

REPORT OF PROCEEDINGS BEFORE

JOINT STANDING COMMITTEE ON ROAD SAFETY

**INQUIRY INTO UPDATING PROGRESS ON RAILWAY LEVEL
CROSSING SAFETY**

At Sydney on Friday 6 March 2009

The Committee met at 9:30 a.m.

PRESENT

Mr G. Corrigan (Chair)

Legislative Council

The Hon. R. L. Brown
The Hon. R. H. Colless
The Hon. I. W. West

Legislative Assembly

Ms D. E. Fardell
Dr A. D. McDonald
Mr D. W. Maguire
Mr G. Souris

CHAIR: This is a public hearing inquiring into updating progress on railway level crossing safety. Before we commence, I ask everyone to turn off their mobile phones as even operating in silent mode can interfere with Hansard's recording equipment. This public hearing is being held in order to follow up on the recommendations made by the Staysafe Committee in the previous Parliament after its earlier review of railway level safety crossings. The hearing today will enable the Committee to pursue subsequent action taken on its recommendations since the 2006 report.

I now welcome representatives of Asciano. Thank you for appearing today to provide evidence to the Staysafe Committee's inquiry into rail level crossings.

BRIAN DAVID STEWART McNAUGHT, General Manager, Rail Compliance, Asciano, Level 6, 15 Blue Street, North Sydney, sworn and examined:

CHAIR: In what capacity are you appearing before the Committee?

Mr McNAUGHT: I am the General Manager Rail Compliance for Asciano. Asciano is the company that operates both Patrick Rail Services and Pacific National Rail Services. We are a nationally accredited operator and operate in all States and Territories that have railway lines.

CHAIR: I draw to your attention the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise be taken in relation to the information you provide. I point out also that any deliberate misleading of the Committee may constitute contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence to the Committee. Would you like to make a brief opening statement before we proceed to questions?

Mr McNAUGHT: Sure. I would like to give you a little bit of my background. I have read through previous Staysafe Committee hearings and we have been represented by David Edwards. He has now left the company and I have moved into the role in the last six months. However, I have been involved with rail and level crossings particularly for over 25 years now. It is a passion and interest of mine to see level crossing safety improved. Reading through the notes, it is obvious that there are incremental improvements going on all the time, but I wanted to have the opportunity to present to you because I believe we are at an area where we can now start to look at making step changes in improvements in level crossing safety.

If you look at the prospect for rail over the next 5 to 10 years, I expect that we will see growth in rail because of the greenhouse effect and global warming. There will be increasing traffic on rail and I think there is a likelihood of an increased risk exposure to the community from level crossing accidents. But I also believe that there is an opportunity and there is a direct correlation between level crossings and the number of accidents. New South Wales has been a very progressive State and in the metropolitan area you virtually have eliminated level crossings. I think there is only a handful left, but that has not spread out to the broader State.

My experience with level crossings over the last few years has been that very often the question is never asked: Why was the level crossing actually there? There are a number that come to mind. We had a fairly significant accident about two years ago in a place called Back Creek in New South Wales where three locomotives were burned out and the driver of the truck, unfortunately, was killed. But you have to ask: What was a big truck doing on a tiny little country road? We had an accident at a place called Lismore in Victoria. Now, irrespective of the circumstances, there was a protected level crossing and there was an unprotected level crossing 300 metres apart. It begs the question: Why do you have two level crossings so close to each other when obviously the efficiency of the road network would not be impacted by closing one of those crossings?

Obviously, my experience not in New South Wales but in Victoria is that closing level crossings is a difficult political issue, but I think we need to ask the question. As the demographic of the country has changed there are crossings that go back for quite a period of time and the demand or use of those crossings has changed and never got reviewed. So, my recommendation to the Committee is that we really need to establish a threshold that says at what point does the community accept the risk of having a level crossing? You will never get a risk-free level crossing. My colleagues from the Australian Railway Association [ARA] will spend quite a bit of

time, I am sure, telling you about how to improve level crossing safety. Eliminating level crossings wherever possible is the best way of reducing your fatalities, injuries and harm that arrive from level crossings.

As I said, my experience from driving around extensively in a number of States is that you find a lot of level crossings that have evolved historically, but I cannot see in today's environment the purpose of these level crossings where you have a handful of cars passing each day, you have got good high-quality roads that take a lot higher speed. I am sure if this Committee takes up the challenge, there is a chance to make a huge step improvement. The Government here a long time ago made a policy of removing level crossings in the metropolitan area and you are now receiving the benefit of that policy. It might be an ambitious policy, it might be a difficult target, but I would ask you now to establish a direction and say, "Let's start reviewing level crossings, let's start eliminating level crossings wherever practical." Certainly there is good justification for level crossings, but I am sure there are many now that have evolved out of history and could be reduced with minimal impact or no impact on the efficiency of the road network. Certainly we could make a step change in improving rail safety.

There are a number of other issues. One of my experiences is that level crossings on closed lines very often are left in situ. Unfortunately, the community in the country areas are very experienced at ignoring level crossing signs because they know the level crossing has been closed. I come from a country town in Victoria and I am rather glad to say that after 25 years of closure we have finally moved the level crossing. This is a common experience in South Australia and I believe it is similar in New South Wales, although I have not had as great an involvement in the New South Wales regional network. Obviously, warning signs, when there is no danger, is a bad experience for people.

Level crossings should be removed and I am suggesting that the Committee look at establishing a threshold that says: at what point do we accept a level crossing? Is it one car a day, 50 cars a day? Is there a next-best alternative? There are a lot of risk assessments being undertaken at the moment on level crossings with the ALCAM model, but the basic question is never asked: If you have a level crossing and if there is a viable alternative, should that level crossing be there? I think that is part of the assessment that should be undertaken. So, it is a difficult political position to adopt to try to close level crossings, but I would urge you to make a step change and look at saving the community from this trauma. Perhaps we are getting numbers of reducing traumas, but if you look at the size of vehicles, the consequences of the accidents are increasing and it is an alarming issue.

On a final note, my experience in management within the Victorian rail network is that as the rail operator we would cost a level crossing at around about \$15,000 a year, just to maintain and keep it open. I presume the road authorities would be experiencing similar costs. If you take out 100 level crossings, that is \$1.5 million that the railway network has annually to be able to reinvest in alternative, safer measures. I am sure my colleagues from the Rail Industry Safety and Standards Board [RISSB] and the Australian Railway Association [ARA] can talk about how to improve those level crossings that remain. Thank you for the opportunity to express my views. I am sure you may want to question me.

Mr GEORGE SOURIS: In your remarks you focused mainly on the no longer used rail lines. I think you even said that that would be a courageous political thing. I think the more courageous political event is when a line is being used but the road traffic is hardly using it at all and the crossing is closed. Are you also talking about those potential closures?

Mr McNAUGHT: What I am saying is, where a line is unused please remove the signage, because people get in the habit of ignoring it. The local farmer knows the line is closed, you see the level crossing sign and you switch off, you do not even respond. Then he comes to an active crossing, on an active line, and the reaction is, "I'll ignore this one, too." On active lines, yes, closing the level crossings to road use, I believe, is a good alternative.

I will explain why I would argue that case. If you look at where a lot of these level crossings were developed, it was in the horse and dray days, and taking the shortest linear distance to a point was the best solution. If you look at the road network now, where we have highways with 100 kilometres an hour speed limits, bitumen, and safe level crossings, the detour at a higher speed is actually quicker than the direct line journey. That has never been factored into the design of level crossings: if it was there for the horse and dray days we keep them. Why? It does not make sense.

