

REPORT OF PROCEEDINGS BEFORE

PUBLIC ACCOUNTS COMMITTEE

**INQUIRY INTO AUDITOR-GENERAL'S FOLLOW-UP REPORTS ON
IMPROVING ROAD SAFETY (HEAVY VEHICLES)**

At Sydney on Friday 29 October 2010

The Committee met at 10.15 a.m.

PRESENT

Mr P. B. Gibson (Chair)

Mr V. M. Dominello

Mr P. R. Draper

Mr N. Khoshaba

Mr J. H. Turner

CHAIR: I welcome the Auditor-General and his staff. I welcome also Mr Peter Wells, Mr Paul Hayes, Mr Jeffrey Simmons and Ms Alice Ma from the Roads and Traffic Authority.

PETER CHARLES ACHTERSTRAAT, Auditor-General, Audit Office, 1 Margaret Street, Sydney

ROBERT CAMERON MATHIE, Assistant Auditor-General, Performance Audits, Audit Office, 1 Margaret Street, Sydney,

PETER JOHN WELLS, Acting Director, Regulatory Services, Roads and Traffic Authority,

PAUL PATRICK HAYES, General Manager, Compliance and Enforcement Branch, Regulatory Services, Roads and Traffic Authority, 17 Argyle Street, Parramatta,

JEFFREY KEITH SIMMONS, General Manager, Safety Vehicles, Centre for Road Safety, Roads and Traffic Authority, 101 Miller Street, North Sydney, and

ALICE MA, Senior Manager, Road Toll Responses, Centre for Road Safety, Roads and Traffic Authority 101, Miller Street, North Sydney, sworn and examined:

CHAIR: I draw your attention to the fact that at this hearing, as at any other hearing, you are covered by parliamentary privilege. I welcome representatives from the Roads and Traffic Authority. However, I thought it would have been appropriate for the boss of the Roads and Traffic Authority to take a bit of time out of his busy schedule to appear today before such an important hearing, in particular, if regard is given to the fact that more people are being killed on the roads than were killed in all the wars in which we participated. I would appreciate it if that information was passed on to your boss. Mr Wells, would you like to make a brief opening statement?

Mr WELLS: I would like to make a few general points to assist the Committee in putting the issues of heavy vehicles and road safety into some perspective. Firstly, the broader context is that we regulate heavy vehicles, with some assistance from NSW Police, which obviously has operational capacity. We also do work with a range of other agencies on specifics, such as the sale of vehicles, or the environment agency in relation to other controls. The quite sobering context for us is what we refer to as heavy vehicles freight tonne kilometres, which is growing strongly in New South Wales and indeed across Australia. For us to hold the tide in the road toll involving heavy vehicles is a significant challenge, let alone to make gains.

I note your earlier remarks that the road toll is a very important topic for the community, and we take it very seriously. We have in place a mix of different tools. We have just short of 300 vehicle inspectors in field operations acting in a wide variety of roles. We have technology deployed, whether it be Safe-T-Cam, speed cameras or other things. Our other significant tool is chain of responsibility legislation, which is really designed to look at the root of safety performance of heavy vehicles through the chain. It might be the loader, or the consignor, because often the driver of the transport company is the front person who really cops it. We want to have a healthy industry, and the chain of responsibility assists with that.

CHAIR: I was chair of Staysafe when that was introduced. Peter, would you like to make an opening statement?

Mr ACHTERSTRAAT: Yes, thank you, Chair. I would make a couple of brief points. As part of this audit, I visited one of the Mount White safety inspection zones. I must say I was very impressed with the commitment and the approach of the staff there. I guess the response, on paper, from the RTA in relation to our recommendations suggests that a lot of research and reports are being done. Hopefully, the next step will be actual development of things, although it may be that things have been done since the report came in.

Our concern relates primarily to Safe-T-Cam. The RTA has, we believe, done a great job in reducing accidents from fatigue and condition of trucks, but we were most concerned about the issue of speed. As the report indicates, the number of heavy vehicles as a percentage of all vehicles on the road is roughly 2 per cent, but the proportion of accidents involving heavy vehicles is a lot higher than that.

CHAIR: How high is it?

Mr ACHTERSTRAAT: I think it is about 22 per cent, but I would have to have that checked. Also, on the number of fines relating to speeding trucks, RTA research tells us that 47 per cent of trucks are speeding, yet the number of fines relating to speeding trucks, as a percentage of trucks, is considerably lower than the number of fines relating to speeding cars. There may be reasons for that. We welcomed the announcement by the Minister a couple of days before my report was issued that the Safe-T-Cam was to be used in 20 locations across the State over the next couple of years. But, having said that, there have been announcements since 2005 that these sorts of things were going to be done. I appreciate that the RTA has a lot of conflicting priorities and that it has to work out the best way to use its limited resources. Focussing purely on these issues, I am hoping there will be a lot of progress shortly.

CHAIR: The RTA noted that the Minister announced 20 lengths of road where point-to-point systems will be installed, at a cost of \$16 million, with \$2 million in annual maintenance. My first question is: How many of those point-to-point systems are now operational?

Mr WELLS: I might clarify, in relation to Safe-T-Cam, that there is a Safe-T-Cam network throughout New South Wales and that a system known as point-to-point, as Mr Achterstraat mentioned earlier, measures the average speed between two points. Twenty of those were announced by the Government, and more recently the Picton Road location was also announced, making 21 in all. Two of those are operational.

CHAIR: When were they first announced?

Mr WELLS: I would have to check the date. It was in relation to the road toll response package, and that would have been some months ago.

Ms MA: The toll response package was announced in March this year, and Picton Road was added to the cameras a few months after that.

Mr WELLS: So the answer to the original question is that they are now operating at two sites: on the north coast, in the vicinity of Grafton, and in the Central West, in the vicinity of the towns of Raglan to Meadow Flat. We plan to roll out the other 19, one by one, from here forward.

CHAIR: Over what period?

Mr WELLS: Over the next two years. The locations are being chosen in relation to known areas of raised risk of crash for heavy vehicles. There are a number of site logistics for us to work through. You could well imagine we have to find power and communications, who exactly owns the land and so on.

Mr VICTOR DOMINELLO: Within two years, you are going to have 21 of these operational, and you know the sites.

Mr WELLS: We know the lengths. The exact position of the sites we work through one by one.

Mr VICTOR DOMINELLO: When will you know those?

Mr HAYES: There are nine sites currently under construction. Three are in the planning and design phase at this stage. All of the sites, or at least the lengths themselves, already have been determined. The specific location for the equipment, et cetera, is still under development in a number of cases because there are a number of factors to be considered there in terms of the optimum positioning.

Mr WELLS: I might point out, if it assists the Committee that point to point is an interesting technology because it is an average speed measure. The two things we are measuring are the exact point and the distance to the next point and the time. The speed is a calculated measure. We know from research in other countries that that is very important in really sending a message to industry that there is really no point in speeding. You can hurry along for a bit, then you have to slow down otherwise your average speed will lead you to get caught. So we think it is a very important tool, as we know from overseas.

Mr VICTOR DOMINELLO: Mr Wells, within two years we will have 21 of these in operation?

Mr WELLS: Yes.

Mr VICTOR DOMINELLO: Do you know how many people have died as a result of heavy vehicle accidents in the last 12 months?

Mr WELLS: We measure it by a calendar year.

Mr VICTOR DOMINELLO: No. Do you know? Do you know how many people have died as a result of heavy vehicle accidents in the last 12 months? Does anyone here from the RTA know how many people have died as a result of heavy vehicle accidents in the last 12 months?

