

REPORT ON PROCEEDINGS BEFORE

JOINT STANDING COMMITTEE ON ROAD SAFETY

**PUBLIC INQUIRY INTO MOBILE SPEED CAMERA ENFORCEMENT
PROGRAMS IN NEW SOUTH WALES**

Virtual hearing via videoconference on 29 November 2021.

The Committee met at 09:45.

PRESENT

The Hon. Lou Amato
(Chair)

Legislative Council

The Hon. Shaoquett Moselmane

Legislative Assembly

Ms Robyn Preston (Deputy Chair)
Mr Stephen Bromhead
Mr Roy Butler
Mr Nick Lalich

PRESENT VIA VIDEOCONFERENCE

Legislative Council

Reverend the Hon. Fred Nile

Legislative Assembly

Ms Wendy Lindsay
Mr Chris Gulaptis

The CHAIR: Good morning, everyone. Before we start, I would like to acknowledge the Gadigal people who are the Traditional Custodians of this land. I pay my respects to the Elders of the Eora Nation, past, present, and emerging, and extend that respect to other Aboriginal and Torres Strait Islander people who are present.

Today is the public hearing of the Joint Standing Committee on Road Safety's inquiry into mobile speed camera enforcement programs in New South Wales. I am Lou Amato, the Committee Chair. We meet here today at Parliament House. My fellow Committee members Robyn Preston, Deputy Chair and Member for Hawkesbury; Stephen Bromhead, Member for Myall Lakes and Parliamentary Secretary for Regional Housing; Roy Butler, Member for Barwon; Nick Lalich, Member for Cabramatta. Wendy Lindsay, Member for East Hills, is appearing by WebEx today.

The CHAIR: The Reverend the Honourable Fred Nile, who is appearing by WebEx, and Chris Gulaptis, Member for Clarence and Parliamentary Secretary for Agriculture and Forestry, who is taking part in the hearing via videoconference. The hearing is being broadcast to the public via the Parliament's website. All witnesses will be attending via videoconference.

To assist in the preparation for the transcript of evidence, I would ask all members and witnesses to identify themselves when they begin speaking. I thank everyone who is appearing before the Committee today. We will now begin with the first witnesses.

MARK ELLIS, Manager of Civil Works, Cootamundra-Gundagai Regional Council, affirmed and examined

LEANNE LEDWIDGE, Road Safety Officer, Wollondilly Shire Council, sworn and examined

KAREN McKEOWN, Mayor, Penrith City Council, affirmed and examined

The CHAIR: Thank you very much indeed. Would you like to make a short opening statement before we begin the questions?

Ms McKEOWN: Thank you very much, and good morning, and thank you for the opportunity to appear today on behalf of Penrith Council. I have also been a member of our local traffic committee for 17 years. Council is a strong advocate for road safety and supports Transport for NSW towards zero vision for safety on our road networks. We also acknowledge the significant cost of road trauma in our state. The majority of our community believe the mobile speed program to be solely a revenue-raising exercise. While covert or unmarked cameras would catch more people out, they won't address the concerning attitudes and lack of understanding around the consequences of speeding. A fine arriving in the mail weeks after the event is not a deterrent.

Two, to do this we need to take more strategic and educationally focused approach, and it is clear that overtly marked mobile speed cameras can play an important role. Mobile speed camera signs don't just help motorists avoid fines, they remind them of the speed limit and that they need to be aware of how fast they are going at any given point. This can also be highly beneficial in the long term. The speed we travel often comes down to habit and if signage around speed cameras helps embed a habit to travel more slowly in certain areas or to be more aware of our speed in general, this can only be a good thing.

Transport for NSW advises that unmarked mobile speed cameras create a perception that speeding can be enforced anywhere at any time and that this will provide a more effective general network deterrent. While a deterrent is important it is also vital to shift these deeply ingrained community attitudes and belief about safe speeding. Especially when you hear as we do there are people who think it's okay to drive 10 per cent above the limit or after they've lost their licence, and many others considered the legal consequence for low-level speeding relatively minor.

When faced with these attitudes, overt signage can be beneficial and highly visible education and awareness tool. It is therefore recommended that consideration be given to the use of both marked and unmarked mobile speed cameras. My fellow councillors and I support increased rotation of mobile speed cameras along arterial roads together with placing mobile speed cameras at local speeding hotspots to support the philosophy of anywhere, anytime, but decisions on these locations should be evidence-based and informed by statistics. Penrith Council works with Nepean local police area command to share traffic and vehicle data in the enforcement of community speed concerns.

It is vital that New South Wales Police continue to be part of the overall speed reduction approach in the state as high visibility and direct enforcement plays a critical role in changing motorists' behaviour. Council strongly supports the New South Wales Government approach of investing all mobile speed camera revenue into road safety, funds for projects, and grant funding opportunities for councils. We would welcome increased funding

to increase the road safety star rating on roads with verified local speed issues and to improve the safety of all our roads, not just arterial roads but also local roads in our rural and semi-rural areas. Thank you.

The CHAIR: Thank you very much. Ms Ledwidge, I think you are next.

Ms LEDWIDGE: Thank you. Based on my local experience, professional knowledge, community feedback, and my long service record as Wollondilly's road safety officer, I offer the following thoughts about the inquiry into the changes to the mobile speed camera enforcement program. Warning signs and high visibility signage on mobile speed camera vehicles should be reintroduced as an educational tool and a deterrent to alert the driver of their speed and act as a positive reinforcement tool to check their speed. There are limited places that a mobile speed camera can set up safely in Wollondilly due to our semi-rural landscape and the warning signage tells the driver to be alert not only to their speed but to the parked vehicle on the road shoulder ahead. It gives the driver the time to check their speed and adjust if necessary, provides a reminder to observe the speed limit, and the road conditions.

Marked vehicles encourage transparency and trust of drivers. On the contrary, unmarked, unsigned surveillance vehicles can be perceived as secretive and reduce the confidence of drivers towards authority. Bidirectional enforcement of traffic and removal of advanced warning signs is considered by the community as revenue-raising rather than promoting the messaging of speeding and the impact speeding can have to drivers, passengers and the community. It has been observed that members of the public are now making their own signage and placing them in advance of locations where the unmarked mobile speed camera vehicles are known to park. They are unsightly, a distraction to motorists, and place a financial burden on council to remove the signs.

There should be a shared responsibility of both physical police enforcement and camera enforcement with advanced warning signs so as to be seen to be working with you instead of against you. Receiving a fine sometime after the captured speeding incident doesn't prevent the motorist from speeding on the day or the following weeks. Isn't that what we are trying to achieve? Wollondilly Shire has no fulltime manned police station. It would be highly beneficial to the community within Wollondilly to increase police tasking in our shire for a greater police presence so that drivers know that they are at risk of being caught if they speed. The embarrassment faced when being pulled over by police within a small community, along with the cost of the fine and the loss of demerit points are the best deterrent possible.

With public transport also being very limited within the shire, our residents rely heavily on private vehicles as their means of transport for employment and a high number of P-plate drivers depend on a private vehicle to attend the only public high school we have in the shire, at Picton. If they were to lose their licence due to speeding fines that arrive in the mail until sometimes after the event, this impacts family and friends as they would need to assist with day-to-day travel or risk being unable to get to work or school.

Road safety advocates such as road safety officers will continue to promote and educate the community on the dangers of speeding, especially on our rural roads, many of which have high speeds and difficult road conditions. It would be wonderful if we could work together with a higher visible police presence and marked mobile speed vehicles and cameras with advanced warning signs to educate and reinforce road safety principles in Wollondilly. Thank you.

The CHAIR: Thank you very much. Mr Ellis.

Mr ELLIS: Thank you. I will read a short summary of my notes. My name is Mark Ellis. I'm the Manager of Civil Works at Cootamundra-Gundagai Council. I've been in local government for about 30 years and being the Manager of Civil Works, my role is with the local traffic committee as well. We work in close cooperation with our road safety officer, Transport for NSW, and our local police.

Council believes that the speeding in our general rural areas is of great concern and attributed to a high percentage of crashes that happen within our local government area. We have a lot of local roads which are substandard designs, they were built many years ago, with the age of construction, and they had limited design requirements when they were built at those times. Council is therefore very active in its approach to the reduction of crashes in our local area and we cooperate with the police. In instances where speeding is identified, council assist the police with traffic and speed surveys for their future enforcement in an endeavour to slow motorists down, giving the police that information, then they can go out and then patrol those areas to a greater degree.

Council also believes that the use of mobile speed cameras is a great deterrent for speeding, although our thoughts are that the higher visibility of mobile cameras and the police is also a greater deterrent as the motorist visually sees it there and then and not at a later stage when the infringement notice comes through the mail. Therefore, I thank the Committee for allowing me to participate in this. Thank you.

The CHAIR: Thank you very much. Thank you. Any questions from members?

The Hon. SHAOQUETT MOSELMANE: Thank you so much for your introductions and for your submissions. Can I just ask with regards to the submission by Cootamundra, where on page 2 of the three-page

submissions, you state that the location of mobile speed cameras are sometimes on routes that appear justified according to report crash data, though other locations appear to be routes with no crashes and recorded low traffic speeds according to the council's traffic data. My question is why do you think they are placing mobile speed cameras at routes where there are no crashes and low traffic data, and low speeding, and is the RMS ever exchanging or sharing information with you as to why they are doing this?

Mr ELLIS: We don't seem to get a great deal of information of where the cameras are going to be set up. We noted there that the low speed and some of the locations of which are sort of what we'd call back areas of the town. Potentially, we've got other streets which might be more prone to having motorists speeding, and that consultation with us doesn't seem to be there. Through our local traffic committee, we talk with the police at that time, and that's as I mentioned earlier in my introduction that we will provide the police with traffic counts and speed surveys from those areas then they can go out and patrol those areas. I don't believe we've ever been asked of a particular spot to put those cameras. In example, we've got them in a couple of residential streets where the volumes of traffic are low. You go two streets over it's probably three times the amount of traffic there and they probably tend to go a bit faster.

The Hon. SHAOQUETT MOSELMANE: Has that been the experience of other councils, so Karen or Ms Ledwidge, about Transport for NSW consulting or informing? I know you have a lot of data sharing with the local police but has there been data sharing with Transport for NSW with the local governments in your areas?

Ms LEDWIDGE: No. Not to my knowledge there hasn't been.

Ms McKEOWN: No, not in Penrith. Definitely not.

The Hon. SHAOQUETT MOSELMANE: It would be advisable if they would share that information with you. That would obviously help reduce crashes, reduce fatalities, and better manage safer roads. Wouldn't that be the case if they were to share information?

Mr ELLIS: That's true.

Ms McKEOWN: Absolutely.

The Hon. SHAOQUETT MOSELMANE: Why do you think they're not sharing information, if the intention is to reduce crashes and fatalities?

Mr ELLIS: One would think that if that was the intention that they would ask the locals where we're seeing that sort of adverse use of the speeding et cetera in those spots.

Ms McKEOWN: Mr Moselmane, in Penrith we have our own little mobile alert LED sign that we place around our LGA, depending on community feedback. It collects data on speeding, on traffic movements, all sorts of very valuable information, which we do share with the police, but I've got to say that we really don't have that avenue to share with Transport for NSW. Quite often when the mobile speed—the covert speed cameras are set up, they're set up on arterial roads, and I have the crash data here that shows that most of our crashes happen on our local roads, not on our state roads. We have in excess of double the accidents happening on our local roads because they're used as rat runs if you like, rather than the arterial roads, and that's been our experience.

The CHAIR: They're all low-speed crashes? They're all like 60-kilometre zones, most of them?

Ms McKEOWN: Fifty. Most of them are—

The CHAIR: Fifty, okay.

Ms McKEOWN: —50-kilometre zones, yes.

The CHAIR: Thank you.

The Hon. SHAOQUETT MOSELMANE: Just following up on my questions about the sharing of data and information, there are 13 joint organisations of local governments that Transport for NSW could consult, particularly in regional New South Wales. Wouldn't it be an approach to save lives, reduce fatalities, improve traffic, to have that open consultation with those 13 very important local government organisations? That's a question to anybody who would like to answer.

Mr ELLIS: I would think—through our local traffic committee we do have a representative of Transport for NSW on there—with the local police, obviously. We do raise issues with community concerns about speeding. It comes to the traffic committee then we talk about it then and that's where as I say, we put some traffic counters out to pick up some speed and then pass it on to Transport for NSW. From where they take it then, I'm not 100 per cent sure, but that's—you would think we could say okay, we need a speed camera in such and such an area that seems to be high speeding in those areas.

The CHAIR: Thank you. Robyn Preston.

Ms ROBYN PRESTON: Thank you, Chair, and welcome, everyone. I just wanted to follow up on Mr Ellis's comments and also listening to Mayor McKeown and your experience at 17 years on the local traffic committee as well. Could I, each of you, invite your comments in relation to what you touched on, Mr Ellis? You have a representative from RMS that is usually at the local traffic committee meetings, whether they're held monthly or bi-monthly. Do you put forward recommendations, and is it an official way that you do that, for where you want speed cameras in your local area, on local roads?

Mr ELLIS: We talk about the speeding in certain areas but we leave it with Transport New South Wales then to follow on with it. Just recently we've looked at a couple of—rezoning a couple of speed areas within the local government area and they gave it to Transport New South Wales for investigation and consideration. I don't believe we've ever taken anything along or taken anything out of the traffic committee to say look at a speed camera in those areas. It's probably more so the local police that would go and enforce in those areas.

Ms ROBYN PRESTON: So, your council doesn't make a recommendation?

Mr ELLIS: Not as such to the traffic committee, no. From the traffic committee, no. Well, that could be something that we might—could in the future work along.

Ms ROBYN PRESTON: Can I invite other members as well, Mayor McKeown?

Ms McKEOWN: In terms of the Transport for NSW participation in local traffic committee, my experience has been it's been more of a technical appearance, if you like, and they do give advice on a whole range of matters of what we're proposing in the area. We do have discussion about speeding hotspots but these tend to go to the police representative rather than to Transport for NSW. It most definitely does get discussed but I must say it tends to be just, in my experience, a one-way flow of information.

Ms ROBYN PRESTON: So, general comments?

Ms McKEOWN: Yes. Yes, rather than—and sometimes not much commentary on these speeding hotspots, but as I said, the Transport for NSW role tends to be more of a technical advisory function.

Ms ROBYN PRESTON: Just picking up on that, I would have thought that councils are very familiar with their local roads and speed traps and the areas that need to be canvassed and policed. I would have thought that might be something going forward that could be incorporated into the local traffic committee agenda, perhaps.

Ms McKEOWN: Yes, absolutely. I would agree that should be so. Usually, we have that many items on the agenda that the speed tends to be more addressed in the general business section of the meeting. Some of the placement of some of our traffic-calming devices, for instance, or our road safety proposals, are in the business paper, but with the speeding it tends to be more—

[Background noise]

Ms ROBYN PRESTON: We've got someone who's got their audio on instead of muting. Could you please mute if you're not speaking? Thank you. Could I also invite comment from Wollondilly Council?

Ms LEDWIDGE: Yes. I agree with everything that Mark and Karen have said.

The CHAIR: Sorry, I'm just going to interrupt for a moment. Mr Ellis, could you just mute yours just for a moment? Thank you.

The CHAIR: Sorry, Ms Ledwidge.

Ms LEDWIDGE: That's okay. I agree with what Karen and Mark said, that we don't have an opportunity at the traffic committee to actually put forward the recommendations. We've had no—it has been a one-way communication where the only way where we know where speed cameras up by looking it up on the website. We've got no indication of where they are. Some locations where they're sitting, they are high-speed roads—or sorry, they are high-volume roads but there are no known crashes at those locations. To be able to offer that information up towards Transport would be beneficial to us so that we would make sure that they're in the right areas, because our local roads, at the moment they're only on our regional roads and on our local roads, being high-speed local roads, that's where it's more important and that's where the crashes are happening, to see that the speed cameras would actually be located would be our preference.

Ms ROBYN PRESTON: Thank you. I have further questions but I'll let the others say something as well. Wendy I think wanted to ask—

The CHAIR: Wendy, have you got a question?

Ms WENDY LINDSAY: Yes. I would just like to clarify. It just seems to me that there's a bit of a disconnect between traffic committee follow-up perhaps and the RMS and police representatives. Look, I can only speak from my experience with Canterbury-Bankstown Council and my representative on traffic committee with that council. She's actually kept a spreadsheet from the day I walked into the East Hills electoral office, and follows

up every inquiry, particularly when it comes to speeding, in relation to local roads. I'll just give you a bit of an idea.

At the beginning, I think we had about four pages of items and over the last two-and-a-half years we've reduced that down substantially, because every month she goes back to them and says well, what's happening with this issue, what's happening with that issue in relation to the ward where my seat is on that council. So, I can only suggest that—look, I appreciate the traffic agendas for the committee are quite massive when it comes to council.

Perhaps that's something that needs to be addressed somehow as the management of the traffic committee for your council so that there's a follow-up if you don't seem to get any response back from RMS or the police in regards to what initiatives are undertaken in some of those areas, or if you think there is somewhere that it needs to be focused on. Just a suggestion, but that's something that we've definitely undertaken in Canterbury-Bankstown Council and it's been quite effective but it does take someone to chase them up. So, is that something perhaps that procedurally, from a council perspective in relation to your councils, would that be something that would perhaps be more effective?

Ms McKEOWN: Can I just say on behalf of Penrith Council, we do follow up. We follow up, and follow up, and follow up, and follow up, but we're not getting any responses back in terms of some of these major issues. I can only assume they're put in the too-hard basket or the department does not have an appetite for whatever it is that we're proposing. You can only put forward your ideas and your suggestions and your recommendations so many times, and I know that I have a half a dozen issues that I have consistently brought up, and I bring them up at least once every six months and still nothing has happened. So, you can be on the case and follow these things through, but we have no control over where, for instance, these speed cameras go. We have no control of what information comes down the pipeline to us. We can only but ask but we can't control whether we get any responses or not.

Ms WENDY LINDSAY: Okay. So, you would need to just have some sort of assistance back as far as data if they've put—anyone's put traffic counters down or if there's X amount of fines being given in an area that you've raised as a period of—a concern, and whether further down the track there needs to be a camera there permanently or not. I just know with Canterbury-Bankstown, with some of the issues we've raised eventually, and look, it's taken two years in some cases to put some traffic calming in in some of those areas to rectify the issue, or a camera if it's been required. So, just curious as to how that works with some of the other councils that are here today.

The CHAIR: Thank you. I believe Mr Gulaptis.

Mr CHRIS GULAPTIS: Thank you. Thank you all for coming this morning to address this issue. I think the whole purpose of introducing these covert speed cameras was to save lives and to prevent crashes. So, from your experience, do you have any data or any understanding of whether crashes have decreased and fatalities have decreased since the covert cameras were introduced? Anyone prepared to answer that?

Mr ELLIS: I don't believe we've had any information to say that they have reduced—

[Over speaking]

The Hon. SHAOQUETT MOSELMANE: They don't share information.

Mr NICK LALICH: There's no information?

The Hon. SHAOQUETT MOSELMANE: Yes.

Mr NICK LALICH: They wouldn't know?

The Hon. SHAOQUETT MOSELMANE: No.

Ms McKEOWN: Can I just say that because we are not advised of where these speed cameras go, we don't know where they've been. At any given point in time, it's very hard to evaluate the statistics on that because often they've packed up and they've gone before we even know that they were there, and we would have to rely on the community saying oh, by the way, on such-and-such a road we had an unmarked car. Often that doesn't come to us until we're getting complaints about the fines, because of course, everything is the problem of local government, so we don't find out until well and truly after the event. So, I would have to say no because we're not consulted on where they go, we cannot access the statistics on what the revenue is, we don't know how they've performed in any given area at any given point in time. So no, from my perspective, we cannot evaluate information that we don't have.

The CHAIR: Thank you.

Mr CHRIS GULAPTIS: So, on the basis, for example, that there is statistics that these covert speed cameras do save lives, they do prevent crashes, what do you think about that going ahead, continuing with that program? Look, I'm not supportive of it one way or the other. I just want to see fatalities decrease, like everybody

else. If it's working in terms of decreasing fatalities and decreasing crashes, what would you—and you need to have that data so there needs to be some interaction with Transport for NSW [inaudible 30:46] in regard to that—how would you react to that? What would you think about that?

Ms LEDWIDGE: As these speed cameras are based on speed, a lot of our—well, the crashes that occur, 20 per cent of ours are speeding related, but speed related is not over-speeding. It also includes those not driving to the conditions of the road. Being rural roads, we have a lot of bends and corners and narrow roads, no street lighting, no kerb and guttering, rough road shoulders. If people aren't driving to the conditions of the road, that's classified as speeding. So, it's hard to judge that yes, I'm all for having the mobile speed cameras but we need the signage.

We need to alert drivers of their speed. We need to tell them to slow down, remind them, and I think that should be used as an educational tool rather than not having the signage, be more [inaudible 31:56] in the areas that they're not as needed, or [inaudible 32:01] needed, and I know that by the end of December we're going to have the full thousands of hours with the two companies rolling out the cameras, but I think the speed zone, that the speed signage is definitely something that needs to alert the drivers so that they're aware, and have them on our local roads so that they also are aware that that's where the crashes are happening.

Mr CHRIS GULAPTIS: I've got another question. Do you think that there is a role for covert cameras, like in high-crash areas or for example, during the holiday period when we know that there's more motorists on the road? Do you think that there's a place for them at all or do you think that they should be completely taken away?