Mr GEORGE SOURIS: The problem in the horse and dray days was that a level crossing probably only serviced one property owner. But now, in the modern, non-horse and dray days, there is more rural residential living and a level crossing that may have been originally like that may now service a dozen property owners.

Mr McNAUGHT: If you look at the demographic shift, the density of population in a lot of these rural areas is much less, so you will find that the use of these crossings has actually declined over time but we have kept the crossings. I had one experience several years ago when I was doing a survey of some of our property in Victoria. I came to a series of level crossings at a non-existent town. The town had gone, but the level crossings were there. The usage was very, very low. I am not suggesting that where you have an area where the population has grown you want to restrict their access, but I am sure there are many, many crossings which, if they had an appropriate review, you would find there is hardly any traffic on them.

Mr GEORGE SOURIS: But they are not the aggravation. The aggravation points are near to a decent-size town, with a population of, say, 5,000 or 8,000. That town undoubtedly has, just beyond its immediate perimeter, some rural residential subdivisions. There is usually a level crossing there, on what appears to be a bit of a dirt track, but it is actually servicing a lot more than it ever did, on a busy railway line.

Mr McNAUGHT: And I am not suggesting you close that one; I am suggesting you invest in appropriate safety measures to improve the standard of safety of that crossing. To me, that is an appropriate solution. My colleagues from the RISSB can give you a lot of information on how we can improve the safety of those level crossings. But if you look at the history of level crossings, there are random big accidents at very minor roads, and I would suggest that those roads do not need to be there.

The Hon. ROBERT BROWN: On page 3 of your submission you say that anecdotally it appears that level crossing incidents are increasing in severity. You then go on to say, "Trucks are getting bigger and passenger rail services are being operated by light rail motors." Is that the reason you think anecdotally level crossing incidents are increasing in severity? In other words, are we talking about the measure of severity being deaths?

Mr McNAUGHT: Yes. The measure of severity is deaths. If you notice the trend, there is an increasing trend to fatalities within rolling stock. I can only quote Victoria, where my most direct experiences are. It was 30 years since a passenger had been killed in a train; in the last two years a dozen or more people have been killed as passengers in trains where they have impacted with very large trucks. Traditionally, if you like, and it would be similar in New South Wales, trains were operated by a very heavy locomotive, which is about 100 tonnes, and the biggest thing on the road would be a semitrailer. In general, the locomotive would come off better than the truck. In recent years, we are now getting B-doubles and very large trucks, but the trend has also been to move from locomotive-operated trains down to rail motors. So we are finding that the severity of damage to the rail motor and the passengers is increasing.

The Hon. ROBERT BROWN: I am not asking you to have a shot at your colleagues here. In relation to the point Mr Souris raised about increased urban development on the fringes of rural towns, with perhaps cattle track roads going in, we are talking about a planning question there, is that right?

Mr McNAUGHT: Yes.

The Hon. ROBERT BROWN: The general safety measures need to incorporate rail safety in road safety. We are talking about road safety priorities in New South Wales. In general terms, do you feel that rail level crossing safety is neglected, or is it adequately covered? You made the statement that you people spend X million dollars a year on your side of the boundary. What are your views on road safety priorities?

Mr McNAUGHT: This is a general comment; I cannot speak specifically about New South Wales because it is not my experience as directly. But in Victoria I was on the advisory committee to VicRoads. Unfortunately, the issue is that your level crossing fatalities are less than 1 per cent of the total road fatalities. There is never enough money to invest in everything—it is just a fact of life. The road authorities tend to try to invest according to the level of risk that they incur and there are a lot of demands on them on where to invest in safety. When it is less than 1 per cent of your road toll, it is very difficult to attract the level of investment.

There have been a number of tremendous advances, and one of them that has been introduced here is the establishment of interface coordination plans between the road authority and the rail authority, to make sure

that both parties share the risk and identify it. That has been a big improvement, and I commend that as something that has been done in New South Wales, which I think came out of the deliberations of this Committee.

The story is good: we are getting better. But I think we can now make a step change by reducing, if you like, low usage level crossings and reinvesting whatever money we can into the high-priority level crossings where you have increasing populations and increasing use. I am not for a moment suggesting that level crossings that are in high demand should be closed. Those level crossings should be improved. My colleagues from the RISSB and ARA can tell you, based on the current research, how we can improve those level crossings. I do not want to try to give you a repetition of what they are saying, but I want to emphasise this: close the crossings where you can, where it is reasonable, where it is acceptable, and where the threshold risk is greater than the impact on the community. But there are legitimate level crossings that need to remain, and my colleagues will tell you how to progress with improving those level crossings.

If you adopt a strategy of investing in a number of crossings but keeping all the crossings that are out there, you are maintaining a level of risk which I think is unacceptable to the community as a whole. A lot of those level crossings are passively protected, have minimal approach signage, and are badly designed. There was a recent level crossing which was a reopening of a level crossing in another State. The angle was so acute that the truck driver could not see the train coming. How on earth did that happen? I do not know, but it should not have happened.

Mr DARYL MAGUIRE: I was interested in your comments where you refer to crashes occurring recently. When those things occur, I take a special interest. The last three I recall in Victoria were unprotected crossings. Is that true?

Mr McNAUGHT: I think the crossing on the Murray Valley Highway at Kerang had flashing lights.

Mr DARYL MAGUIRE: But not boom gates.

Mr McNAUGHT: But not boom gates, and the other two were passively protected, as far as I can recall, yes.

Mr DARYL MAGUIRE: If I recall, they were all on bitumen roads.

Mr McNAUGHT: No. The Trawalla was a goat track and it had a five-tonne load limit, but as I understand it that had not been properly declared. You had a 25-tonne rock on a truck that hit the train. The combination of that was a disaster. Anecdotally, I cannot quote my facts absolutely, but I assume this was a road that formed a shortcut for the trucks running from Adelaide to cross onto the highway to Mildura. It had been a minor road that had had a change in usage and had never been properly assessed. That is my personal view, but I cannot substantiate that with facts.

Mr DARYL MAGUIRE: When you suggest that New South Wales or this Committee should be pursuing a policy of closing level crossings and setting criteria, et cetera, are you aware that we are already doing that in the corridor from Cootamundra to Albury? There is a program in place where there is systematic engagement with the community and assessment of the level crossings, and a number of them have been closed already.

Mr McNAUGHT: No, I was not aware of that, but I do know that South Australia is actively encouraging the community to close crossings. Victoria actually put a bounty whereby they would pay the councils, funding them, and assist in closing. The level crossing closures are envisaged. Both of those programs have not had a lot of success. I commend you if you have been able to get the community to agree to those closings.

Mr DARYL MAGUIRE: The problem is that although, as you are suggesting, there are bitumen roads and modern vehicles making other crossings obsolete, in regional and rural New South Wales in the grain-growing areas there is heavy machinery that has to travel extended kilometres under the new road rules of the Roads and Traffic Authority [RTA], which in some cases require escort vehicles and extra drivers, and there are linked issues associated with that.

The closure of the crossings has impacted on those farming communities. It has meant that it costs the farming community more money to do their job. I suggest to you that even if you set a limit of two vehicles a crossing per day, the real issue in all of this is the fact that, first, those crossings are unprotected and, second, they are badly engineered. If I were to assess the crashes that have occurred, I think most of them are through engineering that was developed in the days of the horse and cart. I agree with you, but it is the engineering that is the problem rather than the amount of traffic using the crossing.

