved?

**MATT FULLER:** We'll take it on notice and provide the information back.

---

**UNCORRECTED**

---

**The Hon. NATALIE WARD:** May I have Mr Carlon and Ms Webb and anybody to do with road safety, please. Thank you very much, Mr Carlon. Thank you for your time today and for your incredibly important work in road safety. Can I ask—and if it's not for you, feel free to direct it to whoever is appropriate—in relation to road safety, and can I turn to speed cameras to start with? We thought that that was over. Do you think that the community commenting on the location of speed cameras undermines support for the speed camera program, in your experience?

**BERNARD CARLON:** We actually have a portal where people can nominate—the community can nominate speed cameras for particular locations. I think we would need to be transparent; we need to bring in the community with us. They need to understand the value of speed cameras. Each year we publish the outcomes of the speed camera programs, and they clearly save lives. They have saved literally thousands of lives since they were first introduced. The current programs continue. When we look at the fixed speed camera program, evaluated last year—and the report was released only recently—we got significant savings of fatalities and serious injuries, as we do with our red light and average speed cameras.

Sometimes the rhetoric around revenue-raising as an issue can undermine the efficacy of those programs in the mind of the community, and so having leaders that actually refer to the value of automated enforcement in reducing road trauma is always a very positive thing for us to be doing. A lot of people have said that the community need to better understand the value, as well, of speed cameras and other automated enforcement, like the great benefits—the mobile phone camera program has actually delivered almost an 80 per cent reduction of people holding or using their mobile phones illegally whilst driving, really reducing risks.

**The Hon. NATALIE WARD:** Can I redirect us back to the cameras?

**BERNARD CARLON:** Yes.

**The Hon. NATALIE WARD:** I accept what you say about people nominating unsafe places for a camera to be placed, but can I direct your attention to when a camera is in place on a road. Do you think it's helpful for someone to point out where that camera is, in the sense of alerting people, "There's a camera here. Watch out", or do you think that undermines the intent of speed cameras, that you could be caught anywhere, any time? Do you think it's helpful to your program and the operations of road safety?

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

**BERNARD CARLON:** I think the different types—

**The CHAIR:** A point of order has been taken. Sorry, Mr Carlon.

**The Hon. NATALIE WARD:** I'm getting to a specific example.

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

**The Hon. BOB NANVA:** I believe the question is starting to veer towards an opinion on a policy matter, rather than asking a question of fact.

**The Hon. NATALIE WARD:** In my respectful submission, I will get to that. I have something that I will get to, but Mr Carlon is very qualified in this area. I was just asking for his—

**The CHAIR:** Sure, but rephrase the question.

**The Hon. NATALIE WARD:** Yes, certainly. Do you think that pointing out the location of speed cameras is helpful, in road safety terms, given your experience in the area?

**BERNARD CARLON:** Yes. There's plenty of research available that clearly indicates that particularly for fixed camera locations that are dealing with high-frequency crashes that having signage of those locations for specific warning of people to reduce their speed in a high-risk location—the research is very clear around the benefits of that. Certainly for average speed cameras, telling people the length that they're driving is also—the research is pretty clear about the benefits of that.

**The Hon. NATALIE WARD:** Can I turn then to a specific. Thank you, I get the gist of your answer. I understand there are driver safety issues for the mobile speed camera operators. That is the people who are sitting in the cars with mobile speed cameras in place. There are safety issues for them. Does identifying where they are support or hinder their safety and the effectiveness of the program?

**BERNARD CARLON:** I think the safety issues associated with the location of mobile speed camera operations really are around the work health and safety matters about having vehicles in safe places. We do a significant amount of work to ensure that the locations that are selected are actually in the safest locations for that type of enforcement, that the road environment is safe for the people to operate those camera systems and that the

**UNCORRECTED**

protocols we have in place actually require the operators to meet their work health and safety requirements in terms of reducing the risk for those workers.