Ms McKEOWN: Our position is that it should be a multipronged approach. There should be signed speed cameras, there should be covert cameras, and also police surveillance as well, and with all of those together we believe that that would have a greater impact on driver behaviour. For instance, we have a static speed camera in our area in a very high visibility position which has netted \$1,221,579 in the last 12 months. Now, everyone knows it's there. So, it's about driver behaviour. It's about being in your face and telling them that we need to slow down, police presence, and all the signage, and the education as well. Because it's really—I can't get it across enough that driver behaviour really is the thing which has the greatest impact, and the education such as Wollondilly and both Cootamundra-Gundagai have said.

The CHAIR: It actually relates to all your councils, probably Mr Ellis for your council even more so but Wollondilly as well. Now the one thing that we all got back from your opening statements was obviously, look, signage, it obviously brings people back to attention. It tells them hey, are you speeding. That's the first thing that they do. Now, if they were to lose their licence in some of your regional and rural areas, how would they be able to get to work or take their children to school or to the doctor or do the shopping?

Mr ELLIS: In a rural area that does pose difficulties. With Cootamundra, I know two of our other towns are 35 kilometres away. We've got—there's people from those towns driving to Cootamundra to work. We've got—we have an abattoirs to kick off again mid next year and that's probably going to draw a lot of people from outside of town into our abattoirs. If those people get pinged for speeding coming into town that's not going to go too good with those people. The high visibility aspect, as we've all been saying, is there. It's out there, you're being seen.

The CHAIR: Yes. That's the answer.

Mr ELLIS: We have a good relationship with our local highway patrol. Getting back to an earlier question there, where we say there might be speeding on a certain road they'll go out and patrol it and next time back that local highway patrol will say oh yes, we did pretty good out there, we picked a few up, and now the overall speed is being reduced.

The CHAIR: Mr Ellis, going back to my question. If they were to lose their licences how would they get anywhere?

Mr ELLIS: Well, we don't have any community transportation. They would probably have to rideshare with potentially other workers that live in Cootamundra.

The CHAIR: So, they would hope they've got someone that might be able to take them around if they're lucky.

Mr ELLIS: That's correct, yeah. Okay, the township you could probably—there's taxis in town, if it was a—you didn't have far to go you could ride your bike.

The CHAIR: Yeah, if they've got a pushbike. Would anyone else like to add to it?

Ms LEDWIDGE: Yeah. We have over 850 to 870 kilometres of rural roads. We don't have—there's a train line that comes maybe two during the day and then we have the local bus company. If they were to lose their licence, my concern is, especially for P-platers, because most people in Wollondilly need to work outside the area,

then they'd need to rely on family and friends to get them there. It wouldn't be possible that they could travel to work using those train lines or the bus that would get them there within that timeframe that they'd need to get there. So, you're looking about an hour and a half train trip from one end of the shire to get to the Campbelltown station, and then from there they'd have to then disperse to where they needed to go. So, heavily reliant on family and friends to get transported when they lose their licence.

The CHAIR: Just for the record, I was on the traffic committee when I was at council, Wollondilly Council. That was a few years ago now.

Mr NICK LALICH: Mr Chair, could I just ask a question? From the feedback we're getting from the three people here from the councils, RMS have given them no information. Now, the RMS must know where they're going to put the cameras probably weeks ahead, because they'd have a timetable, they'd have the drivers know where they're going to leave the vehicles, so they could inform you, but the main thing is that it all is kept private.

The Hon. SHAOQUETT MOSELMANE: Secret, yes.

Mr NICK LALICH: It's not given out to the general public so that they know where it is. But could I just say that my experience with fixed cameras is that people find out where the fixed cameras are, and what they do is they slow down at the fixed cameras, and as soon as they get past the fixed cameras they accelerate back off again. Now, I believe that the mobile speed cameras should be put 100 metres or 200 metres up the road past the fixed cameras, and then you get them, and then they can't argue that oh, we didn't see the speed problem down the road and the fixed camera, so you book them and they've got no comeback.

But the way it is now, this covert sort of way they're doing it, sneaky way they're doing it, even in non-crash areas where there's no traffic, they're picking people up. You get that down the expressway. Down the expressway it gives you 110, so what if you're doing 115, it's not that much over and they can get you on that because you're going just slightly over, in the low range. So, my thing is I think the fixed—the mobile speed cameras should be put half a mile, 100 metres, 200 metres past the fixed cameras, and then the person has got no excuse to say why he sped up.

What's your opinion on that for your area where you are? Do you think that would work, or would you be happy with that, would your community be happy with that? And not have a sign on those ones that are past the fixed cameras, just put them there as they are now, the covert way. What's your opinion with your community out there more or less in semi-rural areas where you are? Not so much in Penrith, of course. Penrith is a big city.

Ms LEDWIDGE: We don't actually have fixed cameras in our shire, so that's not a possibility that could happen. That's why we were relying on the mobile speed cameras, on having the signage. We have been advised where the signs—the fixed signs are actually going to be situated in our shire, but that's the only information we've had in relation to the mobile speed camera, their locations.

The CHAIR: Okay. Thank you. Does Reverend Nile, do you have any questions? Anyone else before—no. I've just got one question before I hand it back to Shaoquett. Probably down in Bowral, I don't know how many of you are aware of Bowral, they've actually got—just before you go into Bowral they've got a happy and a sad sign. Has anyone ever noticed that, just before you go into the major shopping centre? No one's ever seen it?

Ms ROBYN PRESTON: Is that your question, Chair?

The CHAIR: That is my question.

Mr STEPHEN BROMHEAD: Nobody's seen it.

The CHAIR: No? No one's seen it.

Mr STEPHEN BROMHEAD: I've seen them before.

The CHAIR: You've seen it?

Ms LEDWIDGE: Yeah. I also saw it on the weekend on the Hume Highway too, coming back from Albury through some roadworks, and my husband said I hope I get a smiley face, I hope I get a smiley face, and ooh look, he got a sad face, so I really don't think that that's got the impact it has, but at the same time it's still alerting drivers of their speed. So, any enforcement like that or any awareness is great.

The CHAIR: Yes. Thank you very much.

Ms McKEOWN: In my defence, can I just say I've not been to Bowral for quite a considerable time so I can't comment.

The CHAIR: Oh, you should come down.

The Hon. SHAOQUETT MOSELMANE: My question is that the revenue-raising—in your

submissions the revenue-raising issue has caused significant hardship to many of your constituencies, and it's mooted—in one of the submissions it's mooted that the revenue-raising is likely to be almost 40 times in the future up to \$225 million. Given the current adverse impact on your constituency, how do you see the impact when the revenue-raising becomes almost 40 times the current rate? What impact would that have on your constituency, particularly in line with the questions of the Chair about impact on P-plate drivers, people of low socioeconomic background, Indigenous Australians, and others? What impact would that have?

Ms McKEOWN: A huge impact. We have large areas in our LGA with a low SEIFA index. We have rural areas that rely on their vehicles to get to and from medical appointments, for instance, and also educational institutions. It just—it's immeasurable the impact that it has. I constantly get representations from my communities about being fined when they're in a vehicle, they've set their cruise control to the speed limit and then they're picked up doing one or two kilometres over the speed limit because they happened to be travelling on a road which is on an incline and they've been pinged at the bottom of a hill, for instance. Now, that's clearly unfair.

When people have set a cruise control to the speed limit and they're of the belief that they're doing the right thing but they're picked up, and it's constant. This is not just one-off complaints I'm getting. I'm getting constant representations on this where people are being picked up when they're using their cruise control. It's simply unfair. And it has huge financial impact, and of course, if you have enough demerit points, you lose your licence, as you've said, which then provides all sorts of other different impacts. Then does it mean that people drive without licences in order to get—to earn money to pay rent? The repercussions are quite wide and have detrimental impacts on the wider community as well.

The Hon. SHAOQUETT MOSELMANE: It apparently also impacts on your CTP. If you start losing your points, you have to pay higher CTP insurance.

Ms McKEOWN: And not just the CTP, also your general insurance as well.

The CHAIR: Thank you very much. Thank you for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections and any questions on that—I don't believe any questions were taken on notice if I'm right. But they will be forwarded to you by the Committee staff. Thank you so much again for attending today's hearing. We'll take a short five-minute break.

(The witnesses withdrew.)

DAVID PHILIP McTIERNAN, National Leader Transport Safety, Safer Smarter Infrastructure; Portfolio Leader-Infrastructure Safety Performance, ARRB, affirmed and examined

HAROLD SCRUBY, Chairman/Chief Executive Officer, Pedestrian Council of Australia Limited, affirmed and examined

The CHAIR: Questions.

The Hon. SHAOQUETT MOSELMANE: Thank you so much for your submissions and for appearing—

The CHAIR: Sorry, my apology. Does anyone have any opening statements first?

Mr McTIERNAN: Yes, I do, Mr Chair, if that's okay.

The CHAIR: Yes. Yes, thank you.

Mr McTIERNAN: Thank you. I would like to thank the Committee for the opportunity to participate in this inquiry today and respond to any questions you may have that will assist the Committee in its considerations. As you've just heard on the affirmation, my name is David McTiernan. I'm the National Leader for Transport Safety at the Australian Road Research Board. I'm an engineer with 30 years of experience working in road design, traffic engineering, road safety, as a local government practitioner, a researcher here at ARRB, expert witness, road policy advisor, and educator.

I am here today to represent the New South Wales chapter of the Australasian College of Road Safety, which is the peak membership association for road safety professionals, advocates and members of the public but focused on saving lives and serious injuries on our roads. I have been a member of the College for more than 10 years, have held roles as the secretary and chair of the New South Wales chapter and I've been involved in the College at the national executive level.

There were seven chapters making up the College with members from across Australia and New Zealand.

This year, an eighth chapter was added, providing an international outreach for likeminded individuals and professionals. The Committee has available to it the chapter submissions so in the interests of time I will not go into details. Suffice to say that it comes as no surprise that the chapter is supportive to the changes made to the mobile speed camera program in late 2020. The chapter and the College overall believes that the management of speed on our road is core to the delivery of a vision of zero death and serious injury on our roads, and fundamental to this is gaining widespread community compliance with speed limits that are set in the interests of safety, but also provide appropriate levels of mobility commensurate with the form and function of road infrastructure.

However, for the management of safer speeds on the roads to be effective, the chapter believes that more needs to be done in support of the good investment being made by New South Wales in road improvements. Our submission presents to the Committee several points for further action in the speed enforcement and the mobile speed camera program in particular. We believe there needs to be continued support by the Government for the changes implemented in late 2020. We believe this should include more locations across the road network that utilise mobile speed enforcement to combat the perception that speeding does not matter, and we believe there needs to be greater effort in communicating to the public the cost of road trauma to the New South Wales community and the very real risk involved in even low-level speeding. Again, thank you for your time and I'm happy to take any questions the Committee may have.

The CHAIR: Thank you very much. Mr Scruby, do you have an opening statement?

Mr SCRUBY: Yes. Thank you, Mr Chair. I've been in road safety for over 30 years. I was the chairman of the Mosman traffic committee for five years, as the deputy mayor there. I've been running the Pedestrian Council—actually, walking it—for over 25 years, we're a non-profit charity, and I never cease to be amazed at New South Wales—not government, parliament—attitude to mobile speed cameras, to all speed camera enforcement. In 2011, I did an FOI on the point-to-point cameras, to discover in only two locations—there are now 25—that while most of the trucks had been behaving and only 250 had been captured in a six-month period, over 94,000 other motorists were speeding. Ninety-four thousand.

This is 10 years ago when the then Minister Duncan Gay signed the National Road Safety Strategy to turn these devices on for all vehicles within three years. Now, the evidence in that document showed that throughout the world these devices had saved thousands of lives. In England, where they're in use—and I know we're talking about mobile cameras, but here's the evidence. Where they're in use, they reduce trauma from between 50 and 85 per cent.

The CHAIR: Mr Scruby, if I can maybe bring you back to the terms of reference, which is this inquiry is about the mobile speed cameras.

Mr SCRUBY: I'm coming to that. I'm trying to give—

The CHAIR: And not point-to-point.

Mr SCRUBY: I'm trying to give you the evidence that if you don't turn them on or if you make them covert, people speed. You've only got to look at the evidence from all the work we've done over the last 10 years. Now anyone, any politician can stand up on a soapbox and win votes by telling people we're going to be nice to you about speeding. Duncan Gay said, I've sent 12 fixed speed cameras off to the naughty corner. In other words, speed cameras are evil, motorists who are speeding are the good guys, and we're here to get your votes, caring nought about your lives or your limbs.

Mr Chairman, if you look at every study from every reputable organisation around the world, number one is very much—everyone around the world has shown that these devices save lives, and importantly, when they're covert—Mr Chairman, if you were to come out with a finding that we should go back to the bad old days, please be consistent. Please ensure that you now have signs around every drink and drug drive operation, because it's hardly fair that motorists don't know where these are going to be. Give them time to take another road or give them time to slow down. It's exactly the same thing.

Why not have every police speed operation, where you see the police sitting by the side of their road, with their radar devices—please ensure that you recommend that all police have to get out of their vehicles and put two or three signs on both sides of the road, because that's where they're operating. Make sure that they can cross the road safely. Please be consistent, or why not make sure that one of the most successful mobile phone operations in the world, make sure you put warning signs where they are, because that's consistency, and that's fairness. Do you know that this parliament, the Labor government as they lost office in 2011, added the number of demerit points in New South Wales to 13? Do you know this? Why are we the only state or territory with 13 demerit points when we've got a nationally agreed road safety strategy? Why did we do that?

Mr CHAIR: Mr Scruby.

Mr SCRUBY: That's politics. That's putting lives before limbs. Sorry, Mr Chairman, what can I—

The CHAIR: We're sort of time sensitive and I know that the Committee members have got questions to ask, so if I can—

Mr SCRUBY: I've nearly finished my little oration. All I'm saying is we did an FOI into the Auditor General's recommendation. The parliament ordered an inquiry and it was done completely separately, and it showed that we could save over 40 lives in the next few years by making these covert. Now, every one of us has relatives, every one of us has friends. Would we like any of those lives to be lost because you around this table came out with wrong decision or the wrong advice? There's only one decision you can make, Mr Chairman, and that is not only to leave these cameras as they are, because they are now working, but also to turn on the point-to-point cameras for all vehicles.

The CHAIR: Thank you very much, Mr Scruby.

The Hon. SHAOQUETT MOSELMANE: Thank you so much for appearing and for your submissions, Mr McTiernan, and Mr Scruby. Can I ask you both, given—has the government's overt mobile speed camera program proven to be educational and a real deterrent, or have they proven to be a revenue-raising mechanism, as most members of the public now believe them to be the case?

Mr SCRUBY: Well, where did you come into that conclusion? How do you know most members of the public believe that?

The Hon. SHAOQUETT MOSELMANE: There are submissions where they say that a lot of the—motoring group organisations say that a lot of their members believe it's a revenue-raising ventures.

Mr SCRUBY: A lot, but where's the evidence that most Australian motorists believe that?

The Hon. SHAOQUETT MOSELMANE: You tell me what you believe.

Mr SCRUBY: I believe that this is a political stunt. I believe it's very, very easy to denigrate mobile speed cameras. I'm sorry, but I'm not saying you in particular, but New South Wales has a reputation of being very, very soft on speeding.

The Hon. SHAOQUETT MOSELMANE: Can I just jump in? I'm not saying about mobile speed cameras per se, I'm saying about the covert ones, the ones that are without signage.

Mr SCRUBY: Well, we haven't got the evidence yet. The jury's still out but let me say one thing. This word revenue-raising is a misnomer. You can't—

Mr CHAIR: I'll come to you in a moment, Mr McTiernan.

Mr SCRUBY: Can I say that again? You cannot raise revenue until you cover your costs? New South Wales, road trauma costs New South Wales \$9 billion per annum, \$9 billion. We raise about \$100 million from speed cameras. Please tell me where we're raising the revenue.

Mr CHAIR: Right. Sorry, Mr McTiernan.

Mr McTIERNAN: Thank you, Mr Chair. I think in terms of the covert operation—sorry, the overt operation that was in operation prior to the end of last year, I think if you compare the revenue or the fines issued to what is happening now under the covert arrangement, I think you would find it hard-pressed to say it was a revenue-raising exercise. To warn motorists that they are approaching a speed camera, a mobile speed camera, and therefore giving them ample opportunity to slow down, and indeed to apply that program in only one direction I think is really not—couldn't be classed as a revenue-raising exercise if indeed that was the government's objective.

I think all objective evidence, particularly since it's gone to this more covert arrangement, demonstrates that what we haven't understood perhaps is how prevalent the attitude of speeding and the experience of speeding is across the road network, and hence the spike in detections. I think too though, to that point, I think what the government and the agencies need to do is make it far more—make the community far more aware of the presence of this program. Not the individual speed camera locations [inaudible 58:17] up on a day-to-day basis, but that the program exists, that it is effective, that it's important in terms of delivering road safety, and that the community is given the opportunity to see that their behaviour does have consequences both at a road safety level but also a personal consequence of when you exceed the speed limit, you will be caught, anytime, anywhere.

Mr SCRUBY: Anywhere, yeah.

Mr CHAIR: Any specific groups or organisations you would suggest?

Mr SCRUBY: Yes.

Mr McTIERNAN: I'm sorry, what do you mean suggest, for what purpose?

Mr CHAIR: In regards to the road safety education, to promote it. Are there any particular organisations

that you would actually target?

Mr McTIERNAN: I think the past experience of Transport for NSW and its previous forms RMS and RTA had a very successful public awareness campaign, and it has to be broad scale. It has to be applied to everyone in the community. I think the experience with the RBT introduced in the early '80s demonstrates that it needs to be constant and effective and broad brush and applied so that everyone understands that this program exists and that it can be effective in improving road safety. It is not for revenue-raising; it is to improve the safety of everyone on the roads in New South Wales.

The CHAIR: Thank you. Look, I've just got one question then I'll forward on. Can you provide an example of how warning signs impact the effectiveness of mobile speed camera operations?

Mr SCRUBY: You go on, David.

Mr McTIERNAN: If you look at the data in the College submission, you'll see a change in numbers between the overt and the covert period demonstrates the impact of those signs on the ability to detect people who are speeding. It's all well and good to have compliance as someone drives past the camera, but it is of little value if they then speed up on the 99.9 per cent of the rest of the network that doesn't have those cameras. I think the data, I'll leave it to the Committee to reference that. I believe page four might be a start there. The data of the experience in capturing [inaudible 60:29].

Mr CHAIR: Thank you. Mr Bromhead.

Mr STEPHEN BROMHEAD: Mr McTiernan, can you explain to me why often these covert speed cameras are set up in areas where there's been no history of motor vehicle accidents but high volume of traffic, and only a few kilometres away where there's higher incidence of motor vehicle accidents but little traffic volume. How does that help save lives?

Mr NICK LALICH: Good question.

Mr McTIERNAN: It is a good question, and I think without—I'm not involved in the mobile speed camera program. I have done research in my role at ARRB and again, the College submission outlines some key points that probably go to answering that question. Part of the problem with the mobile speed camera program has been the way it was needed to be set up, particularly requiring signage before and after the location of each camera. The government has a clear duty of care in terms of health and safety of the operators at those camera locations and they can only be set up in locations where it is safe to do so.

By its nature, that section of road is probably a safer environment and therefore there's an immediate disconnect with where the cameras are probably most effective, which is more high-risk locations. However, the limits of having to put the signs out, the fact that putting the signs out means you can only enforce in one direction, really limits the effectiveness. I think if the government wanted to be serious about impacting on safety at high-risk locations, firstly there's obviously investment in the infrastructure, and where that can't be done in a timely manner then we do need to have people slow down until such time as we can invest in that infrastructure.

The CHAIR: So, you would agree that covert mobile speed cameras placed on roads with no traffic accident history isn't doing anything to save lives?

Mr McTIERNAN: No, I wouldn't agree with that because I think the benefit and the real value of a covert—which is not necessarily a term I think is the best way to describe it—but a covert operation means that people can be caught speeding anywhere, anytime. That then, with support of a proper education and awareness campaign can hopefully gain people's—the public's and the motorist's trust and compliance with the speed limits that are in place, which if they've put in place appropriately, they reflect the level of risk combined with the function of the road, and therefore no, I wouldn't agree that it does nothing. I think it's part of that being caught or detected anywhere at any time. I think a greater emphasis maybe should be put on higher-risk locations, particularly if it's going to get the trust of the community and dispel this myth that it's just a revenue-raising exercise.

The CHAIR: Thank you.

Mr STEPHEN BROMHEAD: Well, what purpose, Mr McTiernan, would there be in putting a mobile speed camera in a high-volume, zero-accident roadway?

Mr McTIERNAN: Because crashes on a road are a lag indicator. They don't necessarily suggest there is no risk, there is no safety problem. They just—perhaps through good luck, with some good management. A crash can occur on a five-star road. A fatal and serious injury crash can still occur on a five-star road. They are not immune from crashes, and so you need to be putting this program in as many places across the network, in all road environments that the government can afford to do.

The Hon. SHAOQUETT MOSELMANE: But the program is not about catch you everywhere, it's

about reducing fatalities and crashes. That's the whole intention of having cameras.