Mr McNAUGHT: I am not suggesting that a legitimate crossing that is in demand should be closed. I am suggesting you look at a threshold that would establish a criterion when it is reasonable to keep a crossing. I disagree with your comments to some extent in that I have seen level crossings in ideal conditions and people have driven through them. One comes to mind. Commonly you will find that it is a local resident who lives near the level crossing that is killed on the level crossing. I read a report not so long ago of a level crossing in a town when there was clear visibility, the train lights were working, the bells were working, but the driver just did not see it. There are some human behavioural effects.

There are a lot of crossings that are badly engineered where you have short stacking and the approach is not appropriate. There are a whole host of issues. In an ideal world I would like you to fund redesigning the roads, I would like to fund improving all level crossings, but I do not think that is a practical answer. I think a good solution is to look at where we can eliminate crossings and, if you like, make that set the course, as was done in Sydney many, many years ago. I am sure when the course was set in Sydney people said it just was not practical, but today we have fewer than five level crossings in the whole metropolitan area.

Mr DARYL MAGUIRE: I understand what you are saying, but the practicalities are that the distances we are talking about are far greater than they are in Sydney that has many options for crossing a railway line. You are talking about long distances and then you have the problem of councils resisting because they are then liable for the upkeep of the alternative route. Quite often those alternative routes to the next level crossing are dirt roads. Unless there is a policy in place that allows for some funding to occur to maintain that road or to bring the road to a decent standard, councils will resist as well.

Mr McNAUGHT: I agree. I suggest—and I have been dealing with councils and have been in negotiations and I know it is a very difficult area—that councils incur a cost by maintaining the road to have the level crossing as well, and I am sure if you have an area where there are three level crossings in close proximity to each other, that means councils incur a lot of cost.

Mr DARYL MAGUIRE: The close proximity I am talking about is between 10 and 15 kilometres apart.

Mr McNAUGHT: I am not suggesting crossings that are 10 to 15 kilometres apart should be closed. I am just suggesting that you should have a review and look at the opportunities that are there. I am not trying to talk in absolutes. I am just saying I have seen crossings within a few hundred metres of each other or less where there is not a big detour. Obviously in some areas where you are talking a 10-15 kilometre detour, my recommendation is to keep the crossing, but upgrade it and make it safe.

Mr DARYL MAGUIRE: That is what is actually occurring. In closing those crossings and making the distances longer, that is costing councils because the roads along the railway lines are unformed. They are actually just service tracks, and that is where some of the difficulties are occurring. I understand what you are telling me: Where they are close, it makes common sense to look at all the issues. I understand that. It is crossings at greater distances that are now being closed and that is causing extra costs to the farming community, and those crossings really need investment.

Mr McNAUGHT: Unfortunately, it is the farming community that wears the trauma as well.

CHAIR: We will leave that as a statement by Mr Maguire, not a question.

Dr ANDREW McDONALD: You said that there is no discernible trend in rates of accident, but pages three and four of the submission that we are reading at the moment plus page 13 out of 19 of the Ministry of Transport submission shows that there has been quite a significant drop in claims relating to motor vehicles over the last 20 years.

Mr McNAUGHT: Over the last 20 years there has been a progressive incremental improvement. I agree, it is getting better, and I commend that. That is a good outcome.

Dr ANDREW McDONALD: Could you clarify the figures showing one death at a level crossing in the last three years in New South Wales. Is that right?

Mr McNAUGHT: I believe so. That is right.

Dr ANDREW McDONALD: Over the last three years, in all of New South Wales, over all of the level crossings, there has been one death.

Mr McNAUGHT: I believe so.

The Hon. RICK COLLESS: But 1,500 people were killed on the road in the meantime.

Dr ANDREW McDONALD: I just want to clarify that my figures are right, thank you.

The Hon. RICK COLLESS: Getting back to the issue of farm machinery and so on, it is a real issue, particularly for some people who have their property split by a railway line.

Mr McNAUGHT: Yes.

The Hon. RICK COLLESS: Traditionally, they have had crossings on their property to get from one side to the other. Are they regarded generally as level crossings, or are they simply private crossings?

Mr McNAUGHT: They are generally what is called occupation crossings or licensed crossings. I am speaking generally; I am not completely au fait with the detail on the law in New South Wales. Certainly in most jurisdictions, when the original railway line was built and divided their property, easements were put in place to allow people to cross. But that was done in an era where the vehicles were relatively small.

We could go back to when a lot of these lines were built. What is happening is that you see farm machinery now—and I come from a rural community—that is absolutely massive. I remember one particular incident in which a farmer took a header across a railway line and got stuck in the middle of the railway line. Rather, it was a big spray boom and he bellied and got stuck in the middle of the railway line because the railway line crossing was never designed for machinery of that size.

Fortunately the guy got off the tractor but the machinery and the tractor were destroyed in the impact. These are the sorts of things that arise where you have a level crossing. I appreciate that the farming community does have issues because their machinery is becoming efficient and larger. I would recommend the upgrade of those crossings to facilitate that type of machinery but, practically, I think there is somewhere in the order of 9,000 crossings and you cannot fund every one of them. To prevent people inadvertently taking crossings that are not designed for machinery, shut them down and then upgrade the ones that are there and are legitimately warranted.

The Hon. RICK COLLESS: It would still be unreasonable, would it not, to expect a farmer to take his machinery four or five kilometres down the road and back again when he has a crossing on his property that can be upgraded? I think you would find that in a lot of the cases the farmers themselves would be prepared to upgrade those crossings to make sure they do not get stuck on them.

Mr McNAUGHT: My understanding is, yes, a lot of the farmers do approach that. I had one incident where the Victorian Farmers Federation [VFF] was funding a program to build underpasses under the railway line. We built the underpass and the farmer actually had a protected crossing and a bitumen road beside him, but he still insisted on keeping his at-grade crossing as well. We went from one level of risk and maintained the level of risk to a point. I am not trying to suggest at what threshold, because I do not fully understand all the issues out in the community, but I think it would be good if you could turn your minds and ask what is a reasonable threshold to allow a crossing to be open? If a farmer has to drive 15 kilometres to get from one side of his property to the other, I do not think that is reasonable. I would suggest please fund and make the crossing safe that he has to use. If a farmer has to drive 600 metres, 1,200 metres, 2,000 metres is that unreasonable, given the level of risk that is associated? As I have said, you will find with most crossings that it is the farmer or a person that lives near the crossing who is actually killed.

The Hon. RICK COLLESS: As to getting product out of farming areas at harvest time, is there any opportunity for seasonal openings of level crossings for the period of the harvest?

Mr McNAUGHT: I think that is worth considering. Bear in mind that during the harvest the best accumulation and shipping for grain is to take it by rail. I was involved in the Fisher inquiry in Victoria where they were looking at upgrading the country rail network. One of the propositions put forward was do we start trucking all of this? When you do that you end up with your main ports and main cities in gridlock. But, I would certainly say, yes, if you have a situation where most of the year the crossing is minimally used then at harvest time maybe the crossings could be opened specifically with some sort of protection. Bear in mind that is also the time when the highest rail usage is occurring because you are taking a lot of bulk movements for shipping at that time of the year.

I am not competent enough to know the issues that affect the communities out there that would be impacted by level crossing closures. I am suggesting that the Committee is a good forum to start addressing those issues. Let us look at what is a fair criterion and then establish those criteria and work towards reducing crossings. I can only observe that I have seen a number of accidents at crossings and it really begs the question: Why was the crossing there?

