

Joint Standing Committee on Road Safety (Staysafe)

Report 5/56 – November 2018

Review of Road Safety Issues for Future Inquiry



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The motto of the coat of arms for the state of New South Wales is "Orta recens quam pura nites". It is written in Latin and means "newly risen, how brightly you shine".

Contents

Membership	I
Chair's Foreword	iii
Chapter One – Conduct of the review	1
Background	1
Terms of reference	1
Publicising the review	2
Submissions received	2
Consideration of submissions	2
Chapter Two – Issues recommended for future inquiry	3
The road safety benefits of compulsory first aid training for learner drivers	3
The road safety benefits of community-specific road safety campaigning	4
Chapter Three – Issues recommended for further consideration	5
Funding local roads to reduce fatalities	5
The needs of older road users	6
The adequacy of crash investigation and data collection	7
The impact of heavy vehicle industry working arrangements on road safety	8
Chapter Four – Other issues	10
Animal strikes	10
Driver behaviour	11
Driver education and training	12
Road rules	13
Technology	13
Vulnerable road users	14
Appendix One – Achievements of Staysafe in the 56 th Parliament	16
Appendix Two – Submissions	22
Annondix Throa. Extract of Minutes	2.4

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Chair's Foreword

I am pleased to present this review of road safety issues for future inquiry.

During my time on the Staysafe Committee we have received many emails, letters and phone calls from people alerting us to road safety issues which may not have received parliamentary scrutiny.

The Committee members saw our final report in the 56th Parliament as an opportunity to both give voice to the concerns of our stakeholders and to assist the Committee in the 57th Parliament identify topics for inquiry.

In response to our open call for people to propose future inquiries we received 34 submissions. The Committee has examined them all by considering how each might contribute to improving road safety outcomes and benefit the community.

We have recommended two proposed inquiries: examinations of the road safety benefits of compulsory first aid training for learner drivers, and of community-specific road safety campaigning.

These submissions, from St John Ambulance NSW and Blue Datto Foundation, were well argued and generously supported by evidence.

We identified four submissions for further consideration. In each case we see another step required before a final decision can be made to launch an inquiry, whether it be gathering more information, assessing current progress, determining if Staysafe is the best vehicle for proceeding, or indeed whether the question being put forward is settled.

As well as assisting the incoming Committee, the NSW Government also has an opportunity to take forward the potential inquiries we have identified.

Staysafe will continue to monitor the issues raised as part of its remit to report on road safety and the costs of crashes in New South Wales. Importantly, the 57th Parliament will oversee the final phase of implementing the NSW Road Safety Strategy 2012-2021. The recent report of the independent panel on the National Road Safety Strategy 2011-2020 also raised a number of critical concerns which will help New South Wales, and the other states and territories, shape our future focus on road safety policy, strategy and actions.

I thank the organisations and individuals who took the time to bring each issue to our attention. The Committee's achievements, since being established in 1982, rest on the passion of our stakeholders for safer roads and their enthusiasm for engaging with us.

I also thank my colleagues for their unflagging commitment to road safety, and the staff who supported us.

Staysafe has previously undertaken four public inquiries in the 56th Parliament: motorcycle safety, driverless cars, driver education and training, and heavy vehicle safety technology. This review is an important milestone as a finale to this Parliament and a harbinger of the next.

This is the last foreword I will write as Chair of Staysafe and as a Member of Parliament. I am grateful for the opportunity to have chaired such a longstanding and august Committee and am proud of its achievements.

We are all affected by road safety, whoever we are and however we use roads. Fatalities and injuries come at great personal, social and economic cost. As drivers, passengers, riders, pedestrians, family members, taxpayers, consumers and regulators safer roads benefit us all.

I look forward to the continuing focus of the New South Wales Parliament on road safety and to us all playing a part in achieving our shared vision of zero road deaths.

Greg Aplin MP

Chair

Chapter One – Conduct of the review

Background

- 1.1 Staysafe tabled the report of its inquiry into heavy vehicle safety technology on 24 May 2018.
- 1.2 The Chair invited members to consider other matters which might benefit from consideration by the Committee in the remaining time available of the 56th Parliament.
- 1.3 Members noted the number of contacts received from stakeholders and the community bringing issues to the Committee's attention which they felt merited parliamentary scrutiny. They were also conscious of the broad importance of road safety across the community. Staysafe's stakeholders include technical experts, government regulators, professional drivers, cyclists and motorcyclists, pedestrians, vehicle manufacturers, road haulage companies, the wider business community, advocacy organisations and individual citizens. They typically follow Staysafe's public inquiries and keep the Committee informed about their interests, experiences and concerns.
- 1.4 It was the view of members that it would be useful for Staysafe to offer its stakeholders an opportunity to bring matters to the Committee's attention which had not received scrutiny during the 56th Parliament.
- 1.5 Members also noted the precedent of the House of Commons' Science and Technology Committee which published its report *Future Programme: My Science* on 28 February 2017. In its report, the Science and Technology Committee described its 'open call' for proposals, titled *My Science Inquiry*, in which it invited the public to suggest potential inquiries for the Committee's future work program. The report outlined the Committee's process for reviewing suggestions and then shortlisting potential future inquiries. The Committee received 78 submissions of which it shortlisted nine and selected two.
- 1.6 The Science and Technology Committee's report can be viewed at:

 https://publications.parliament.uk/pa/cm201617/cmselect/cmsctech/859/85902
 https://publications.parliament.uk/pa/cm201617/cmselect/cmsctech/859/85902
 https://publications.parliament.uk/pa/cm201617/cmselect/cmsctech/859/85902

Terms of reference

1.7 On 15 August 2018 the Committee resolved to conduct the *Review of road safety issues for future inquiry* with the aim of recommending potential inquiry topics to the Staysafe Committee in the 57th Parliament. The terms of reference were:

The Committee will inquire into, and report on, road safety issues for future inquiry by inviting submissions proposing road safety inquiry topics.

The Committee will review and rank submissions by considering:

a) Why the issue is important;

- b) Why it should be investigated by Staysafe;
- c) How Government policy and practice will be improved;
- d) How the issue supports the NSW or national road safety strategy; and
- e) What benefits the community will enjoy.

Publicising the review

1.8 The Committee resolved to advertise the review on its website and via the Committee Chair issuing a media release, and by individually inviting around 150 stakeholders to make a submission.