Mr SIMMONS: I can answer that. In 2009 there were 56 fatalities associated with heavy vehicles, but I would stress that it is not necessarily in, or because of, the heavy vehicle. Some of those will be pedestrians or occupants of other vehicles involved in a crash.

Mr VICTOR DOMINELLO: So it is 56 lives in 2009?

Mr SIMMONS: Yes.

Mr VICTOR DOMINELLO: Who is in charge of the RTA these days?

Mr WELLS: Michael Bushby.

Mr VICTOR DOMINELLO: Does Michael Bushby know that there have been 56 deaths?

Mr WELLS: Absolutely. The road toll—

Mr VICTOR DOMINELLO: Is he aware that there is a hearing here today?

Mr WELLS: Yes, he is.

Mr VICTOR DOMINELLO: What is the reason he could not attend?

Mr WELLS: For the details of matters that I believe will come up, I hope we are able to assist the Committee. I certainly take note of the Chair's earlier comments.

Mr VICTOR DOMINELLO: I am sorry, I did not hear. What is the reason he could not attend when we are talking about so many lives of our fellow Australians being lost each year as a result of heavy vehicle accidents? I would like to know.

CHAIR: Mr Wells, from our point of view, you are quite welcome to assist, we would rather talk to the butcher than the block.

Mr VICTOR DOMINELLO: Absolutely. I am furious about this.

Mr WELLS: I certainly hear those comments. We will actively assist the Committee, and I hope we will provide the necessary information, but I will also—

CHAIR: Can I ask you another question? How come there are only two that have been rolled out there now?

Mr WELLS: We have an active construction program. The logistics of installing these—

CHAIR: You could nearly build an opera house in that time.

Mr JOHN TURNER: When was Safety-T-Cam first announced?

Mr WELLS: Safety-T-Cam commenced back in 1994 and has operated ever since.

Mr JOHN TURNER: Since 1994, and you have one active site?

Mr WELLS: Hang on a second: there may be some confusion. The Safety-T-Cam network commenced operation back in 1994. It remains operational. For the point-to-point lengths, we are following the announcement that the Government alluded to in March, I have been reminded—

Mr SIMMONS: Yes.

Mr WELLS: —and we are rolling out according to the timetable

CHAIR: What is the hold-up in rolling them out? We are talking about a set area. It is not rocket science.

Mr WELLS: No. We are certainly not delaying in any way. We are moving on to construct them. Just to give you a feel for some of these—

CHAIR: I am sorry to butt in, but can you tell us why there are only two? It is no good telling us about the construction and all the rest of it. In seven months we have been able to put only two out there?

Mr WELLS: Yes. Essentially we construct them sequentially, several at a time. As Mr Hayes mentioned earlier, we have a number in planning and construction. We have got, as you may imagine, a schedule for how they are being constructed so we are certainly not delaying. There are significant works to do and design, site by site. We have to consult with the landholders. We are certainly proceeding as per normal to roll out the sites.

CHAIR: You still have not answered. If you have put them in 110 kilometres an hour zones, how can you tell whether it is a truck speeding or a car speeding? The trucks cannot do more than 100 kilometres an hour.

Mr WELLS: That is a very good question. We have the technology where, firstly, we can try to work out the population of vehicles. You can imagine that whether it is a heavy vehicle or a light vehicle, we need to sort out for each incident. For the speed zones, it may cross several speed zones, so the distance has to be measured but also the speed may vary. We need to have a calculated speed, a theoretical speed limit exactly, over that length: what is the shortest possible time they could achieve it in. Then we can calculate the speed if they get there earlier for those speed zones that may apply.

Mr ACHTERSTRAAT: Mr Gibson, if I can just clarify something: when you said that seven months ago it was announced, our report came out 18 months ago. The press release of 4 May 2009 states:

[The] Minister ... today announced the introduction of point-to-point speed cameras for heavy vehicles to reduce the number of deaths and injuries on major highways around the state.

[The Minister] said the point-to-point system, which has been successful overseas, would be introduced on 20 stretches of road ...

Overseas studies show point-to-point enforcement can reduce the rate of casualty crashes by around 50 per cent.

"We'll be targeting roads in rural areas including the New England Highway and the Newell Highway."

I think you said seven months ago, Mr Chairman. That was 4 May 2009.

CHAIR: I was only going on information given to us.

Mr ACHTERSTRAAT: Sorry. I just wanted to explain that.

Mr VICTOR DOMINELLO: So it was 18 months ago that this was announced, and we have only had two in operation since that. Is that correct, Mr Wells?

Mr WELLS: There are two in operation today.

Mr VICTOR DOMINELLO: It has taken you 18 months since the date of the announcement to put it in operation. Is that correct?

Mr WELLS: Yes. The road toll—

Mr VICTOR DOMINELLO: Who is responsible? Who is responsible for overseeing this?

Mr WELLS: I am responsible for the program.

Mr VICTOR DOMINELLO: Why is there such a delay?

Mr WELLS: We have to design the sites one by one, source equipment and material, and let tenders for people to operate the system, so we are proceeding with that. I appreciate your concern about the time, but in relation to—

Mr VICTOR DOMINELLO: Hold it. Does it take 18 months? You have had tenders in the field. You already have two in operation, so you have the machinery in place to get the two up. Why is it taking 18 months to put two in place? You had better give me a pretty good explanation because short of gross incompetence it smacks of a disgrace to the lives that have been lost, and the lives that will be lost, unless you guys do something about it, and quickly. So give me an explanation, please.

Mr WELLS: I understand your concern. I might make general remarks and then ask Mr Simmons to add. But firstly in relation to exactly where we place the length that is not straightforward. You can imagine there are different roads and speed zones. Early on we did some thorough analysis of accidents and crash statistics on where to place the lengths. I think we have been reasonably diligent in doing that so that the lengths make sense where the risk really is.

CHAIR: Where was the first one you put in?

Mr WELLS: The first one is on the North Coast in the vicinity of Grafton. The precise location is New Italy, as it is known locally, to Harwood.

CHAIR: On the Pacific Highway?

Mr WELLS: Yes, that is right. Mr Simmons, did you want to add to that?

Mr SIMMONS: I would just like to comment on Mr Dominello's comment. The 18 months is from when the Auditor-General released the report recommending point to point. The RTA has worked with government to get the appropriate legislation as well as Mr Wells, as part of the organisation, identifying the technology and the location of where the best benefits will be achieved from these. But the Government's announcement of the road toll response package in March and then the specific announcement by the Minister that point to point would become a tool to be used by the RTA to combat heavy vehicle speeding was made in May. We have not had an 18-month delay. It has been since March this year that funding was approved for this program.

CHAIR: Can I rectify something? It is not the Auditor-General. It was the Minister who announced it in the House 18 months ago. It is not the Auditor-General's report. Would you like to comment?

Mr ACHTERSTRAAT: I am interested just to take that on. I mean, the press release was on 4 May 2009.

Mr SIMMONS: My apologies.

Mr ACHTERSTRAAT: The press release stated:

[The] RTA estimates showing ... the new system is expected to cost ... \$5 million a year to run ...

"The new system will require some changes to the legislation, so it's our aim to get it through parliament as quickly as possible, with all 20 sites to be operational within two years."

The press release that I have was dated 4 May 2009.

Mr VICTOR DOMINELLO: That said, the Minister said that within two years we would have 20-odd in operation.

Mr ACHTERSTRAAT: That is what the press release says.