CHAIR: Do you have any additional general comments about the current management of level crossings in New South Wales? Do you think the administrative arrangements are working well or do you have any suggestions for improvement?

Mr McNAUGHT: My particular comment—and I will defer to my colleagues as that is their expertise, not mine—is that one of the greatest things that has happened is the requirement that road and rail authorities have an interface agreement. For many years in Victoria I was involved with level crossings and there was no requirement that the level crossing authority or the road authority and the rail authority worked together. I could cite a number of examples where there were complete failures of that interaction. I endorse, and I am most appreciative, that that has now been introduced as a requirement. It will, I am sure, take time to roll out and take traction and have full effect, but I think you find that will be very improvement into the future.

(The witness withdrew)

(Short adjournment)

KEVIN BARRY TAYLOR, General Manager, Rail Industry Safety and Standards Board, Unit 16, Level 3, 11 National Circuit, Barton, Australian Capital Territory, and

EMMA LOUISE PETTIFORD, Level Crossing Project Officer, Rail Industry Safety and Standards Board, Unit 16, Level 3, 11 National Circuit, Barton, Australian Capital Territory, sworn and examined:

CHAIR: I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I also point out that any deliberate misleading of the Committee may constitute contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence to the Committee. Would you like to make a brief opening statement before we proceed to questions?

Mr TAYLOR: Yes, thank you. Level crossing safety is the rail industry's highest priority, so I would like to begin by commending this Committee for conducting this review. As a member-based organisation representing the Australian and New Zealand rail industry, the Australasian Railway Association supports all activities that not only focuses on Government attention but also on any other activity that could lead to level safety improvements. As you are aware, we have submitted a submission on this matter, but if I may correct the record in my submission. On page 10 under the B-triple network, the third paragraph, we have said the damage bill exceeds \$20 million. In fact, that should be \$30 million, which is the same figure that we have said on page nine. It is just a typographical error.

CHAIR: Thank you.

Mr TAYLOR: Between 2006 and 2008 the rail industry participated in an Australian transport industry first with the creation of the national rail level crossing behavioural coordination group [BCG]. The BCG brought together road and rail authorities from around the country, including governments of all persuasions, State and Federal, to tackle behavioural issues at level crossings. The committee had a funded two-year life, and that life finished at the end of last year. But in the life of the BCG it achieved a number of significant milestones. First, a national workshop brainstormed potential future level crossing initiatives. It also undertook a national survey of 4,400 road users which aimed to identify behavioural issues at level crossings, and it undertook an enforcement and education pilot in Victoria and at a mining station in the Northern Territory.

The findings of the pilot and the survey that was undertaken by the BCG have been used to create a national television, radio, press and poster advertisement campaign titled "Life before your eyes". The campaign material has been assembled and is in the process of being distributed to all States, and that will finish on 23 March. As we understand it, Queensland and South Australia have taken this material and are now using it in a State-based campaign.

In 2007 the Australasian Railway Association [ARA] developed an industry level crossing strategy that aims to bring about the introduction of measures that substantially reduce the level crossing collisions. The strategy articulates four Es: education, engineering, enforcement and enough is enough. The first three of these are reasonably self-explanatory, but enough is enough relates to the ARA's wish to ensure that no new level crossings are built unless they are grade separated. A copy of this strategy was also attached to our submission as enclosure one. In 2007 the rail industry established a Cooperative Research Centre [CRC] on rail innovation. Along with a number of other rail-related research projects, the CRC is currently examining the human factors surrounding level crossing collisions. It is also looking at alternative low-cost options for regional and operational level crossings.

Recently the CRC hosted a railway level crossing workshop that involved people from across the rail and road sectors and State and Federal governments. The outcome of this two-day workshop is a list of research priorities that will help shape the CRC's future work program. I have just handed out another handout that contains a result of that workshop. I would like to stress, however, that the CRC will be selective in the projects it takes on, and it does not have the resources to address all the priorities. The list is readily available on both the CRC website and the handouts I have just given out and it could be used by other agencies to pursue level crossing initiatives by themselves or in concert with the CRC.

As the Committee would be aware, the cost of upgrading level crossings with bells and booms is significant. Because of this, governments can only provide active high-level control at some crossings. But

active controls, while welcome, are not necessarily the answer. In 2008 the Australian Transport Safety Bureau [ATSB] reported that 51 per cent of all fatalities between 1988 and 1998, that is, 87 fatalities, occurred at active control crossings. The ATSB report emphasised that infrastructure alone is not the answer, but when married with education and enforcement it can be very effective. According to the ARA, it would encourage the New South Wales Government to support an education campaign that targets high-risk road users, namely, those between 16 and 25 years of age and older drivers over 50. The advertisement campaign "Life before your eyes" is one such vehicle to do this. New South Wales could also increase enforcement efforts at level crossings. The ARA recommends that it follow the example of the Victorian Government regarding this matter. Apart from an increased police presence at high-risk level crossings, the Victorian Government has recently increased the fines and driver demerit points to \$551 and four points respectively for level crossing infringements. The ARA has written to all other State Ministers on this matter and we are still receiving responses.

The ARA has also written to the chief executive officers [CEOs] of the transport departments around the country about the proposed B-triple network. The ARA is extremely concerned that these heavy vehicles have the potential to cause a catastrophic incident should one drive into a train. While the ARA understands the importance of these vehicles to the Australian economy, it is concerned that no risk assessment has been undertaken of the level crossings on the proposed B-triple network. We therefore urge the Government to ensure that these risk assessments are undertaken before the networks are approved. In conclusion, the ARA has been involved in a number of activities since it last reported to this Committee. My predecessor, Phillip Sochon, appeared here with David Edwards several years back. However, we acknowledge there is still a lot to be done both from an industry perspective and from a government-council perspective. We believe that this problem we perceive could be addressed through teamwork and cooperation and certainly in a national manner and not necessarily state-by-state because of the costs involved. Mr Chairman, that concludes my opening remarks.

CHAIR: You have provided an additional document, a national rail safety crossing study. I propose to receive the additional document from the Australasian Railway Association as an exhibit to the inquiry, provided there are no objections. There are no objections. I will circulate that document to the members.

Dr ANDREW McDONALD: The last sentence of your submission states:

The ARA believes every level crossing fatality is avoidable and zero deaths at level crossings are achievable.

According to the figures, for the last three out of four years that has actually happened, is that correct?

Mr TAYLOR: The figures, we believe, show one death, as you said earlier.

Dr ANDREW McDONALD: In the last four years.

Mr TAYLOR: Yes, in the last four years. There are also suggestions out there and in my submission where I have put that on average, whilst we do not have the statistics at hand, the Australian Institute of Health and Welfare, has said that from 2001 until 2006 there were on average 50 persons seriously injured in Australia each year.

Dr ANDREW McDONALD: Do you have any figures for injuries across the last four years?

Mr TAYLOR: No, we do not, I am sorry.

Mrs DAWN FARDELL: You mentioned that Victoria has a \$551 fine and four demerit points. It is probably a question for the New South Wales Police Force or the Roads and Traffic Authority. Are you aware what fines are implemented in New South Wales? Are we as harsh?

Mr TAYLOR: No, you are not a harsh. If memory serves me correctly—I have the facts here, not give way to a train or tram at a level crossing with give way signs is a \$324 fine and three demerit points and Victoria is \$551 and four demerit points. The Northern Territory has recently come up with \$500 and three demerit points as well. So there is a tendency for State and Territory governments to increase the penalty. Victoria certainly has taken the lead on that and the Northern Territory is following. I must add though that Victoria and the Northern Territory have recently done this, so the court is out on the effectiveness of it. But we believe that it is probably the best way to go.