**The Hon. NATALIE WARD:** But you would be aware, would you not, that in identification of speed cameras in particular areas, some of those mobile speed camera operators have been subject to verbal abuse and/or physical attack nonetheless?

**BERNARD CARLON:** Yes, we're aware of those incidents. Of course, the operators have an obligation to try to provide a safe workplace for those individuals. I think, more broadly, going to your previous question, leaders within the community actually need to also have an obligation to ensure that people are not vilifying the people who are out there just doing a job, which is actually aimed at reducing trauma on our roads. Supporting those individuals who are doing that job I think is really critical.

**The Hon. NATALIE WARD:** Do you think road safety is something that is a serious issue or a bit of a joke?

**BERNARD CARLON:** Sorry, I didn't quite hear that question.

**The Hon. NATALIE WARD:** Do you think that road safety is an important issue or something that should be taken as a bit of a joke?

**The Hon. ANTHONY D'ADAM:** Point of order: That's an opinion. I think that question is out of order.

**The CHAIR:** Yes, that question to a public servant is out of line.

**The Hon. NATALIE WARD:** I will move on. Do you think the road camera program is a serious program warranting serious attention?

**The Hon. ANTHONY D'ADAM:** Point of order: Again, that is an opinion.

**BERNARD CARLON:** All of our automated enforcement programs and road safety programs which deliver trauma reduction across the community are vital. Every death on our road and serious injury which is preventable—we should make every effort to continue to serve the community and have our citizens be able to move around our network safely.

**The Hon. NATALIE WARD:** Mr Murray, are you aware of the Premier's social media post, "Can you spot the hidden speed cameras?"

**JOSH MURRAY:** I'm not aware of the post.

**The Hon. NATALIE WARD:** Can I ask you to take that on notice, if we provide a copy? I can't provide it; it is on my phone. This seems to be a social media post that doesn't seem to treat road safety particularly seriously.

**The Hon. BOB NANVA:** Point of order: It goes to relevance. I don't know how the Premier's social media post goes to the estimates of expenditure from the Consolidated Fund or budget papers related to—

**The CHAIR:** Not that everything has to be specifically to that, but I will uphold the general line relating to the point of order, because I think I know where it was going. It really isn't for public servants to have opinions on social media posts of Ministers. The Minister was here this morning.

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

**The Hon. NATALIE WARD:** It is a serious issue, isn't it, Mr Carlon? Road safety is a serious issue, isn't it?

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

**The CHAIR:** Everybody is speaking very quietly. Mr D'Adam.

**The Hon. ANTHONY D'ADAM:** My point of order is that if the shadow Minister is going to ask questions in reference to a specific document, the onus is on the shadow Minister to table that document.

**The Hon. NATALIE WARD:** I have said I would.

**The CHAIR:** I thought we were almost off the point of that social media post, though, so we'll see how we go in terms of the next question.

**The Hon. NATALIE WARD:** I am very happy to table it for the Committee.

**The CHAIR:** Documents referred to should be tabled, ideally, if reference can't be made to them in another way.

**UNCORRECTED**

**The Hon. NATALIE WARD:** Are you aware of the social media post by Ron Hoenig on 3 October?

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

**The Hon. Dr SARAH KAINE:** Oh come on!

**The Hon. NATALIE WARD:** These are serious issues.

**The CHAIR:** Mr Nanva, what is your point of order?

**The Hon. NATALIE WARD:** We have Government Ministers making a joke of them. It's not funny.

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

**The Hon. BOB NANVA:** We are again asking a public servant to pass an opinion on the social media posts of—

**The Hon. NATALIE WARD:** I said, "Are you aware".

**The CHAIR:** I do not uphold this point of order. We don't know where the member was going, who started with "Are you aware", so we'll wait and see. Again, I remind the member that it's outside the rules and standards on questions to public servants to ask them opinions of Ministers' behaviour, including social media posts.