Mr VICTOR DOMINELLO: We have two in operation and nobody has yet given a decent explanation or a plausible explanation to me, to the people of New South Wales or to the families of the 56 people who have died as to why we are 18 months behind. Somebody please give me an explanation so that I can go out there and tell people. One family, for example, that just died on Victoria Road as a result of an accident—sure, it was not heavy-vehicle related. You have to start focusing. Please give me an explanation.

Mr WELLS: I understand your concern and I share—

Mr VICTOR DOMINELLO: No, it is not concern. It is anger. I was concerned a long time ago. This is anger. Please give me an explanation.

Mr WELLS: In relation to the program there is work, if you like, disproportionately up front in relation to legislation and letting tenders. The rollout itself, the physical works, is faster and more towards the end of that program. We are certainly proceeding apace where we want to roll them out, I can assure you, and we look at the statistics very closely and we are certainly keen to proceed with the program, so please, while I understand your comments—I have certainly heard them—we are proceeding and want these systems in place.

Mr NINOS KHOSHABA: Earlier you mentioned a number of factors to get these Safe-T-Cams operating, and one of them was design. You mentioned that first you had to design it. You have 20 sites that are supposed to be put in. Do you design them one at a time or are all 20 designed at the one time? It seems like we are only designing one site at a time and then moving on to the next one.

Mr HAYES: If I can respond to that, each individual location has its own individual challenges in terms the number of individual lanes, et cetera, that have to be covered and the comprehensive nature of that coverage that needs to be there to make sure that these systems are a full and comprehensive deterrent for the heavy vehicles. For that reason each individual one may have one, two, three lanes and the design, both from the technological point of view and the systems point of view, has to be unique, and that does create a considerable amount of complexity. The systems that are available from off the shelf, you might say, in other countries are not deployed in environments of this sort and are actually somewhat restrictive so a special development has had to be done in regard to our particular needs in New South Wales.

Mr JOHN TURNER: Have you talked to Victoria, which has point to point?

Mr HAYES: In Victoria, for example, there is only one singular type of motorway with one direction. The sites, for example, that have been selected from the priority point of view here in New South Wales are bi-directional roads and as I say different basically technical environments and different issues have had to be addressed. That is not an excuse. I am just saying that that is one of the major complexities.

Mr VICTOR DOMINELLO: Who briefed the Minister 18 months ago when he made this grandiose announcement that he would be able to achieve this outcome within two years? What information did he rely on in order to make this promise, this commitment to the public?

Mr WELLS: In relation to that period of time I remember in general terms but perhaps not precisely, I can certainly assist you with my recollection, which was I think as you characterised earlier, there is obvious fundamental concern around the road toll and heavy vehicles in particular and the need to get on with it. The 20 lengths as it was at that stage, it was around particular lengths that were of significant concern. There was the F3, the Newell Highway—

Mr VICTOR DOMINELLO: Sorry to interrupt but you are not answering my question. At the time that the Minister made that announcement, that promise that he would deliver 20 of these operational within two years did he rely on information from the RTA that said to him, "Minister, we can get 20 operational within two years"? Or did he just pluck the figure out of the air?

Mr WELLS: No, that was information from the RTA.

Mr VICTOR DOMINELLO: You obviously did some analysis internally that suggested to the Minister that he could go out to the public and say, "I'll get 20 done". So at that point you already knew that you had the capacity to do 20 within two years; otherwise the Minister would not have said that. Correct?

Mr WELLS: Yes, as you have phrased it, that is correct.

Mr VICTOR DOMINELLO: Again, where is the delay? What is the cause of the delay? You obviously knew at that time that you could deliver 20, otherwise you would not have made that promise, and you have come up with two. I think it is a disgrace.

Mr WELLS: I might assist in general terms and a couple of specifics, if that helps the collective understanding. I can assure you we are proceeding and the rollout speed will be, by definition, more sites towards the end of the two-year period. We have got legislation and site rollout work to do that is, if you like, front-end loaded in that project. The other thing that is critical is that, without casting any aspersions at all on Victoria, they have had significant media coverage recently in relation to point to point. While we take no delight at all in seeing that, we have been doubly and triply certain to make sure that our system will stand the scrutiny of active challenges in court. We need to make sure that it is absolutely precise and we can depend on it, and there is a range of things we have to design and they will be taken—

Mr VICTOR DOMINELLO: Then why did you tell the Minister that you could deliver 20 in two years?

Mr WELLS: We will deliver 20 in two years. We are still in that period.

Mr PETER DRAPER: When the design work is completed on one particular area, how long does it take to install the technology once you have got to that place?

Mr WELLS: If I understand your question, once we have done the design work—

Mr PETER DRAPER: Once the design work is completed and ticked off, how long does it physically take you to install it?

Mr WELLS: A typical site, if I use the Raglan to Meadow Flat example, that was in the order of two months to physically install.

Mr HAYES: I would say a period of approximately 12 weeks end to end.

Mr PETER DRAPER: So three months from starting.

Mr HAYES: Yes.

CHAIR: You can build a house nearly in that time, and you are telling me that technology takes two months to put in?

Mr WELLS: In relation to the site installation, we have to make sure that we install all the equipment safely, not only for the staff doing it, whether they be government or private contractors, but also that we do not create any road hazards long term. So while I appreciate what you are saying, we do that very carefully. As you can imagine, we would be immediately criticised if we created a fresh road safety problem from seeking to fix one.

CHAIR: The public probably would not agree with you, if you drive down a stretch of road and you have three different speed limits within a kilometre. You have not worried about that in the future so why would you be so concerned about it now?

Mr WELLS: The sorts of site issues I am referring to, we might need to do an Armco railing to protect the gantry so that people do not run into it and face that extra hazard. We might need to install services under the roadway, run telephone lines that do not exist and even purchase land on some occasions.

Mr PETER DRAPER: I was trying to determine the amount of time and you are saying either two or three months.

Mr WELLS: Yes, and it varies by site. You would understand some sites are more complex by ownership or services but I think that is indicative.

Mr PETER DRAPER: You mentioned that you believe that you will achieve the 20 by the end of the two-year period. So that is another 18 in the next six months, and you are telling me it takes two to three months to do one.

Mr WELLS: We have concertinaed work schedules so we are proceeding with that. I have not reviewed the schedule prior to coming here but we are working around that timetable.

Mr VICTOR DOMINELLO: I want to follow up on that point as well. When is the deadline that you are committing to, that two-year period? When do you say that is? I just want to make it very clear for this Committee and for the rest of the New South Wales public. When is that deadline?

Mr WELLS: I understand. If you would not mind giving me a moment.

Mr VICTOR DOMINELLO: No, by all means, this is important.

CHAIR: While you are looking for that we might clarify, if you could send us a copy of the schedule that you will have it completed in six months. We would appreciate that greatly.

Mr VICTOR DOMINELLO: I would like to have an answer though.

CHAIR: I know. I am just filling in time.

Mr WELLS: With respect, I would not mind taking that on notice and I can provide that information.

Mr NINOS KHOSHABA: Going back to my earlier question about design, how many of these Safe-T-Cams have finished the design stage?

Mr HAYES: As I said, the nine that are currently under construction have been fully designed.

Mr NINOS KHOSHABA: To put it in simple terms, if I was the owner of a large building company and I had 100 customers who wanted to build a home all at the same time—they are all ready to go, and time is of essence because they want their houses completed quickly, otherwise they are paying interest or rent while they are waiting for their home to be built—I would ensure the designs, whether it be through an architect or whatever, and if I did not have the people in-house to do all of them at the same time I would look outside.