Mr DARYL MAGUIRE: Mr Taylor, there have been suggestions that level crossings should be monitored by red light cameras or cameras of some description. I believe police presence is the best deterrent. Do you think there are adequate police resources to ensure surveillance in compliance with stricter fines or speeds at level crossings?

Mr TAYLOR: I really cannot answer that question. I think that is a Police Force issue. What we would like to see is certainly an increased police presence at those high-risk crossings. That is drawn out by the behavioural coordination group Education and Enforcement Pilot Study in Victoria and indeed in the Northern Territory. If I may take a couple of minutes to explain what those were. In Victoria with police, and indeed the ARA and the Victorian Government, VicRoads, et cetera, what happened was that they picked a number of areas with level crossings and they observed the behaviour of motorists over those level crossings over a period of a month. Some of the results were quite alarming. Then they instituted over four weeks, six weeks, if my memory serves me correctly, an education and enforcement program. Then once the public became aware that they were being observed, then they observed again for the following four-week period and they noticed a significant decline in infringements at level crossings.

The Northern Territory trial involved a mining company that had an occupational track going across a railway line. Clearly, being a mine they had a lot of trucks going across there. What they did is they posted a sentry or a policeman, if you like, a security guard, on the crossing to stop the trucks coming through. What actually happened is the truckies ignored this fellow, because they do rolling stops and over they go. What they then did is the management of the company decided to have a sort of an incentive program. They got the truck drivers, initially with the sentry, to stop and get out and sign a logbook before proceeding across the line, with an incentive at the end. This went on for four months, if memory serves me correctly. Then they slowly withdrew the sentry and then over the next three months they noticed a significant decline in infringements by the mining truck drivers across that railway line. The deduction drawn was that education and enforcement, but mainly education, are very important factors in reducing the threat or the risk of level crossing incidences.

Mr DARYL MAGUIRE: Where do you think that bad behaviour at level crossings actually begins? Does it begin when learner drivers get behind the wheel, or does it develop as they become more competent or more confident behind the wheel?

Mr TAYLOR: A lot of international research has gone into this area. Recently an international level crossing conference was held in Paris. One of the statistics that came out from that conference was that the high-risk user group 16 to 25 years of age: this is an international problem behaviours and causal factors, human behaviours are the same no matter where they are in the United States of America, Australia or England—boys, men, whatever you call them, are thrill seekers in the main. It also has a lot to do with the educational program at the beginning. For example, in Australia as part of our strategy we will be working with the various Roads and Traffic Authorities around Australia to try and increase within the road testing rules, the number of level crossing questions, because there aren't many.

These kids go out on the road with their instructors and do level crossing stuff, but when it comes to the test it is not often reinforced by the test itself, and that is of great concern to us: it is the education of the younger drivers. Sadly, when this behavioural coordination group survey occurred, it indicated that these younger drivers actually know that they are doing this. They actually know that they are taking risks, whereas the older age group, do not know that they are taking risks. They just drive along because we are complacent. We have been over that level crossing so often that a train is not coming regardless, whatever. That is a real issue. It is the older drivers as well as the younger drivers. These factors are just not Australian unique: they are international.

Mr DARYL MAGUIRE: A previous submission in relation to driver complacency states that signage remains at crossings that are not used. Governments are reluctant to close rail lines. New South Wales has about half a dozen that are suspended but not closed, and the signage remains. Would bagging those signs—as is done with speed signs on highways—be a sensible solution to remove the complacency of drivers at crossings?

Mr TAYLOR: I think that is a good move. We would prefer signage removed but we understand the cost involved in that. Our strategy argues for the removal of signs and what have you but the cost, as discussed with Mr McNaught, is expensive and the cheaper option of course is to bag those signs. That is already occurring in some councils at the moment. The sugar cane industry does it in Queensland.

Mr DARYL MAGUIRE: Is it done on a seasonable basis?

Mr TAYLOR: Yes.

Mr DARYL MAGUIRE: The ARA supports the development and implementation of intelligent transport systems technology. Will you advise at what stage its development of the ITS system is for railway crossings safety?

Mr TAYLOR: We undertook a workshop with ITS Australia in Melbourne last year. We have asked all the technologists around Australia and the world who showed an interest in level crossings to come and present to us what sort of technologies are available. As you would appreciate there is an array of technologies that could be used with level crossings but again the problem is cost.

Mr DARYL MAGUIRE: In your opinion what is the cheapest and most effective?

Mr TAYLOR: In my opinion probably the cheapest GPS, but GPS alone does not make booms come down but it allows one to enforce through GPS, the movement of trucks and cars across the level crossings. As I said in the submission, the CRC is actually working on an affordable level crossing controls at the moment, and we would see that probably be in plastic booms, or something. They are still working on it so I would not hazard a guess what would be the cheapest option.

Mr DARYL MAGUIRE: I am sad to report that with new boom gates installed in Wagga Wagga after a major tragedy early in 2000 that as of last week people are still driving around the boom gates on a high-speed corridor. What about the suggestion of radio technology, similar to the safety technology that is used in tunnels? That seems to be a cheap alternative to those crossings that do not have the benefit of boom gates.

Mr TAYLOR: Most definitely. We are not ruling out anything at the moment. Indeed, what you have just addressed is being considered by the CRC. The problem is, of course, with what happens when cars that go through the M3 and M5 tunnels have the radios turned off it does not work. It is only those cars that have the radios on. We are concerned about that but generally most people have a radio or a CD on and you can get that interference, or cut in, if you like. But with the radios off it is not possible and that is a concern that the industry has in terms of that technology. Again, as I say, the industry is not ruling out anything at the moment through the role of CRC. We are looking at every possible option.

Ms PETTIFORD: If I might add in terms of radios, we would definitely support a trial done by New South Wales to see if it is a more viable option than GPS or the other options that are out there. I suppose, the more trials that can be done, we can either cancel out things that are out there or embark on implementing them.

Mr DARYL MAGUIRE: Will you provide the committee with access to the technologies that you viewed at the conference?

Mr TAYLOR: A report was rendered and I am certainly happy to provide that to you. Within that context, I talk in the general rather than the specifics, but I am more than happy to share that report with the committee.

Mrs DAWN FARDELL: When an incident occurs the community expect politicians to put up flashing lights at level crossings. My constituent has pointed out that at Peak Hill there are solar powered flashing lights at school crossings which were quickly and effectively put in place. Has consideration been given to that in the areas where there is a lot of sunshine or is it too expensive?

Mr TAYLOR: To the best of my knowledge, no, in terms of the power generation of level crossings. Having said that I understand Victoria is presently doing a technology trial based on that and along with other technologies to warn of trains. Victoria is trying to use, and it has not been proven yet, a small radar that they are installing at level crossings. It will detect a train approaching that will then close the booms, or get the bells activated or what have you. It is early days at the moment and at this stage they cannot draw any deductions on it but that is the sort of stuff Victoria is trialling. When they have a radar, they have got to provide that constant power source and I understand anecdotally that they are using solar energy.

The Hon. RICK COLLESS: How are boom gates and bells activated now?

Mr TAYLOR: Through a track circuiting—

The Hon. RICK COLLESS: Tripping on the track?