**The Hon. ANTHONY D'ADAM:** Point of order: Again, I take the same point of order. If she is going to refer to a document—

**The CHAIR:** I have ruled on the point of order, Mr D'Adam.

**The Hon. NATALIE WARD:** She has already ruled.

**The CHAIR:** We will continue. If you've got further points of order, I will hear them.

**The Hon. NATALIE WARD:** I will phrase it this way, if I may, to try to assist: On 3 October the Hon. Ron Hoenig posted a social media post, pointing out the location of a speed camera and stating, "Be careful, the mobile speed camera has made an appearance today in King Street, Mascot. If you want to know why it's there, that's a good question. Crash data indicates no accidents in five years." Does someone have to have a crash before a speed camera is placed in a location?

**BERNARD CARLON:** It depends on the program. Yes, fixed cameras have a threshold for the level of crashes for enforcement. Our mobile speed camera program, historically, has used multiple inputs into the location of camera locations, including crash data locations nominated by police, which are difficult to enforce, as well as community requests. A range of inputs are used and then sites are selected on the basis of them being able to be properly enforced now with the signage requirements, and safe to operate in terms of the operation of the vehicle and the operator.

**The Hon. NATALIE WARD:** You alluded in your earlier answer to revenue and the so-called revenue-raising of mobile speed cameras. Is revenue raised by mobile speed cameras?

**BERNARD CARLON:** Yes.

**The Hon. NATALIE WARD:** Are the fines from the speed cameras revenue?

**BERNARD CARLON:** Fines from speed cameras and all automated enforcement programs conducted go to the Community Road Safety Fund, under legislation established by the Government in 2013, I think it was, or 2012, and all fine revenue, where people have broken the law or done things that are unsafe to others on the road, goes into the Community Road Safety Fund to fund education, infrastructure and other programs.

**The Hon. NATALIE WARD:** And education programs and road safety specifically.

**BERNARD CARLON:** And the camera programs themselves, yes.

**The Hon. NATALIE WARD:** That doesn't go into consolidated revenue, does it?

**BERNARD CARLON:** No.

**The Hon. NATALIE WARD:** It doesn't go into any other programs other than road safety, does it?

**BERNARD CARLON:** No.

**The Hon. NATALIE WARD:** So it's not revenue in the sense of revenue that the Government can spend on anything other than road safety, is it?

**UNCORRECTED**

**BERNARD CARLON:** That's correct.

**The Hon. NATALIE WARD:** Would you deliberately place a camera somewhere in this program, taking into account crash data, for the purpose of raising more revenue?

**BERNARD CARLON:** No. If we have a look at the objective of mobile speed camera programs—and this is internationally recognised evidence around the use of mobile speed cameras—they are used in order to create an anywhere, anytime deterrence around people speeding. We know that more than 80 per cent of the population admit to speeding. It contributes to more than 40 per cent of our fatalities and more than 25 per cent of the serious injuries on our roads, which are now around 9,500 a year. So the distribution of enforcement around locations right across the network actually leads to a deterrent effect for people speeding anywhere, anytime. The program is actually aimed not necessarily at a specific, location-based reduction of trauma but a network-wide reduction of trauma by getting more people to comply with a speed zone more often whenever they get in the vehicle.

**The Hon. NATALIE WARD:** That's right. Is there ever a time when speed cameras are not about road safety, if I can put it in the reverse?

**BERNARD CARLON:** In my experience, no. I have seen no examples of it. Although, we've done evaluations based on the Auditor-General's review, back in around the 2010-11 period for the review, and reviewed cameras based on their location to see whether they were continuing to provide road safety benefit, particularly the fixed cameras. Some of those cameras have been removed on the basis that they weren't continuing to provide a reduction of trauma at that location.

**The Hon. NATALIE WARD:** But it wasn't because they weren't raising revenue. They weren't moved to somewhere else to raise revenue. So, respectfully, the assumption could be that some Government Ministers might be mistaken thinking they're about revenue when they're about road safety. Would that be a fair assessment?