I would ensure that I would get those projects up and running as soon as possible because it would be more viable for myself, my company for instance. I am talking about a bit of inconvenience and extra money. But what this Committee is talking about today is the lives of people. Why have they not all been designed and worked on at the same time? It sounds as though you have had plenty of time to design them all. If the work is commenced or it is half-way through is another question.

Mr WELLS: I understand what you are saying. We have a range of different contractors we use to deliver jobs, pretty much along the lines you have described. We have our own engineering and work staff and we also contract work out so we use a cocktail of approaches. I will also give you the context. We are obviously concerned about road safety and heavy vehicles in particular. It is not as though that is the only thing we are doing. We have many activities underway. We have a range of schemes whether it be checking heavy vehicles annually, through to chain of responsibility investigations. So while I understand the issues raised today in relation to point to point, we have a cocktail of measures and we put, if I can politely describe it, significant pressure on the industry.

CHAIR: We will get onto some of those as we continue.

Mr ACHTERSTRAAT: I want to clarify a couple of dates for the Committee. It was 4 May 2009 when the Minister indicated that they will introduced within 2 years and targeting the rural areas, including the New England Highway and the Newell Highway. That deadline may or may not have been modified. The reports were in November 2005 when, in a press report which may or may not be accurate, the then Chairman of the New South Wales Parliamentary Staysafe Committee said:

The RTA confirmed yesterday it had installed technology that can monitor the average speed of cars as motorists cruise the State's highways.

The Chairman of the NSW public Staysafe Committee said he would back the introduction of point-to-point cameras. "I think it is a good idea", he said ...

There is no doubt the RTA could quickly extend the equipment to others. With one camera system already in place in Albury, motorists driving from Victoria to Queensland would have their average speeds checked over the entire journey.

That is reported in a newspaper. The press release of 24 May makes it clear that action will be undertaken by, I would imagine, 3 May 2011.

CHAIR: I had forgotten about that but that was the case in 2005 on information given to me by the Roads and Traffic Authority.

Mr JOHN TURNER: I have been a member of Parliament a long time and I have never believed in shooting the messenger, and that is why this Committee is very cranky that your boss is not here. I also spent some time as shadow Minister for Roads and with due respect—I am not attacking you, but the system—I have found that the RTA has always had its own agenda, irrespective of whatever might be the agenda of the Minister or the Government, and this smacks of it right down the middle of the line. In this instance the Minister has made a comment, a statement, an undertaking or a promise and the RTA has simply said it will do it on its terms. I have seen that time and time again with Ministers and the RTA. I would suspect, I do not know, that a letter may be sent to your boss requesting him to come to the Committee and outline why he has basically—although there is still six months—thumbing his nose at the Minister's directive.

Mr WELLS: If I might respond to give you the sense.

Mr JOHN TURNER: It is probably rhetorical, but you can respond if you wish.

Mr WELLS: Merely to assist the Committee. Please do not read any disrespect whatsoever in relation to Mr Bushby not being here. I certainly apologise for any misunderstanding or concern you might have. We certainly do not read that there is any, if you like, either lack of concern or lack of motivation on our part. We are very committed to serving the Minister and government of the day. Certainly in terms of our program we follow very carefully ministerial wishes, demands or directives. We absolutely follow those. Certainly I can personally give you the sense that we drive that very hard within the organisation. My personal feeling and observation is that the driver for us is to follow carefully what has been agreed and ensure we deliver it.

CHAIR: I can remember many years ago when the RTA would appear before the Staysafe Committee on many occasions. Many times we ran into the same situation we are facing today. It is like hitting a ball against the wall and it just keeps coming back. I can remember that the Committee got so frustrated that I barred the RTA from appearing before the Staysafe Committee for six months until it was prepared to come back and be fair dinkum and tell the truth. This Committee is trying to do the best it can for everybody in this State. We are not playing politics—we are all from different political persuasions. But we can only deal with facts and if somebody keeps feeding the Committee lines all the time we are wasting your time and you are wasting our time.

Fatigue has been referred to and you may be able to answer this. To meet their trip schedules, yet still comply with NSW regulations, truck drivers have to take a rest. This has led to some very interesting realities. First, many drivers coming from Queensland into New South Wales have to travel up to three hours past the New South Wales border to find a place to stop and rest, despite already being tired as they crossed the border. This is apparently due to truck rest areas in New South Wales filling up quickly because they are too small. Many drivers coming from Melbourne and Victoria to New South Wales make sure they travel to the first safety camera site in New South Wales before they stop and rest to comply with New South Wales regulations, regardless of how tired they are, regardless of how many kilometres they have travelled. New South Wales and South Australia are the only States with safety camera. What has the RTA done to alleviate those circumstances, if anything?

Mr WELLS: You have made some excellent points. Firstly you are correct in saying that New South Wales and South Australia share safety camera which gives us excellent benefits. Both we and South Australia have a lot of intelligence around particular truck movements or companies that have bad practises. A number of times we have sought to encourage both Victoria and Queensland to install safety camera and you correctly say that we certainly have concerns where a driver will seek to extend a journey to make sure they get passed the first safety camera gantry. That is obviously an undesirable scenario. We work closely with the other States. We

are very hopeful that as part of the national heavy vehicle regulator reforms that may be a very good opportunity to get Victoria and Queensland on board with safety camera and we press that at every opportunity.

In relation to fatigue that is obviously a significant concern for the trucking industry broadly. Some of the practises that we find by way of either discovery or investigation are quite alarming. The whole logic of the chain of responsibility legislation is to ensure that an individual driver is not put under very nasty commercial pressures. There are common stories we hear that drivers are instructed to get to a point—it might be the Brisbane markets—by say, 6.00 a.m. and they might payment in the order of \$500 for the journey but only get perhaps as low as \$200 if they are there by a certain time of the morning. Any of those practises are very alarming and dangerous. We use chain of responsibility legislation to ensure that we have got the right tools to work back up the chain, and who giving those messages whether it be supermarkets or timber companies or car relocation companies, whoever they might be.

CHAIR: I will move to fixed speed cameras. The RTA submission says that the recommendation of fixed speeding cameras being able to detect all speeding offences by heavy vehicle drivers is met by the RTA. You said at the time in the report that this was unable to be implemented. Why? Are fixed speed cameras being used to detect speeding drivers of heavy vehicles?

Mr WELLS: Yes. Firstly, apologies if there is any confusion on this and please, if I am not making it clear, stop me. We have a wide range of speed cameras throughout New South Wales—172. There is a single speed camera in a 110 kilometre-an-hour zone at Ourimbah. All cameras operate for all vehicles. The difficulty we have at Ourimbah is seeking to distinguish heavy vehicles. Heavy vehicles are defined by weight—4.5 tonnes. That is difficult to determine on camera. We want to keep an eye on that, whether there may be additional cameras in 110 kilometre-an-hour zones, but we need to address this regardless. It seems obvious that we want to slow vehicles down on the F3, where it is probably well known to this Committee that there have been significant accidents and risks. It seems obvious that a point-to-point link somewhere along there would be a very good solution. Some truck drivers take a cynical view of speed cameras and slow down only at that point—indeed some light vehicle drivers—and we want to put in place a broader solution. We think point to point will give us more benefit at that length and there is work underway for that.

CHAIR: What about transportable infrared traffic loggers? Are they being used?