Mr TAYLOR: Yes. In relation to driver behaviour, in June last year in Perth at two of its major level crossing intersections, the Public Transport Authority put up red light cameras to detect the behaviour of drivers over a one-month period. At one level crossing with booms and flashing lights there were more than 460 infringements in one month at a busy intersection. When I say "busy" that is train as well as vehicle. At another intersection there were approximately 70 infringements—all up about 530 infringements in one month. That is why we now have a strategy, that the 1 per cent of rail casualties versus the road toll, and that is acknowledged, but when you have driver behaviour with 530 people infringing it is alarming. They are getting away with it. How we do not know. I am happy to show you video footage of what happened in Perth. The video footage I use in my presentations on level crossings around Australia is alarming. Whatever possesses people to do what they do is a real cause for concern and that is why we are looking at causal behaviour and the human factors associated with that. We have got to come back to education. Education is probably the only way, apart from engineering, which is terribly expensive.

CHAIR: Is the major crossing to the south of Perth?

Ms PETTIFORD: It is Welshpool and Maddington.

CHAIR: I am just trying to figure out why. I have been down those roads.

Mr TAYLOR: It is a worry.

Ms PETTIFORD: One of them has the railway lines and the road but it has actually got a little road coming in at the side so it is a bit of a funny angle, and they are now having problems with the cars slamming the brakes on as soon as they see the boom start to come down because they are worried because they are being fined, obviously. In fact, I was speaking to a colleague in the Public Transport Authority of Western Australia yesterday and she was saying for National Rail Safety Week this year in July they are going to focus on educating the public on where to stop at level crossings, not to stop within the hatch markings that are sort of no-go zones.

The Hon. IAN WEST: The findings that the Committee came down with in October 2004 revolved around the usual suspects: there is no one solution; that we needed a comprehensive inventory; that we needed a whole-of-government approach; and we need to look at some risk identification models, et cetera. I understand that the inventory has been done and it has come up with about 3,800 sites—about 1,400 that are controlled by the State, the rest are local government, et cetera. I understand you have been involved in those discussions, correct me if I am wrong, and I am asking can you give us some additional general comments about the current management of level crossings in New South Wales in light of the findings from this Committee, in particular in terms of the inventory and how the State and local governments are coordinating the progressive implementation of that inventory? I understand that something like 57 crossings were closing in 2007-08, et cetera.

Mr TAYLOR: The inventory was undertaken over a number of years but mainly as a result of this Committee's recommendations in 2006. We have done that, and you are right, there are a lot of projects going on and stuff like that. That is up on the RISSB website for all and sundry to see. Under the new Government's construct with the new Federal Government, a safety and security working group has been formed. Underneath that safety and security working group is the level crossing group. This is a first in Australia.

I mentioned the BCG, but that was only for two years, and that was just because of the concern that was occurring not necessarily in New South Wales but around Australia. So BCG was created to address some immediate issues. But now the governments have created this thing called the Rail Level Crossing Coordination Group, which reports to the Standing Committee on Transport (SCOT) through the safety and security working group. That group is almost a replica of the old BCG where it includes Federal Government, State governments, industry, road users, unions.

The Hon. IAN WEST: Local government?

Mr TAYLOR: No, not local government, just State governments and Federal Government and unions, the trucking association, road transport authorities and the rail industry. We are just shaping our terms of reference and we are now looking and collecting again an inventory of everything that is going on around

Australia. It is interesting to see what is happening around Australia, and there is a lot of duplication going on. What the BCG revealed is that if we all work as a team, all those organisations—that is governments and industry—if we work as a team and harness our resources, we can be a lot more effective in our level crossing message than if we remain fractured and splintered.

The Hon. IAN WEST: That's novel.

Mr TAYLOR: Of course, it's Federation, isn't it? But the BCG demonstrated that we can as a nation, as a group of disparate organisations, come together as one and address what is considered to be, to the rail industry, one of our most important safety issues. To the road industry not so, but they also acknowledge that the consequences, the risk, the likelihood and consequences are high if we get this wrong. So the BCG has pulled together this inventory and at the last meeting we shaped and massaged what we thought should be the priorities from a government perspective. That is work ongoing but we are drawing on all the inventories, as you mentioned, that are on the RISSB website, as well as other State Government initiatives.

In terms of the management, I pick up your point about the management. As you are aware, every State government has a rail level crossing committee, and those committees are visited by the likes of myself and another fellow called Tony Braxton-Smith, along with Emma. Industry is allowed to participate in these by invite, but we say, "Look, we would like to come along and put forward our point of view", and we are welcome. We welcome that and we are welcome, which is just great news. So what we can do as the ARA is bring together that sort of national perspective, and I can talk about what is happening around the country. But with the creation now of this rail level crossing group the management is going to be a lot better because a lot of the chairmen on those State rail level crossing groups are actually now on this national level crossing group. So there is going to be a lot more harmonisation and coordination.

I made a note here "progressive"—what are we doing moving forward? Clearly, we as a group come together and determine what our priorities are going to be, we are going to have to have resourcing, and that is a problem. But with the BCG it demonstrated good intent and goodwill by the various players in an organisation to contribute to the national good, and we would be suggesting that might be the best way to go: consolidate our resources, make our strategy based on a national approach rather than a State-based approach.

Mr GEORGE SOURIS: I have two questions, one on the speed of the trains and the other on the B-triples. On the speed of trains, some time ago now when we were dealing with this, Vince Graham, the then chief executive of RailCorp, now defunct, reduced the speed of XPT trains I think to 100 kilometres per hour. He at the time said this is because they move so quickly that a person in a car thinks they are nowhere near it but yet they arrive so quickly. Do you have a view on that? Is that a successful thing or are we just sort of slowing down the trains?

Mr TAYLOR: Let me answer that two ways if I may: one from an urban network and one from a freight network. The freight network first. I am sure—and Brian is still under oath, I hope, Mr Chairman, because I am sure he will jump over me if I get this wrong—but from an ARA perspective: Brian's company operates from Brisbane to Melbourne across to Western Australia and various tributaries. For rail to be competitive with the road industry—because that is what it is all about: this competition—if we slowed our trains at every level crossing between, say, Brisbane and Melbourne, trains would take anywhere up to four days probably to get there; I do not know, but there are a lot of level crossings.

Clearly, a truck can go from Brisbane to Melbourne in 20 hours. That is point one: it is competition. Point two is if we did slow down a train we cannot guarantee—and the evidence is there—that collisions will not be stopped. For example, Brian mentioned Back Creek in New South Wales two years ago in 2007. A train was slowing down because the bridge it was approaching was not modern, it was old, but the rule was to slow down to 30 kilometres an hour. The train was slowing down and at the time of impact with that truck it was 40 to 50 kilometres an hour. I can confirm that figure, if you wish, later, but it was in that order.

Freight trains tend to go a lot faster. So slowing down a train does not necessarily prevent accidents. Yet in an urban network where there are a lot of trains going and a lot of cars crossing over, that may very well be a viable alternative. But, from a government perspective, you have got to then put up with the passengers not getting to a destination on time. So I think that is a political/industry issue, not so much an industry issue.

Mr GEORGE SOURIS: At the time it was XPT speeds of 160 kilometres an hour being reduced to 100, which, when you say "put up with the passengers", they see the timetable and they see a time of arrival in Melbourne, they have no idea that it could be six hours less than that if it was not for the speed limit.

Mr TAYLOR: But equally what we are trying to do, and the evidence is there, that more people are travelling on trains—from a government perspective is get more people off the road and onto rail to reduce the carbon footprint, et cetera. We all know the arguments. Clearly, if you are going to slow down trains doing XPT stuff then people will stay on the roads because it is faster.