Submissions received

- 1.9 The Committee resolved that the closing date for receiving submissions was Monday 17 September 2018.
- 1.10 Stakeholders were invited to submit 500 words or two pages, with up to eight pages of attachments if required.
- 1.11 The Committee received 35 submissions. Two submissions were on the same subject from the same author, and were combined into a single submission. The Committee published 34 submissions to its website. The submissions and the Committee's recommendation for each are listed at Appendix Two.

Consideration of submissions

1.12 Having reviewed the submissions received, Committee members agreed that it was not necessary to hold a public hearing or invite any of the submission makers to meet with the Committee. Members reviewed the submissions against the published terms of reference in the manner of comparative selection criteria. The results of this review are in contained in Chapters Two, Three and Four of this report.

Chapter Two – Issues recommended for future inquiry

2.1 The Committee has selected two proposals to highlight for the benefit of the Committee in the 57th Parliament.

The road safety benefits of compulsory first aid training for learner drivers

- 2.2 Submission 16 from St John Ambulance NSW proposed that all learner drivers in New South Wales receive compulsory first aid training as a prerequisite to obtaining their provisional driver licence. St John Ambulance NSW brands its proposal First on Scene Saving Lives through First Aid.
- 2.3 St John Ambulance NSW argued that this training would ensure that people most likely to be first on the scene at traffic accidents would be trained in first aid, and able to provide support for injured persons, thus improving crash survival rates. It cited evidence of the benefit of this scheme in several European countries including Germany, Austria and Switzerland, as well as multiple sources for evidence on harm minimisation and the value of pre-hospital care for crash victims.
- This proposal is consistent with *NSW Road Safety Plan 2021* and particularly with the priority 'building a safer community culture'.
- 2.5 The Committee has not inquired previously into this proposal. Staysafe examined driver training and education in its 2016 inquiry, including the needs of learner drivers, but did not receive evidence proposing compulsory first aid training for learner drivers.
- 2.6 Through undertaking this inquiry the Committee would be able to examine the evidence for improved crash survival rates in jurisdictions which train drivers in first aid, and compare it with Australian and overseas jurisdictions. It is not known what information is collected in New South Wales regarding first aid treatment at crash locations, or what statistics are collected on the identity of those who are first on scene at crashes. Information collected by the NSW Ambulance Service, NSW Police Service and NSW Health may be required to investigate this issue.
- 2.7 In the absence of the evidence required to compare the situation in NSW with other jurisdictions, one possible objective of this inquiry could be a recommendation to collect the statistics on first on scene and pre-hospital treatment required to make comparative assessments.
- 2.8 The Committee concluded that this proposal was well supported by the evidence included in the submission, and could be usefully examined in the 57th Parliament.

The road safety benefits of community-specific road safety campaigning

- 2.9 Submission 33 from Blue Datto Foundation proposed that road safety campaigning be designed and tailored for specific communities.
- 2.10 The Foundation delivers safe driving programs targeted at young people through a travelling roadshow which visits schools and colleges. The Foundation also engages with local stakeholders to gain an understanding of road safety issues in local communities.
- 2.11 The Foundation argued that it has detected differences between communities in their experience of road safety issues. It further argued that young people in regional communities do not see themselves represented in mainstream educational campaigns.
- 2.12 Consequently, the Foundation proposed that road safety campaigning would be more effective if tailored to these local experiences.
- 2.13 Road safety campaigning in New South Wales reflects the city-country distinction which is borne out by crash statistics. Published statistics break down crash information by metropolitan or country, and also by local government area.
- 2.14 The Foundation included a case study describing its *Keeping Safe* program in the Hawkesbury City Council area. It reported a decline in young driver fatalities following the delivery of the program.
- 2.15 The Foundation included feedback from youth sessions it conducted in four other regions which it argued illustrate regional differences in how young people view road safety and how to combat fatalities.
- 2.16 The proposal is consistent with *NSW Road Safety Plan 2021* and particularly with the priority 'building a safer community culture'.
- 2.17 The Committee has made recommendations about road safety campaigning in several recent inquiries. It has not, however, considered regionally targeted campaigning other than the question of country roads which already forms a significant part of current campaigning.
- 2.18 Regionally targeted campaigning as proposed by the Foundation may come at additional cost. The Committee notes that the Foundation has supplied annual costings in its submission.
- 2.19 In the Committee's view, the evidence provided by the Foundation, coupled with the success of its current activities, make this a worthy topic for parliamentary scrutiny. In its 2018 report on *Heavy Vehicle Safety and Use of Technology to Improve Road Safety*, which included an examination of the 2017-18 holiday road toll, the Committee found that the recent spike in the road toll was not a reason to reject the current road safety strategy. An inquiry, as proposed by the Foundation, early in the 57th Parliament, may dovetail with the Committee's continuing examination of fatality trends, especially if the upward trend is not arrested in 2019.

Chapter Three – Issues recommended for further consideration

3.1 The Committee has selected four proposals which may constitute useful inquiries following further consideration.

Funding local roads to reduce fatalities

- 3.2 Submission 14 from the Institute of Public Works Engineering Australasia (IPWEA) proposed that Staysafe inquire into the impact of funding local roads to reduce fatalities.
- 3.3 IPWEA advised that local government manages 90 percent of roads and that a continuing funding shortfall has led to a deterioration in the condition of local roads, and a corresponding deterioration in the safety of the local road network. It suggested that a sustainable funding model is required to ensure the community is provided with safe roads.
- The submission quoted statistics which show that local roads have a higher percentage of fatalities and injuries compared to state roads. IPWEA argued that an inquiry could establish the link between road safety and road conditions, providing justification for a sustainable funding model.
- 3.5 This inquiry would be consistent with *NSW Road Safety Plan 2021*, and particularly with its priorities of 'saving lives on country roads', and 'creating liveable and safe urban communities'.
- 3.6 Staysafe has welcomed and appreciated submissions from IPWEA to its inquiries over many years. In response to these submissions and oral evidence from IPWEA's representatives, the Committee has made several recommendations consistent with IPWEA's proposals, including strong support for the continued funding and enhancement of the Local Government Road Safety Officer Program.
- 3.7 The Centre for Road Safety continues to identify safe driving on country roads as a priority for road safety campaigning. *NSW Road Safety Plan 2021* envisages a new *Saving Lives on Country Roads* program to target expenditure towards country road safety upgrades, and a continuing partnership with local government, the community and industry to support grassroots Towards Zero initiatives.
- The 2018 Inquiry into the *National Road Safety Strategy* reported that the risk of fatalities on local roads is greater than on state roads, and that the capacity of and resources available to councils hinders their ability to improve road safety. It recommended various measures to reduce this risk including a new funding program directed at high risk local roads, and improved road safety being a criterion for federally funded road projects.
- 3.9 In considering IPWEA's proposal in this case, the question for the Committee is whether there is any more information or certainty which can be gained on this

issue through further inquiry, or whether the facts already establish the proposition IPWEA has put. The report of the inquiry into the *National Road Safety Strategy* arguably makes the case which IPWEA is making. The Committee in the 57th Parliament may find that IPWEA's argument that improving local roads will reduce fatalities has already been made. If so, the question of increasing expenditure, the quantum and the means of distribution, may not be one within the remit of Staysafe to consider.