Mr WELLS: They are. Can I ask the Committee, before I expand on this, if it would not mind—I am concerned some of the technology could be used. If it was known to truck drivers, they could misuse that information, so while I am happy to expand on it, I would ask that it be in closed—

CHAIR: The transcript of proceedings will be a public document. I have been advised by the Committee clerk, however, that you can give part of your answer *in camera*.

Mr WELLS: Am I able to give that *in camera*, sir?

CHAIR: Yes.

[Committee resolved to take the evidence in private.]

[The Committee resumed taking evidence in public.]

Mr ACHTERSTRAAT: I agree with Mr Wells that the majority of the people in the industry I think are committed to doing the right thing and there may well be a handful of people who we need to address. In relation to fixed speed cameras, as I indicated, if 2 per cent of the vehicles on the road are heavy vehicles, there are 600,000 infringements given to speeding cars, but only 2,000 infringements to speeding heavy vehicles, so Mr Wells is absolutely correct that more needs to be done. That shows that heavy vehicles are not speeding, and I think that is contrary to the Road and Traffic Authority's independent research, but it also supports what Mr Wells was saying, that more needs to be done in relation to managing these errant minority drivers.

CHAIR: For the Committee's clarification, we keep talking about heavy vehicles, but heavy vehicles are not just big trucks and B-doubles. Seventy per cent of the freight task in this State is carried by trucks that would not be classified as B-doubles or heavy vehicles. Are they included in this 2 per cent? If they are not

included in the 2 per cent, where can we get a figure for the majority of freight that is carried, which is not in B-doubles or heavy vehicles?

Mr WELLS: They are included. The heavy vehicle definition is by weight, so for instance a fixed rigid truck would be included. The majority of what you would see on the road or a typical semi-trailer would all be classed as heavy vehicles.

CHAIR: So a rigid truck that a builder might be driving around would also be classified as a heavy vehicle?

Mr WELLS: Yes. Some of the very smallest ones are not classed as heavy vehicles, but the vast majority that you see on the road—and tabletops—are classed as heavy vehicles.

Ms MA: Any vehicle where the gross vehicle mass is above 4.5 tonnes is considered to be a heavy vehicle.

Mr ACHTERSTRAAT: We use the same definition, over 4.5 tonnes.

Mr NINOS KHOSHABA: With regard to point-to-point cameras, what is the average distance?

Mr WELLS: The length varies significantly. The lengths that we are currently looking at vary from 2 kilometres up to approximately 80 kilometres. It is very interesting how we might choose that. The shorter the length in one regard, the easier it is to get an average speed that would be illegal. The countervailing pressure is that if we have a long length that protects a long distance of road, so it is really to assess site by site what is an intelligent choice between those two parameters.

Mr NINOS KHOSHABA: Whilst I support the technology, if you have one that is 80 kilometres long, it would not stop the driver from pulling over to a rest area and having a cup of coffee or sandwich, and then taking off, so he has literally sped the whole way but because he has taken a five-minute break it has brought his speed down.

Mr WELLS: Yes. You raised an interesting point. Almost bewilderingly, from our point of view, heavy vehicle drivers speed to a point and then take a long break. The obvious message, if you like, is that that is particularly annoying and stupid. Why would you not drive more evenly and take a modest break? It comes back to the culture in the industry. There are still practices whereby some companies or some vehicles owners do not value safety highly enough. There is a chain of responsibility. We have to target that and put significant pressure on the industry. We are getting good results in spreading the pressure positively across a range of parties, whether they are ports and container entities, grain entities or steel delivery, where we have these bad pressures and often a poor culture amongst some drivers. It is a frustrating scenario. We certainly see that as you have described.

Mr NINOS KHOSHABA: Perhaps I could answer that question for you. If your employer puts you under a lot of pressure and says, "You have to be here within an hour" and you want to take a break, you might think it was okay to speed a bit and take a five-minute break to have a sandwich, a smoke, or whatever you wanted to do. Sometimes drivers are put under pressure and they are forced to create their own break, if that makes sense.

Mr WELLS: You are right. I guess that is the point of the chain of responsibility legislation. I reiterate that often the driver is the economic weak point. Sadly, if a driver in this industry mucks up he will simply get the sack, they will find another driver, and the bad practice will continue. The obvious root cause of that is the company owner who is putting those sorts of pressures on the driver, or perhaps the person receiving the deliveries.

Mr NINOS KHOSHABA: Going off track for a moment, a few months ago the Minister and I met with Lindsay Fox and we talked about electronic diaries. I think that is a great way forward that would complement these safety cameras.

Mr WELLS: Yes.

Mr NINOS KHOSHABA: What has been done?

Mr WELLS: Currently some work is going on in relation to that topic. There is a project relating to electronic work diaries. Happily, New South Wales is leading the country and is running a trial that will become national. Currently, the paperwork diaries are a critical tool as they are a record of the journey. Obviously they cost money and they have to be carried by the drivers. We have ongoing problems with either false records or records being destroyed. Obviously there are penalties for that. One of the natural reforms that would appear to make sense to a number of parties is electronic work diaries—the point that you just raised.

We had the first meeting of all the States at which we discussed how we would roll out that trial. By definition, we will need legislation just to run the trial and we will need the cooperation of all the States. The first meeting was very pleasing indeed. All States attended, phoned in, or had representatives who are following up this issue. We hope that will be one of the next waves of reform.

Mr VICTOR DOMINELLO: I wish to ask you about intelligent speed adaptation, or ISA. Do you know anything about that?

Mr WELLS: In general terms Mr Simmons is certainly familiar with that.

Mr VICTOR DOMINELLO: Has the Roads and Traffic Authority investigated piloting something like that in New South Wales?

Mr SIMMONS: The Roads and Traffic Authority recently released the results of the intelligence speed adaptation, or ISA trial, which was conducted over the past two years in the Illawarra region. More than 100 vehicles were fitted with these devices. As well, we had a data logger which was used to track the location and speed of the vehicle, and we compared it to the effects of the ISA device in modifying the behaviour of the drivers. Our results show that if this technology was deployed in all vehicles in the New South Wales fleet we would see more than an 8 per cent reduction in the road toll, which translates to at least 35 lives. The technology is available now through mobile GPS-based navigation devices, but they use a map that is installed on the device, which might well be out of date.

If the speed zone changes, or if the speed zone was not accurately mapped, that device could be giving a false reading to the driver. The technology that the Roads and Traffic Authority is promoting has a live database. We implemented a speed zone management system throughout the State. If any speed zone is varied, such as the rezoning of a road, changing the speed zone in the database creates a work order for the posted signs to be replaced at the roadside. It also updates the data that goes out to these devices in people's vehicles, so it becomes an immediate response. This is an advisory system. One of the findings was that younger drivers—those who are under the age of 25—tended to make comments such as, "It was annoying that it went off too often", and they would have to drive with the beeping noise going off.

The whole aim of the device is to discourage speeding, to advise drivers when they are exceeding the speed limit and to encourage them to slow down. A lot of work is still required in behaviour modification. We are not at a stage where the device can be used to limit the speed of the vehicle. There were recent issues in the United States around Toyota in particular where the vehicle has accelerated unexpectedly. We cannot put in a device that will interfere with the control of the vehicle's engine.

Mr VICTOR DOMINELLO: No technology exists to limit the speed at which a vehicle can travel?

Mr SIMMONS: Not for the actual vehicle. There is a speed limiting device on heavy vehicles over 12 tonnes gross mass which will restrict their speed to 100 kilometres an hour. But there is no device that restricts the speed to the posted speed zone in which a vehicle is travelling.