Mr McTIERNAN: The intention of the cameras is to get greater compliance with the posted speed limits. That is the purpose of the camera program. It is clear—it's physics. There is evidence, as Mr Scruby referenced, around the world, and again, we've referenced some of it in our submission, that speed is linked to the cause of crashes and to the severity outcome of those crashes. If we can gain greater compliance, if we can address even low-level speeding so that people are understanding the effect of their speed on their risk and the risk to others in the community, then that should be the purpose of the mobile speed camera program. I think Mr Scruby would like to respond as well.

Mr SCRUBY: Chair, could I say something?

The CHAIR: Yes. Go ahead.

Mr SCRUBY: First of all, this new way of putting two people on at the same time, I've done a lot of work to present to you today, and we're nearly finished and I haven't been able to say any of it. First of all, could people please stop using the word accidents when it relates to road trauma? Most states in America now are banned from using the term because 95 per cent of crashes are not accidents. They occur when people break the law and dumbing down road trauma by calling them accidents is part of the problem of all of this.

Now, could I just say—you asked a question earlier about who should be doing the education. Well, the agency that shouldn't be doing the education is the NRMA, which for over a decade has campaigned against the use of any form of speed camera enforcement. In fact, as late as July, after all that had been—all the evidence had been produced, Peter Khoury went on TV and said was it a good policy? Well no, it's not. Will it help save lives? Well, probably not. It will catch people; it just won't change their behaviour. That is false and misleading information. It is a lie. The evidence there—

Ms ROBYN PRESTON: Mr Scruby thank you so much for your in-depth submissions. Thank you very much. There was a lot of work in that and I know that you're a volunteer in your role and I do appreciate the effort you've made. I had a question following through from your comments just then. If we were to look at—and people I've talked to in the community say they don't have a problem with removing the signage and the warning because people need to change their habits, their speeding habits, if they are frequent speeders.

So, if we looked at a zero tolerance to speeding and we looked at the amount of times a person is fined for speeding, should we have a trigger for those people who are incessant speed people? Should we have a trigger that they actually have to go into an education program? Because clearly their habits are continual and they're facing continual fines. How do we change that driver behaviour if we don't have signage out there to warn people? Because they're often slowing down when they see the signage but when that disappears they speed off again. So, we're not winning that battle. How do you see us dealing with that?

Mr SCRUBY: There are three E's in road safety: education, engineering, and enforcement. We've been very poor on the enforcement. The great system we have—and it's a meritocratic system—is you get points for speeding and then you lose your licence. That's the best education anyone can have and that doesn't cost the community a lot of money to educate.

Ms ROBYN PRESTON: But that doesn't change their habits.

Mr SCRUBY: It does change their habits.

Ms ROBYN PRESTON: It just punishes them for bad habits.

Mr SCRUBY: I know people down here—we've just got a new one here down at Palm Beach, and people—there's been a new speed camera. All these people are being booked and all of them have said I'm not going to speed anymore. Once they get that ticket and they get the demerit points, they change their behaviour. That's why this disgraceful statement by Mr Khoury is so reprehensible. Do you know that the RACV, RACQ, RAA, RAC, and RACT all support covert mobile speed cameras. We shouldn't call them covert; we should call them speed cameras without signs. It's not covert.

Ms ROBYN PRESTON: Mr McTiernan, would you like to add a comment as well? Thank you, Mr Scruby.

Mr SCRUBY: Thank you.

Mr McTIERNAN: I would agree that people who are repeat offenders, who I believe in the main would probably be relatively outliers, probably need some extra attention and focus on educating them, making them aware of the consequences of their behaviour, not just personally but to the rest of society. I definitely believe that it's something that should be continued if there is repeat offence from an individual, because I think we also would agree that losing their licence doesn't necessarily stop them from driving, and that creates a whole other safety problem as well.

Ms ROBYN PRESTON: Thank you.

Mr CHAIR: Mr Moselmane.

Ms WENDY LINDSAY: Chair.

Mr CHAIR: Sorry. Please.

Ms WENDY LINDSAY: I would just like to ask a question if that's possible. I would just like to ask you both, in regards to campaigns that the road safety team has had, campaigns like Towards Zero, Stop It or Cop It, and I think everyone has seen at some point the ad where the car's driving along and it crashes basically into a Kombi van. That was quite an impactful ad that we ran, and as any revenue that is acquired from speeding does go back into road safety programs. And just to Mr McTiernan's point earlier about the financial cost, do you think perhaps some campaigns to not only put into public awareness the human cost but also the financial cost that we as taxpayers then bear the burden of due to road trauma, do you think that is perhaps something that could be impactful in relation to changing driver habits in regards to speeding?

Mr McTIERNAN: I'll go first, Harold, but I'll be quick for you. Look, I've been involved in road safety for 30 years and since the start of the safe system approach has come to Australia in 2004. The focus of implementing that approach has been on the technical side, on the road safety fraternity, developing the expertise and the understanding. I think one of the things we have missed, and I've said this in previous presentations to the Committee and elsewhere, is we haven't brought the community along with us. Technically road safety people understand the effects, the cost, the personal costs, et cetera, but we have forgotten to bring the community on that journey with us. So, I would agree with you that something more needs to be done, focusing on the community. As road safety practitioners, we know the answers. We know how to stop people dying. We need to get the community onboard with that message as well.

Ms WENDY LINDSAY: Can I ask you, David, is there a particular area where you think perhaps we're not getting that messaging across, whether it be CALD communities, do we need to look at different approaches as far as—obviously, television campaigns is something that's been in—historically where we've focused a lot of our attention, but do you think we need—and look, I know that we obviously do do social campaigns as well, but is there another area where you think that we're missing trying to get some of this messaging out to?

Mr McTIERNAN: I'm an engineer so I can't pretend to know too much about how to change people's attitudes, I designed a system for that. I believe a broad-brushed approach—we were successful with RBT when it was introduced. There's lots of lessons that can be learned from there. It has to be a constant message. It is, as again in the chapter's submission, there is a cultural issue about this that we need to change.

Ms WENDY LINDSAY: So, obviously that was a very effective campaign with 'You're under 05 or you're under arrest'. However, at that period of time when that came in, largely media was radio, television, and newsprint. They were the three things you focus all your resourcing on. Obviously, now it's a much bigger world to try and get some of this messaging out to.

Mr SCRUBY: Wendy, can I answer that question?

Ms WENDY LINDSAY: Yep, sure.

Mr SCRUBY: I'm more in the marketing side of things.

Ms WENDY LINDSAY: Ok, here we go!

Mr SCRUBY: I'm trying to convince politicians, and you never hear the word come from their lips. The word enforcement is a vital part of this trilogy. I know you always want to educate and you always want to have these campaigns. They're expensive. Advertising today is incredibly expensive. A Grim Reaper campaign will cost you a billion dollars to be effective. Now, education can come through a ticket in the mail and then you're focusing on the perpetrator rather than the wider community. Why not as politicians come out and say enforcement is important to save lives, particularly when 40 per cent of road trauma happens through speeding? It's nonsense to say we can't have it in this, that, or the other place.

If anyone here read the 2010 report of the Auditor General re school zones, 98 per cent of our school zones have no speed enforcement. He recommended, and so did Mr Roozendaal in 2006, that mobile speed cameras be rotated through all schools in New South Wales. Do you know how many mobile speed cameras we've got in Sydney in a school zone? One. That's 11 years ago. We've got one mobile speed camera in a school zone. Why not get out and actually embrace the word enforcement and stop calling it compliance and stop turning the tables onto this education thing and making the rest of the community pay for the 10 per cent of people who want to speed. Let's make them pay for the speeding. It's a very simple idea and it goes back a long way, but I think our society is becoming incredibly soft on enforcement, and that's the way you will save lives.

Mr McTIERNAN: I would agree with Mr Scruby in the sense that education can take many forms, and

I think in this day and age there are many more platforms. I think people are far more engaged in multimedia, internet, et cetera. In that other area of education, picking up on Mr Scruby's point, would be faster processing and issuing of the fines. There is no reason in this day and age where I can have a COVID certificate on a New South Wales app, but we couldn't be issuing infringements far more promptly, so that in mind of the [inaudible 76:07] they've infringed, they make a direct correlation between that behaviour and [inaudible 76:12].

The CHAIR: Thank you both. Unfortunately, our time has concluded. Thank you both for appearing before the Committee today. You will both be provided with a copy of the transcript of today's proceedings for corrections and any questions on those. I don't believe any questions were taken but some of the members may have some questions they might forward on to you by the Committee staff. Thank you again for attending today's inquiry.

Mr McTIERNAN: Thank you. I'd be happy to follow up if there's any other questions.

The CHAIR: Thank you.

(The witnesses withdrew.)

(Short adjournment)

RICHARD OLSEN, State Secretary, Transport Workers' Union of New South Wales, sworn and examined

WARREN CLARK, Chief Executive Officer, National Road Transport Association, sworn and examined

The CHAIR: Thank you very much. Would you like to make a short opening statement before we begin the questions? Who would like to go first, Mr Clark, or Mr Olsen?

The CHAIR: Yes. Go ahead, Mr Clark. Yes, you can go first.

Mr CLARK: Okay. Thank you very much for inviting me to appear. For the benefit of the Committee members not familiar with the National Road Transport Association, we are the largest road freight transport operators association in the country. We represent freight operators from owner-drivers to large fleets across all freight tasks. As professional drivers spending much of their waking time behind the wheel to make a living for themselves and their loved ones, safety is at the heart of everything that my members do. That's why the decision taken by the state government in November last year with respect to mobile speed cameras has caused a lot of disquiet.

Let me state upfront that reducing speed is not the silver bullet to road safety but must be accompanied by other improvements such as better infrastructure. Separation between heavy and light vehicles and giving appropriate preference to heavy vehicles to minimise the chance of road conflict is just as important as speed management. Driver education is fundamental to road safety, particularly the education of light vehicle drivers around heavy vehicles. Speed limit signage plays an important educational role. It reminds a driver to check their speed and to slow down, if necessarily, and it reduces confusion.

At this stage, I would like to cite Professor Ann Williamson of the Transport and Road Safety Research Centre, the University of New South Wales, in writing a journal in road safety in 2019. She said unfortunately there is considerable evidence that simply lowering speed limits is a poor approach to safety as compliance often presents problems for drivers. Compliance is especially difficult when road communication conflicts with information about appropriate speeds to drivers. To be effective, speed limits need to be credible to drivers, and the dictionary defines credible as deserving praise, trust, or respected.

So, removing signs for mobile speed cameras after this current government argued strongly, for the signs from opposition, is none of the above. It fuels cynicism that this is simply a revenue-raising exercise. There are many roads in New South Wales where different speed limits are applied for trucks. There are also many roads where the speed limit is variable and is posted electronically and is subject to change. The variable signage is often inadequately sized and poorly placed and this leads to accidental non-compliance. NatRoad wants to see a greater emphasis on warning signs that are suitably large and placed at decision points along truck routes.

Mr Chairman, data plays a massive role in the operations of the heavy vehicle sector. After the state government made its announcement and as the news broke about stabilising fines, NatRoad went looking for the data that informed those decisions. We wanted to understand the impact on safety. NatRoad wrote to Transport for NSW on 25 May 2021 seeking confirmation of these statistics and a breakdown of the number of heavy vehicles and light vehicles. On 11 June Transport for NSW responded by indicating that they are in the dark with these numbers. Revenue New South Wales, which issues the penalty notices for speeding offences, doesn't split

the data between light and heavy vehicles which is a ludicrous situation.

It is difficult, if not impossible to measure the impacts of enforcement on the sector's road safety record when the basic data is not available. Research from the National Transport Accident Research Centre shows that three quarters of the inappropriate speed crashes are rollover incidents. It follows that if mobile speed cameras are to be deployed, they should be placed, with signage, at the lead-up to sharp corners, especially where the evidence shows that these are black spot areas and making infrastructure adjustments like adjusting road camber should be a high priority. In conclusion, NatRoad recommends to the Committee that it ask the government to reinstate warning signs in relation to the operation of mobile speed cameras.

At the same time, we need better identification of problematic stretches of road, especially where the rollovers of heavy vehicles occur, and this should guide placement of where the mobile speed cameras are. We recommend that the Committee ask the government to provide better records relating to heavy vehicles. In particular, light and heavy vehicle statistics in all offence categories must be separately shown in the Revenue New South Wales data. Thank you for the Committee and I thank you for the time, and I welcome your questions.

The CHAIR: Thank you, Mr Clark. Mr Olsen, just a brief statement?

Mr OLSEN: Certainly. Thank you. Firstly, I'd like to commence with thanking the Committee for the opportunity again to appear before you here today. In light of the format, I will keep our comments brief. The Transport Workers Union does acknowledge that mobile speed cameras play, as one of the many tools to reduce speeding, but the TWU has significant concerns about the way they currently operate. The evidence clearly shows the removal of the warning signs has not improved safety but has just served as a massive revenue-raiser for the government. There is also safety issues caused by warning signs no longer being there, particularly when a driver sees the camera and at the last-minute slam on brakes et cetera causing undue, unsafe work practices, or unsafe practices on our roads.

We're also concerned at the lack of the information on how many fines have been issued to heavy vehicles, and we need to have a clearer picture on how this problem is either a big problem or a small problem, or a problem across our industry as against private use operators as well. So, back to the transport industry, we need that data to identify exactly how that has occurred over time. I think they are the most pressing issues which we have with this, and the matters that are currently before this Committee. Thank you for this opportunity and look forward to any questions. Thank you.

The CHAIR: Thank you, Mr Olsen, and I'll pass it over to Mr Moselmane.

The Hon. SHAOQUETT MOSELMANE: Thank you, Chair, and thank you, gentlemen for attending this morning. Thank you for your submissions. I'll just go straight into one of your recommendations, Mr Olsen, as also—I think it's also been recommended by the National Road Transport Association—calling on the government to separate data on heavy vehicles and light vehicles, and particularly your submission, Mr Olsen, that the New South Wales Government does not readily provide public data about the number of offences issued to drivers of heavy vehicles. We've heard throughout this morning that there's been very little information sharing, very little data sharing, not only with institutions like yours but also with local government. How significant is data sharing, to saving lives, one, and ensuring your members comply with safety on the roads?

Mr OLSEN: When we talk about safety, and I think for the question, this is crucial. If we don't have the information, you can't make an assessment on where you go to next in identifying those issues with a way forward of correcting that behaviour to make it safe and to ensure that those alleged breaches do not continually occur over time again and again and again. So, it is crucial for us to be given as much data as possible. If we don't have that information, you cannot possibly go to the next steps and the risks that are involved when look at the area, and the environment which it has occurred in, and make the corrections. It all starts with that amalgamation of all of the data that should be available, and should be available to all end players, and that includes the union of course but it should be available for all of us to view because we all have a stake in this industry. We all want to make it safer on our roads.

The CHAIR: Mr Clark.

Mr CLARK: We agree with Mr Olsen and the TWU. In this industry data is massive. The whole industry survives around data. We use it in our day-to-day operations, but when we're being whacked with a stick and we can't even get the data to find out anything, how big is this problem? How systemic is this problem? How do we enact change to improve this problem, if indeed there is one here. We can't do it. We're doing it off anecdotal evidence and we're doing it at the benefit of raising revenue for the government. So, we absolutely want a safe industry, want a safe road for the public, but let's be serious about it. Let's get the data and let's get it back to the organisations that want to improve things.

The Hon. SHAOQUETT MOSELMANE: It seems from some of the comments made that many of the organisations interested in road safety have their own data, they operate in silos, but there's significant information

out there, but the failure has been not sharing that information. There is one suggestion. I'll take you to a submission by the National Motorists Association of Australia, and they suggest that perhaps a panel that would assist the minister, or the government, on providing all of those experiences from all those organisations, such as the TWU, yourself, NMRA, insurance companies, to come together and provide those statistics to help the government and help the minister when deciding about speed cameras, locations, and other matters of concern to all those bodies. What's your view in terms of having—establishing a panel?

Mr CLARK: Look, our view is always that industry needs to be at the table when the government is making the decisions. Industry wants to improve, like I just said, and like the TWU has just said. They want to see improvement but they want to see it based on what industry contributes, not just the government. You've got ministers relying on departments that aren't working in the industry. They don't understand the industry, they're not on the roads every day. Our people are on the roads 24/7. They keep the country moving. That is a very good suggestion; it would mean the minister would be able to make a more informed decision.

The CHAIR: Mr Olsen?

Mr OLSEN: Yes. Thank you. I can only agree with what Mr Clark has already indicated. I think that's a positive form. I know that there are several different boards around, if we can call it that, the RFIC, the Road Freight Industry Council that Mr Clark sits on, I sit on, and other players from the industry sit on. That can also be an avenue but I think anything is better than what we've got currently, because there is non-sharing currently, and we do need to get to that stage. So, we would welcome the opportunity to be involved with such boards being set up. Thank you.

Ms ROBYN PRESTON: Chair, I have a question. Gentlemen, welcome. I will start my question and I might ask Mr Olsen to answer first and then Mr Clark to answer after that. Have heavy vehicle operators experienced disadvantage or increased risk as a result of the changes to the mobile speed camera program?

Mr OLSEN: I think that what has occurred is that there are certainly a lot of stress and anxiety out there about what has occurred, how it has occurred, and what we are now left with in moving forward. So, that is an issue in itself. Without being able to point directly to it, what we have been informed is [inaudible 91:42] uncertainty about what's going on on our roads because of the changes which have occurred.

Ms ROBYN PRESTON: Thank you. Mr Clark.

Mr CLARK: Look, I would say that they have faced disadvantage of it, and the big reason is because we've got a speed camera that's hiding sneakily beside the road. You've then got a driver that's constantly monitoring his dashboard to make sure that he's not speeding, and most of the time these guys don't, they want to do the right thing. Then you've got speed limits that are variably changing the whole time, so you can go along a freeway and one day it's this, the next day it's the next. You can do it at different times of the day. So, I think our drivers are definitely disadvantaged with it because they're constantly monitoring their speed. Speed is only one thing about driving a truck; there's so many other things. To me, it takes their eye off the ball a bit whereas if these things were way better signed and way better—way more evident to the driver, it would reduce their anxiety.

Ms ROBYN PRESTON: Thank you.

The CHAIR: Mr Butler.

Mr ROY BUTLER: Thank you, Chair. Mr Clark, Mr Olsen, thank you for your time today. It's a very simple question. Mr Olsen, you alluded to situations where people see the camera car at the last moment, they may not even be speeding but their first reaction is to brake. That's something that also came through in a number of the submissions we received from private individuals. I'm just wondering if you're aware of any accidents that have occurred in those circumstances.

Mr OLSEN: No, I can't say that I have and I'm not saying that that hasn't occurred, but what I do say is that again, and what had probably been indicated in other answers, is this just amounts to further stress levels on the part of the truck driver who's driving along the road doing the right thing and all of a sudden a vehicle in front hits the brakes because they've now noticed a vehicle sitting on the side of the road, and they're not sure what that is, so they've hit the brakes, because that's the first reaction that any person's going to have as soon as they see this, and we [inaudible 94:00] seeing these vehicles on the side of the roads that you hit the brakes. Now, if there hasn't been an incident or an accident yet, of course my submissions would be it won't be long before there is one, but it is obvious that at some point it will occur, and it shouldn't have to occur and we should return to the way in which it was prior to this change.

Mr NICK LALICH: Mr Chairman, could I just say the information has not been freely coming to you guys and that's been the message here all morning, that everybody's not getting the message from the RMS and all these accidents. If you had the report on how many truck accidents there has been, what would you do then to make—to improve the safety of those trucks if you didn't have the speed cameras or the mobile speed cameras on the side? What would you two gentlemen suggest that we do?

Mr CLARK: Look, the safety of the trucks, these trucks are the highest quality that's available, most of them, and they're all maintained properly and adequately. The issue is about driver education, so if we have the data, if the data is actually coming back, and it actually—let's say that there is a problem with speeding vehicles, then we can actually start to educate people and we can actually make movements to make the drivers more aware of it. You've got to remember that a lot of these larger companies are monitoring their drivers and the speed 24/7 and if there's issues, the actual parent company warn the driver to reduce their speed. So, in all the issues that Mr Olsen has raised, there's some real problems here. The issue is the driver can't see the speed sign and if there's a problem then you know what, let's educate him, let's make him a better driver.

Mr OLSEN: Yeah. If I may also add to that, if it's appropriate. As Mr Clark has said, there are so many things these days. The vehicles are very, very safe compared to a decade, two decades, three decades ago, obviously. They have cameras that are pointing in and out. They are speed-limited. They're speed-monitored 24/7, most vehicles that age. We can download all that information when needed, as Mr Clark has said. Most of the large companies, if not all, monitor these vehicles 24/7. They would be aware of it before anyone if there is speeding and let's face it, we're all human. At the end of the day, speeding can occur on the roads where you speed up, change direction, or otherwise, and so really, we need that information so that when there has been an infringement notice, we need to see the environment, we need to see what the driver was doing at the time, and let's make this an educational exercise, because we do need the drivers at the wheel to make sure that the deliveries do occur.

The Hon. SHAOQUETT MOSELMANE: Can I ask—make the point first that the number of fines from mobile speed cameras from 2017 to 2021 have—in one month, February, for example, has increased almost tenfold. It's mooted that the increase in fine revenue is likely to be almost 40 times more, that is, equivalent to about \$225 million. Mr Olsen in particular, can you tell me, or tell the Committee what implications will that have on the truck drivers in terms of particularly their income when they are on low income in the first place?