**BERNARD CARLON:** Yes, there is a variety of community views around speed enforcement and speed cameras, and a proportion of the community who are of that view.

**The Hon. NATALIE WARD:** In fact, speeding fines are down and the so-called revenue, or the funding towards the Community Road Safety Fund, established under the Coalition Government, is down since the introduction of warning signs before, on top of and after speed cameras. That's right, isn't it?

**BERNARD CARLON:** Yes, for mobile speed cameras. But I would point out that every speed camera program has the objective of reducing offending. All the evidence is very clear that, in fact, whilst you put a camera in and we catch people speeding at those locations, within a very short period of time there's a significant reduction in that behaviour within 12 months. Then, within three years, we see up to 80 per cent reduction in the number of fines issued, because they're very effective. When people get a penalty, they tend to change their behaviour very quickly.

**The Hon. NATALIE WARD:** Correct. It hurts the hip pocket; you slow down.

**BERNARD CARLON:** And demerit points, which are an important part of that deterrence.

**The Hon. NATALIE WARD:** Have the enforcement hours for mobile speed cameras changed in the past nine months?

**BERNARD CARLON:** The policy with regard to the 21,000 hours of allocation of enforcement across the whole of the network per month—and that's an on-average figure—can be affected by different inputs. For example, during the significant flood periods last year—

**The Hon. NATALIE WARD:** Sorry, if I can redirect that: Are the enforcement hours down in the past nine months or not?

**BERNARD CARLON:** I would have to take that on notice.

**SALLY WEBB:** I can assist you with that. They're currently at 20,000 hours a month. The target is 21,000 hours and they've come up to 20,000 hours.

**The Hon. NATALIE WARD:** Thank you. That's very helpful. Mr Murray, as Secretary of Transport for NSW, where does road safety sit in your priority list?

**JOSH MURRAY:** Thank you for the question, Ms Ward. Certainly, upon coming into the role 11 weeks ago, I have made it a personal purpose to be heavily involved in the road safety discussions, especially given—but not only because of—the current road toll scenario that we are talking about. Within some of my first weeks I was fortunate enough to join New South Wales police as part of Operation Katana and spend the weekend out



**UNCORRECTED**

on shift, as they launched that program, with some of the senior officers in terms of seeing how they go about deploying the intelligence and the funding from the Centre for Road Safety. I've also visited the crash lab research institute in Western Sydney to see the latest thinking with manufacturers around safety equipment and have had multiple sessions with Ms Webb and Mr Carlon in terms of the policymaking discussions.

**The Hon. NATALIE WARD:** What would sit higher on your priority list than road safety?

**JOSH MURRAY:** Road safety is a very high priority for me as secretary. Obviously, the safety and reliability of our overall public transport networks is also incredibly important in terms of the whole leadership team. But safety is our number one priority. It's our licence to operate in New South Wales.

**The Hon. NATALIE WARD:** Can I turn to the budget again and get clarification from you—if you'd like to refer it to someone else, Mr Murray, or perhaps Ms Hoang, if you would prefer. Has the treatment or definition of capital expenditure—capex—changed in the 2023-24 budget for Transport for NSW compared to how it was dealt with in the previous budget? You might need to refer it.

**JOSH MURRAY:** I will ask Brenda to come in on that question.

**BRENDA HOANG:** Thank you for the question, Ms Ward. I don't believe it has.

**The Hon. NATALIE WARD:** So the definition is the same and the treatment of capex is the same.

**BRENDA HOANG:** Yes.

**The Hon. NATALIE WARD:** Given there's been no change in the treatment of capital expenditure between those two budgets, specifically in relation to the budget figures, are they correct, to the best of your knowledge?

**BRENDA HOANG:** To the best of my knowledge, yes.

**The Hon. NATALIE WARD:** Given that the definition hasn't changed and given that the budget papers are accurate, specifically on the line item of "Road Safety" under Transport for NSW in both years, is the line item statement in relation to capex attributed to road safety specifically? Is that higher or lower than last year?