Mr VICTOR DOMINELLO: Does the technology exist in relation to heavy vehicles?

Mr SIMMONS: To limit the top speed of the vehicle, yes.

Mr VICTOR DOMINELLO: As a reasonably new member of this Committee I am interested in this topic. Have there been any discussions relating to the implementation of these devices on heavy vehicles in New South Wales?

Ms SIMMONS: On heavy vehicles?

Mr VICTOR DOMINELLO: We are talking about all these things. As Mr Khoshaba accurately pointed out, even point-to-point cameras have faults. You can always go to court and have as your defence, "I had a long coffee break." This type of device strikes me as being a silver bullet, to use the words used earlier by the Chair.

Mr SIMMONS: We believe it will represent a silver bullet but the technology is not sufficiently mature for it to be deployed at this stage. As I said earlier, we have led the nation with the largest trial conducted outside Sweden. The results of that trial have been considered by a national working group on intelligent speed adaptation. The Roads and Traffic Authority is participating at every opportunity to bring about the maturation of this technology.

Mr VICTOR DOMINELLO: I thought you said that technology exists in relation to heavy vehicles.

Mr SIMMONS: A speed limiting device is required to be fitted to all vehicles above 12 tonnes gross mass. That limits their speed to 100 kilometres now. If the vehicle travels at a speed beyond that, the device is deemed not to be working properly. Not only is the driver subject to a fine; the operator of the vehicle is also subject to a hefty penalty for failing to maintain the speed limiting device.

CHAIR: You are talking about a clayton's ISA. Fourteen years ago I went to Europe. I tried to get the Roads and Traffic Authority to go there 10 years in a row and it would not even look at the ISA. Most of Europe will be using this system before we even blink. I have been to Detroit where Ford is ready to put motor cars on the road with ISA. Holden headquarters is ready to put ISA in its motor vehicles. I have been also to Sweden. We participated three years in a row in trials in Europe. Rather than running a trial 14 years down the track why did the Roads and Traffic Authority not go overseas and have a look at the ISA?

I am not talking about bells ringing in cars. Either you fully implement ISA or you do not. At present anyone buying a motor car that has ISA cannot exceed the speed limit. There are no bells, whistles or warnings or anything like that attached to a vehicle; it just will not exceed the speed limit. Fourteen years ago, when we first looked at the ISA, it cost about \$257 per vehicle. After 10 years of trying to get the Roads and Traffic Authority to have a look at the ISA, I gave it away. The trials in Europe have been conducted and it is ready to go that way. Today we are talking about putting a de facto type ISA in a motor car so that if you travel too fast it will ring a bell or something. You have to be kidding! We are so far behind the times, even on this issue, that it is not funny.

Mr SIMMONS: The issue to make the ISA system work effectively rests with the speed zone mapping.

CHAIR: That is right.

Mr SIMMONS: The Roads and Traffic Authority has led Australia in a system to map that. We are leading a national program to have uniform mapping. I met with chief engineers from Holden, Ford, Mercedes Benz and other companies in Australia. Like us, and like you, they are keen to see the implementation of this technology. However, at this stage the appropriate national data map that is constantly updated is the limiting factor. Everything has to work in conjunction with that. We need a system that is guaranteed and that will not fail, and we need the mapping data to support it.

Mr VICTOR DOMINELLO: Can you not just do it in New South Wales?

CHAIR: No, you cannot. If you go interstate you will not be covered by the legislation. It is good to see that we are moving down that track. If we had moved down that track 14 years ago all these problems would have been solved and we would now be driving with ISA. If a father went down to a motor vehicle showroom where one vehicle had ISA and the other did not I know which vehicle he would buy for his kids. This issue is akin to the 50-kilometre speed limit issue that the Roads and Traffic Authority opposed for years. It will bring itself in.

Mr VICTOR DOMINELLO: Who is responsible for doing the mapping? Is it the Roads and Traffic Authority?

Mr SIMMONS: The Roads and Traffic Authority has mapped the roads in New South Wales. There are 186,000 kilometres of road, for which mapping is required. We have determined the location of each speed zone. That is now being geo-referenced, or spatially referenced, in the data map so that the length of road to which that speed zone applies is able to be read by these devices.

Mr VICTOR DOMINELLO: Are you saying that for the 99.9 per cent of those who drive in New South Wales at any given time, from the RTA perspective, the technology is definitely ready to go?

Mr SIMMONS: The technology is. We are working with a number of companies to develop a smart phone application. To be able to roll this technology out as fast as possible, we intend to develop a smart phone application so that a blackberry or an i-phone or some other smart phone will be on the dashboard of a vehicle to provide a speed alert when the vehicle is travelling above the speed limit for the zone in which the vehicle is travelling. We will develop that with the phone manufacturer in such a way that it disables the keypad functions of the phone when it is operating as an ISA device. We are trying to work as fast as we can to bring this technology to market, through as many channels as is possible.

Mr VICTOR DOMINELLO: Mr Simmons, I share the concerns of the Chair: that is, if we are to be serious about this, forget the beeping and the bells and whistles, you need to physically restrict the speed of the car. Otherwise, the 17-year-old or 18-year-olds will not pay any attention; they won't even hear it over the sound of the music in the car.

CHAIR: We have digressed, and will get back to the questions shortly, but the software option being talked about 14 years ago overseas is the option that you are talking about bringing in. I do not know whether you know, but around Sydney there are many factory sites that have ISA devices in their forklifts, and they have been using that technology for a number of years. I will move to the next question, that is, unregistered vehicles. It is a fact that Safe-T-Cam could not identify vehicles whose registrations expired outside a certain time period, or where there were false number plates. The RTA indicated that it was fixing these problems. What is the current status? Have they been fixed? Have the recommendations been met?

Mr WELLS: There are several issues associated with that question. Firstly, sadly, people tamper with and modify number plates, or even carry in the vehicle multiple number plates that are swapped at different points. We are alert to that. We have to work closely with Police to catch them at that. We are doing that more and more. We have examples of some very clever substitutions of number plates that are difficult to detect. In relation to the file of unregistered vehicles that we compare against, perhaps the population that is registered is four years old. Lately, there was criticism that that was not long enough. We have increased various data storages, and we load more of the registered vehicles. So that is being addressed.

Mr JOHN TURNER: I do not understand the technology, but Police have heralded a car that can pick up dud registrations, unregistered vehicles, the whole shooting match. Is that technology available to solve this problem?

Mr WELLS: We have worked closely with Police. That is a different tool, with a different purpose as it were. There are three classes of vehicles. I am only speaking generally because I am not working for Police, but we have worked with them on this. Their files really are looking for, firstly, unregistered vehicles, and secondly, stolen vehicles or vehicles of interest. The automatic number plate recognition [ANPR] cameras are vehicle mounted. While that is certainly more versatile, it has a lower rate at which each individual number plate is caught or not. So it is a different purpose. For Safe-T-Cam, we have a much higher capture rate, with a fixed gantry. When the vehicles are physically moving, that brings its own challenges for its performance. You could imagine there is sunlight or rain, or different angles for different vehicles. So it is a very much harder technical question for the police. For unregistered vehicles, Safe-T-Cam is targeting heavy vehicles. We are also looking more broadly at unregistered vehicles as a result of all the cameras when the police are collaborating on that.

Mr JOHN TURNER: When you are using Safe-T-Cam for the last purposes you mentioned, are you having to physically check the number plates, or can you use this new technology that the police have, which automatically sends the signal through the computer and you come up with a dud?