Mr OLSEN: Yes and thank you for the question. Once again, of course, we are now pointing all the issues in relation to the driver. The cost of running and maintaining these vehicles is not cheap. There are plenty of [inaudible 98:26] that an owner-driver in particular is facing that is not remunerated back from the principal employer which they work for on any given day. So, the stress and the amount of monies that—and the anxiety that causes as a result of being fined is on top of the list as far as stress and anxiety is concerned to drivers. Hence of course, they do everything possible and we end up with thousands of drivers are on our road every day, that what they are trying to do is they are very professional in the way in which they approach their work, they are very safety conscious, and they understand—more than a car driver of course—they understand the appropriateness of speed, they understand the appropriateness of being a distance away from vehicles in front, et cetera, to avoid these things from occurring, [inaudible 99:25] costs.

What this has again is to hit the driver on the bottom line of his take-home pay at the end of the week, which means that other things if necessary, where necessary, won't be done. Maintenance could well be put off for a week or two whilst they're going through having to pay the fines which they have incurred, unknowingly more than likely, that they have been involved in that speed, and have made the corrections et cetera but they're stuck with a bill which may well lead to them not being able to manufacture or have the cost and charges available to pay for the additional maintenance, program maintenance which occurs on their vehicles regularly, as we all know.

Ms WENDY LINDSAY: Chair, may I ask you a question, please?

The CHAIR: Yes, Wendy Lindsay.

Ms WENDY LINDSAY: Thank you. Mr Clark, just in relation to page three of your submission, point six, we had an earlier witness speak about point-to-point cameras, and just in relation to how your comments earlier, this is impacting on your drivers or on heavy vehicle drivers in particular, what is your view, and both of your views, actually, on point-to-point cameras in our more regional areas? Would that be of more impact and create better outcomes in relation to trucks? As you were saying, some of the roads in our state do have different speed limits for truck drivers than what the cars and other vehicles do. Would point-to-point cameras be more effective and create safer outcomes in relation to heavy vehicle drivers?

Mr CLARK: Look, point-to-point cameras, there's a lot of prescriptive legislation in the Heavy Vehicle National Law, and generally they are for fatigue and also for speeding. Look, I think the more point-to-point cameras you've got around the countryside the better. They've got to be able to talk to each other. They don't talk across states to my knowledge at this present time. Maybe they've changed that. But yes, those point-to-point cameras are very, very efficient in monitoring fatigue and long-distance speeding. You've got a speed camera that sits across the—sits on the side of the road that just snaps a shot at any particular point in time. If we're really trying to compare that, I think there's nothing better than a highway patrol that reduces speed. Half the time you get a fine from a speed camera, you won't know for two weeks. That hasn't reduced your speed, but let me tell you, a highway patrol car will.

Mr OLSEN: I would agree with Mr Clark's answer in relation to that. The visibility is much stronger than receiving an infringement notice at some point later into the future. That does nothing for safety, does nothing for fatigue on our roads at any given time.

Ms WENDY LINDSAY: Thank you for both of your responses. Thank you, Chair.

The CHAIR: Thank you very much. Your last question?

Mr NICK LALICH: Mr Chairman, mine is probably more of a comment than what is—could I just say this is more of a statement than what it is a question, but you probably won't want to answer it. But I find that the heavy truck drivers are pretty good. You do get a couple of cowboys out there that speed over the limit, but that's in any industry. But my thing is that I've always said—and when I drive along the highways, I've always said to my partner if I was a policeman I'd be out there after the tradies. They're the blokes who seem to have the God-given right to speed to get to the job, to get to the next job, or to get home. I've always noticed the tradies are the ones that are doing all the speeding and I'd be booking them every time I could if I was a police officer out there on the road.

Ms ROBYN PRESTON: My Hawkesbury tradies would not be happy with that comment, Mr Lalich. I want that on the record.

Mr NICK LALICH: I don't mind, just as long as they start settling down and reduce their speed.

Ms ROBYN PRESTON: Is that as an assumption.

The CHAIR: The majority of tradies do the right thing.

The Hon. SHAOQUETT MOSELMANE: Yeah, he doesn't mean tradies. He meant something else.

Mr OLSEN: They may not be happy but they do it.

Ms WENDY LINDSAY: Neither would tradespeople in East Hills either, just quietly.

Mr NICK LALICH: That's why I said it was a comment more than what it is a question.

Mr STEPHEN BROMHEAD: We don't want an answer.

The CHAIR: I think our time has come to an end, unfortunately. I would like to thank both of you for appearing before the Committee today and you will both be provided with a copy of today's transcript of proceedings for corrections and any questions on notice taken today will be forwarded to you by the Committee staff. Thank you both again for attending today's inquiry.

(The witnesses withdrew.)

BRIAN WALTER WOOD, Secretary, Motorcycle Council of NSW, affirmed and examined

The CHAIR: Thank you very much, Mr Wood. Mr Wood, would you like to make a short opening statement before we begin the questions?

Mr WOOD: I don't wish to make an opening statement.

The CHAIR: You don't. Okay then. Perhaps then we can go straight to the questions.

The Hon. SHAOQUETT MOSELMANE: Okay. Mr Wood. In your submission and that of the submission from Mr Christopher Burns, Bullbar Council, both make the claim that your members view the removal of signage as a way of maximising profits. In actual fact, the Bullbar Council says essentially the New South Wales Government's initiative on covert speed cameras are tax by stealth. Are your members' views—sorry?

The CHAIR: You said Bullbar Council.

Mr STEPHEN BROMHEAD: He's mentioned both.

The Hon. SHAOQUETT MOSELMANE: Yeah, I mentioned both. Both make that submission, that it is maximising profits. Is it based on anecdotal evidence or is it based on statistics that you might have, Mr Woods?

Mr WOOD: No, based on anecdotal evidence. I think some of that perception has come about now that fines are collected by Revenue New South Wales where previously it was the State Debt Recovery Office, so I guess people see well, I'm paying the fine to Revenue New South Wales so therefore it's revenue.

The Hon. SHAOQUETT MOSELMANE: Has covert speed camera program been effective in deterring speeding, has it been effective in saving lives, has it been effective in reducing crashes, particularly from your point of view as the Motorcycle Council of New South Wales?

Mr WOOD: No, I haven't seen any evidence that it has reduced speeding. I think it has made riders more nervous that they—when they might be under detection. I know it's a particular concern to those who are on P-plates in that an infringement can lead to a loss of licence, so particularly concern among those provisional licence-holders and also professional drivers or riders.

The CHAIR: Mr Wood, I'm just going to jump in for a moment. Would you say that by not having the signs there, and a motorcyclist approaches it, thinks it might be a speed camera, is there more chances of a motorcyclist having an incident, having an accident?

Mr WOOD: Yes—

The CHAIR: Especially like if they're heading towards corners and depending on where the cameras may be positioned.

Mr WOOD: Yes. Well, I guess any vehicle that might be—you might suspect to be a speed camera can take your attention away from the driving task, particularly for motorcyclists where it is important that your concentration, or a percentage of your concentration is on the road surface, because motorcycles being a single-track vehicle are far more susceptible to road defects such as potholes. There are also hazards due to other drivers or other road users that you need to be mindful of, and if your—I guess part of your attention is distracted to what's that vehicle on the side of the road, then yes, you're taking attention away from the driving task.

The Hon. SHAOQUETT MOSELMANE: How significant has our signages been for your members, and what impact does it have when the signage—I know you explained a little bit just then. What impact does it have when the signage is not there, particularly warning you of unmarked speed camera around the corner, and then when noticing it, your members have to immediately try to stop. Would that have an—what adverse impact would that have?

Mr WOOD: Well, it's our understanding that when speed cameras were introduced and in particular, the fixed speed cameras, that they were to be located at known crash sites. So, the signage there allows you or gives you an indication that yes, this particular stretch of road has an increased crash rate and allows you then to slow down and to be mindful that there are particular hazards here that could result in crashing. The removal of the sign doesn't give you that warning. In many cases, you won't even be aware that you've been detected until something appears in the post a couple of weeks after the event. The signage allows you to then, I guess, check your speed and take appropriate action.

Ms ROBYN PRESTON: Chair, I have a question. Thank you for coming today, Brian. Just looking at the procedures, operating procedures for mobile speed cameras in rural versus metropolitan areas, how do you see that they differ and should there be any other changes?

Mr WOOD: I guess on rural roads the speed camera vehicles do stand out more because they're usually in locations where there aren't other—or may not usually be parked vehicles. In an urban setting, very difficult to detect or see a speed camera vehicle that's parked among other vehicles.

Ms ROBYN PRESTON: So, do we need signage for speed cameras in rural areas, because you're telling me they're quite easy to notice?

Mr WOOD: I guess they're easier to notice, but again you don't always detect them because they're not all—they can be parked to the side of the road where you don't see them until you're upon—you're basically right adjacent to them. Again, you can be watching out—you need to watch out for vehicles on the opposite side of the road, because I believe some of these vehicles are now able to detect vehicles travelling in both directions. So, I guess you're always on the lookout for what's happening and perhaps not paying as much attention to the driving task as what you need to be.

Ms ROBYN PRESTON: Thank you.

The CHAIR: Thank you. Now, the members on the screen, Honourable Fred Nile, do you have any questions, or Wendy Lindsay, or Chris Gulaptis?

The Hon. SHAOQUETT MOSELMANE: If not, I have.

Ms ROBYN PRESTON: Chris has one.

The CHAIR: Fred's got to turn his mic on.

Mr CHRIS GULAPTIS: I'm good, thanks.

The CHAIR: Okay.

The Hon. SHAOQUETT MOSELMANE: Maybe I'll ask a question.

Ms ROBYN PRESTON: Mr Nile, Reverend Nile.

The CHAIR: Honourable Fred Nile.

Ms ROBYN PRESTON: Have to share the love.

Reverend the Hon. FRED NILE: With the speed cameras, is that a distraction that causes accidents with drivers?

Mr WOOD: Well, again if your attention is distracted elsewhere. At least with the signage for the mobile cameras that were in place, there were advanced warnings to let you know that there was a speed vehicle in the area. I guess that wasn't a major distraction provided that the signs were appropriately placed, and then of course it gave you a warning that you had been through a speed camera area and that you may have been detected. So then I guess having had those warnings, that would allow you to pay more attention to your speed.

Reverend the Hon. FRED NILE: Are you happy with the warning signs or would you rather the warning signs be removed?

Mr WOOD: No, we would prefer that the signage that was previously provided was returned, because as I say, it's our understanding that they were placed, or the camera cars were in locations where there was a known crash history, and I think it would be far better to allow riders and drivers to adjust their speed in an area where there is a known high crash rate.

Reverend the Hon. FRED NILE: Do you think the motorcyclists, to avoid the [inaudible 115:38]

Mr WOOD: Well, if the intention is to get people to reduce their speed to avoid crashes, then the signs achieve that. It doesn't need the enforcement via fines to get people to slow down. The signage achieves that. If that's the aim of the whole thing is to reduce crashes then it can be achieved by signage.

Reverend the Hon. FRED NILE: Well, has the sign forced the driver then to select the back roads where he can still speed on a back road? We have many accidents [inaudible 116:20]?

[UNIDENTIFIED 116:23]: [Inaudible 116:21] the country—

Mr WOOD: Well, I guess the mobile ones are not there all the time, so it's—I don't think there is a great tendency to take back roads to avoid a camera vehicle that may or may not be there.

Mr CHAIR: Thank you. I believe Ms Preston's got a question and then I'll go over to Shaoquett and Roy.

Ms ROBYN PRESTON: I've heard Mr Wood, you talking about signage would be preferred to be back in place to warn people as they approach a mobile speed camera. What if there was signage that actually explained that there were 10 fatalities in this stretch of road to actually—would that have an impact to slow people down as well? If people were made aware of the accidents, the frequent accidents on that stretch of the road, would that be a deterrent?

The Hon. SHAOQUETT MOSELMANE: That's educational. That's good.

Mr WOOD: Yes, but I guess you would need to be able to convey that message fairly quickly. Any sort of wordy or unclear signage may cause more confusion than otherwise.

Ms ROBYN PRESTON: It might be a generic sign that people get used to, educating them on—if they see a vehicle with a cross on it or something. I know that's where there—there's heavy fatality areas in that stretch of the road. Maybe it's that sort of education. Could that work?

Mr WOOD: Yes, perhaps a standard sign which had standard wording on it, and all they do is adjust the number. It might be a crash rate, and they adjust the number depending on the location.

Ms ROBYN PRESTON: Thank you.

Mr CHAIR: I'm just going to pass it on quickly to Mr Butler and then to the very patient Mr Moselmane.

Mr ROY BUTLER: Good morning, Mr Wood and—or good afternoon now, and welcome, and thank you for your time. I just wanted to check one thing you said and then put something else to you. The first one is in regards to the removal of the signage. What I took away from what you said is that the concentration of the rider—and as a motorcyclist I get this—goes on to identifying what is that car, is it a camera car or not a camera car, but also, what is that car going to do? Because without any markings on it, it could be about to put its blinker on and pull out in front of you, and on a motorbike that's something you're very conscious of. Is that what I understood you to be saying?

Mr WOOD: Yes, particularly if it's a car in a regional area that seems to be perhaps parked in an odd

spot. Yes, there's always concern that yeah, what's that vehicle up to, are they about to pull out, or perhaps the worst case is are they preparing to do a U-turn in front of you, which for a motorcyclist is quite a scary experience.

Mr ROY BUTLER: Sorry, and then the attention of the rider, rather than being on riding, goes to assessing what the vehicle is and what it's going to do in the immediate future as you're approaching it. That then takes their attention off riding and looking for other hazards.

Mr WOOD: Yes, I'd have to agree with that.

Mr ROY BUTLER: Just in terms of the shoulder and visibility, and this is probably outside the scope a little bit but do you have any comment on the shoulder behind the car that's parked on the side of the road being blocked in regards to being able to view wildlife coming out onto the road, because everyone would know a motorcyclist doesn't need to hit a very big animal to end up coming unstuck. Do you have any comment on that?

Mr WOOD: Yes, it's a possibility that when your view is obstructed of what's on the side of the road, then yes, that's another issue that—I guess it's not only wildlife but quite often with vehicles, is there a child about to appear from behind a vehicle. In an urban area, that can be an issue.

Mr ROY BUTLER: Thank you.

The Hon. SHAOQUETT MOSELMANE: Mr Wood, my question to you: has Transport for NSW or the RMS ever consulted your organisation on the changes to the camera program, or shared data with you over the years?

Mr WOOD: No, we've not had any discussions with Transport for NSW regarding the signage for mobile or fixed speed cameras.

The Hon. SHAOQUETT MOSELMANE: Would it be fruitful if they were to consult your organisation, the Motorcycle Council of New South Wales?

Mr WOOD: Yes. I guess on any issues, we would prefer to be consulted so that at least we can perhaps better understand what the objectives are so that we can then relay that message back to our members.

The Hon. SHAOQUETT MOSELMANE: One final question before I pass over. You say in your submission with regards to the balance between direct police enforcement and camera enforcement, it is the MCC's view that direct police enforcement is far more effective than receiving an infringement notice in the post. Can you elaborate on that? I know you mentioned—you touched on it earlier, but can you elaborate on why is it far more effective having the police on the ground enforcing the rules rather than just a camera that you receive an infringement maybe two or three or four weeks later.

Mr WOOD: Well, I think a discussion on the side of the road with a police officer at least highlights exactly when the infringement occurred, or potential infringement occurred, and what those circumstances were around that. I think it's always perhaps, or many times, beneficial to have a discussion with a police officer to clarify perhaps the circumstances. Receiving something in the post weeks later, you won't really have a recollection of exactly what were the circumstances around that particular incident.

The Hon. SHAOQUETT MOSELMANE: So, it really has no educational value receiving the fine two or three weeks later in the mail?

Mr WOOD: I would say reduced educational value rather than something that's immediately at the time.

The CHAIR: Wendy Lindsay.

Ms WENDY LINDSAY: Thank you, Chair. Thank you, Mr Wood, for appearing today. I just would like to put on the record something that Mr Shaoquett Moselmane mentioned earlier just in relation to Bullbar Council's—Mr Christopher Burns' submission, which he referred to, which obviously wasn't your submission and isn't here at the moment, about the tax by stealth comment and in relation to his submission page six in relation to the revenue raised by speed cameras being used actually for stadiums and grants in marginal seats. As a marginal seat holder I wholeheartedly reject the statement in his submission and would like to have on the record that \$33 million as an example of state government funding used in Labor seats, such as Labor, Labor's seat of Prospect, on \$33 million which would be of particular interest to Mr Burns in relation to—

The Hon. SHAOQUETT MOSELMANE: Point of order, Chair. Point of order.

Ms WENDY LINDSAY: —the upgrade to Eastern Creek is not a marginal seat, and a Labor seat at that.

The CHAIR: We've got a point of order.

The Hon. SHAOQUETT MOSELMANE: I can't hear the question. Point of order Chair.

Ms WENDY LINDSAY: And the money did not come from revenue raised by speed cameras.

The CHAIR: Point of order. Sorry, Wendy.

The Hon. SHAOQUETT MOSELMANE: Point of order Chair. The—

The CHAIR: Point of order taken.

The Hon. SHAOQUETT MOSELMANE: The Member is making a political statement, not asking a question. I was just wondering where—how Mr Wood is able to answer that political statement.

Ms WENDY LINDSAY: I was actually referring to your statement, Shaoquett, earlier in relation to the submission that was supposed to be central to this period of time—

The Hon. SHAOQUETT MOSELMANE: It's in the submission, it's not my statement.

Ms WENDY LINDSAY: —and you have referred to it so I'm going back to your point that you raised in relation to Mr Wood when you were talking about that point, and I would just like to, as I said, have on the record that being a safe marginal seat—sorry, being a marginal seat holder I wholeheartedly reject that point that you raised and, as I said—

The Hon. SHAOQUETT MOSELMANE: I never made—

[Over speaking]

Ms WENDY LINDSAY: —\$33 million which, as I said, would be a of interest to Mr Burns as he is involved in a variety of sports, motorsports.

The CHAIR: Ms Lindsay.

The Hon. SHAOQUETT MOSELMANE: I never mentioned anything about marginal seats.

The CHAIR: Can we come—

Ms WENDY LINDSAY: You did. It was page six of his submission which is exactly what you said, tax by stealth, page six.

The Hon. SHAOQUETT MOSELMANE: I never mentioned anything about marginal seats.

Ms WENDY LINDSAY: That's on that page, two sentences above that.

The CHAIR: Can we come back to the terms of reference, please.

Ms WENDY LINDSAY: So, on the record, I'd like to have that noted.

The CHAIR: We'll come back to the terms of reference. Any other questions?

The Hon. SHAOQUETT MOSELMANE: Could have been.

The CHAIR: Mr Wood?

Mr WOOD: Yes.

Ms ROBYN PRESTON: Just throughout your comments on your submission, you've made comment that you didn't have enough data as such. So, based on that, I'm gathering you feel that you'd like more information to be able to make more educated comments on the questions we've asked you. Is that correct?

Mr WOOD: Yes. I mean, there are a number of issues whereby we would like, I guess, more data but it's not always available. Some data that we would like to receive, yes, it's available provided that you pay for it, and as a volunteer organisation we don't have the resources to be able to be purchasing data that we feel is perhaps—would be beneficial for us to better understand road safety issues.

Ms ROBYN PRESTON: Thank you.

The Hon. SHAOQUETT MOSELMANE: Since the introduction of the mobile speed cameras, particularly the covert ones, has that increased safety amongst your members, or did it have no safety impact?

Mr WOOD: I wouldn't have any information in relation to that.

Ms ROBYN PRESTON: Got no data. He just said he's got no data for that.

The Hon. SHAOQUETT MOSELMANE: His own data, their own Motorcycle Council.

The CHAIR: No further questions? No further questions? No.

Ms ROBYN PRESTON: Thank you Chair.

The CHAIR: Thank you for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections and any questions on notice taken today will be forwarded

to you by Committee staff. Thank you so much again, Mr Wood, for appearing in today's inquiry.

Mr WOOD: Thank you for the opportunity to do so.

The CHAIR: Thank you very much.

(The witness withdrew.)

(Luncheon adjournment)

ELIZABETH WALLER, Road Safety Manager, Transurban, affirmed and examined

MICHAEL KILGARIFF, Chief Executive Officer, Roads Australia, affirmed and examined

The CHAIR: Thank you very much. Would you like to make an opening statement?

Ms WALLER: I would, Chair. Thank you. Good afternoon to the Committee and thank you for the opportunity to appear at the Joint Standing Committee on Road Safety inquiry into the mobile speed camera enforcement programs in New South Wales. My name is Elizabeth Waller, you may call me Liz and I'm the Road Safety Manager at Transurban.

Transurban is an active contributor in Australia's road safety efforts, committed to achieving a transport system free from fatalities and life-changing injuries. Our mission is to strengthen communities through transport. We are seeing this lived out in New South Wales through the assets we have partnered with governments to deliver, including NorthConnex, WestConnex, where we are seeing significantly improved travel times and surrounding communities transformed, and above all, safety is being increased both in our tunnels and on surface roads.

Today, our response to the inquiry draws on our road safety experience and activities, and we note the terms of reference of the inquiry seek to understand the recent changes to the New South Wales speed camera program from a range of perspectives. Many, possibly all of these, are outside Transurban's experience and expertise. Mobile speed cameras are the responsibility of the New South Wales Government to manage and as far as we are aware, any speed cameras on our motorways are fixed or average speed cameras, not mobile speed cameras. For this reason, we would refer any matters related to mobile speed cameras and their enforcement to government.