**BRENDA HOANG:** In terms of the capex number?

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

**BRENDA HOANG:** I'd have to take a look at the specific number.

**BERNARD CARLON:** I have those numbers, if you would like.

**The Hon. NATALIE WARD:** Thank you.

**BERNARD CARLON:** To clarify the context, you asked about have we changed anything in the process.

**The Hon. NATALIE WARD:** No, I'm sorry. I asked about capex.

**BERNARD CARLON:** Yes, in capex. It's been the convention within the budgets over several years to include the Federal Government contribution to road safety in our budget items. In the 2023 budget, there was an allocation federally funded that was included. In this year's allocation in the budget, where you've noticed the discrepancy in the levels of funding, the Federal Government had not confirmed their contribution, which they have in their budget, for our financial year. Call it a post-budget event. So the total budget committed to road safety, including opex and capex, was \$669 million.

**The Hon. NATALIE WARD:** Sorry, my question wasn't about opex. It's only capex.

**BERNARD CARLON:** This didn't include \$270 million that the Commonwealth have reserved for two years, which wasn't included in this year's capex budget line item in the budget because it hadn't been confirmed prior to the budget papers having been completed.

**The Hon. NATALIE WARD:** So \$200 million?

**BERNARD CARLON:** It is \$270 million over 2023-24 and 2024-25.

**The Hon. NATALIE WARD:** But that's a different proposition, isn't it, Ms Hoang, to the treatment of capex in the two line items because the difference is \$141 million. That doesn't account, with respect, for this change in the line item, does it?

**BERNARD CARLON:** Well, it does, in that the allocation for this final year is half of that amount—it's \$135 million—but it hasn't been included in the budget because it had not been confirmed through the program

**UNCORRECTED**

guidelines by the Commonwealth Government prior to the budget papers being published, and so was not included in this year's budget papers.

**The Hon. NATALIE WARD:** Why is Federal road safety funding not included in the budget but for capital expenditure projects under the 90-day review they are?

**BERNARD CARLON:** This is, as you would understand, a quite flexible area of budgeting as well. I'd note that, even where the Federal Government capex contribution to the 2023 budget was \$60 million, actual expenditure during the 2023 year ended up being \$104 million of capex from the Federal Government because there were inflows that happened during the year and, as well, there were other events during the year—the flooding events which actually saw that we would need to postpone some of those capital projects. I'll also note that all of the local government infrastructure projects are actually funded through opex, and so the opex amount—

**The Hon. NATALIE WARD:** In relation to capex, which is my very specific question, are you telling this Committee that road safety funding is flexible?

**BERNARD CARLON:** No, road safety funding changes throughout the year depending on the timing of Federal Government funding, the approval of programs with the Federal Government. Certainly last year, as a result of the national disasters that happened across the State and the requirements that the Federal Government put on expenditure provided to New South Wales for road safety measures, it was a "use it or lose it" condition, so we actually deferred some of the State funding into future years in order to spend the Federal Government funding on the projects last year. That flexibility means that we've been able to deliver more projects as well. Last year we delivered more road safety infrastructure projects than we have over the last 10 years.

**The Hon. NATALIE WARD:** I might turn back to the budget though. The number is either incorrect or flexible or contains information that is not noted specifically in the budget because it's subject to the Federal Government's whim.

**BERNARD CARLON:** When the budget is published, it's published based on what's known in terms of the allocations—and, Brenda, I'll defer to you on this—but during the year those budget items may change because of additional funding that's come from the Federal Government, for example.