3.10 The incoming Committee may wish to examine the evidence further, and particularly the report of the national inquiry, before making any decision about proceeding with the inquiry IPWEA proposed.

The needs of older road users

- 3.11 Several submissions proposed that Staysafe inquire into the needs of older road users.
- 3.12 Submission 16 from COTA (formerly the Council on the Ageing) proposed an inquiry with a focus on older driver and pedestrian safety. COTA argued that Staysafe had not previously examined the needs of older road users. It referred the Committee to the Centre for Road Safety's statistics on older driver and pedestrian trends, and to the NSW Ageing Strategy which has the key objective of ensuring older people can travel safely and have access to services.
- 3.13 Submission 23 from Ms Anita Volkert, representing Occupational Therapy
 Australia, proposed several issues for the future attention of Staysafe including
 the age of older driving testing and the rules around older driver assessment.
- 3.14 Submission 24 from Ms Melinda Cooper, an occupational therapy consultant, referred Staysafe to research which suggested that current medical evaluation techniques for older driver assessment are ineffective in reducing crash risk. She concluded that current arrangements imposed a burden on older people without a commensurate road safety benefit. Ms Cooper proposed an inquiry into better ways of identifying older drivers who are no longer safe to drive.
- 3.15 An inquiry into the needs of older road users would be consistent with *NSW Road Safety Plan 2021*, and particularly with its priorities of 'saving lives on country roads', 'using roads safely', 'creating liveable and safe urban communities', and 'building a safer community culture'.
- In its 2017 inquiry into *Driver Education, Training and Road Safety*, Staysafe examined several aspects relating to the needs of older road users, including the retesting of older drivers, and the reporting of dementia. It also inquired into the safety of non-registered vehicles such as mobility scooters in 2013.
- 3.17 Staysafe has not, however, undertaken an inquiry into the needs of older road users as a cohort, in the way it has inquired into the needs of other vulnerable road users groups such as motorcyclists and pedestrians.
- 3.18 The Committee notes that its 2017 inquiry uncovered a lack of consensus around the NSW older driver testing regime, which is one of the world's most stringent. The inquiry found, however, that the current testing regime is a reasonable

- balance between the rights of drivers and the community, and did not recommend any changes.
- 3.19 The 2017 inquiry, however, did recommend the introduction of mandatory reporting by doctors of dementia and other medical conditions which may diminish driving capacity. The NSW Government responded that further investigation of this recommendation was required.
- 3.20 An inquiry into the needs of older road users as a cohort would be consistent with Staysafe's past approach of identifying discrete groups of road users for the purpose of inquiring into their specific needs. It would also have the potential, however, to reconsider several of the issues which the Committee examined in detail as recently as 2017. The Committee in the 57th Parliament may wish to liaise with the NSW Government on its implementation of *NSW Road Safety Plan 2021*, the *NSW Ageing Strategy*, and any other plans it has relating to the needs of older road users before resolving to proceed with this inquiry.

The adequacy of crash investigation and data collection

- 3.21 Five submissions proposed that the Committee inquire into elements of crash investigation, and crash data collection and analysis.
- 3.22 Submission 20 from the Australian Road Research Board (ARRB) proposed an inquiry into the development of an independent and multi-disciplinary approach towards the investigation of road crashes.
- 3.23 Submissions 21 and 22 from researchers at the Transport and Road Safety (TARS) Centre, University of NSW, proposed an inquiry into the adequacy of road safety crash data to support road safety research.
- 3.24 Submission 25 from the National Motorists Association Australia (NMAA) proposed an inquiry which examined the adequacy of crash cause investigation with reference to the United Kingdom standard.
- 3.25 Submission 32 from Insurance Australia Group (IAG) proposed the establishment of a nationally consistent road crash database.
- 3.26 The Committee considered that these five proposals could be combined to represent a single proposal for an inquiry covering all aspects of crash investigation and data collection.
- 3.27 This inquiry would be consistent with NSW Road Safety Plan 2021, and particularly with its priorities of 'building a safer future', 'using roads safely', and 'building a safer community culture'.
- 3.28 Several of the organisations listed above have made submissions to previous Staysafe inquiries and given oral evidence at public hearings, both on the subject of crash investigation and data collection, and on other subjects. The Committee acknowledges the considerable expertise represented by these organisations, and the reliance the Committee has placed and will continue to place on these organisations for expert input to its road safety inquiries.

- 3.29 Staysafe examined evidence on crash investigation in both its 2017 inquiry into driver education and training and its 2018 inquiry into heavy vehicle safety technology. In its 2017 inquiry the Committee recommended that crash data collection be expanded to include additional criteria, and that a broad-based working party be established to report in 12 months on how crash data collection and analysis could be improved. The NSW Government supported this recommendation, but the Committee is unaware of what action the NSW Government has taken to act on this recommendation.
- 3.30 In its 2018 inquiry the Committee considered evidence of the value of independent crash investigation and analysis, including a proposal that the Australian Transport Safety Bureau be assigned to investigate all serious truck crashes in NSW. The Committee commented that crash investigation be the subject of ongoing consultation between NSW road safety authorities and the heavy vehicle industry.
- 3.31 The *Inquiry into the National Road Safety Strategy 2011-2020*, released in September 2018, drew attention to uncertainty regarding the causes of crashes and fluctuating trends in fatality and injury rates. The inquiry report stated that data on serious injury rates is currently poor and, as a result, there is an overreliance by authorities on fatality data to monitor road safety performance.
- The Committee also notes that the issue of the adequacy of crash data collection and data sharing between agencies has received recent media attention.
- 3.33 An inquiry into the adequacy of crash investigation and data collection would be consistent with Staysafe's remit and trends in its previous inquiries. The Committee in the 57th Parliament should first seek advice from the NSW Government regarding what action it took to engage with stakeholders to identify how crash data collection and analysis can be improved. The Committee might then seek a response from these stakeholders regarding their satisfaction with the outcomes of this engagement. Finally, the Committee might consider whether in light of potential action at a national level to improve crash investigation and data collection, it should proceed with a state level inquiry or encourage all parties to participate at a national level.