But in general terms, Transurban's position on speed management supports automated enforcement on high-speed motorways. This position extends to all vehicles and in all contexts, including work zones which are particularly high-risk areas for motorists, incident response crews and emergency services workers. This is a key road safety risk for Transurban employees, contractors, and users of our motorways. For example, we are currently concerned about some motorist behaviours around mobile work, such as around our truck-mounted attenuators on the shoulder of side roads for activities like rubbish collection.

To address this concern, speed management and automated enforcement technologies, including speed cameras, continue to address these safety issues, along with safety campaigns aimed to influence broader cultural change on our roads. Transurban works collaboratively with our state partners, policing agencies, and the media to address risky and unsafe behaviour on our roads and the broader road network. Our targeted safety messages are promoted through our customer communications, social media, and mainstream media, and via on-road channels such as variable message signs.

Transurban is also committed to actively supporting road safety and injury prevention research. With Neuroscience Research Australia we have created the Transurban Road Safety Centre, which combines world-class research with state-of-the-art facilities. We also work closely with Monash University Accident Research Centre to understand our road safety performance and inform measures to address crashes on our network. Monash, or MUARC, has found that overall Transurban roads in Sydney have significantly fewer fatal and serious injury crashes than comparable roads.

More recently, we have utilised third party data or platforms such as Compass, IOT, and TomTom to help us understand the issues on our roads and work at ways to improve safety. For example, hard braking events can indicate a near miss, and this is useful information for improving safety during congestion, when nose-to-tail crashes are most prevalent, and this typically occurs in peak hour time. We draw on the evidence-based research of experts in evaluating programs to inform our position, strategy, and partnership to ensure safety interventions have the best chance of effectiveness. In closing, Transurban supports measures to ensure the achievement of New South Wales long-term road safety target of zero fatalities and serious injuries. Thank you for the opportunity to

appear this afternoon.

Mr CHAIR: Thank you very much, Ms Waller. Questions?

The Hon. SHAOQUETT MOSELMANE: Yes, Chair, thank you. It's Shaoquett Moselmane, Ms Waller.

The CHAIR: Sorry to interrupt for a moment. We're just going to see if Michael can hear us now. Michael? No.

[Aside discussion—technical difficulty]

The CHAIR: Did you have a short opening statement?

Mr KILGARIFF: Thanks for the opportunity to appear today and address some of the critical issues around driver safety in our submission to the Committee and, again, let me apologise for the false start. In the test, of course, it all worked perfectly well. Just to provide some background, Roads Australia is the peak body for roads within the integrated transport system. We bring industry, governments and communities together to lead the evolution of Australia's roads, integrated transport and mobility networks. Our 150 members included all of Australia's transport agencies, road owners such as Transurban, major contractors and consultants, material suppliers, service and technology providers and other relevant industry groups. We promote a collaborative and solutions-focused approach to policy development. So out of our five top policy issues, safety is our number one policy issue and also for all of our members. So it's sometimes easy to have conversations about the road toll in statistical terms but it is vital to remember that behind every fatality and injury sustained on our roads, there are flow-on impacts to families and loved ones, in both emotional and economic terms.

I would especially like to take a moment to spotlight the issue of road worker safety, which can sometimes be overshadowed in the national conversation around road safety. In 2019, we formed a Road Worker Safety Working Group, comprising a cross section of executives from industry, government, and other associations with the objective of raising safety standards among traffic management professionals and road workers. The enforcement of speed limits in road construction and maintenance is a particular focus for the working group. Evidence collected by our members shows that drivers regularly exceed reduced speed limits in road construction sites. The average in urban areas is 10 kilometres over and in regional areas, often 15 kilometres an hour over the speed limit. This level of non-compliance around work sites risks the lives of the people who work on those sites along with those of the driver and passengers travelling in the offending vehicles.

So more broadly, speed is a significant factor in deaths and injuries on New South Wales roads, contributing to around 41 per cent of road fatalities and 24 per cent of injuries. So in our view, measures such as the New South Wales mobile speed camera enforcement program are a vital tool in efforts to reduce the numbers of deaths and injuries. However, we are still concerned by the large number of individuals receiving fines for two main reasons. One is that a perception that too many fines are being issued may undermine public confidence in automated speed enforcement. Like any program, mobile speed camera enforcement requires a degree of social licence and community acceptance. Accordingly, it is important that governments clearly communicate the rationale behind the program. Showing how by establishing an anywhere, anytime culture of enforcement, driver caution and awareness of speed is increased across the whole network, not just when you encounter a warning sign.

Secondly, our concern is—and more obviously, that an increased number of fines means more people are adding unnecessary risk to everyone using New South Wales roads, increasing the chances of death and life-altering injuries for themselves and those around them. We acknowledge that enforcement and deterrence strategies are important tools in targeting and reducing speed. However, community education of the risks and consequences associated with speed is equally as important in driving cultural change, along with utilising all modes of speeding enforcement. So, to that end, we encourage all governments, not just in New South Wales, to continue to invest in education campaigns. Programs that will reduce risky behaviour and help achieve this shift in community attitudes. Ultimately, it is important that speeding and other risky behaviours become as socially unacceptable as, say for example, drink driving or not wearing a seatbelt. So thank you for the invitation to be here, apologies for the start and we look forward to engaging with your questions.

The CHAIR: Thank you very much, Mr Kilgariff. If we go back to Ms Waller and back to Mr Moselmane.

The Hon. SHAOQUETT MOSELMANE: Thank you, Chair.

The CHAIR: Perhaps you want to ask the question again?

The Hon. SHAOQUETT MOSELMANE: Yes, Ms Waller. I was about to ask you a question with regard to your submission. I think it is the last page of your submission, it is just before conclusion. You say that we support speed management and enforcement technology that have been demonstrated to effectively improve safety on the broader network, reduce crashes and contribute to the elimination of serious injuries and fatalities.

Can you elaborate on this? Whether the enforcement technology you are talking about, are they covert or overt? Or what type of—are they sign-posted? Can you elaborate a little bit about that, please?

Ms WALLER: Thank you, Mr Moselmane. We are supportive of technology that—in any form, that is going to actually support drivers to comply with the speed limits. As I mentioned in the submission, also my opening statement, we do not have mobile speed cameras on our network but we do know that they are—they are an important component of road safety so we are [inaudible 141:39] evidence, some good research around what is most effective and would encourage the implementation of those measures.

The Hon. SHAOQUETT MOSELMANE: As far as you know, has mobile speed cameras without sign, has that been—have they been effective in reducing fatalities or crashes on the roads?

Ms WALLER: Well that really is a question for the New South Wales Government and their research and evaluation of their program. From two decades of experience in road safety, both in Government and now in the private sector, we know that a combination of measures including automated enforcement will make a difference and does make a difference to crash reduction and certainly to serious injury and fatalities.

The Hon. SHAOQUETT MOSELMANE: So reinstating of signage would be a positive rather than negative, given that the—it was earlier said that there was a significant number of fines. Probably about a 20-time increase over the last two or three years. Would it be better to educate drivers to have less fines as opposed to more education and better signage on the roads?

Ms WALLER: It comes back to a combination of a range of measures to work together to ensure that we support drivers to drive safely within the speed limit. The speed limits have been set for roads, depending on the nature of those roads. So anything that we can do to support drivers to drive within those limits and reduce the crash risk and certainly to eliminate those serious injuries and fatalities is something that we could look at and should be looked at. In this way, it is really a question for the New South Wales Government as to which package of enforcement is put together to address those safety issues.

The Hon. SHAOQUETT MOSELMANE: Thank you.

The CHAIR: Thank you. Mr Bromhead.

Mr STEPHEN BROMHEAD: My question is to Michael. Michael, do—when you look at where the covert mobile speed cameras are, often they are on low speed, almost zero accident history roads with a high volume of traffic as opposed to a few kilometres away where there is high speeds, high numbers of motor vehicle accidents and serious accidents. Can—do you understand why they do that?

Mr KILGARIFF: Look, that is not really a question—I am not really in any position to respond as to where the cameras may be put and what the reason might be for them being there but I guess I would really reinforce the point that I made in my opening comments and that is that a social licence to operate or a community acceptance is necessary for the program to be successful across the network and so we would just reinforce that wherever the locations are that these cameras are placed, that there be some sort of an education program attached to that, to I guess explain the reasons why that any time, any place is being used for speed cameras.

Ms ROBYN PRESTON: Chair, I had a question. Thank you very much for joining us this afternoon. I would like both of you to give me your opinion on looking at deterring motorists and what you have seen that works overseas that we are not doing here and what could we introduce here? Michael, would you like to go first, please?

Mr KILGARIFF: Sure. Look, I think one of the methods that has been used overseas to [inaudible 145:33]—I believe mainly in the UK is the point-to-point camera approach. It is a—I think in the UK it has demonstrated that there is some [inaudible 145:47] attached to that.

Ms ROBYN PRESTON: Thank you and Liz, would you like to comment?

Ms WALLER: Thank you, Deputy Chair. I support Michael in his response. We know that the point-to-point or average speed cameras are effective and they are seen as fairer by the community. We would be really interested to see how they could be deployed on major construction across the work zones to support drivers to make [inaudible 146:17] particularly reduced limits for high-speed roads.

Ms ROBYN PRESTON: Thank you.

Mr STEPHEN BROMHEAD: My question—

Mr KILGARIFF: Could I just add to that?

The CHAIR: Yes.

Mr KILGARIFF: The other thing I would just like to reinforce here is that the Queensland Government has recently installed speed cameras through worksites. In a very short space of time, that is having quite a

significant impact on people's behaviour around roadwork sites.

Ms ROBYN PRESTON: Interesting.

Mr STEPHEN BROMHEAD: Yes. Just about the point-to-point cameras. What the data for regional New South Wales is, where most of the point-to-point cameras are, the data is that the overwhelming majority of the serious accidents are on the local roads and not on the highways where the point-to-point cameras are. So wouldn't it—if we turned on the point-to-point cameras for ordinary motor vehicles on the highway where we know that the—that is not where the accidents are, wouldn't that be just another case of—to be seen as revenue raising because the point-to-point cameras are not on the local roads? They are not on the arterial roads where the accidents are.

Mr KILGARIFF: Is that question to me or to Liz?

Mr STEPHEN BROMHEAD: That is to you, Michael. You raised the point—

Mr KILGARIFF: Okay.

Mr STEPHEN BROMHEAD: —as did Liz.

Mr KILGARIFF: Yes, I was asked if I know of any other measures that have been adopted overseas and I [inaudible 148:00] that is that in the UK, that program has been demonstrated to work but I think it would also, as Liz says, have an impact on driver behaviour in worksites. Again, where those cameras are placed, because local roads, regional roads or state roads or highways, that is not really a—that is not really, I guess, a question I feel in any way informed enough to answer.

The CHAIR: Thank you.

Ms ROBYN PRESTON: I have a—Chair, may I ask another question? Just looking at what other cultural changes around speeding could you recommend? Rather than just the big stick approach, is there anything else you think that we could do to change that driver behaviour? Liz, you might like to answer first and then Michael?

Ms WALLER: Thank you, Deputy Chair. There are the things that I think could help in having people educated around speeding and the impacts of speed. Sometimes they are not necessarily around the big stick approach. For instance, eco-driving is shown to be quite positive around having people drive more smoothly and within the speed limit. That helps them environmentally or sustainability—their sustainable choices as well in that when they are not driving as fast or braking as hard or accelerating, then they have benefit to the cost of fuel and other things but I think from a road safety perspective, as a community issue, it can be certainly up with environmental causes, sustainability and have people understand that you are going to get lots of benefits out of doing one thing through safety.

Ms ROBYN PRESTON: Liz, just picking up on that point—Chair, if I can just follow up?

The CHAIR: Yes, yes, fine.

Ms ROBYN PRESTON: Does this start at school? In the school rooms where you are educating Year 11 and 12 students, Year 10 students, those that are starting to get out onto the road?

Ms WALLER: Thank you, Deputy Chair. Road safety starts from at the very start of life when children are in their car seat, particularly facing forward and that is one of the reasons we have invested in research with the Transurban Road Safety Centre about occupant safety and child occupant safety. But we do know that children and—the parents are models—role models for their children so it starts right back at—when they are very small. So parents have a responsibility to drive safely by wearing seatbelts and within the speed limit and not using their mobile phones right from that very early stage. Then it can be supported in school education but it is not just about when using a motor vehicle, it is understanding the physics of the road environment and why it is important to drive within the speed limit to be a good citizen. To protect yourself and to protect other road users. So I think it is an important part of school education.

Ms ROBYN PRESTON: Thank you. Michael, did you want to add to that?

Mr KILGARIFF: Just—I mean, I endorse everything Liz just said. From our perspective, one tool I guess, if you like, in a whole range of tools that governments need to use to reduce fatalities on roads. So by themselves, they are not the magic tool that is going to necessarily get the results we want. So we would endorse the idea that there needs to be some community education around behaviour around worksites but general behaviour on roads that—to achieve the sort of outcomes that we are looking at. I mean, if you look at the general road safety trend over the years, there was obviously a bit of a dip when driving under the influence became an offence. Then when seatbelts were enforced and we are really looking now for that next big move in the—in reducing fatalities and again, mobile speed cameras are just one tool but quite an important one to drive that sort of behaviour that we are looking for but most of all, it is about education.

Ms ROBYN PRESTON: Thank you.

Mr NICK LALICH: Could—Mr Chairman?

The CHAIR: Yes.

Mr NICK LALICH: Could I just ask, both of you can answer, if you would, would the information because you—Transurban owns all the tollways that we have, Roads Australia, I take it, look after all the roads and what goes on. In your own data, do you have data to show since the implementation of mobile speed cameras that accident rates have reduced? And has it done anything, in your opinion, in your information—because we understand a lot of the people cannot get any information at all to know where the situation stands since implementation. But in your records, if you keep them, can you tell us what you find? Has it reduced the accident rate or the rate of speeding on that street? Do you keep any of those sort of records?

Ms WALLER: Thank you, Mr Lalich. We do not have mobile speed cameras on our network so we do not have that information.

Mr NICK LALICH: So they don't put them on your roads at all?

Ms WALLER: No.

Mr NICK LALICH: Oh. Well.

The CHAIR: No, they are only fixed. All you have got are just fixed cameras.

Mr NICK LALICH: Well yes, why don't they put mobiles on theirs?

The CHAIR: Because there is signage.

Mr NICK LALICH: Is there any reason they do not put mobile speed cameras on your roads? Or the roads that you look after?

Ms WALLER: Well that is a question for the New South Wales Government but they are high-speed, multi-lane roads—

Ms ROBYN PRESTON: That is not a question—

The CHAIR: Yes.

Ms WALLER: —and that would pose a safety risk as well.

The Hon. SHAOQUETT MOSELMANE: Ms Waller, perhaps if you could answer this? What perceptions have you had, from your stakeholders, with regard to changes to mobile speed cameras? Because you say that you have a significant number of stakeholders in New South Wales, about 900,000. Can you tell us what your stakeholders have been telling you with regard to changes to mobile speed cameras?

Ms WALLER: I have no information of our customers' views on mobile speed cameras.

The CHAIR: Yes, it doesn't—there is not—it does not really relate to her role or her position or their company. No further questions anyone?

Ms ROBYN PRESTON: No, thank you.

The CHAIR: No? Okay, well thank you both for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections and questions on notice. There might be some questions that maybe members want to forward on but if there are any, the Committee staff will provide them to you. Thank you both for taking the time out.

(The witnesses withdrew.)

MICHAEL LANE, National Media Liaison Officer, National Motorists Association Australia, affirmed and examined

The CHAIR: Thank you, very much. Would you like to make a short opening statement before we begin the questions?

Mr LANE: Yes. Yes, I would indeed. One of the comments is a prevalence of anti-speed thoughts in the institutions and bureaucracy comes from the thing that unless you agree to them, you do not get involved. You do not get allowed to be involved with those things and an example you would recognise as politicians, that

you would not have people of the opposite thoughts in your office or in your party. I am particularly concerned about the poor standards of research which I could make comment on, but I will emphasise in the UK standard of crash cause assessment by police is fantastic. It is really good and I am not saying that just because I have got a nephew in the business, it is very good. They use some very good standards and I am appalled by the way, that the New South Wales Centre for Road Safety adds speed inappropriate to speed in excess of the speed limit as an excuse—claiming that accidents are speed-related and therefore you could—have to use more appropriate definitions than these and I might say that I am particularly impressed by submissions 384 and 571. They seem to be particularly well thought out and I think beyond that, I will leave it to your questions.

The CHAIR: Thank you. Do we have any questions from our members?

The Hon. SHAOQUETT MOSELMANE: Yes, sure. Mr Lane. I will ask you a question with regard to your submission. It is not numbered but it is number three—the third page in your submission where you state at the first paragraph that the Government's website's definition of speeding was changed to either exceeding the speed limit or driving too fast for the conditions.

Mr LANE: Yes.

The Hon. SHAOQUETT MOSELMANE: Then you go next paragraph. The result is the incorrect claim by Government agencies that more than 40 per cent of road fatalities are caused by speeding. Yet Australian University, based on road safety research, demonstrate that fewer than eight per cent of road fatalities are caused by exceeding the speed limit. Which is accurate? Is it the 40 per cent or is it the eight per cent? What are you trying to tell us in [inaudible 158:33].

Mr Lane: What I am trying to say there is that the methodology used by the Centre for Road Safety grossly increases the numbers of so-called speeding offences. Now, the Monash University Accident Research Centre showed that you could only reduce—or you could reduce fatalities by about eight per cent if you had complete control of the speed of vehicles. This is more indicative of the thing but also, my nephew is one of those very good UK police crash investigation officers—in fact, he is the officer in charge of a large section of the West Yorkshire Police District, indicates to me that some two-thirds of the exceeding the speed limit causes are actually developed from other causes such as being drunk or committing suicide. Lots of other things. That suggests around the five, six per cent. So that is very compatible with the eight per cent, so that means that—when you are citing the exceeding the speed limit as the cause of crashes, you could be looking at the five to eight per cent range and not the 40 per cent that is there because most of that 41 per cent is of things where people have crashed and people say, oh, they must have been speeding.

Well a good example of that locally in my local area where a road was resurfaced. It had a curve which is a 60 K limit, about 17,000 vehicles a day go down there. After about 18 months, every time it rained, people were sliding off and there were a couple of people injured in it. Now, I was representing the local Member on the Traffic Committee so I took a drive down there precisely at the speed limit. Now, my car is fitted with very good tyres and I have a lot of experience and I could feel it twitching and breaking away. What that said to me is the road surface had got polished and when it was wet, the level of grip was very much reduced. So I asked the director of the local council about it. He checked it and consequently, he had the road re-surfaced — about five years ago. There has not been any problems since but the road safety people—committee people—sorry, local. People that were saying that this would be caused by excessive speed for the circumstances. Well yes and no but it is not relevant to the speed limit.

The Hon. SHAOQUETT MOSELMANE: So you can never really work out in those statistics whether it is to do with actual speeding or other factors coming into play?

Mr LANE: Well if you have got a police assessment system like they have in the UK, you can do that very, very well indeed but they also—like aircraft investigations, they investigate the reason behind the reason behind the contributory cause and this is where you get this figure that where you have crashes with people exceeding the speed limit, there is often a precipitating cause such as being intoxicated, stolen vehicles, committing suicide. Those sort of things. Now, you cannot stop that portion of genuine over the speed limit crashes by cameras because cameras do not affect people who are drunk or in a stolen car.

The Hon. SHAOQUETT MOSELMANE: So why don't we do in New South Wales, what the UK does? What is to stop us?

Mr LANE: Probably—well, the cost. It takes a lot. When we are talking about this in the UK, the people doing that are fully trained traffic officers and experienced. Now, the training that they do is much higher than the standard in New South Wales, because for example, they do what they call a T-Pack where they go—when they—the car that is trying to escape them, they get one in front, one behind and one alongside and then bring them to a close like that. That is beyond the capabilities of New South Wales police. They have admitted that to me. Now, the people who do the crash investigation, as well as being highly qualified traffic officers, are often people who have actual science degrees. My nephew has a science degree as well as being a fully qualified

traffic officer and he tells me that the course that they have to take to do that crash assessment was very difficult. Now, when it is difficult for a fully qualified science graduate, you know it is solid. I just think that it is probably more expensive than they would like to admit. It is probably beyond the capabilities of many of the people in authority and of course, the people who are running these road safety campaigns would much prefer not to have some of their pet ideas put down to ground level. It is a bit unfortunate, and in my experience, the problems that I highlighted in the UK are the real problems that are out there. You know, I remind you, I do do a lot of driving. A couple of million kilometres behind me and a lot of that is in Europe as well as here.

The Hon. SHAOQUETT MOSELMANE: So do you—if I may, Mr Chair? So do you think that the removal of signposting, the signage on mobile speed cameras, has a positive effect on the New South Wales drivers? Has it contributed to reducing the fatality rates and crash rates? What is your response to that, Mr Lane?