**The Hon. NATALIE WARD:** Ms Hoang, this is in your view not incorrect? It's a correct statement of the allocation?

**BRENDA HOANG:** It is correct at a point in time.

**The Hon. NATALIE WARD:** It's an allocation?

**BRENDA HOANG:** Yes, it is an allocation at a point in time.

**The Hon. NATALIE WARD:** For the year?

**BRENDA HOANG:** And it does change depending on what comes in and out during the year. Our budget does get revised through the Treasury process throughout the year. So we do have revised budgets but this particular number is at a point in time and that is during the State budget process.

**The Hon. NATALIE WARD:** So the Centre for Road Safety won't know what money it's going to get this year? That could change?

**BRENDA HOANG:** The Centre for Road Safety—sorry, the Community Road Safety Fund combined with the Federal funding has increased year on year since 2013 and certainly the expenditure last year in total was \$632 million, combined Federal and State funded. The commitment in the budget for this financial year is \$669 million, which is \$36 million more than last year.

**The Hon. NATALIE WARD:** It's concerning though, isn't it, when the road toll is up almost 30 per cent? We've seen a significant increase in the road toll. That is not disputed and it's not something anyone is happily reporting. These are people's lives and their families. It is concerning if the road toll is up that the funding allocation is flexible. Is that of concern to you and what steps are you taking to remedy that?

**BERNARD CARLON:** In this case, it's been flexible in that we actually secured more funding for road safety measures last year from the Commonwealth. It increased, for the Federal funded allocation, from \$96 million when the budget papers were published to \$178 million, so we've actually increased the amount of projects that we're able to implement during the year to do exactly what you're suggesting: reduce trauma.

**The Hon. NATALIE WARD:** But this is not fixed. This is now a point-in-time and a flexible figure so we don't quite know what it might or might not be, because that could change subject to the Federal review. That's what this Committee has been told. That's of concern, is it not, when the road toll is up?

**UNCORRECTED**

**BERNARD CARLON:** I think I can alleviate your concern because over several years the Federal Government contribution has significantly increased and the State budget contribution to road safety—

**The Hon. NATALIE WARD:** This is the State budget, yes.

**BERNARD CARLON:** —has increased year on year.

**The Hon. NATALIE WARD:** It's concerning, though, when the two allocations seem to be significantly different and we're now being told it's flexible. But nonetheless, I'll move on.

**BERNARD CARLON:** It changes throughout the year; that's true.

**The Hon. NATALIE WARD:** I want to go back to the critical incident reports—perhaps through you or to you, Mr Murray. Who receives those?

**JOSH MURRAY:** Critical incident reports?

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

**JOSH MURRAY:** In what manner?

**The Hon. NATALIE WARD:** The Minister referred this morning to her being the first Minister that actually receives the text message with the critical incident reports or the incident reports.

**JOSH MURRAY:** Members of the executive team receive a number of reports. I'm not sure exactly which ones she was referring to.

**The Hon. NATALIE WARD:** The daily road toll. The daily critical incidents.

**MATT FULLER:** I can clarify. The Minister receives the triaged incident reports that I receive as the deputy secretary of the regional area.

**The Hon. NATALIE WARD:** Does Mr Murray receive those?

**MATT FULLER:** My comment to Minister Aitchison, which I think is what she may have been referring to, was she is the first Minister that I have worked with who has received those texts directly.

**The Hon. SAM FARRAWAY:** From the Traffic Management Centre? From the automated process?

**MATT FULLER:** No. What we're referring to is a triage process that comes through our team that is managed through our customer coordination and service delivery team. They point out major disruptions to the network. They also call out fatalities. They call out significant events like in the last couple of days where our teams have been responding to bushfires around the State. So they are significant events. They're not just every TMC report.

**The Hon. SAM FARRAWAY:** Is this something that Mr Weeks' team would normally control around that response and that triaging of that process?

**MATT FULLER:** Mr Weeks' team account for those events, yes, but then they share those with myself and, where appropriate—

**The Hon. SAM FARRAWAY:** I don't understand the point that you've made about Minister Aitchison because, as the former Minister, I received those.