The impact of heavy vehicle industry working arrangements on road safety

- 3.34 Submission 27 from the Transport Workers' Union proposed that the Committee inquire into the impact of heavy vehicle industry working arrangements on road safety.
- The Union noted that Staysafe had previously considered evidence on this issue in its 2018 inquiry into heavy vehicle safety technology.
- 3.36 The Committee's 2018 inquiry was referred by the Minister for Roads and included both an examination of technologies being used to manage heavy vehicle safety and how they are regulated as well as an examination of the 2017-18 holiday road toll. The Committee considered the evidence of the Union and others regarding the impact on road safety of commercial practices and working

arrangements in the industry, but considered that this evidence was outside the scope of the inquiry's terms of reference. The report found, however, the safety improvements offered by taking up heavy vehicle safety technologies might be limited without considering the safety implications of the practices within the industry.

- 3.37 The 2018 inquiry recommended that the NSW Government prepare and adopt its anticipated *Heavy Vehicle Safety Strategy* as a priority, pursue heavy vehicle regulation in a national framework, and review its consultation arrangements to ensure the needs of all heavy vehicle industry stakeholders, including drivers, are being met.
- The inquiry proposed by the Union would be consistent with NSW Road Safety Plan 2021, and particularly with its priorities of 'saving lives on country roads', 'liveable and safe urban communities', 'using roads safely', and 'building a safer community culture'. It would also be consistent with the findings of the Committee's 2018 report.
- 3.39 The question for the Committee in the 57th Parliament to consider is whether such a broad inquiry is strictly within Staysafe's remit. Staysafe is appointed to monitor, investigate and report on road safety in NSW, and review and report on countermeasures aimed at reducing road deaths, injuries, and the social and economic costs to the community arising from road accidents. An inquiry into heavy vehicle driver working arrangements would necessarily examine commercial and industrial aspects of the heavy vehicle industry, including both the roles and responsibilities of operators and clients. Such an inquiry may be more accurately characterised as a commercial and industrial inquiry than a road safety one. The constraints of Staysafe's establishing resolution may hinder the capacity of the Committee to pursue this topic with sufficient breadth to properly explore the commercial and industrial context in which heavy vehicle accidents happen.
- 3.40 The Committee's 2018 report is currently being considered by the NSW Government and a response to its recommendations is due on 24 November 2018. By the time the 57th Parliament appoints the new Committee both the Government's response and its *Heavy Vehicle Safety Strategy* should be available. At this time the Committee may wish to reconsider the best mechanism for examining the Union's proposal.

Chapter Four – Other issues

- 4.1 The Committee considered that the remaining proposals did not merit parliamentary scrutiny at this stage. The Committee, however, is open to reconsidering any and all of the matters raised in submissions received in the 57th Parliament.
- 4.2 In considering the submissions received the Committee noted that some submissions raised more than one issue, and submissions could be grouped into subjects as follows.

Subject	Submission #
Animal strikes	8, 26
Crash investigation and data collection	19, 20, 21, 24, 31
Driver behaviour	2, 17, 28, 31, 32
Driver education and training	6, 12, 16, 18, 33
Heavy vehicle industry	27
Road funding and infrastructure	14
Road rules	3, 4, 5, 9, 11, 13
Technology	7, 10, 25, 34
Vulnerable road users	1, 15, 22, 23, 26, 29, 30

4.3 This chapter examines the remaining submissions not discussed in Chapters Two and Three, according to the subjects listed above.

Animal strikes

- 4.4 Submissions 8 and 26 proposed that Staysafe examine the impact of animal strikes on road safety, in relation to both motor vehicles and motorcycles. In the case of motorcycles, the particular concern was that fatalities due to animal strikes are likely to be recorded as single vehicle accidents, with speed being attributed as the single cause.
- 4.5 While mindful that these are very real issues for drivers of all types of vehicles, particularly in regional and non-metropolitan areas of NSW, the Committee did not consider that a specific inquiry was warranted. The Committee noted that a suite of measures to save lives on country roads is already being implemented under NSW Road Safety Plan 2021. In addition, safe driving tips and advice are published by the Centre for Road Safety. An example of this is the need to be especially aware of the added risk of wildlife and livestock on roads during drought periods. Information about road rules relating to incidents with animals is also available on the Roads and Maritime Services website.
- 4.6 With regard to the challenges faced by motorcyclists concerning animals on roads, the Committee conducted a comprehensive inquiry into *Motorcycle Safety in NSW* in 2015. As part of the inquiry, the Committee reviewed the effectiveness of the action plan under the *NSW Motorcycle Safety Strategy* and made recommendations to improve the next three year action plan.

In response, the NSW Government confirmed that representatives of the motorcycling community and other stakeholders had input to the development and implementation of the Strategy through an implementation working group. In view of this advice, the Committee was satisfied that further exploration of options to manage the specific road safety risks posed by animal strikes for motorcyclists could most effectively be undertaken within this forum.

Driver behaviour

- 4.8 Submissions 2, 17, 28, 31 and 32 generally raised concerns about the need for stricter education and enforcement measures to improve numerous facets of driving behaviour. The issues raised were grouped into three principal categories:
 - driver skill, attitude and courtesy on country roads.
 - compliance with road rules in particular with regard to tailgating, keeping left, lane changing; speeding; navigation at roundabouts; parking; and use of mobile phones.
 - the use of behavioural science and urban design to change driver behaviour.
- In its 2017 report on driver education and training the Committee recommended that Transport for NSW conduct future driver education campaigns with particular emphasis on new vehicle technology; driver and other road user distraction; road sharing; new and poorly understood road rules; safe driving in both familiar and unfamiliar environments, in particular on country roads; safe driving for and around older drivers; and making safe driving choices including selecting safer vehicles and properly maintaining vehicles.
- In responding to the Committee's recommendations, the NSW Government confirmed that Transport for NSW aims to inform and motivate safe road user attitudes and behaviours. It does this by delivering a comprehensive range of driver education campaigns and providing numerous educational resources across the full spectrum of road safety issues. Transport for NSW further advised that it takes a strong evidence-based approach to developing campaigns, and regularly evaluates campaigns to ensure messages are delivering changes in road users' behaviour. Transport for NSW undertook to consider developing new education initiatives based on ongoing analysis of current and emerging road safety trends.
- 4.11 The Committee notes that Saving Lives on Country Roads is a major component of current road safety campaigning in NSW. Regular and ongoing reinforcement of road safety messages is also being provided throughout NSW by means of the Top 10 misunderstood road rules campaign. Educational publicity on road rules is also available on the Roads and Maritime Services website. In addition, there are specific road safety campaigns such as the Get your hands off it mobile phone distraction campaign which target specifically identified problem behaviours.
- 4.12 The Committee will continue to monitor and evaluate road safety campaigning.