Mr LANE: As far as I can see, it has not contributed to any way to the reduction in crashes. They may even have increased. They do in some areas. Taking away the signage is regarded extremely poorly. I think of the individual responses that were published, the ones where people have explained why they are thinking, about 85 per cent are opposed to the removal of the signposting. That it is not a good thing. Particularly in today's atmosphere where people are beginning to revolt against the restrictions that are placed upon them. I'll also refer to the fact that many of the speed limits that people complain about and where people exceed the speeds are because the limits are too low. You often see that—why do we have 110 K on our freeways when the European standard is 130? As far as—

Ms ROBYN PRESTON: Chair, I have a question.

The CHAIR: Yes.

Mr LANE: Yes, if—what you also see a lot with speed cameras now is they are set up in the most peculiar of places. They are not where crashes happen. There is one near me where it is a dual carriageway, two lanes in each direction and it is set up in a stretch of road that is one kilometre, dead straight, perfect visibility but they park off in the bushes somewhere. That does not go down well in public. It is—it goes right against the grain of everything that people do. That brings in a disrespect for the law itself. I remember Mike Gallacher when he was the Transport—sorry, police minister, saying when he saw somebody pulled up with great flashing lights, he said there is another jury that is wrecked. Something you need to think about.

The Hon. SHAOQUETT MOSELMANE: Thank you.

The CHAIR: Thank you.

Ms ROBYN PRESTON: Thank you for joining us this afternoon. I just wanted to touch on the importance of signage. So from your perspective, you think that the signage should be reinstated for mobile cameras?

Mr LANE: Yes, indeed. One of the things that you have to realise, that people who get caught when there is a sign are people who are not watching what they are doing and I have got no sympathy for them for that.

Ms ROBYN PRESTON: So with that in mind though, just if I can stop you there and just move onto my next point in the question? What about other signage that may encourage people to slow down or to check their speed? Is that something rather than seeing a mobile speed camera sign and a vehicle that is taking their speed, do you think other signs could assist in road safety and slowing drivers down with their speed and getting them to check their speed?

Mr LANE: Not if they are in places which are not relevant to the particular circumstances. We do see them now being put down because there is a bit of a revolt against the removal of the signage but you also see the overhead signs all sorts of odd messages. Now, if they are not particularly important to the individual at that time, to the circumstances at that time, they do not really do anything other than irritate. By all means, if you have a camera in the right place, properly signed, then that can have an effect on people. So if you had it say, in a school zone, that would be fine. If there was a place where there is particularly a problem with sight ranges for people coming out of driveways or crossing the road, then that is fine because that emphasises there is a problem area there but if you have it in dead straight stretches—stretch of road where normal safe driving is at that speed or higher, then it is worthless. It is meaningless and people tend to disregard it. I'll draw another—from another line, is around the suburbs you will see lots of places where there are stop signs that really should be give-way signs and people treat them as give-way signs. That brings the sign generally into contempt. Where there ought to be a stop—where it is necessary to have a stop, then people tend to ignore it then as well. It is not a good idea. Not a good idea to take things too far because people reject it.

Mr CHRISTOPHER GULAPTIS: Can I ask—

Ms ROBYN PRESTON: What about if there was—can I just finish off on that thought? Then Chris,

sorry, I will be quiet and we will move to you. If there were areas where there is high fatality, there is known factors that the area, that strip of road, would—is subject to a high history of fatalities, is that something where it is worth putting up signage to explain that?

Mr LANE: Yes, it could be but the most important thing, if there is a regular series of crashes—serious crashes at a point, you have almost certainly got an engineering problem. As I described—

Ms ROBYN PRESTON: Or a speeding problem.

Mr LANE: Sorry?

Ms ROBYN PRESTON: Engineering or perhaps a speeding problem as well?

Mr LANE: Well if people are going into there too fast, it is obviously it is because the visual appearance there that it looks okay but if you have an engineering problem like the one I described where the road surface had got polished, then it did not look like—

Ms ROBYN PRESTON: That could be fixed, yes.

Mr LANE: So you—there is an engineering problem that needed to be solved there very quickly and I would suggest that in nearly every case, if you have specific area where there is a lot of—a specific stretch of road, short stretch of road, where people are having crashes, then you have got an engineering problem and you must look at it. It may be a sight distance problem. It—there has been cases where you have got a dip in the road and something has been hidden in that and people think it is a straight road, for example. You would be going back a long time, back into my days when I saw one like that about 60 years ago.

Ms ROBYN PRESTON: Thank you.

Mr LANE: And I did not crash.

The CHAIR: Thank you, Mr Lane. Now, we have got a question with Mr Gulaptis.

Mr CHRISTOPHER GULAPTIS: Yes, thanks, Chair. Michael. Can you tell me, what is the different perception between a mobile speed camera that is not signed and a copper that is on the side of the road with a speed camera? A radar gun.

Mr LANE: A speed camera or a radar set or—

Mr CHRISTOPHER GULAPTIS: Yes.

Mr LANE: Or radar set. It is the same thing. If he is hiding in the bushes and just doing speed, then he is not really doing a proper job and should be out in the road watching for some of the people who do some rather peculiar things, very often below the speed limit but—

Mr CHRISTOPHER GULAPTIS: No, my question is—

Mr LANE: But on the other hand, a real-life police officer there, when he pulls you up, he can go have a look at you, check that you have got a license, check your registration number, check that your car is roadworthy. All those things. He can also use discretion because if it was not much over and everything is okay, that is fine but very often, very surprisingly, if—when police pull somebody over, they can very often pick what my relatives call copper's instinct. That the person has got something other illegal behind them and in fact, there was a notorious killer in the UK called the Yorkshire Ripper. He was picked up because he had a broken tail light and then the police got suspicion—suspicious of the way he was acting. Checked his car over, found the things that he was using to kill people. That is the—one of the differences there, the very big difference, that if you have real police out there talking to real people, they can find some of the other real problems of life.

Mr CHRISTOPHER GULAPTIS: So—

Mr LANE: A camera does not do that. It cannot do that. You do not get—they do not even get information until two, three weeks afterwards if they have been doing something, which is silly. Ridiculous. You need to stop people at the time.

Mr CHRISTOPHER GULAPTIS: So your understanding is, is that there is no significant difference between a copper with a radar gun or a mobile sign that is not marked? A mobile speed sign that is not—a mobile speed officer—

The CHAIR: Camera.

Mr CHRISTOPHER GULAPTIS: —that is not signed?

Mr LANE: From the point of view of catching people who may be over the speed limit for a place where maybe the limit is too low, there is no difference. But the big difference, the thing is the policeman will stop and speak to the driver at the time and then will also be able to do all those other checks that are needed and

very good. But a camera is just a fine in the post later. It does not make a great impression on people. In fact, the only thing is it really annoys them and having chatted by a policeman, it can be very, very interesting. Peculiarly, many, many decades ago when I was still in England, I got pulled over by the Chief Prosecuting Inspector for the East Riding of Yorkshire. You might pick the Yorkshire accent, still. I was driving a new vehicle which looked like a van but had side windows so under UK law, it could do more than 40 miles an hour. He was not sure of it so he pulled me over and we had a little chat. He said, well I think you should have been only doing 40 but you were doing 50 but you were doing it quite safely and quite right, that is fine, away you go. I mean, I appreciated that. It was a good chat that we had. It helped me a lot and I was what, 19, 20 at the time. That is the sort of thing that a real life police officer can do that a camera, it is—practically it is just a cash raising thing—

Mr CHRISTOPHER GULAPTIS: Thank you.

Mr LANE: It does not really change viewpoints.

The CHAIR: Mr Lane, just before we—

Mr LANE: That is the important thing.

The CHAIR: Yes. I have just got a—does the Honourable Fred Nile have any questions?

Reverend Hon. FRED NILE: Just following that up, are you in a way recommending then that we replace the speed cameras with police officers?

Mr LANE: Indeed. Indeed, I would much, much prefer to see good police officers out there. Well trained.

The Hon. SHAOQUETT MOSELMANE: It makes sense.

Mr LANE: Use discretion, if appropriate and dealing with all those other problems that we see there. I can see driving around that we have people who—when they are turning right from a turning lane at traffic lights, they will often swing over almost into the adjacent lane, which is a bit scary then cross the lines on the way out and they do not do it at high speed but very often there will be the people who say oh, speed is the most dangerous thing but those are the sort of people they should be looking for because they are making basic driving errors. The sort of thing that I was taught not to do at any time. Some of those guys are pretty scary at times, to me, if—one of the things I have noticed of late is that people are stopping almost a car length back from the stop line at traffic lights because they are frightened that people will cut the corner and take their corner off but they are so far back that they are beyond the detection system in the roads so the traffic lights do not realise that there is anybody there and do not change to move them. It is an interesting observation, shall we say.

The CHAIR: It is.

Reverend Hon. FRED NILE: [Inaudible 176:59]

The Hon. SHAOQUETT MOSELMANE: Can I ask this question?

The CHAIR: Just before we go, I have just got a—Wendy, do you have any questions?

Reverend Hon. FRED NILE: A quick question, Mr Chairman?

Ms ROBYN PRESTON: Fred has got a new one as well.

Reverend Hon. FRED NILE: A quick one. How have the changes to the mobile speed cameras program caused hardship to the people you represent in the NMAA?

Mr LANE: Yes, well that—okay, as I have said, if people have got plenty of money you can pay a fine. If people are not—do not have much money, the fines are pretty high. You know, got to find food for the family and things like and pay bills. But also, there is a problem with the points system where if you collect too many points in the city, in the metropolitan area, well it is a nuisance but you can catch a bus or a cab, a train. Out in the country, you cannot do that because there aren't any. Now, I grew up in the country in England and in my little village, we got 12 buses a week. Yes, we don't get any now. Now, if somebody is disqualified where there is no transport, they have a problem. What do they do? Ignore the disqualification notice and drive? If you have got 50 kilometres to go to the shops, you have got a problem. So we have to think these things through far, far better than we do. Not just have this blanket punishment system. Politicians are about punishment, they are not about improving standards. I believe in Germany that if you get some of the majors and get time off the road, you must go back to a driving school and do a test before you can come back on the road. Now that is a much more effective system.

The CHAIR: Yes, thank you Mr Lane. I think—Wendy, do you have a question?

Ms WENDY LINDSAY: Yes, just one. Thank you—

The CHAIR: Then we will go to Fred.

Reverend Hon. FRED NILE: Thank you.

Ms WENDY LINDSAY: Thank you for joining us, this afternoon. Just something that was raised earlier today with another witness, I would just like to get your view on what your feeling is if we had point-to-point cameras or more of them in relation to regional areas? If that would be more effective? Or produce better outcomes?

Mr LANE: I presume you mean moving—extending their application to cars from trucks? At the moment, I think they are restricted to heavy vehicles, the point-to-point.

Ms WENDY LINDSAY: That is in relation to both.

Mr LANE: In relation to both. The point-to-point cameras again are one of these things that you can get people for a low level if they have been on, say, a long freeway stretch, which effectively is most of the Pacific Highway now different to when I first went up there in 1968. Again, you are restricting people. One of the stories that I hear in parts of the world in which they do use them is that guys push at the normal speed and then pull over and have a smoke and then carry on. Then they do not come up before those point-to-point cameras. I believe in Italy, the autostradas were going to—could have a nominal limit of 150 K if they had point-to-point cameras but the company that runs them decided that no, they would not do that, they would keep it at 130. I am not sure if that is true or not but it was a good story.

I do not think, again, they are terribly effective, particularly if you have got systems where limits are lower than they should be. One of the examples I did come across was that the Roads Authority say that if you have a divided road, it has to be more than 10 kilometres long before they lift it from 100 to 110. This is rural roads. A lot of people were caught out on a section on the Pacific Highway that was opened up but it was only 9.5 kilometres of divided road and the local police had a great time picking everybody up while driving at 110 instead of 100. Now, if you were driving that, you would expect a road at that level to be the different limit and that is one of the problems with this blind enforcement of things. You are blindly enforcing something which actually has very, very much less impact than are claimed by the authorities there. We go back to that five per cent as my nephew said in the UK, eight per cent as MUARC said. You are pushing too much into the wrong direction, too little into the right directions. This is why we will say that let us have good policemen out there on the road. Mostly marked but every now and again, you need the Q-car. Totally unmarked to catch those people who do some of the awkward things. I mean, I drive BMWs and I will often find that somebody in an ordinary car wants to challenge me to a race. Dumb thing to do and I am not going to do that. I drive a faster car. I am probably more experienced than they are, they are stupid little children. It does not affect me but it might affect some people.

So my view is, absolutely. Our view that—for our association is absolutely real police out there. Good discretion, not just doing speeding tickets but watching what people—how they drive. Watching if they cut the corners. Do some of the weird things that I see out there. Like a guy I saw in South Australia where they have the—in the [inaudible 182:53] country they have these very long 90-degree curves and this guy drove like it was a fifty cent piece. He would go straight for a while and then twitch, straight for a while and then twitch. Well each time he did that, he went up the embankment almost into the gravel and he could quite easily have lost control completely and rolled. He would be dead then but below the speed limit. It is a lot of awfully bad driving out there. There is one in [inaudible 183:26] drivers elsewhere in the world, I can always pick the European-trained drivers over the local-trained drivers. They are quite different. You know—

Ms WENDY LINDSAY: Thank you. Thank you, Michael.

Mr LANE: —it is amazing.

The CHAIR: Thank you, Mr Lane. We have got—forgive me, we have got one final question by Mr Moselmane.

The Hon. SHAOQUETT MOSELMANE: Thank you. I am just—Mr Lane, in your submission, page nine where you talk about corrupt conduct.

Mr LANE: Yes.

The Hon. SHAOQUETT MOSELMANE: You raise the issue of historical corrupt conduct of the US arm of the Australian company, Redflex.

Mr LANE: Yes.

The Hon. SHAOQUETT MOSELMANE: But in that same paragraph towards the end of that paragraph, you say in the US, the camera companies retain a portion of the financial penalties generated thus

there is a financial benefit beyond normal supply and operate provisions of a contract.

Mr LANE: Yes.

The Hon. SHAOQUETT MOSELMANE: Are you implying anything here in terms of the Australian conduct?

Mr LANE: No, well it is a cautionary comment that we should not allow this in Australia at all and it goes along with the comment that in the US, the political system is somewhat different and local law enforcement is often done by very small towns having their own system. They do not have any money but if the camera companies come to them with a proposition that they can make them a lot of money, they are quite happy to take it but the camera companies there can tend to do the whole thing, take the cameras, look at the images and send the bills out—the fines out and keep a proportion of it. We must not ever allow that to happen because that really sets up things to be very easily to go into a corrupt system. That company, by the way, their real—really big problem was with the City of Chicago and I believe they are now regarded as so corrupt that Chicago—not even Chicago would deal with them. Here, we—I am sure we have a different system. Equally we do not allow the local councils to have control of those things, which is the equivalent of what happens in the UK. If you are going to do that, make sure absolutely that there is no cash benefit to the company for its operations. Merely for Government—

The Hon. SHAOQUETT MOSELMANE: We do not have an oversight system.

Mr LANE: Yes. Yes, I am sure we do, which is why we do not think it is happening here but we are aware that it happens in other places and that is a cautionary that we must be careful not to do that.

The Hon. SHAOQUETT MOSELMANE: Thank you.

The CHAIR: Well thank you very much. No further questions? I think our time is up, anyhow, yes. Well thank you very much, Mr Lane, for appearing before the Committee today. You will be provided with a copy of the transcript of today's proceedings for corrections and any questions on notice taken today will be forwarded to you by the Committee staff. You were very informative.

Mr LANE: Thank you.

The CHAIR: So obviously you have been around the track a few times.

Mr LANE: I have been around the trap a lot. As I said, two million kilometres behind me and by the way, I have only damaged the car once on the road and that was when a wallaby jumped out in front of me and that is a marsupial, not the rugby players. I could have missed a rugby player, they are too slow.

The CHAIR: Thank you very much indeed, again. Thank you.

(The witness withdrew.)

JEREMY WOOLLEY, Associate Professor, Centre for Automotive Safety Research, University of Adelaide, sworn and examined

WILLIAM BARTON, NSW & ACT Board Director, Vice President, Institute of Public Works and Engineering Australasia NSW & ACT, affirmed and examined

The CHAIR: Thank you, very much. Now, would you like to make a short opening statement before we begin the questions?

Mr BARTON: No, I do not have any opening statement at this time, thank you.

The CHAIR: Mr Woolley.

Associate Professor WOOLLEY: Okay, I would just like to say that speed is a critical road safety variable so there is plenty of evidence documenting the role of speed in harm reduction and there is so much scientific evidence on the topic that there is virtually a dose response relationship between the level of speed and the amount of harm that can occur. What is encouraging about the international research evidence is that even small changes in travelling speed can lead to large reductions in the harm that is being caused. Safety cameras are a proven approach to reducing fatality and serious injuries on the road network and there is ample evidence on the efficacy of that approach. What we need to understand is that mobile speed cameras provide the lion's share of the benefit of a network-wide effect. What we need to do is aim for as broad an effect as possible across a road network and across a population. Achieving a high level of general deterrence in that regard is very important and

therefore, people need to have the perception that speed enforcement can be conducted anywhere at any time. Both covert and overt enforcement have their place but by and large, the largest deterrent effect will be achieved through covert enforcement.

The final point is that we need to take care not to diminish the potential effects of these methods by taking perceived convenient tweaks and the like. So although we may adopt a practice that seems seemingly insignificant, it can bias the results quite significantly and also randomness is the key. So we need to be careful in the way we select sites and how we limit the application of this approach throughout the network. Finally, I would encourage the Committee to contact Professor Cameron—Max Cameron and Stuart Newstead from MUARC, Monash University Accident Research Centre, who have spent much of their career conducting research into this particular area as well. Thank you.

The CHAIR: Thank you, muchly. We will go over to Ms Robyn Preston.

Ms ROBYN PRESTON: Thank you, gentlemen, for joining us this afternoon. I just wanted to first of all draw your attention to your submission. In the last paragraph there, you talk about that there are two clear approaches. Firstly, it is the overt, the primary strategy of making drivers aware that there are deterrents and checks and balances there with cameras and then you talked about the other practice of—that has a place as well and that is the covert enforcement to increase general deterrence across the road network. Do you want to elaborate on why you are supporting both aspects and how they could both work in tandem, please?

Associate Professor WOOLLEY: Yes. Look, both have been shown—demonstrated to work. I think what is important here is you need to strike a healthy balance between the two and not put all your eggs in one basket. Certainly where covert—sorry, where overt enforcement is used, the effect can be quite small and localised. So for example, if you have got an intersection with a bad crash history, putting a permanent fixed overt safety camera there will tend to have the desired effect. You will get improved compliance and that compliance will be very good in the locality of that site. The broader issue then becomes, if you want to reduce road trauma over the whole state, over the whole population and the whole network, you need to look to covert activity and mobile safety cameras in order to do that most effectively because the—what we call a halo effect, which is the duration of the enforcement effect and also the physical distance of that effect will be much smaller for overt operations than covert. So covert is very important and very important in the context of mobile camera operations.

Ms ROBYN PRESTON: But you think they both have a place?

Associate Professor WOOLLEY: Yes, they can have a place. I mean, as I said, with the overt operations you really want to focus on localised areas of small halo effects but if you are aiming to reduce road safety and reduce the harm as much as possible, you need to look to mobile operations and covert operations at that.

Ms ROBYN PRESTON: Thank you.

The CHAIR: Thank you. Mr Lalich?

Mr NICK LALICH: Thank you, Mr Chairman. Mr Woolley, could you just follow on from that last statement you made? So how would you decide where you would put an overt or a covert camera? How would you make that decision? Where would you think is the best place to place them?

The Hon. SHAOQUETT MOSELMANE: Good question.

Associate Professor WOOLLEY: Yes, so with overt, for example, they are well placed for problematic intersections or where you might have high points of conflict with pedestrians. So vulnerable road users, cyclists or whatever crossing the road and there is a dangerous point of conflict in the network. So by using the cameras in this way, you can guarantee very high levels of compliance and manage the risk in that way. There is some good examples, I think, around Australia where that has been adopted. For example, when there has not been the funds available to upgrade a problematic intersection immediately and things like that. Covert though, the—sorry, the mobile enforcement program really should be the dominant strategy. Really, the aim here is to achieve general deterrence through randomness of its application and location. So you want to make the deployment of these cameras as unpredictable as possible so the general public has a strong perception that there is a high likelihood they will be caught and it is hard to predict where these cameras will be. So there is a possibility of having enforcement anywhere and everywhere. Now, as you introduce further criteria to limit the number of sites through which these can be applied, you are making the deployment of these cameras more predictable and obviously having less coverage of that road network. So the more you can open up that randomness, the better off the scheme will be.

Mr STEPHEN BROMHEAD: Can I—I am just going to interject for a moment, Mr Woolley. Would you say that if there was more police present, a visible police presence, right? Wouldn't that deter people more so?

Associate Professor WOOLLEY: Yes, to a point but then you have got to factor in the resources

required to do that. The cost of doing that and obviously with automated camera technology, you can deploy over much larger areas and be far more efficient in the way you can provide that area coverage. I think there is some research evidence indicating that even a three-fold increase in police activity is not sufficient to generate the desired outcomes there. You would have to really increase the amount of police officers quite significantly to achieve that same effect. It is simply—from a cost-benefit point of view, there is no comparison. The cameras are certainly the most efficient means we have for conducting that network-wide enforcement.

Mr STEPHEN BROMHEAD: Yes, [inaudible 196:20]—

Associate Professor WOOLLEY: That is not to say we should not do police enforcement but we cannot rely on it in isolation.