Mr GEORGE SOURIS: The B-triples, the network. The question really is about what is the appropriate network if we are going to have a network for B-triples? I understand length is the issue. Is it to keep them off the main roads or is it to actually make sure they only go on the main roads where I would have believed there are far fewer level crossings in fact and more controlled ones and less of an issue about that length?

Mr TAYLOR: I think that is a good question, but could I just caveat by saying that it is the road authorities that determine the network, not the rail industry. Our concern is where the B-triple network crosses over the level crossing or the level crossing crosses over the B-triple network. Our concern is where there is an intersection with the B-triple network. The problem also is with the town infrastructure. Clearly, if you have a truck crossing over a level crossing, it is coming into a built-up area. Many townships have traffic lights and what have you at a distance from the rail network that, should a B-triple park or stop at those lights, it is hanging over the rail line. That is our real worry. It is not necessarily the length of the B-triple that we are concerned about, it is also the weight, because some of the B-triples are actually smaller than a lot of trucks on the network. It is the weight. These trucks are now carrying a huge amount of weight, so if a train hits a truck that is heavily laden it has no chance of staying on the rail. So it is the length, but more importantly the weight. That is our concern. As I said earlier, we have written to the transport departments asking for assurances that risk assessments have been done on these B-triple routes. It is a concern of ours and we will keep pushing it very hard until such time as we are assured that these risk assessments have been done and if they have not been done, we will continue pushing to have them done.

The Hon. ROBERT BROWN: My first question relates to an answer you gave previously in regard to a national cooperative arrangement. Reading our briefing note, it says that of the approximate 1,400 public road crossings in New South Wales the majority of level crossings are under the administration and responsibility of local councils, yet the Federal body does not appear to have any representative from that tier of government. Do you think it would be good if local government were involved in these issues?

Mr TAYLOR: That is a very good point. I think so. I do not think it would hurt. The problem is that there are a lot of councils around Australia.

The Hon. ROBERT BROWN: Yes, but there is also a national body.

Mr DARYL MAGUIRE: Peak bodies.

Mr TAYLOR: A peak body. I will take that on notice. Certainly it is a good point and I will put it to the committee.

The Hon. ROBERT BROWN: On page 13 of your submission you state that there is the possibility that interface coordination agreements [ICAs] could impose budgetary pressures on some road authorities. You say that accordingly the Australasian Railway Association [ARA] recommends that the New South Wales Government provide the appropriate level of funding assistance, et cetera. Are you saying that you believe that there is not an appropriate level of funding at the moment?

Mr TAYLOR: What we are saying is—and particularly in these economic times with councils' need to maintain employment or what have you—our fear is that money will be redirected from their ICA agreed arrangements to other community-based things and therefore that their responsibility for the maintenance of level crossings will deteriorate. That is our concern.

The Hon. ROBERT BROWN: What would you recommend as a remedy?

Mr TAYLOR: Well, increased funding. If the councils say, "Look, we've got this problem here and we need to redirect all our resources into that, we can't honour our commitment through the ICA", then what we are recommending is that the New South Wales Government give consideration to supporting councils in that regard.

CHAIR: We have just completed an inquiry into young driver safety and education, and we have heard from doctors that young males' brains do not always develop until about 25 and there are significant risks, so we are aware of that. The familiarity breeding contempt argument with us older drivers, as you have described us, is interesting.

Mr TAYLOR: You're all under 50, aren't you? You look like it.

CHAIR: Mr Souris and I share great interest in a show called *Air Crash Investigators*. I think in Victoria a coroner's inquiry was called as a result of a train accident there and I think the most recent level crossing accident was in Queensland. Would that also be subject to a coroner's inquiry? Do you have any overall coordinated federal approach to looking at the cause and effect of these accidents?

Mr TAYLOR: We do, through the new committee that we have created. The ARA, from a national perspective, is probably the only group that is actually lobbying for a coordinated approach. Federally, the new level crossing group that has been constructed will probably take on what you are saying and will draw together all the lessons learned and probably try to implement action plans or what have you to make sure that these lessons are not repeated in the future. I am happy to share the terms of reference of this new level crossing group when we finalise them because there is a bit of chest-beating going on around the place, as one would imagine when you get all these alpha males coming together, but it is an honest debate we are having and it is a very healthy debate within the committee. We are reasonably close to finalising the terms of reference and I am happy to share those with you if you wish.

Mr DARYL MAGUIRE: In relation to the recent announcement of the Federal Government injecting \$200 million into level crossings, do you have any input into that? Do you have a view?

Mr TAYLOR: We did not have an input into it, it was a State-based sort of input, but we are certainly very supportive of it. We welcome it, it is good to see, but we need more.

The Hon. IAN WEST: Are you familiar with the findings in the Staysafe Committee's report of 2004? I assume you have ongoing liaison with our secretariat in regard to the terms of reference you are referring to nationally?

Mr TAYLOR: Well, not necessarily through your secretariat, but through the New South Wales level crossing committee.

CHAIR: Thank you very much for coming here this morning; we appreciate the time and effort you have given to us.

Mr TAYLOR: Could I make one more comment, and I will not take up your time, but please indulge me while I have your undivided attention.

CHAIR: Yes.

Mr TAYLOR: We have, for the last three years, run a campaign called the National Rail Safety Week. I have alluded to it in our paper. This year, however, we intend making a big thing of it and it is focused on level crossings. We have written to your Minister and to the Prime Minister and everyone to attend a dinner on 24 July in Melbourne to launch National Rail Safety Week. We are trying to focus the nation's attention on level crossing safety issues. The aim of this launch, whilst we have been doing it very quietly over the last couple of years, through the assistance of the various State level crossing committees, is to raise moneys to create a level crossing foundation.

For those who know Chris Cairns, a New Zealand cricket captain, his sister was killed in a level crossing accident about five or six years ago. Once he got over the emotional turmoil he decided he was going to do something about level crossings. He then created the Chris Cairns Foundation and started raising money through foundation dinners, charity walks and that sort of stuff, but soon realised that he could not achieve his

aim, and that is engineering out the problems at level crossings, because of the sheer cost. He then turned his attention to education. What he has now managed to achieve is enough money through annual fund-raising activities through his foundation to pay for four or five full-time schoolteachers to go into schools. That is what we are trying to achieve, not this year but ultimately in three to five years time—it takes a while to get a foundation up and running—to create this foundation and get money into it to pay for full-time teachers in States and what have you to go forward and spread the message.

(The witnesses withdrew)

IAN JAMES GLASSON, Director General, Ministry of Transport, Level 21, 227 Elizabeth Street, Sydney,

GORDON JOHN FARRELLY, Acting General Manager Traffic Management, Roads and Traffic Authority, Level 16, 101 Miller Street, North Sydney, and

TIMOTHY FRANCIS RYAN, General Manager North/South Corridor, Australian Rail Track Corporation, PO Box 1343, Gouger Street, Adelaide, sworn and examined.

CAROLYN JEAN WALSH, Chief Executive, Independent Transport Safety and Reliability Regulator, Level 22, 201 Elizabeth Street, Sydney affirmed and examined.

CHAIR: I welcome representatives of the Level Crossing Strategy Council and thank you for appearing today to provide evidence to the committee. In what capacity are you appearing today?

Mr FARRELLY: I am appearing today in my capacity as the Roads and Traffic Authority's representative on the Level Crossing Strategy Council.

Mr GLASSON: I am appearing as the chair of the Level Crossing Strategy Council.

Ms WALSH: I am appearing as a member of the Level Crossing Strategy Council.