- 4.13 Submission 28 from the Australian Medical Association (AMA) proposed an investigation of the community health impact of transport policies, programs and the design of the built environment, in particular, with regard to obesity prevention.
- 4.14 The Committee found the AMA's proposal of great interest. On balance, however, it considered that the question raised by the AMA was a whole-of-government issue transecting a number of portfolio areas and multiple levels of government. Staysafe was mindful, in particular, that is bound by the remit contained in Parliament's resolution establishing the Committee. It concluded that the AMA's proposal may be outside the Committee's remit and that such an inquiry might be hindered by being undertaken by a Committee which may be restricted in how far it could delve into matters such as community wellbeing associated with urban design.

Driver education and training

- 4.15 Submissions 6, 12, 16, 18 and 33 proposed examining various aspects of driver training and education. In considering these concerns, the Committee noted that the role of driver education and training has always been integral to Staysafe's examination of road safety. The Committee has recommended in Chapter Two that the proposals by St John Ambulance NSW (#16) and Blue Datto Foundation (#33) be considered for future inquiries.
- 4.16 Submission 6 from Mr Robert Moore proposed a number of areas of alleged driving skills deficit which might be improved through better driver training and education. The Committee has examined driver education and training on a number of occasions, including its 2008 report on young driver safety and education programs, and its 2017 report on whole-of-life driver education and training.
- 4.17 Submission 12 from Mr Brian Scarrott proposed that learner drivers receive defensive driver training. The Committee examined this subject in its 2017 inquiry into driver training and education. It received persuasive evidence from academic researchers and Transport for NSW that training novice drivers in advanced and defensive driving skills may contribute to increased crash risk, especially amongst younger males. The Committee recommended that the NSW Government undertake a review of the advanced and defensive driver training currently offered in NSW, in consultation with training providers and road safety researchers. This review would clarify terminology such as 'advanced' and 'defensive' to assess the suitability of such training for licensed, provisional and learner drivers. The NSW Government supported this recommendation.
- 4.18 Submission 18 from Mr Peter Charles discussed a range of issues related to driver training and safety enforcement which the Committee felt had been dealt with in detail in its 2017 inquiry into driver education and training, and other inquiries.

Road rules

Driving on multi-lane roads

- 4.19 Submissions 3, 4, 5, 11 and 13 proposed an inquiry into enforcing the keep left rule and improving driving on multi-lane roads.
- 4.20 The Committee noted that driving on multi-lane roads is one of the frequently misunderstood road rules identified by the Centre for Road Safety for highlighting in its road safety campaigning.
- 4.21 The Committee's 2017 inquiry into driver education and training paid close to attention to the monitoring and evaluation of road safety campaigning, and the Committee in the 57th Parliament will continue to monitor this program.

Slowdown rule around emergency vehicles

- 4.22 Submission 9 from Mr Greg Aggett expressed concerns regarding the safety of the recently introduced road rule requiring drivers to slow down to 40km/h when passing stationary emergency vehicles displaying red or blue flashing lights.
- 4.23 The Committee notes that Transport for NSW will monitor the safety and traffic impacts of the rule over a 12 month trial in consultation with NSW Police, emergency service organisations and other stakeholders. A public education campaign was also implemented to raise awareness of the rule. The Committee looks forward to receiving further information about the impact of the rule after the completion and evaluation of the trial.

Technology

- 4.24 Submissions 7, 25 and 34 highlighted aspects of advanced vehicle technologies and Intelligent Transport Systems (ITS) which the authors suggested could warrant further investigation. Topics nominated included driverless vehicles; the need for safety aids on heavy vehicles; new transport delivery models made possible by the advent of connected and automated vehicles (CAVs) and the use of ITS to create intelligent highways and roads.
- 4.25 Staysafe has previously made recommendations regarding driverless vehicle technology and heavy vehicle safety technology during the current Parliament. The Committee considers that it would be prudent to allow some time to elapse before investigating any further legislative, policy or administrative requirements relating to the implementation of advanced vehicle technologies in New South Wales and nationally.
- 4.26 Submission 10 from M/s Taylor Shaw expressed concern that 4WD owners were being unfairly targeted for making vehicle modifications which did not contribute to poor road safety outcomes. The Committee considered this a regulatory matter which was outside its remit.

Vulnerable road users

Bicycle infrastructure

- 4.27 Submissions 1 and 22 proposed investigating the need for improved cycling infrastructure, both for safety and community health reasons.
- 4.28 Staysafe acknowledges the ongoing community concern to ensure safe cycling facilities and traffic management practices. The Committee is mindful, however, that it conducted a comprehensive report on vulnerable road users and road safety in 2010, and that its inquiries in the current Parliament also considered the specific needs of vulnerable road users including cyclists.
- 4.29 The Committee's reports over several years have recommended action to develop and maintain cycleways, provide appropriate traffic signalling at intersections, develop and monitor traffic rules, and provide road safety education in relation to sharing the road with vulnerable road users.
- 4.30 The Committee notes the NSW Government's promotion of road sharing with cyclists through the *Go Together* campaign which publicises the minimum passing distance rule.
- 4.31 The Committee also notes that the NSW Government's response to its 2010 inquiry into vulnerable road users confirmed that there were effective working relations with local councils as well as consultative forums to enable communication and problem-solving with the bicycling community at the local level. The Committee trusts that bicycling advocates will continue to bring their concerns to the attention of Transport for NSW and local government through these consultative mechanisms. For the time being the Committee will maintain a watching brief on trends in bicycle safety.