The CHAIR: Yes and as we know on a—if you are on a freeway, for instance, and you see a highway patrol, you notice everyone slows down?

Associate Professor WOOLLEY: Yes that is specific. Yes, that is a localised effect.

The CHAIR: Yes but everybody—everyone slows down whereas the other car, it is not marked, you do not see it. You do not see it.

The Hon. SHAOQUETT MOSELMANE: Or a camera—a fixed camera, you do not see it.

The CHAIR: Yes, you do not see it but—

Associate Professor WOOLLEY: That is right but there is two different mechanisms going on there.

The CHAIR: You have got a question?

Mr STEPHEN BROMHEAD: Yes.

The CHAIR: Go, Mr Bromhead.

Mr STEPHEN BROMHEAD: Yes, Jeremy. The question we give out is that the mobile speed cameras are to save lives and drive down accidents and that is the purpose behind them. You would agree with that?

Associate Professor WOOLLEY: Yes, that is correct.

Mr STEPHEN BROMHEAD: So why would mobile speed cameras be located in a high traffic volume, no traffic accident history positions where several kilometres up the road, blackspot, low traffic but high accident because it is a high speed area? Can you explain to me why they would be put in the high volume area where there is no accidents as opposed to the low volume, high accident areas?

Associate Professor WOOLLEY: Yes, so there is two factors here. Firstly, it is that element of randomness. You want to make sure that you can deploy as randomly throughout the network so that the location of these observation sites are unpredictable to the motorist and road users. So that is the first thing there. The second thing is, although we have a perception that there is fatal crashes and fatal crash sites out there, the reality is that there is very few sites where fatal crashes occur again and again and again. Most of the fatal crash location sites are, relatively speaking, random throughout the network and therefore are not repeated in the next year or the next year and so on. So by limiting yourself to sites where there has only been a single fatal crash in that way, limits the amount of deployment you can have and therefore coverage of the network. So that is why we would prefer to go for a randomness element and therefore make them less predictable as to where they would be.

Mr STEPHEN BROMHEAD: So Jeremy—

Associate Professor WOOLLEY: A general deterrence effect will override the effect of just locating them where there has been a previous crash history.

Mr STEPHEN BROMHEAD: So Jeremy, if I take an area where say I have got a 40 year history and I know there has been multiple serious vehicle accidents and I have appeared in coroner's courts and hearings in the Local Court and the District Court for culpable drive and other offences, why wouldn't you put mobile speed cameras in those areas and some of them, multiple in the same one or two hundred metres—forgetting about changing the engineering of it, why wouldn't you put cameras there as opposed to 50 kilometre an hour, high traffic areas where there has never been an accident in 40 years?

Associate Professor WOOLLEY: Because what we are trying to do here—

Mr STEPHEN BROMHEAD: If the purpose—you agreed with the purpose is to drive down fatalities and drive down accidents.

The Hon. SHAOQUETT MOSELMANE: Correct.

Associate Professor WOOLLEY: That is correct and the way we do that is through widespread behavioural change across the population. It is that concept of general deterrence where we need to exert the

desired behaviours from use all over the network and not just in locations where some of those fatal accidents have occurred.

Mr STEPHEN BROMHEAD: So why wouldn't you randomly put the radar vehicles in the high accident areas and—

Associate Professor WOOLLEY: Well concern—

Mr STEPHEN BROMHEAD: —not just maintain them consistently in the high volume traffic areas where there is no accident history.

The Hon. SHAOQUETT MOSELMANE: Good point, yes.

Associate Professor WOOLLEY: Because there is a potential for a fatality to occur at any one of the junctions in New South Wales. There is a potential for a fatality to occur along any of your road sections in New South Wales. What we want is a generalised suppression effect, not just in the locations where there happen to have been a fatality as a result of a motor crash. So you will get better outcomes and better coverage if you have more randomised location of these cameras than just focussing on sites where there has been a previous crash because these crash sites are somewhat random. I take your point, if there has been a 40 year crash history, yes, that would be a very good candidate and you certainly can deploy there but what I am arguing is, you do not exclusively deploy there to the cost of not deploying more widely across the network.

Mr STEPHEN BROMHEAD: So if it is random but you consistently and only place them in the non-accident areas, when the overriding reason for having them is to drive down accident history—accidents and fatalities—but you ignore where the accidents are, that is not being random and that is not getting the general population educated in it. That is just having a camera in a high traffic area, low speed—

The Hon. SHAOQUETT MOSELMANE: Maximise.

Mr STEPHEN BROMHEAD: Maximising tickets and revenue.

Associate Professor WOOLLEY: Well the point is, we want the population to drive with appropriate speed and therefore behave in an appropriate way wherever they are using the network. If they come to learn of those locations and it is more predictable where these cameras are deployed, then that deterrence effect diminishes and therefore if you are trying to maximise that deterrence effect, you would not just limit those to sites where there has been a previous fatal crash. You would make it more random and I can—

Mr STEPHEN BROMHEAD: So that is what you're saying—

Associate Professor WOOLLEY: —tell you for next year, in subsequent years—

Mr STEPHEN BROMHEAD: No, I am not saying limited.

Associate Professor WOOLLEY: Yes.

Mr STEPHEN BROMHEAD: They are not even putting them there. They are limiting it to only the non-accident areas. Limiting it to non-accident areas. Not—

The Hon. SHAOQUETT MOSELMANE: Raise revenue.

Mr STEPHEN BROMHEAD: Not putting the majority there, the only place they put them is in the non-accident areas and totally ignore the accident areas. There cannot be any reasonable justification for that.

Associate Professor WOOLLEY: Okay, yes, I mean where there is a long history of crashes I think they could certainly include that in the mix.

Mr NICK LALICH: Except for the money.

The Hon. SHAOQUETT MOSELMANE: Except for the money.

Associate Professor WOOLLEY: But the reality is, if you look at the crash data, the fatal crash sites are a poor predictor of where all the crash sites are going to be in the next year because they do hand—they are distributed randomly throughout the network. So in that sense, I think that approach is justified but as I say, they should be candidates and they can mix them up. As long as it is randomised, you are getting—you are maximising the network coverage. That is what is most important here.

The Hon. SHAOQUETT MOSELMANE: Chair Mr Barton is also there—

Ms ROBYN PRESTON: Yes, I had a question for him.

The Hon. SHAOQUETT MOSELMANE: If I can ask a question, then?

Ms ROBYN PRESTON: I'll go after you.

The Hon. SHAOQUETT MOSELMANE: Mr Barton, from—

The CHAIR: Okay, so Mr Moselmane and then after that we will go to Robyn.

The Hon. SHAOQUETT MOSELMANE: Yes.

Reverend Hon. FRED NILE: Yes, and I have got a question.

The CHAIR: Wendy, do you have one as well? And Fred has got one.

The Hon. SHAOQUETT MOSELMANE: I just have one quick one, Mr Barton. You, in your submission recommendation, you say that we—the Government ought to provide local government with the means to deliver the strategy. We heard earlier today that local government is very concerned about the rate of fines and the cost on their constituency and there is very little data sharing with local government. How do we expect local government to be at the forefront of this when the Government, whether it is Transport for NSW or those traffic authorities, are not sharing data with local government, that is the most important body that you refer to?

Mr BARTON: Thank you for the question. It is a little bit difficult and I can only speak to my own experience in that generally in my interactions with Transport for NSW, when there is a direct request for data, it is generally forthcoming. Anecdotally, we have heard that Transport do not collect the data as they used to and certainly I was out in the Riverina region of New South Wales when the changes around the requirement to report traffic crashes to the police changed. With that change, we saw a dramatic loss of intelligence in that we lost that granularity of near misses and minor crashes. While I cannot speak to the expert theory of it, certainly in our experience and talking to my colleagues, what we have found—tended to find is that where there are many small accidents, minor bingles and so forth, that is generally on our networks a precursor and a predictor of a more serious crash to come. So being blind to those more minor accidents is, or has in a way, stripped us of some of that important data in making decisions around the management of our network from a road safety perspective.

The Hon. SHAOQUETT MOSELMANE: Did I hear you correctly say that Transport does not collect data anymore? Is that what you said earlier?

Mr BARTON: No, no, I said that they have not—or that anecdotally they do not record the data that they used to. Now that is based on, as I said, anecdotes. Where councils used to obtain quite a bit of information and quite a bit of data from Transport for NSW, I cannot speak to how much that has reduced by, only that that is certainly the feeling within the industry that from the colleagues that I have spoken to. I cannot speak to the reasons for that reduction in data either. They may well be experiencing the same thing we have with changes to requirements around reporting more minor accidents by motorists.

The Hon. SHAOQUETT MOSELMANE: Thank you.

Mr ROY BUTLER: Mr Chair? If I could just clarify, that is to do with the P5 accidents. A form used to be submitted for all accidents but then if it was a P5 accident, police stopped recording that data.

Mr BARTON: That is correct. So now there is only requirement, I believe, if there is a tow away or an injury.

Mr Nick LALICH: That is right.

The CHAIR: Ms Preston?

Ms ROBYN PRESTON: Thank you, Chair. My question is to Mr Barton. Just drawing your attention to page nine of your submission where you talk about the appropriate speed limits and a safe system approach. In particular, the Swedish principle of a Vision Zero. Would you like to work—talk us through that a little bit and see how that could be implemented with our principles here?

Mr BARTON: Yes, so the Vision Zero is, I guess in its simplest form, that there is a future state where there are no fatalities or serious injuries from road crashes. To get to that point—and I believe that the state government's road safety strategy is very much modelled on the same approach, is that you have safe drivers, safe vehicles, safe speeds and safe roads. So it is—I am not too sure how much more you want me to expand on that?

Ms ROBYN PRESTON: So just looking at that principle, how would you see us managing that, say in the rural/regional areas, for example?

Mr BARTON: Look, the rural and regional areas is one that I particularly wanted to talk about today because it is—and I am glad that my colleague, Jeremy, brought up the issue of covert and overt because it becomes even more granular than that. I have had the benefit of working in both regional and metropolitan New South Wales and it is quite often the case in the regions that for almost indiscernible reasons, the speed environment of a road will change. As I am sure others will attest to, driver behaviour sees that a speed zone should be enforced or reinforced by the environment of the road. That is to say that if you have a road that a driver

believes is capable of safely being traversed at 80 kilometres an hour, for example, and the speed limit is 50, generally you will see a breach of that speed zone because drivers feel quite comfortable that firstly, it is safe to travel at that speed and secondly, if there is any uncertainty over the speed limit, they will tend to drive to the environment.

In regional locations, quite often we will see—as I am coming back to that first point I made, quite indiscernible changes to the roadside environment. For example, you may see a slight increase in the number of driveways to access rural properties or industry. That won't immediately lend itself to alerting a driver to the change in a speed environment. So where there is a change in the speed zone, then quite often it is the case that in rural locations these speed zones change from 100 to 60. For whatever reason, whether it is fatigue, a lapse of judgment, sun in your eyes, distractions and so forth, motorists may well miss that speed zone change and the environment does not back up a reduction in speed either. The problem therein lies that if we have covert reinforcement in those situations, despite all things pointing to the driver that it is quite safe to travel at the previous speed, they may well find themselves driving either at a speed which sees a pretty serious fine issued or indeed a suspension of their license. As we know, out in the regional areas, public transport is not what it is in metropolitan parts of the state and so it can impact disproportionately on a community.

What I would encourage the Committee to examine is to break the link between mobile speed cameras automatically being considered as covert. It is quite possible that in the right scenario and in the right location that they can be used as overt deterrents as well and I would wager that those fringe areas of particularly regional and rural towns would be locations where it is in the public interest because we want to reduce the speed of motorists at the point not at a future time, that in those areas, they be considered in a, I guess a covert—sorry, an overt context. That is, that they have advance warning signs out to remind drivers of the speed in that location.

Ms ROBYN PRESTON: Thank you. Thank you, Chair.

The CHAIR: The Reverend Honourable Fred Nile?

Reverend Hon. FRED NILE: Yes, just following up that answer. When and where should overt and covert mobile speed camera operations be deployed?

Ms ROBYN PRESTON: Mr Woolley?

Associate Professor WOOLLEY: Okay, so as I was alluding to earlier, covert is ideally suited to trying to achieve an effect of general deterrence. So you need to think about the contribution of your mobile camera program to achieving that outcome of general deterrence, which is speed enforcement can occur anywhere at any time. That is the perception you want to get across to the population. With overt, it is generally most effective where you want a localised, small-scale effect. So it might be at a problematic area of safety, a pedestrian crossing that is problematic, for example. An intersection. Something like that. Now, as Mr Barton alluded to, there are circumstances where you might want to advertise the fact that you are engaging in that enforcement activity as well. Therefore you can make that operation overt. One would argue though, certainly in rural settings, trying to engage in covert enforcement is a challenge and any car parked by the side of the road would be treated with suspicion as well. So there is sort of some suspicions of the population around those activities anyway. But at the end of the day as part of the big picture, you also need the mass media. You need large-scale messaging and media messaging going out, that police are engaging in this activity and you have got to reinforce the fact that covert enforcement is being undertaken and is operating. So that is another thing you should not overlook. This is part of an overall program—a programmed approach, a coordinated approach, to getting that message across and again, overt is best where you want to control risk in a fairly localised manner, covert is best across a whole population and network trying to achieve general deterrence.

The CHAIR: Thank you. Question, Roy, for Mr Butler.

Mr ROY BUTLER: Thank you, Mr Chair. Thank you, gentlemen, for your time today. Mr Woolley, this is probably a question more for you. Do you have any data from New South Wales in regard to any change in fatalities, accidents, since the change in the removal of signage from mobile speed cameras?

Associate Professor WOOLLEY: It is something I have not specifically looked at. So generally we have not done a specific study on that so I have not come across that data but, no doubt, monitoring will be ongoing and there will be studies on that type of thing. I am aware that MUARC did some modelling and evaluations around this, so that is something to keep an eye out for as well. But personally, no, I have not been privy to that.

Mr ROY BUTLER: Okay, thank you, very much. Mr Barton, just in regard to engineering versus speeds. I suppose, do you have any data on accidents where engineering is more a factor than the speed per se?

Mr BARTON: To answer your question, no we really do not. Generally what we see and what we hear is that speed is a factor that leads to—or directly influences the seriousness—in most instances, that directly influences the seriousness of a crash and so you could consider that it is a contributing factor to things like fatalities and injuries rather than the crash happening in the first instance. The exception would be perhaps in work zones,

and I do not have any data to back this up, but certainly work zones present their own unique challenges in that they can—often they are unenforced so I do not believe that mobile speed cameras can operate in work zones, particularly long-standing work zones but furthermore, it is often quite difficult to undertake enforcement activities and you also have long lengths of road that again, similar to the earlier example I gave, for reasons that are not immediately clear to the motorist are under a work zone speed limit and often it is for the protection of road workers and our members. So that is somewhere where speed can cause a crash because of sudden changes in traffic conditions and traffic arrangements and motorists being unable to respond to those more—quickly enough.

Mr ROY BUTLER: Thank you.

The CHAIR: Well that concludes our time, unfortunately, gentlemen. I would like to thank both of you for appearing before the Committee today and you will be provided with a copy of the transcript of today's proceedings for corrections and any questions on notice taken today will be forwarded to you by Committee staff. Thank you again for coming along today.

(The witnesses withdrew.)

(Short adjournment)

The Hon. DUNCAN GAY, former Minister for Roads, sworn and examined

The CHAIR: Did you have an opening statement?

The Hon. DUNCAN GAY: Yes, I would like to make a couple of brief statements if I could.

The CHAIR: Yes, of course.

The Hon. DUNCAN GAY: I am sure most of you have noticed that I have not had anything to say about this particular issue in the media or elsewhere, despite a lot of enticements and encouragement to do it. It is for a couple of reasons. The first one is I am no longer the minister and I think the current ministers deserve that respect. Apart from the fact that I like them and I think they are doing a good job, they should have that opportunity. I believe it is a wrong decision. It is not the decision I made on the evidence that was before me at the time but I believe they have made it in good faith with the advice that they have had at hand. I know some people would put adverse feelings towards them on revenue raising, et cetera, which frankly is a load of rubbish because the—any money that is raised goes into road safety unless that has changed too, but my understanding is that is still the situation. So the fiscal fiend down at Treasury does not get their hands on it. They take advice from the head of the Centre for Road Safety, the same as I did. The guy I appointed, Bernard Carlon, is a good guy. I mostly agreed with him and unlike what we have seen in ICAC where ICAC suggests very strongly that you should not veer from the advice that you are given, that you have to accept it and act on it each time, I believe—and I think most people believe, that that is advice. You have got to think very seriously if you do not take that advice and you act differently, but if you just take that advice, what is the point of you? You may as well not be there. You may as well just have a bureaucracy running the place and no democracy.

So there are—well there are a number of occasions where I did not take that advice. I cannot remember if the signs on the speed cameras was one of them or not. It may or may not have been. There was not a lot of them. Bernard was thinking of the right way to do the right thing for safety and I suspect he still does but if you head down this track of continuing to remove signs, do we remove those great warning signs and flashing lights that I put on every school in New South Wales? Then went around and did the back streets as well as the front streets? Do we remove the warning of speed on corners and do we remove and in fact, my observation tells me that we may have started doing that, the warning signs that says speed camera, red light camera ahead? Because I would rather stop someone going through a red light than going through a red light, T-boning a family and killing them. It is a pretty simple thesis, I would have thought and that is the basis, in part—and I know your forensic questioning will come on the science on the speed cameras and I will answer them as we go but that is a background on the folly of starting to remove signs around safety initiatives. End of statement.

The CHAIR: Thank you. Duncan, we—this inquiry has had an unprecedented amount of submissions that have—I think it is around about the 1500 or so with the overwhelming majority clearly supporting the model of mobile speed cameras that you implemented as the former roads minister. Your model included bright livery and warning signs. Can you tell the Committee why you favour warning signs and increased livery and the benefits of such warning signs and bright livery in reducing speeding? I know you touched on it but you can probably maybe elucidate a little bit more.

The Hon. DUNCAN GAY: Yes.

The Chair: Thank you.

The Hon. DUNCAN GAY: Thanks, Chairman. Look, there are several reasons. The first one, we rolled out extra mobile cameras when we did it and whenever you do that, you need to have the public on side. The public are pretty cynical on this issue and I frankly do not think you can blame them, given the experience with our governments and other governments in the past that it was seen to be a revenue raising issue. The first sign that I put—well first of all, you paint the wagons. It is like marking police cars. One of the best safety slow-down things in the state is a marked police car with a copper in it, driving around. These thing—

The CHAIR: Absolutely.

The Hon. DUNCAN GAY: These things fulfil that role as well. Even if you are going the other way or probably especially if you are going the other way, if they are marked up like that, that gives a warning that they are around and I think—although the verdict is not total on this—it gives some safety to the people inside the vehicle because they—in the past, they had been targeted for small sections of the community abusing them. Now, the first sign coming towards them means that if you are doing not much above the speed limit and you have the notice, you can quickly come down and you do not get fined because you are not a serial offender, you are driving, watching the road, watching the cars around you, being careful and probably have not been watching your speedo at that moment. If you are close to the speed limit, you would have an ability to go under and say, woah, that was close, I need to be more careful in the future. If you are a long way above, you had no hope. There was no way in the world that you were going to drag it back if you were going like a cut cat out there back under the speed limit. The most important one was the one after you went past the speed camera. That was the one, if you missed all the rest, you were nearly certainly, with the marking on the car and then this one that said you just—I cannot remember the exact words but you have just gone past a mobile speed camera.

Now, if you were out on a trip or a long weekend or double demerits, you would not know that you had been picked up without those signs. You might continue to drive like all hell for the rest of the weekend until you actually had a major accident but with this, you suddenly thought oh, I have been nicked big time. It is double demerits, double money, that has put a huge dent in my weekend. I need to be careful. I would have thought that is a better outcome than the opposite. The most important one, this helps save lives. If we continue to have them and do this sort of safety procedure, we have got to take the community with us. This was a way of taking the community with us and the community did go with us on that. They thought it was appropriate. No one really likes speed cameras but in this case, because of what we did, that was a better way of doing it.

The CHAIR: All right, thank you.

Mr STEPHEN BROMHEAD: Chair?

The CHAIR: Yes, thank you. I will just pass—Mr Bromhead has got a question. Thank you very much for that.

The Hon. DUNCAN GAY: Thank you.

Mr STEPHEN BROMHEAD: Mr Gay, I know that history will show that you are the best roads minister the state has ever had.

The Hon. DUNCAN GAY: You should not read my press releases.

Ms ROBYN PRESTON: What do you want, Stephen?

Mr STEPHEN BROMHEAD: But there was evidence this morning of—that when you became the roads minister, inexplicably, you removed 12 fixed speed cameras. My memory was there was a very good explanation for that and that is they were in positions where there was little speed detected when there are other blackspots that needed cameras. Can you tell me your reasoning for removing them those years ago, if you can?

The Hon. DUNCAN GAY: Yes, well you pretty well answered your own question. You are spot on.

Mr STEPHEN BROMHEAD: I thought I would help you out.

The Hon. DUNCAN GAY: Yes, I did remove the speed cameras. They were not fulfilling a proper purpose, those. It was only a small percentage of the ones we had in place but it was either they were not slowing people down and we needed something else or people had slowed down and the problem was over. So we—in some instances, I joke that I have got a shed full of speed cameras, I can go and put them somewhere else and we more than fulfilled that joke because we actually did replace some of them in other places. The—I noticed one of the broadsheets had an article this morning saying that I just removed them and then they changed it when I indicated to them that they had it wrong. In total, we ended up with more speed cameras than where we started but we definitely removed some that were in the wrong place. The speed cameras are important but they should not be there for entrapment. They should be there for a road safety reason.