Mr WELLS: We use the same mechanism whereby we check against a file, but it is different technology and it is for a different purpose. Police have to download a file regularly and compare to that. We are able to compare to a bigger file of registrations, and the capture rate is higher. I am not being in any way critical of Police; it is a different purpose.

CHAIR: Can I ask a couple of questions on risk rating of vehicles not inspected? You mentioned in the report that you were doing a study on that? Has that study been completed? When do you expect to be able to increase the risk ratings of high-risk vehicles that are not inspected?

Mr WELLS: Firstly, in relation to the heavy vehicle inspection scheme, I might preface my remarks by saying that there has been quite some discussion across the various States as part of the National Heavy Vehicle Regulator. Other States do not have any annual inspection schemes. New South Wales has an annual inspection scheme. There is pressure to harmonise the rules in some fashion. We are very concerned to make sure that we would not let go of our annual inspection scheme here. We believe it delivers a safety benefit. To state the obvious, if we are inspecting a vehicle that is in good condition, we might argue that that is a relatively less efficient use of resources, and perhaps we could inspect more often the worst vehicles or those with poor compliance or maintenance records. That is what we would like to target. Of course, this is linked to negotiations with other States. Also, we are receiving some pressure from industry that they would rather not have inspections, to be candid. So we are trying to make sure we maintain the inspection scheme, with a view to targeting it further.

In relation to how the study is going, we are using records from maintenance schemes which industry can sign up to, and also the records that we have from the heavy vehicle inspection scheme and the checking stations, with particular focus around the most serious safety issues for trucks, such as brakes, steering and suspension. We would like to develop plans to target the inspection. We are being very careful to make sure we do not lose the inspection scheme, because there are some pressures not to conduct inspections at all.

CHAIR: Peter, would you like to comment?

Mr ACHTERSTRAAT: Mr Wells has spoken about the annual inspections. Our recommendation 6 was designed mainly because an inspection station, say on the F3, cannot hope to inspect every risk-assessed truck that comes past; at certain times there are too many of these vehicles and you cannot build a station to take everybody. Generally, 1 in 5 of the risky ones come in to be inspected. We were suggesting that, talking statistically, the risk ranking of the other 4 that do not come in should be bumped up for the next checking station that they go past. That should be an added criterion. I think the RTA is doing a study on that, and I would be interested to see the results when the study is finalised.

Mr WELLS: My apologies if I was answering on another topic. In relation to the scenario described, where a checking station is physically full of heavy vehicles and a heavy vehicle of a high-risk rating goes by, we are on the threshold of employing software which would give them a "must enter" next time. That may be subject to physical limits if the station is again full next time, but that is a relatively less common occurrence. I think the point made in general is a good one: we ought to target these efforts ever more to the worst end of the industry. This is a reasonable recommendation, and we are implementing it.

CHAIR: For how long has the study been going on?

Mr WELLS: Without labouring the point, our systems are quite complex where we have a number of systems nested that run the checking stations. As a vehicle drives through, the number plate is washed against a range of risk factors. This is introducing a new risk factor which would be, "Didn't enter last time but would have wanted to, but couldn't, subject to logistics." So there is quite a bit of software development. We are not far away from rolling it out. We also want to monitor to make sure that it works and does not lead to any other changes in the proportion of vehicles that we pull in. We have found that we need to roll these things out carefully to make sure we do not lead to perverse outcomes, or we might miss the vehicles when we are really wanting to pull them in.

CHAIR: Would I be on the money if I said it had not started yet?

Ms MA: If I could add to the feasibility study: out of that, it came up with a number of recommendations. What we have looked at targeting is really two flags: one is to flag those high-risk vehicles that bypass the checking station, and the other flag is to flag high-risk vehicles that failed to enter. My understanding is we are waiting to receive the policy document.

CHAIR: So I am on the money if I say that the study has not started yet.

Ms MA: The study is finished.

CHAIR: Do you have the results of it?

Ms MA: Out of the recommendations is that we will be looking at creating two new flags so that, in order to monitor these vehicles, we can stop them where there is on-road enforcement or at the checking station. My understanding is that resources have been allocated and it is looking at potentially June 2011, but that needs to be confirmed.

CHAIR: Can you come back to us on that?

Ms MA: Yes. We can provide you with some information, yes.

CHAIR: Someone has given me a question.

Mr NINOS KHOSHABA: I am just waiting for the answer to an original question.

CHAIR: How long has the study been going?

Ms MA: The study started when the report was announced in May 2009, between June 2009 and December 2009. That is six months. But we did an intensive feasibility study. After that, then we considered the recommendations earlier this year and then we have been trying to work through, in terms of resources and a risk-based approach, what is the best possible way to do it. We need to bundle through software enhancements. We cannot do it one by one because it becomes not cost effective so we try to bundle a number of similar software enhancements to be done together, and then you sort of have got to queue up for it because the testing time and the developing time—

CHAIR: I am sorry to butt in, but that is the point we were making about what we said earlier.

Ms MA: My understanding is that the schedule is for June 2011, but we can certainly check that and provide you with that.

CHAIR: So we come back to that nearly standard 18 months between when you start something and you look like completing it. In relation to on-road inspections, your submission said that the enforcement strategy templates were under trial at heavy vehicle stations and a reporting tool is being developed. The reporting tool referred to, is that what you were just talking about when you mentioned looking at one in four that did not get pulled into the checking stations?

Mr WELLS: Which number are you referring to?

Mr NINOS KHOSHABA: Recommendation 10.

Mr WELLS: Yes. To give you a feeling for this, as I understand it, the audit concern was to ensure that risk assessments were applied consistently. You can imagine that, firstly, there are a number of different checking station sites and also on-road sites. There might be some legitimate reasons why checking is different. It might relate to the area or the type of vehicles. I think the audit point was to make sure they are consistent wherever appropriate. We have those templates and we are currently trialling them at the checking stations now. In general terms, we introduce these things carefully to make sure it operates properly throughout the system. That is currently underway.

Mr ACHTERSTRAAT: As Mr Wells indicated, there are obviously different risks. In some of the checking stations, there is a screening lane. The only trucks that would go in there would be the high-risk ones. I guess our concern was, even the checking stations with the screening lane, the percentage of vehicles that are deemed non-complying varies a lot. At Marulan, over half the trucks that were inspected were deemed to have breached whereas in Mount White it was around 20 per cent. We just looked at the raw figures and thought that there was an inconsistency there. It sounds like the RTA now has commenced a process of standardising that. There may well be good reasons why in one area 50 per cent of all the trucks breach and in another it is only 20. The RTA is doing this study.

Mr VICTOR DOMINELLO: Mr Wells, in your submission you indicated that a project for a risk-based approach to annual inspection schemes was on track for completion in July 2010.

Mr WELLS: Yes. This is what I was referring to earlier. I think I missed the sense of the question. We have certainly done work on how we might target that. I think the sensitive point is that we want to maintain an inspection scheme and indeed target it further.

Mr VICTOR DOMINELLO: I am sorry, Mr Wells. I just do not have the amount of time required to listen. I just need to ask you a specific question and I would appreciate a specific response. Has that scheme being implemented?

Mr WELLS: No. We have completed—

Mr VICTOR DOMINELLO: All right. Thank you. Now, why not?

Mr WELLS: We have completed the study. We know what we want to do. We are more at risk of losing the scheme entirely, with respect, as a result of the National Heavy Vehicle Regulator discussions.

Mr VICTOR DOMINELLO: I am sorry to talk over you, Mr Wells, but I just need to get the basics of this. Why then, in your submission, did you indicate that it was on track for completion by July 2010 if in fact there was no chance in the world it could have been completed? Why would you make that submission?