Motorcycle safety

- 4.32 Submissions 26 and 29 proposed investigations into motorcycle safety.
- 4.33 The Motorcycle Council of NSW (# 29) requested a review of the NSW Government's actions in response to the recommendations of Staysafe's 2015 inquiry into *Motorcycle Safety in NSW*. The Committee's inquiry was referred by the Minister for Roads to inform a three year action plan in the context of the *NSW Motorcycle Strategy 2012-2021*.
- In its submission the Motorcycle Council of NSW asserted that there had been no progress on 17 of the 22 recommendations made by the Committee in November 2015.
- 4.35 In considering the NSW Government's response at the time, the Committee was satisfied that the response was comprehensive and informative. The Committee understood that improvements would be incremental and action plans reviewed periodically. In its report the Committee supported the establishment of a stakeholder partnership between the NSW Government and motorcyclists, with regular meetings to discuss and resolve motorcycle safety issues in the longer term. The NSW Government had responded that it had established a working group which met regularly to provide input to the Strategy, raise road safety

issues, and share information. The Government also offered local traffic committees as additional forums for the concerns of motorcyclists to be considered.

4.36 In view of these consultation mechanisms, the Committee has not selected motorcycle safety to recommend for a future inquiry at this time.

School road safety

- 4.37 Submission 30 from the NSW Federation of Parents and Citizens expressed concern regarding school safety zones. The submission emphasised the need for safe spaces for dropping off and picking up children. A number of concerns were cited, including limitations on access to safety spaces; poor maintenance of and illegal parking in safety spaces; inadequate patrolling of pedestrian crossings; the proximity of school zones to speed zones with a 100km/h limit; and the impact of greater student enrolment numbers on traffic congestion and arrangements for the drop-off and collection of students.
- 4.38 The Committee notes that it conducted inquiries in 2012 and 2014 relevant to school zone safety. The reports of these inquiries included 45 recommendations which received comprehensive NSW Government responses, and prompted ongoing actions.
- 4.39 Staysafe acknowledges that children travelling to and from school are particularly vulnerable road users and the Committee will continue to monitor school zone safety.

Appendix One – Achievements of Staysafe in the 56th Parliament

The Joint Standing Committee on Road Safety (Staysafe) was appointed on 28 May 2015 for the whole of the 56th Parliament.

The membership consisted of the Chair, Mr Greg Aplin MP, Member for Albury and Deputy Chairs, Mr Scot MacDonald MLC (until 11 August 2016) and The Hon Scott Farlow MLC (from 21 September 2016).

Other members were Mr Adam Crouch MP, Member for Terrigal; Mr Chris Gulaptis MP, Member for Clarence (from 11 October 2016 to 29 March 2017); Mr Thomas George MP, Member for Lismore (from 30 March 2017); Mr Nick Lalich MP, Member for Cabramatta; Mr Adam Marshall MP, Member for Northern Tablelands (until 11 October 2016); Ms Eleni Petinos MP, Member for Miranda; Dr Mehreen Faruqi MLC (until 14 August 2018); and The Hon Daniel Mookhey MLC.

In the 56th Parliament the Committee held four inquiries and tabled four reports prior to this review.

Motorcycle Safety in New South Wales

The Minister for Roads, the Hon Duncan Gay MLC, referred this inquiry to the Committee in the context of the NSW Government's review of the *NSW Motorcycle Safety Strategy* 2012-2021.

The Committee commenced the inquiry into *Motorcycle Safety in NSW* on 12 August 2015. The inquiry examined trends of motorcycle usage, injury and fatality; crash and injury risk factors; the effectiveness of the current plan to enhance motorcycle safety; strategies in other jurisdictions; and licensing and rider training.

Conduct of Inquiry

The Committee wrote to 39 stakeholders including government agencies, researchers, motorcycle advocates, rider trainers, and medical and insurance organisations, inviting them to make submissions. The Committee received 22 submissions.

The Committee held a public hearing on Monday, 12 October 2015 at Parliament House, Sydney, where it heard from 16 witnesses.

The Committee tabled its report on 19 November 2015.

Recommendations

The Committee made 22 recommendations. The NSW Government supported 18 in full, and three in principle, and one recommendation was not supported.

Government response

Seven of the supported recommendations were already being implemented or rolled out by the NSW Government at the time that the Committee received the government response on 20 May 2016: The NSW Government reported it had:

- Distributed public information on recognising and responding to early signs of rider fatigue;
- Developed an interdepartmental strategy to resolve safety management issues and develop solutions for safer roads across NSW;
- Introduced technology-based services that gave live traffic information of traffic incidents and road hazards to road users;
- Used motorcycling experts for road safety audits;
- Provided funding for the Local Government Road Safety Program under the Community Road Safety Fund;
- Implemented the expanded definition of 'approved motorbike helmet' where manufactured in compliance with the standard of the United National Economic Commission for Europe (UNECE);
- Reviewed updated training materials and support services for motorcycle instructors and audited training providers.

In September 2018 the NSW Government introduced a star safety rating system for motorcycle protective clothing, as recommended by the Committee. This followed extensive research and a national project to develop a consumer rating system, the first such system to be introduced in the world.

Driverless Vehicles and Road Safety in New South Wales

The inquiry into *Driverless Vehicles and Road Safety in NSW* was self-referred by the Committee and commenced on 24 February 2016.

The inquiry examined the capacity of driverless vehicle technology to deliver improved road safety outcomes for all road users; amendments required to current policies and regulations to include driverless vehicles; and how NSW and other states and territories planned to adopt driverless vehicle technology.

Conduct of Inquiry

The Committee wrote to 68 stakeholders including government agencies, insurance companies, researchers, vehicle suppliers, advocates, and road user groups inviting them to make submissions. The Committee received 17 submissions.

On 14 March 2016, the Committee members and staff attended a driverless vehicle demonstration at Volvo Australia Headquarters, with the Australian Road Research Board (ARRB).

The Committee held public hearings at Parliament House, Sydney, on Friday 17 and Monday 20 June 2016, where it heard from 29 witnesses.

The Committee tabled its report on 22 September 2016.

Recommendations

The Committee made three detailed recommendations:

- that a national regulatory framework for the development and deployment of automated vehicles be formulated by the National Transport Commission (NTC), in consultation with the states;
- that the NSW Government publish a clear statement outlining the terms and conditions for conducting trials of automated vehicles on NSW roads, or adopt a code of practice for governing the deployment of the technology in NSW; and
- that the NSW Government to take measures to identify the economic and social impacts of the deployment of automated vehicles in terms of public transport and infrastructure, road congestion, pricing, mobility for people not eligible to be licensed drivers, and any legislative impacts.

Government response

The NSW Government supported all recommendations, recognising in particular the importance of a national regulatory framework.

The NSW Government highlighted the launch of the *Future Transport Strategy*, a new approach to long term transport planning, with the first Future Transport Summit held in April 2016. The outcome of the Summit was then incorporated into the *Transport Technology Roadmap* launched in November 2016.