When you talk to these guys and you want to change something, we were lucky to be able to get that and change it and we had the support of the NRMA when it went. From memory, I think we had the support of the opposition. I cannot remember, I think it was that arch demon, Walt Secord, at the time but it is a long time ago. But I think at the end of the day, we had the support of the opposition on that, which is quite often the case but sometimes not the case. I am reminded of one of the bravest things we did and that was definitely against the advice of the Centre for Road Safety, was that I increased the speed limit on the Newell Highway from 100 kilometres to 110 kilometres an hour. I was told that I would have blood on my hands but we did not do it just to be petty and stupid, we had looked at evidence from overseas that showed that in some instances, that it did work.

Many of you will remember that the Newell Highway at the time was a terrible death trap for families and—on holidays and locals living in that area and about a month—we waited until the first figures and we were pretty nervous—about a month later, the death rate had just plunged. The reason it had plunged is that we had separated the traffic because car speedos are not as accurate as truck speedos. They are normally running three to five kilometres an hour slower—sorry, faster, which means they are going slower than a truck speedo. So you have the trucks sitting on the tail of these cars and they were frustrated because they are accurate and GPS enhanced on their travelling and they would be frustrated. The cars were frustrated because they would get to the passing stages and there are quite a few passing lanes on the Newell Highway and the trucks could do the same speed they could do. In fact, they actually thought the trucks were going faster.

When we increased it to 110, the trucks—the cars were out of the way of the trucks. They were not frustrating them. People were not making stupid decisions passing in the wrong places because they were then able to pass when the passing lanes came up and hence, through common sense, we were able to drop that speed limit. We were able to drop those fatalities by increasing the speed limit. Now, it will not work in every situation but that is the sort of logic that we were putting on the signs on the mobile speed cameras. Not to be petty but to help people get their support and ultimately save their lives. I notice that there is a mantra that we are looking for zero deaths. There is only one way to have zero deaths, that is not to drive anywhere at anything above zero kilometres an hour. That is the only way you can guarantee that. Instead of that, you need to be looking for sensible ways to move towards zero and to make it better. There are many things that we can do in that area and the best things I did for road safety were putting dual lanes on the Pacific Highway, fixing the roads on the Princes Highway. Removing vegetation beside the road. That was nearly as good as what the car manufacturers did in putting safety items into the cars but you—your group are part of Staysafe, you would know that as well if not better than I do.

The CHAIR: Thank you. I—

Ms WENDY LINDSAY: Chair?

The CHAIR: Yes?

Ms WENDY LINDSAY: Mr Chair, may I ask a question, please?

The CHAIR: Yes, certainly. Wendy Lindsay, Mr Gay.

Ms WENDY LINDSAY: Hi, Mr Gay. I just would like to ask, when you talk about removing the speed cameras in your time as the minister, what caused you to arrive to choose the speed cameras that were removed? What sort of data were you getting to take those particular cameras out?

The Hon. DUNCAN GAY: Yes, we had an independent audit done. I did not make that decision. The information, the Centre for Road Safety did an audit of the effectiveness of the cameras. There are quite a few things that as minister, you need to hand back a bit and that was one of them. It was the results they presented me. I got them to do another audit, which I felt was important. You would probably understand at East Hills, Heathcote Road and other places, the variations in speed on the roads and the frustration and the annoyance of people about the changes in speed. We had an audit done of that, to bring—and I hoped to bring some up and some down so we had less changes in speed to make it easier for people to actually be able to drive instead of all the time looking out the corner of their eye for speed signs so that they're not breaking the rules. Then the audit was done and the result came back and we got a fair bit of it. It was not quite how I envisaged. I had envisaged that we would get a slightly higher speed limit out of it and the Centre for Road Safety, as is their will, I think they got the balance slightly lower overall. But what the heck, it is still a better safety outcome.

Ms WENDY LINDSAY: Thank you.

The CHAIR: Thank you, Wendy. I will pass you over to Mr Lalich and then back over to Robyn Preston.

Mr NICK LALICH: Thank you, Mr Chairman. Duncan, you have been gone from this place for a few years but a transport minister is always a transport minister. Once a transport minister, you are always there. What we want—well it is a bit like a copper is always a copper but could I just say, you have had a lot of experience in this and I know you have not gone out there and retired and completely forgot about this issue but what would you in your—I know you have probably answered a bit of this in your earlier answers but what measures should

we—other measures that you have in your mind that we should be implementing to stop speeding and road accidents? Is there anything there that you thought over the last few years since you have been gone? Or since your retirement, I should say.

The Hon. DUNCAN GAY: Yes, look, they have continued to do a lot of good things. You are right, I still have my hand in. I am currently the Chairman of the National Heavy Vehicle Regulator and we do safety and productivity nationwide in the heavy vehicles. Any vehicle over five tonnes. It is really rewarding and good and all of you there were very helpful because the New South Wales staff, the on-road staff and the office staff that were doing this role for Transport for NSW are now currently interim coming across to us. We have got Tasmania, ACT, Victoria, South Australia. New South Wales is underway. We have just got new accommodation in Parramatta and Queensland have indicated that they will be coming across next year. So I have still got my hand in there.

I am on the Board of Essential Energy and we have a really large fleet of vehicles. We have safety issues in people driving one-up or the heavier vehicles and we also have the safety issues of people using a high voltage electricity. I am also the Chairman of the Board of MU Group and we are a consulting engineering organisation that does road infrastructure and rail planning and development, which comes into this. So I have still got my hands in the game. I think I probably said the infrastructure as much as anything is helpful. I remember Andrew Constance after the fire down at Bega saying that we needed some of the vegetation back from the roads. I was stuck down there for three days in the centre of that fire, myself. We came out through that fire with a police escort and it was the concerns of the trees and the power poles. With Essential Energy, we are using more composite poles and getting the crossbeams better in that situation but the advantage of clearing back, we found particularly on something like Bells Line of Road, was—if you miscalculated in the fog or the mist or the ice and you slide off the road, the lighter vegetation will pull you up and allows good ground cover but if you go into a slide on the black ice and hit a tree, it is a quick stop which does not do a lot for bodies. So those sort of things are the important ones.

The cars will continue to get better. They are doing a really good job in safety in cars these days and as we duplicate the highways as well, that will work as well. So for example, in the trucks, when we give up productivity gain, which means that they can carry more weight, we gain the advantage of less truck movements by doing that. But incorporated in the carrot and stick approach to it is, for them to get this added advantage, we need to get extra safety stuff in braking systems, ESDs, even down to the extent of a window in the left-hand front door of the driver's cab so they can see as they go around the corner, whether there is pedestrians or cyclists. I have got to say, I am sure your Committee has noticed as we have noticed, one of the big problems that we are all facing with work in all the states is the truck and dogs think they are Daniel Riccardo coming down the M4 or the M7 at the moment.

The other funny thing that we need to get right, you notice that sign on the back of the truck that says, do not overtake turning vehicle? I finally worked out what it means but I reckon there would be 60 to 80 per cent of the young drivers between 25 and 40 that do not know what that means and are at risk of being hurt by overtaking a vehicle that is turning as it encroaches on their lane. So we are currently trying to come up with something better on that.

The CHAIR: Thank you.

Ms WENDY LINDSAY: Mr Gay, could I just ask you—

The Hon. DUNCAN GAY: Yes.

Ms WENDY LINDSAY: Just in relation to that sign on the back of the trucks and look, I have witnessed it first-hand when someone scooted up on the inside of them and basically got crushed as the truck has then turned. Would perhaps—sometimes you see trucks that have the, if you can't see my mirrors, I can't see you, on the back. Obviously too, just on that, do you think that perhaps might be more impactful? I know I am a bit off topic now at the moment but also perhaps having a visual sign rather than words? Because obviously we have a lot of CALD community as—CALD communities particularly in our bigger cities. Would that perhaps, do you think create a better outcome there with some of the heavy vehicles?

The Hon. DUNCAN GAY: I like your honesty and I like where you are coming from and I suspect there is a lot of people in the same situation as you were. We ran a pretty naughty add on mobile phones once, called Take Your Hands Off It. It was full of double entendre and it worked to a certain extent because there was an audience that we were trying to get to, which was a younger audience, and it worked. We are currently looking at a campaign in the Regulator that is Don't Uck with a Truck. Which is really don't muck with a truck and it is all about coming up the sides and things and doing that. That is one of the things, but equally, we are looking for something that replaces that confusing sign on the back. It is the best we have got. If you analyse it properly, the message is right but too many people do not understand it.

Ms WENDY LINDSAY: Yes, that is the problem.

The Hon. DUNCAN GAY: We have got to do better on that one so that is my challenge for the year.

The CHAIR: Thank you.

The Hon. SHAOQUETT MOSELMANE: Thank you, Chair and lovely to see you, Duncan. Minister. Always lovely to see you. Duncan, do you—as you said earlier, the public are not on side at the moment with the mobile speed camera program. What does it take to regain that trust from the public?

The Hon. DUNCAN GAY: Look, I can only take your word that they are not on side. I have no evidence one way or another. I know I am not on side with where it is, yet I think that as I indicated earlier, that we have got good ministers there doing a good job. I just do not agree with the advice that they were given on this and where they have gone. I think at the very least, if they were to look at the sign after the camera, that said you have been got, that would be a huge start. I still like the one before if you are close enough and you can get there, you probably won't do it again. But if they do not want to do that, the second one is that sign behind it that says, well you know, you have been an idiot, you are fined, you have been got. You now know it and it is up to you what you do about it. But that might be one that helps us through the situation and gives that respect back from the community if it is gone. I can only take your word but I do not disagree with you. I am assuming that there is probably a lot of people upset.

The Hon. SHAOQUETT MOSELMANE: It has been said also that the current mobile speed camera program lost its objectives. I mean, a number of speakers that we have were talking about general deterrence as opposed to fatalities and reducing crashes. Road safety is the objective, isn't it, Duncan? That is the key objective of the mobile speed camera program as far as you know?

The Hon. DUNCAN GAY: I would hope so. I agree, I would hope that road safety is the key objective. I cannot give any validity to a statement that it has lost direction et cetera. I have no details or facts. I am a former Minister so—

The Hon. SHAOQUETT MOSELMANE: Yes, well that is still a politician.

The Hon. DUNCAN GAY: I have no access to anything in that area.

The Hon. SHAOQUETT MOSELMANE: Yes. No, thank you.

The CHAIR: Thank you. I will pass you over to Robyn Preston.

Ms ROBYN PRESTON: Thank you, Chair. I keep wanting to say Minister Gay.

The Hon. DUNCAN GAY: A long time ago.

Ms ROBYN PRESTON: But great to see you again and thank you for your contribution to the inquiry. As a gent from the bush, from the regional area, how do you see, I guess the benefits of mobile speed cameras in regional areas and the safety that that may implement? Having them there as opposed to metropolitan areas where they are often put in different places and the feedback we have got from other contributors has been that a mobile speed camera in regional areas will stand out. It is very prominent and often you do not need the signage because they are on long straight stretches of roads. How do you see the two interacting and also the impact for regional travellers and those that are caught out with these speed cameras and losing their license and the impact that has of them moving from A to B in regional areas compared to metropolitan where they could possibly go via public transport if they have had their license taken away from them.

The Hon. DUNCAN GAY: That is a fair point at the end. That is the difference between city and country. If you actually lose your license, the ramifications are much worse in the country. I am not always certain that the sites that are chosen—and the sites are—I am going to use the word gazetted. I could be wrong when I use the term gazetted but there are a list of approved sites that the minister ticks off on where they can go. I am not always certain that they are in the most visible places they could be, although there are certain parameters of distance and things where they tend to be on straighter and easier places to see.

Look, it is about road safety. I would not have ticked off on it, the thing, in the first place unless I thought it was going to help and contribute to saving lives but it was a total package that we signed off on in the first place and we had the support of NRMA and the support of the community. The current situation has moved away from that but I do not know—as I indicated in answer to an earlier question, what that has changed. I know personally, I think it is a wrong decision but it—as I also said, I do not believe that the people that made the decision, who are good people, did it with any particular malice.

Ms ROBYN PRESTON: Thank you.

The CHAIR: Thank you. Reverend Fred Nile, did you have a question for Mr Gay?

Reverend Hon. FRED NILE: I do. I am just having trouble with my computer at the moment. Can you hear me?

The Hon. DUNCAN GAY: I can hear you, Reverend Nile.

Reverend Hon. FRED NILE: Okay well I will head on. Thank you very much, Duncan Gay, former minister and a great friend of mine, for being here today. Can you comment, based on your experience, about how hardship resulting from fines and loss of license due to speeding impacts communities and how should it be addressed?

The Hon. DUNCAN GAY: Look, it—I have sympathy if it is one of those gotcha moments where people have been targeted but I do not have as much sympathy if it is people that are serial offenders and deliberately driving too fast. It is a different scenario. I remember in Dubbo, we had a press crew with us when a young family man was pulled over and drug tested. The press gallery was hot when they asked me what I thought and I said I thought it was a good result. They said, but he is a young man that will lose his license. I said, well yes, he is a young man that is driving under the effects of drugs with his family in the car. I thought in that case, it was the greater good. But Reverend Nile, you are right. If people do not know where they are and cannot see them, it is very close—it is not entrapment but it is very close to people believing that it is and a lot of people would say it is unfair.

Reverend Hon. FRED NILE: Just another quick one. What should be included in an education campaign about mobile speed cameras and the revenue they raise and who should deliver it?

The Hon. DUNCAN GAY: Well that—it is a pretty simple outcome. I'm assuming that the money still goes into road safety. I have not heard anyone say it for a while but it should be yelled out there that this is not money that is going into consolidated revenue. This is money that is going in to saving lives. Better fixing up road signs, corners, et cetera, et cetera. That is probably the best thing we should do. I do not have a problem with red light cameras and speed cameras at intersections. If you go through a red light, you are determined to kill someone and you do not deserve not to cop a huge fine. But I do have a problem where we still see highway patrol cars back up into the trees and hide behind billboards. On the Hume Highway when I drive to the farm, there are three spots where you can see the highway patrol Chrysler 300s, Reverend Nile, like yours.

Reverend Hon. FRED NILE: Yes.

The Hon. DUNCAN GAY: And their BMWs, probably like Chris Gulaptis', although he has probably still got a Saab.

Mr CHRISTOPHER GULAPTIS: Audi, Dunc. Audi.

The Hon. DUNCAN GAY: That is just wrong. I remember driving to Muswellbrook once and as we drove past, there was a highway patrol motorcycle policeman with the radar gun behind a rubbish bin. That is not the way we should be doing it. We should be out there with a presence to get people to slow down and speed does kill. I was—like many people here, I was a young person that drove too fast as a young bloke and took a long time to learn that lesson. There are still young people doing the same and that is why we need to get them. That is why these mobile cameras are important but it is equally important—and going back to the last two questions, what—how do we do it? But to indicate that it is a fair one so that we can get the community support with us as we do this and highlight where we spend the money.

Reverend Hon. FRED NILE: Thank you, very much. Thank you, Mr Chair.

The CHAIR: Thank you. Mr Gulaptis, I am—

Mr CHRISTOPHER GULAPTIS: Thank you, Chair, and Dunc, can I just firstly say, thank you very much for funding the Grafton Bridge? We love it. A terrific decision and a significant infrastructure investment in Grafton. Look, I just—

The Hon. DUNCAN GAY: It would be fairly handy with La Nina.

Mr CHRISTOPHER GULAPTIS: Look, only just one question and that is in relation to the unsigned—unsigned or unmarked mobile speed cameras. Do you think there is a place for them? For example, when we have our holiday period, when the double demerits come in. Because we have a mass of people coming out of the city, travelling on our roads and that is when we know we do have fatalities and we have multiple crashes right throughout Australia, in fact. So the double demerit and the double the fines, that is a really good campaign. So do you think that we could use those unsigned mobile cameras during those periods?

The Hon. DUNCAN GAY: I think I answered that in the first part that if they are not signed and people do not know if they have been got, they are not going to slow down. So if this is some hoon that is driving through the Clarence and got his new Audi, BMW/MG, whatever it is and he hits there and sees that he has gone through a speed camera because there is a marked car and at the very least, he would have been—I am saying he because it is mostly a he. He would at the very least, see the last camera and the marked car and he would know because it is a long weekend, that he is hammered with double demerit points and a double fine and he will go, oh God, yes, there is the rest of my weekend gone. By the end of this weekend, I could have lost my license twice if I keep

this up and if he did not see it, he would keep driving at that pace, that sort of person. That is why I believe—

Mr CHRISTOPHER GULAPTIS: Yes, yes.

The Hon. DUNCAN GAY: That sort of example is an absolutely key reason why we should have the signs and the marking on there. [Inaudible 258:09].

Ms ROBYN PRESTON: I had a further question, Chair.

The CHAIR: Yes, Robyn.

Ms ROBYN PRESTON: Just in relation to the fixed cameras, say at traffic lights and someone goes through a red light camera and it flashes.

The Hon. DUNCAN GAY: Yes.

Ms ROBYN PRESTON: You often then know that you have been caught out. One of the issues that have been raised today in discussion is that you commit the offence and it is three weeks until you get a fine in the mail. Then you realise that you have done the wrong thing and you have been speeding and you got caught out. What is your thoughts if there was not signage on the approach but at the time when you are actually caught, whether there is a loud siren or a horn tooting or a flashing from the vehicle so that people know they have actually been caught out then and could the fines come earlier rather than three weeks down the track? Because you have still got someone who is a serial speeder that is still speeding around and could cause great grief and safety issues and kill others. I just want your thoughts on something like that.

The Hon. DUNCAN GAY: No, we need a loud speaker there that says, got you, you idiot.

Ms ROBYN PRESTON: Perhaps. Perhaps that is a really timely reminder that they have done something wrong and they have been caught out, maybe.

The Hon. DUNCAN GAY: Look, I still believe that even with the flashing light—and most people will see the flashing light, but the sign there that says, red light, speed camera. Once the flashing light has gone, at that same nano second, this bloke runs into my children or my grandchildren or your friends and family—

Ms ROBYN PRESTON: It is too late.

The Hon. DUNCAN GAY: It is too late. That is why the sign needs to be there before it and he might get away and run the light on another one but at least I would feel that we have saved someone's life on that one.

Ms ROBYN PRESTON: Yes. Okay.

The CHAIR: No further questions?

Ms ROBYN PRESTON: No, that is a good answer. Thank you.

The CHAIR: No? Well it is only—

The Hon. SHAOQUETT MOSELMANE: Just one quick one, if I may?

The Hon. DUNCAN GAY: Yes.

The CHAIR: Can you believe it?

The Hon. SHAOQUETT MOSELMANE: Thank you—

Ms ROBYN PRESTON: He is—we have been very lenient with this gentleman.

The Hon. SHAOQUETT MOSELMANE: Yes, thank you so much, Duncan. We will use Duncan's presence to inform us. There has been an expressed concern about the increase in the operation hours from 7000 to 21,000 per month for those mobile speed cameras. What is your response to that concern?

The Hon. DUNCAN GAY: I would not have a problem with it provided the signs were on there.

The Hon. SHAOQUETT MOSELMANE: Provided the signs were on there. Yes.

The Hon. DUNCAN GAY: Yes, you either believe the system is worthwhile and saves lives and is a good safety initiative, which we did at the time and—but it was a package that we put together and part of the package is missing at the moment. To put extra time out there, I really do not have a problem with that, although I travel—well I have not the last six months or so, everyone, we have all been locked down, but I live in the southern part of the state and I have not seen many of them around although I have read in the media that there was a problem with the ones in the southern part of the state.

The Hon. SHAOQUETT MOSELMANE: Yes, well this is in relation though to covert mobile speed cameras. Cameras that are not signposted.

The Hon. DUNCAN GAY: Yes, well the—that is what we are—the whole reason for my being here today was to talk about that, I assumed.

The CHAIR: Yes.

The Hon. SHAOQUETT MOSELMANE: Yes.

The Hon. DUNCAN GAY: And yes, it is about those and the reason I am here was to talk about the signs in particular. I do not—let us be clear, I do not have a problem with the cameras. We put the signs there, it was part of a package and part of an undertaking with the community and I would hope, as I indicated earlier, that this may be revisited and at the very least, the signs go back on the vehicle and one at least afterwards. I personally would like to see the one before and the one after but there is new thinking that there may be a difference. It might be too hard of a decision to go all the way. Perhaps we take it in small steps. Look, none of us have not made mistakes. I have made mistakes in some of the things that we did and as I indicated earlier, these were good people. They are friends of mine. This is one of the few decisions that I disagreed with but they are in charge and that is why I kept very close counsel on this and have not said anything in the media, despite suggestions that I could and should.

Ms ROBYN PRESTON: Well I am sure the members here will keep your discretion.

The Hon. DUNCAN GAY: I wish I could be so sure.

The CHAIR: Well that concludes our public hearing for today. Duncan, thank you so much for taking the time out of your busy schedule for appearing today. I also thank all the other witnesses who appeared before the Committee. I would also like to thank the Committee members and the staff of the Department of Parliamentary Services and the Committee Staff for their assistance.

(Witness withdrew.)

The Committee adjourned at 16:12.