Mr WELLS: We have completed the study to work out how we might target it.

Mr VICTOR DOMINELLO: Then why in your submission did you say it would be completed?

Mr WELLS: If there is any misunderstanding, I apologise. We have completed the study. We know what we want to do.

Mr VICTOR DOMINELLO: You are saying there was an error in the submission. You should not have said "completed", but you should have said completing the study. Is that what you are saying? Please have a look at your submission so that we can clarify this. This seems to me to be a general theme of the line of questioning here. If there is a misunderstanding, then that translates to Ministers making statements, and the public relying on politicians to honour their commitments, when in fact you guys have no idea as to really what you are telling the Minister. These are critical, critical, issues. You appreciate that, do you not?

Mr WELLS: I certainly understand what you are saying.

Mr VICTOR DOMINELLO: Can you please have a look at your submission and indicate to me whether that was an error?

Mr WELLS: I understand how that is interpreted that way.

Mr VICTOR DOMINELLO: No, no. I thought that is what you told me—that there was a misunderstanding. So was it an error? Please have a look at your submission.

Mr WELLS: I have read that. We have conducted a study, but we are not able to implement currently. The point would be that we are preserving the inspection scheme itself.

Mr VICTOR DOMINELLO: But did your submission say "a study", or did it say "It will be completed by"?

Mr WELLS: If I read it closely, I accept what you are saying.

Mr VICTOR DOMINELLO: Mr Wells, did you really think that it was going to be a study, or did you really think it was going to be "completed by"—that the scheme was going to be "completed by"?

Mr WELLS: We have completed the study. We have not implemented, and we are not able to.

Mr VICTOR DOMINELLO: Then why did you not say in your submission, which we are all reading, that "We will be completing the study by July 2010". Why did you not say that, if that is in fact what you intended?

Mr WELLS: I understand what you are saying. If there is any misunderstanding or error, I apologise for that. We have acted diligently.

Mr VICTOR DOMINELLO: No, no. Thank you for the apology, but I am still asking you a question. Why did you not put in your submission, "We will complete the study by July 2010", if that is in fact what you intended to do?

Mr WELLS: I think, with respect, that would be the correct answer, so I accept that. We will update that to make sure it is more clear and correct.

Mr VICTOR DOMINELLO: I have no further questions.

Mr NINOS KHOSHABA: If I can take Mr Dominello's question further, you have mentioned that the study is complete. You were speaking earlier about other factors from a national point of view. Can you explain or tell us about that?

Mr WELLS: I will certainly try to be direct. A heavy vehicle regulator was agreed as part of a national 2020 summit, as I recall the title. There were national maritime, rail and road heavy vehicle regulators announced from the Federal Government—a heavy vehicle regulator in relation to the inspection schemes. The majority of States do not have one for heavy vehicles. Examples would be Western Australia and the Northern Territory. Other States have some scheme. New South Wales would have one of the most rigorous ones. What we are keen to preserve is to make sure that the scheme is in place. I think the natural logic then would be to target that better towards vehicles that are either dangerous or faulty or poor compliance records. So that is where we would certainly like to take it. The negotiations, of course, are subject to a national agreement, so we are working very hard with the other States to persuade them of the benefit of retaining the scheme. The obvious point is for New South Wales; we would certainly recommend to maintain such a scheme regardless. The criticism will be that that would be a divergence from the national position but that would certainly be our advice.

Mr NINOS KHOSHABA: So you are saying that you have done the study for the annual inspection schemes. When do you feel would be an appropriate time before that would be implemented?

Mr WELLS: I suppose that is a balance in relation to the other States and their position. We will be increasing them for defect vehicles. We will inspect them around particular defect matters. So while we are not moving to a targeted scheme, we certainly could do so reasonably quickly. The judgement point is what is the right timing for that, subject to national negotiations.

Mr NINOS KHOSHABA: And if you were a betting man?

Mr VICTOR DOMINELLO: Do not answer that.

Mr NINOS KHOSHABA: Are we talking three months or 12 months?

Mr WELLS: The heavy vehicle regulator is due to start on 1 January 2013. I would like to think this will be resolved long before the start. A reasonable estimate might be in 2012 but we should have a consistent scheme from the New South Wales perspective of protecting community safety. The starting point is we would not give up the scheme. Our advice to the Government would be that the scheme is important and should stay in place. So as a minimum I think we could expect that the scheme will continue unless through some other agreement we are required to stop. The judgement point I would like to see is before that and hopefully next year we would start to move towards a more targeted scheme.

Mr PETER DRAPER: You talked about the strength of our scheme and trying to retain it. I have had a couple of high-profile deaths in my local area where trailers have come off the back of cars because of a failure. My question is: why do we only inspect trailers once and then for the next 30 years they just remain registered?

Mr WELLS: It depends on the weight of the trailer. I think from 750 kilograms but please allow me to confirm that weight figure.

Mr PETER DRAPER: The ones that killed the people were small trailers.

Mr WELLS: So presumably below the requirement figure. I think it comes to exactly the point that was raised. What is the right targeting for the inspection scheme? There is the heavier the trailer or the longer or lighter, the more risk that would come with it. That does not necessarily mean that there will not be some risk associated with smaller trailers. I think it is obvious that trailers often are poorly maintained. You do not have to travel far around the suburbs to see the poor condition of trailers.

Mr PETER DRAPER: There are just so many that are in dreadful condition, yet they are registered and they are legal to go on our roads.

Mr WELLS: I think there are two strands. We want any vehicle to be of a reasonable minimum standard for safety. Also for the authorised inspection stations, what was known as the old pink slip scheme, we have measures in place. Sometimes individual mechanics may be too lax in their checking.

Mr PETER DRAPER: But with a trailer you only get checked once. You could have a trailer that is 40 years old with serious defects yet it is automatically registered every year.

Mr WELLS: By weight that may be the case. It is still open for either the police or our vehicle inspectors to defect any vehicle they see on the road, whether it be about a number plate—

Mr PETER DRAPER: It is very hard for me to tell the families of these people. I have written to the Minister and gone to the RTA and there has been intransigence. Once it is registered, it is registered. It is very hard to justify to the families why there is not even a five-yearly inspection or something.

Mr WELLS: I completely understand. We get many, if you look, claims around how we manage risk but the very best we can do is to make sure that we make the best risk-based assessment to get the biggest result per unit effort.

Mr PETER DRAPER: So you are comfortable with the current situation with trailers.

Mr WELLS: I would not say I am comfortable. If we had more resources we would go further still, and that may well be a candidate next in line.

CHAIR: That concludes the questioning. It has been a boisterous hearing this morning. We expected the head of the RTA to be here today, particularly with the Public Accounts Committee, the Auditor General and fairly high flying parts of the State representing something that affects every family in this State. We will be writing to him and hopefully get him to come in and sit before the Committee in the near future. Thank you for your information. I hope we did not ruffle your feathers too much.

Mr WELLS: Not at all. Thank you for your candour. We always appreciate and understand other people's perspective, particularly from parliamentarians. While I do not love the scrutiny, I certainly appreciate the candour because it helps us do our job better.

CHAIR: You are very good. You are like Boris Becker; that ball just keeps coming back.

Mr WELLS: I intend to be straight and helpful, so please do not misread any of that.

CHAIR: I also thank the Auditor-General and Mr Mathie.

(The witnesses withdrew)

(The Committee adjourned at 11.45 a.m.)