Transport for NSW stated that it would adopt the national guidelines for automated vehicle trials set by the NTC. *Guidelines for Automated Vehicles in Australia* were published in May 2017, to be reviewed every two years.

The Minister for Roads, the Hon Melinda Pavey MP, introduced the *Transport Legislation Amendment (Automated Vehicle Trials and Innovation) Bill 2017* on 1 August 2017, and acknowledged the Committee's contribution in her second reading speech. The Bill passed through both Houses on 10 August 2017 and the legislation was assented to on 14 August 2017.

Driver Education, Training and Road Safety

The inquiry into *Driver Education, Training and Road Safety* was self-referred by the Committee and commenced on 9 November 2016.

The inquiry examined whole-of-life driver education and training including crash reporting and crash data collection and how they are used to achieve road safety improvements; learner driver training and testing; support for disadvantaged learner drivers; driver education campaigns; road safety education in schools and vocational training; and driver trainer regulations.

Conduct of inquiry

The Committee wrote to 110 stakeholders including government agencies; public works engineers; researchers; road safety and young driver educators; driver trainers; advocates for road users including older drivers, Aboriginal drivers, drivers with a disability, pedestrians, cyclists and motorcyclists; and insurers, inviting them to make submissions. The Committee received 78 submissions.

The Committee held public hearings at Parliament House, Sydney, on Monday 22 and Monday 29 May 2017, where it heard from 41 witnesses.

The Committee tabled its report on 21 September 2017.

Recommendations

The Committee made 30 recommendations in total:

- Two regarding crash data collection and reporting
- Nine regarding driver training and testing for learner and provisional drivers
- Five regarding driver training and testing for licensed drivers
- Four regarding support for disadvantaged learner drivers
- Four regarding driver education
- Four regarding regulation of driver trainers
- Two regarding school education.

Government response

The NSW Government supported 22 recommendations in full, two were supported in part, two were supported in principle, two were noted, one was not supported, and one required further investigation.

The NSW Government supported:

- the establishment of working parties to identify how to improve crash data collection and analysis, and to review the regulation of professional driver trainers;
- a review of the Safer Drivers Course to determine what road safety benefits could be achieved by making the course compulsory for learner drivers;

- measures to encourage learner drivers to undertake more professional driver training;
- an examination of the benefits of computer-based learning and driving simulators;
- a review of cross-border issues for provisional drivers;
- measures to identify and target unlicensed drivers;
- a review of advanced and defensive driver training and its suitability for drivers with different skills and experience;
- measures to assist disadvantaged people obtain and retain driving licences.

The NSW Government supported in principle an examination of the incarceration rates for indigenous drivers, and described measures already underway to address this issue.

The NSW Government advised that further investigation was required to identify the impacts of the Committee's recommendation for mandatory reporting by doctors of dementia and other conditions which may diminish safe driving ability.

Heavy Vehicle Safety and Use of Technology to Improve Road Safety

The Minister for Roads, the Hon Melinda Pavey MP, referred this inquiry to the Committee on 17 October 2017.

The Committee commenced the inquiry on 18 October 2017. The inquiry examined technologies for managing heavy vehicle driver fatigue and other road safety risks; technology development; and the role of compliance and enforcement in the industry.

Following several heavy vehicle incidents, on 5 January 2018 the Minister requested that the Committee also examine the 2017-18 holiday road toll.

The Committee added this term of reference to its inquiry on 17 January 2018.

Conduct of inquiry

The Committee wrote to 115 stakeholders including government agencies, researchers, heavy vehicle operators, and driver advocates, inviting them to make submissions. The Committee received 44 submissions.

On 12 March 2018, the Committee visited Toll Group's workshop in Western Sydney where it inspected safety and driver-assist technology installed in heavy vehicles. It also visited a Roads and Maritime Services inspection station where it observed heavy vehicles being inspected for roadworthiness.

The Committee held a public hearing at Parliament House, Sydney on 9 April 2018 where it heard from 14 witnesses.

The Committee tabled its report on 24 May 2018.

Recommendations

The Committee made eight recommendations including that the NSW Government prepares and adopts a *Heavy Vehicle Safety Strategy* as a priority; continues to pursue heavy vehicle regulation in a national framework; adopts a consistent policy for the installation of telematics technology in heavy vehicles; identifies available safety technologies which can be rolled out effectively; and examines the value of incentives for encouraging the take-up of safety technology.

The Committee also recommended that the NSW Government review its current road safety strategy in response to the spike in fatalities during the 2017-18 holiday period, focusing on safe driving on country roads, road sharing with heavy vehicles, driver distraction, and management of roadworks.

Government response

The NSW Government's response is due on 25 November 2018.

Appendix Two – Submissions

No.	Author	Issue	Committee recommendation
1	Miss Ferran Thornycroft	Bicycle safety	Covered in previous inquiry
2	Mr Colin Clulow	Driving on country roads	Part of current road safety campaign
3	Mrs Laetitia Curtis	Driving on multi-lane roads	Part of current road safety campaign
4	Mr Michael Chamley	Road rules – various	Part of current road safety campaign
5	Mr Jared Dawson	Driving on multi-lane roads	Part of current road safety campaign
6	Mr Robert Moore	Driver education and training	Part of current road safety campaign
7	Mr Bryan Wilson	Mandating vehicle safety technology	Covered in previous inquiry
8	Ms Lynn Muir	Animal strikes	Part of current road safety campaign
9	Mr Greg Aggett	40kph emergency vehicles rule	Trial underway
10	M/s Taylor Shaw	4WD modifications	Regulatory matter for RMS
11	Mr Luke McKay	Driving on multi-lane roads	Part of current road safety campaign
12	Mr Brian Scarrott	Defensive driver training for learners	Covered in previous inquiry
13	Mr Andrew Harris	Driving on multi-lane roads	Part of current road safety campaign
14	Institute of Public Works Engineering	Funding local roads to reduce fatalities	Recommended for further consideration
15	COTA NSW	Needs of older road users	Recommended for further consideration
16	St John Ambulance (NSW)	First aid training for learners	Recommended for future inquiry
17	Mr Ronak Shah	Driver distraction	Part of current road safety campaign
18	Mr Peter Charles	Driver education	Covered in previous inquiry