**JOSH MURRAY:** Can I maybe just suggest—that's why I asked the question as to which alerts. The organisation has got a number across Regional and Outer Metropolitan, Greater Sydney, Traffic Management Centre and the Rail Operations Centre. Perhaps these questions are for the Minister rather than for this team because we also receive a number of alerts that allow us to do our job.

**The Hon. NATALIE WARD:** As the secretary, though, I am asking you because this is a report that obviously goes to a number of your team. It was surprising to me—and perhaps, Mr Fuller, you might want to take it on notice or consider the veracity of that evidence because I know I received it during my time. Mr Farraway received it. Mr Elliott received it. Mr Stokes received it. We all received incident reports with that triage information and with the incidents that occurred and hopefully there was a "nil killed" notation. On very few occasions I found out from 2GB before I got the text, in which case I would send the text to others. But I'm not sure of the accuracy of that statement. I just wanted to give you the opportunity to check on that—that that's accurate—because I do believe that, in fairness, other Ministers have regularly received that information on a daily basis, including, sadly, the road toll. I'll invite you to consider that opportunity.

**MATT FULLER:** Sure. I'm happy to do that. I was referring to a specific incident report that comes through our team and is specific to the regional area.

**UNCORRECTED**

**The Hon. NATALIE WARD:** It's a serious matter, isn't it?

**The Hon. SAM FARRAWAY:** When was that set up, Mr Fuller?

**MATT FULLER:** I'd have to go back and check but it's been in place for some time.

**The Hon. SAM FARRAWAY:** Years?

**MATT FULLER:** It's certainly been in place in my time in Transport, yes.

**The Hon. SAM FARRAWAY:** Because I distinctly remember receiving those triaged messages especially.

**The Hon. NATALIE WARD:** We all received it.

**The Hon. SAM FARRAWAY:** And I remember that Mr Weeks' team usually were behind coordinating a lot of that and, if it didn't come from that, it came from the TMC.

**The Hon. ANTHONY D'ADAM:** Point of order: Is this a question?

**MATT FULLER:** Mr Farroway, just to clarify, I would say that you received a selection, not the extent that Minister Aitchison is receiving now, and primarily they used to go through your chief of staff.

**The Hon. NATALIE WARD:** I have a question about the M1 and the Hexham Bridge. I'm not sure who that's for.

**MATT FULLER:** It's probably Ms Drover.

**The Hon. NATALIE WARD:** Thank you, Ms Drover. It's about road works. I have, in fairness, put it in general terms to the Minister, who was very helpful at the time, but I just wanted to get an update on the works being done around the M1 and the road between that and the Hexham Bridge. There seems to be some community concerns around what is being done there. I can give more details, if needed. Can you perhaps update the Committee on what is happening there? There seems to be concern about the appearance of nothing happening and significant road delays.

**CAMILLA DROVER:** I may need some further details, but we have awarded three packages in that precinct. There's the M1 to Raymond Terrace project, which is being delivered in two packages—Black Hill to Tomago, which is about 10 kilometres; and then there's a Heatherbrae package, which is about five kilometres. Then beyond that is the Hexham Straight project, which is an alliance, which has also been awarded. That's a brownfield project, so it is probably more likely to be causing some disruption on the network. The M1 to Raymond Terrace packages have been awarded—they were awarded late last year—but they're only in the very early stages of their delivery and we haven't substantially commenced on site yet. That's imminent. It's probably the Hexham Straight, but I probably need more details of exactly what the disruption is.

**The Hon. NATALIE WARD:** Can I give the information I have and ask if you can take it on notice and give us an update? The concern is that it's the stretch of road between the end of the M1 and Hexham Bridge. It sounds like it's the Hexham Straight.

**MATT FULLER:** It may also be the Tarro bridge works, which have been the subject of critical work over the last few weeks.