No.	Author	Issue	Committee recommendation
19	Australian Road Research Board	Crash investigation	Recommended for further consideration
20	Transport & Road Safety Research	Adequacy of crash data	Recommended for further consideration
21	Transport & Road Safety Research	Adequacy of crash data	Recommended for further consideration
22	Occupational Therapy Australia	Needs of older road users	Recommended for further consideration
23	Ms Melinda Cooper	Older driver safety	Recommended for further consideration
24	Mr Christopher Burns	Motorcycle safety	Part of current road safety campaign
25	National Motorists Association Aust	Crash investigation	Recommended for further consideration
26	Intelligent Transport Systems Aust	Deployment of driverless technology	Covered in previous inquiry
27	Transport Workers' Union of NSW	Heavy vehicle safety	Recommended for further consideration
28	Australian Medical Association (NSW)	Road safety and community health	May be outside the Committee's terms of reference
29	Motorcycle Council of NSW Inc	Motorcycle safety	Covered in previous inquiry
30	Fedtn of Parents & Citizens Assoctns	School drop-off zones	Covered in previous inquiry
31	Insurance Australia Group	National crash database	Recommended for further consideration
32	Fractal Analytics	Behavioural science and safety	Covered in previous inquiry
33	Blue Datto Foundation Ltd	Community-based campaigning	Recommended for future inquiry
34	Nokia	Inter-connectivity technology	Covered in previous inquiry

Appendix Three – Extract of Minutes

MINUTES OF MEETING No 28

15 August 2018 Room 1254, Parliament House

Members present

Mr Greg Aplin MP (Chair), The Hon Scott Farlow MLC (Deputy Chair), The Hon Thomas George MP, The Hon Daniel Mookhey MLC, Ms Eleni Petinos MP

Officers in attendance

David Hale, Jacqueline Isles

The Chair opened the meeting at 1.30 pm.

1. Apologies

Mr Adam Crouch MP, Mr Nick Lalich MP

2. ***

3. Confirmation of minutes

Resolved, on the motion of Mr Farlow: That the minutes of Meeting No 27, held on 23 May 2018 be confirmed.

- 4. ***
- 5. ***

6. New inquiry

The Chair referred to the proposal for a new inquiry emailed to members on 31 May 2018. The Committee discussed the conduct of the inquiry.

Resolved on the motion of Mr Farlow: That the Committee adopts the following terms of reference for the inquiry into *Review of road safety issues for future inquiry*:

That the Committee will inquire into, and report on, road safety issues for future inquiry by inviting submissions proposing road safety inquiry topics.

The Committee will review and rank submissions by considering:

- a) Why the issue is important;
- b) Why it should be investigated by Staysafe;
- c) How Government policy and practice will be improved;
- d) How the issue supports the NSW or national road safety strategy; and

e) What benefits the community will enjoy.

And that:

The Committee advertises the inquiry on the Committee's website, invites selected stakeholders to make a submission, and that the Chair issues a media release, calling for submissions by close of business on Monday 17 September 2018.

7. ***

8. Next meeting

The next meeting will be held at 1.00pm on Wednesday 26 September 2018.

The Chair closed the meeting at 1.40pm.

MINUTES OF MEETING No 29

26 September 2018 Room 1254, Parliament House

Members present

Mr Greg Aplin MP (Chair), The Hon Scott Farlow MLC (Deputy Chair), Mr Adam Crouch MP, The Hon Thomas George MP, Mr Nick Lalich MP, The Hon Daniel Mookhey MLC, Ms Eleni Petinos

Officers in attendance

Clara Hawker, David Hale, Jacqueline Isles, Abegail Turingan

The Chair opened the meeting at 1.00 pm.

1. ***

2. Confirmation of Minutes

Resolved, on the motion of Mr Mookhey: That the minutes of Meeting No 28, held on 15 August 2018 be confirmed.

3. ***

4. ***

5. Review of road safety issues for future inquiry

The Chair referred to the summary of submissions received and previously circulated.

Resolved, on the motion of Mr Lalich: That submissions 1 to 35 be published on the Committee's website with signatures and personal contact details redacted.

The Chair referred to the inquiry plan, previously circulated, and invited Members to consider the submissions received in preparation for the next stage of the review at the next meeting.

6. ***

7. Next meeting

The next meeting will be held at 1.15 pm on Wednesday 17 October 2018.

The Chair closed the meeting at 1.10 pm.

MINUTES OF MEETING No 30

17 October 2018 Room 1136, Parliament House

Members present

Mr Greg Aplin MP (Chair), The Hon Scott Farlow MLC (Deputy Chair), The Hon Thomas George MP, The Hon Daniel Mookhey MLC, Ms Eleni Petinos MP

Officers in attendance

David Hale, Jacqueline Isles, Abegail Turingan

The Chair opened the meeting at 1.20 pm.

1. Apologies

Mr Nick Lalich MP, Mr Adam Crouch MP

2. Confirmation of Minutes

Resolved, on the motion of Mr Mookhey: That the minutes of Meeting No 29, held on 26 September 2018 be confirmed.

3. Review of road safety issues for future inquiry

The Chair tabled a list of submissions proposed for further consideration. Discussion ensued. The Committee agreed for the matter to progress as proposed.

4. ***

5. Next meeting

The next meeting will be held at 1.00pm on Tuesday 13 November 2018 in Room 1254.

The Chair closed the meeting at 1.28 pm.

UNCONFIRMED MINUTES OF MEETING No 31

13 November 2018 Room 1254, Parliament House

Members present

Mr Greg Aplin MP (Chair), The Hon Scott Farlow MLC (Deputy Chair), The Hon Thomas George MP, Mr Nick Lalich MP, Ms Eleni Petinos MP

Officers in attendance

David Hale, Abegail Turingan

Extract of Minutes

The Chair opened the meeting at 1.00 pm.

1. Apologies

Mr Adam Crouch MP, The Hon Daniel Mookhey MLC

2. Confirmation of Minutes

Resolved, on the motion of Ms Petinos, seconded by Mr Lalich: That the minutes of Meeting No 30 held on 17 October 2018 be confirmed.

3. Review of road safety issues for future inquiry Consideration of Chair's draft report

The Chair referred members to the draft report, already circulated. Discussion ensued.

Resolved, on the motion of Mr Farlow, seconded by Mr Lalich:

- a) That the draft report be the report of the Committee and that it be signed by the Chair and presented to the House.
- b) That the Committee staff be permitted to correct stylistic, typographical and grammatical errors.
- c) That, once tabled, the report be published on the Committee's webpage.
- d) That the Chair issues a press release announcing the tabling of the report.

4. General business

The Chair thanked the members for their input during the year and their collaboration on matters to assist the development of good policy in New South Wales. He also thanked the staff for their effort and professionalism.

5. Next meeting

The Chair adjourned at 1.05 pm sine die.