**The Hon. NATALIE WARD:** It could well be, yes. The concern is that the delays in traffic are in both directions as one lane is closed. I have, in fairness, put this so you may be across it. It seems to be that there is non-existent roadwork, so the concern is that there is nothing going on there but there are delays at that particular project—no roadworks, no equipment and no signs. If we could get an update on where that's at and what the prospect is for those delays being caused by the closure of the lane, that would be helpful.

**JOSH MURRAY:** Absolutely. Those lane closures have recently been alleviated through the process of work that's being undertaken by Transport for NSW. It has been substantial disruption for motorists through that area, but we have been working very hard with local members, councils and the trucking industry because of the significant impact.

**The Hon. NATALIE WARD:** Thank you for that. I think it was an hour delay so there were concerns, and I did convey them—

**JOSH MURRAY:** Yes, it was.

**The Hon. NATALIE WARD:** —directly, so thank you for your help on that.

**UNCORRECTED**

**CAMILLA DROVER:** I just confirm that doesn't relate to the M1 to Raymond Terrace or the Hexham Straight project. That is separate.

**JOSH MURRAY:** Ms Ward, we have released a number of public announcements so people who need further information on that work can get that.

**The Hon. NATALIE WARD:** Terrific, thank you. Mr Fuller, a million dollars was allocated in the 2023-24 budget for the planning of additional ramps on the Princes Motorway as part of the Government's \$10 million commitment. Several locations will be investigated for the new ramps connecting to the M1 at the Princes Motorway. Are you able to confirm what locations will be investigated given it's 62 kilometres long?

**MATT FULLER:** Are you referring to the election commitments under the regional road fund?

**The Hon. NATALIE WARD:** Yes, \$10 million.

**SAM KNIGHT:** I can answer that, Matt.

**MATT FULLER:** Yes, perhaps we might throw to Ms Knight.

**SAM KNIGHT:** There's an election commitment there of \$10 million related to investigations for on and off ramps in the vicinity of Dapto. We're in a really early planning stage at the moment. Some \$1 million has been available in this current budget and now we can actually kick off that work. It's really important that we look at that whole section because we're not sure where is the best location for off or on ramps. We're just in a very early stage in that project.

**The Hon. NATALIE WARD:** Is the location of the southern side of Kanahooka Road one of those that is under consideration?

**SAM KNIGHT:** That is one of the locations that will be under consideration. I can't remember all the intersections right now, but there are about four locations where they'll be considered, initially from a modelling perspective, to be able to understand benefits.

**The Hon. NATALIE WARD:** Particularly the modelling is important, but there are hundreds and hundreds of residents who I think are indicating that might be a location you might seriously give consideration to.

**SAM KNIGHT:** It will be considered, but I think what's really important is that we have the right solution. On and off ramps are a really significant investment. We just need to be able to do the right planning first. Of course we'll include the community. One of the first things that we'll do is go out for community input.

**The Hon. NATALIE WARD:** Of course. Thank you. When will those investigations be finalised?

**SAM KNIGHT:** We're just starting the modelling work now. We're just about to kick off down that process. I'm not sure how long that will take. It will probably be a six- to 12-month process. But we do plan to go out to the community before Christmas.

**The Hon. NATALIE WARD:** Before Christmas you'll go out for consultation?

**SAM KNIGHT:** Yes, for some initial—

**The Hon. NATALIE WARD:** How long do you anticipate the time line to be for the whole of the investigation process?

**SAM KNIGHT:** I don't know how long that will be. I might need to take that on notice.

**The CHAIR:** That is time expired now for questions.

**The Hon. NATALIE WARD:** Sorry, just on the cost: Will that cost 10? What will the cost of that be? The 10?

**SAM KNIGHT:** Look, it's really early days, but there's \$10 million there for planning.

**The CHAIR:** We'll now go to the final 15 minutes, if there are any Government questions? No, there are not, so that is it. Thank you all very much for attending today's hearing. Obviously there were a lot of questions taken on notice. The secretariat will be in touch with you regarding that. Thank you once again for appearing. That is the end of today's hearing.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**