Mr RYAN: I am a member of the Australian Rail Track Corporation executive team, I have responsibility for level crossing policy within the Australian Rail Track Corporation and I am a member of the New South Wales Level Crossing Council.

CHAIR: I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I also point out that any deliberate misleading of the committee may constitute a contempt of Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of evidence presented to the committee. Would you care to make a brief opening statement?

Mr GLASSON: I will not go into detail because you have our submission. We are happy to rely on that and to take questions. The people before you have a range of different detailed knowledge about level crossings and their performance. We have tried to bring the best range of those skills so that the committee can make detail inquiries. The Australian Rail Track Corporation has effective control of most of the infrastructure in New South Wales other than the RailCorp network, both through the long-term lease to the Commonwealth and in its role as the manager of maintenance for the Rail Infrastructure Corporation. Mr Ryan also has accountability in other States and therefore brings a broader perspective to many of these issues. Ms Walsh is the chief executive officer of the Independent Transport Safety and Reliability Regulator.

We now have New South Wales legislation dealing with the issue of interfacing agreements on level crossings. That is an important development since we last appeared before the committee. Members might wish to talk about that. The Roads and Traffic Authority has the management of the additional funding that the New South Wales Government provides from time to time for accelerated improvements. Mr Farrelly has control of that program and funding. As the chair of the Level Crossing Strategy Council, I fulfil a rather strange role because I am the one person who does not have direct daily accountability for safety at level crossings. However, I convene the council and ensure that it talks about issues of common interest. The council membership also includes representatives from local government, the police and RailCorp. I am the administrative path to the Minister for the official closure of level crossings in New South Wales.

Mr DARYL MAGUIRE: In the most recent response the committee was advised that annual reports are made available to the public on the Level Crossing Strategy Council website, but we cannot locate the reports on that website. Is the annual report available on the website?

Mr GLASSON: I understood that it was, but I will take that question on notice and come back to you.

Mr DARYL MAGUIRE: Your submission states that the Staysafe committee recommended the development of a risk assessment and prioritisation program for railway level crossings. It is claimed that the

Australian level crossing assessment model is used to assess and evaluate priority sites as input to development of the Roads and Traffic Authority program. New South Wales is represented on the national claim committee, which has a program of work for the ongoing development of the model. Can you explain the program of work on the ongoing development of the model?

Mr GLASSON: That model has been under development for some years as a means of having an agreed risk-based assessment of level crossings across Australia, not just between infrastructure owners within the State. The model is not a static tool; there is continued development of the capability of the model. The point we have reached is that there is national agreement that the model is the tool that everybody uses. However, there is a desire to continue to improve that model. That is the reason for the reference to the national body.

Mr DARYL MAGUIRE: In point 3.4 you state that Staysafe recommended the review of improvement of conspicuousness of trains. The Australasian Railway Association has developed a train conspicuousness standard for rolling stock that specifies lighting, livery and reflected delineators. Although this is a voluntary standard, the Australasian Railway Association position is that existing locomotives are expected to comply with national locomotive lighting and visibility standards. What is the uptake of that voluntary standard on all trains and locomotives? Has any monitoring been done? It is stated that 20 per cent of vehicles are now adequately reflected or compliant.

Mr RYAN: That is also a recommendation that was picked up by the House of Representatives standing committee on infrastructure, which held an inquiry into train conspicuity. Our understanding is that almost every locomotive operating on interstate and urban networks in Australia is compliant as are all the wagons.

Mr DARYL MAGUIRE: And all the rolling stock?

Mr RYAN: Yes.

Mr DARYL MAGUIRE: My fifth question relates to corridor strategy. You are familiar with the Cootamundra to Albury strategy of enclosing the rail lines and removing level crossings. I note that the fencing has been removed on that corridor, which takes high-speed trains including the XPT. Do you know if that fencing will be replaced to enclose the corridor or is it policy that it be removed by the ARTC and not replaced?

Mr GLASSON: Tim can answer but I am not aware that there is an active policy of removing fencing.

Mr RYAN: No, there is not an active policy of removing fencing. Different lines in New South Wales have previously been fenced or unfenced and they are described that way in the standards. If there was fencing there before we started the work we would put it back. If you have a particular location in mind I will find out.

Mr DARYL MAGUIRE: I made the inquiry and it was suggested to me the fencing was not going to be replaced. I understand major construction works are occurring and you are replacing sleepers on the line. All of that is welcome, but I am alarmed at the removal of the fencing and the suggestion that it will not be replaced when one considers that XPTs will have their speed increased, I assume, back to 160 kilometres an hour once the track is upgraded. I would certainly like a response to the Committee on that. One last question: As you are responsible for the closure of lines, or the suspension of their service, would you agree with a recommendation from this Committee, if it made such, that suspended rail lines with signage have the signage bagged so as to not create an air of complacency for drivers who know that the train never crosses that line but when they cross a line that is used have disrespect for the signage? Would bagging the signs be a useful tool?

Mr GLASSON: It is a sensible thing depending on whether there is a view that that track may reopen in the short to medium term, but if it is suspended and unlikely to reopen then I think some coverage of the signs is useful. Can I just clarify that? While the crossing may not be operational there is still the infrastructure and the cars needing to negotiate the rail tracks. Sometimes it is important there be some alternative signage just to tell people to slow down or take account of the condition of the road. It is not just a normal road surface where a level crossing is traversed.

Mr DARYL MAGUIRE: I think there are about six of these lines in New South Wales and a lot that have been decommissioned have had their signage removed. But the signage remains on those that have not seen a train for five or 10 years and I think that is very dangerous. We were told in an early submission that in

Queensland signs are bagged on a seasonal basis. That is why I asked the question: Is it a possibility and would that kind of recommendation be welcomed?

Mr RYAN: It sounds a sensible recommendation.

Mrs DAWN FARDELL: Perhaps Mr Ryan could answer my question. We have heard in submissions and again this morning about the impatience of people in running the boom gates and going around them. Mr Maguire referred to that as well. There was another incident in my local area of Dubbo that has had a bit of press in the last couple of days. On Cobborah Road, which goes into the Golden Highway to Dunedoo and Newcastle, people are getting very impatient and complaining about the time they have been delayed. Dubbo is more or less surrounded by railway tracks; I guess we are trapped. Is there an average set time that the gates can be down?

Mr RYAN: There are a couple of rules about how long gates are down. The gate has to be down for 21 seconds before the train arrives on the level crossing—in some States it is 25 seconds, but there is a specific period of time. The issue that usually causes delays is if there is another train close by. There is a rule that says if the gate is going to go up it has to stay open for a couple of minutes to clear the level crossing. So, if another train is close that will interfere with the break period the gates stay down, and that does cause delays. You do not want to open it and drop it down again quickly. If you cannot get a two-minute clearance on the crossing you hold it down for the second train. I am not familiar with that location but I will have a look at it. It is possible that is what is happening.

Mr GEORGE SOURIS: At Scone there are two level crossings, one on the New England Highway itself, a national highway—it is the only level crossing on the highway between Newcastle and Brisbane. The train lengths have just been increased for coal trains and they will be increased again if and when the upgrade up north occurs. Now we see the prospect of not only that preliminary closure, but also a train closing both crossings. There are times when the trains stop there for some reason or another and it is really beyond belief that this situation can occur on a national highway. I am leading up to a question about the money to build an overhead bridge, which is the only solution to this problem. The amount of money has been so small in the past that although 20 or 30 projects could be started one project of this size would consume the whole budget. To my knowledge there is another project at Adamstown in Newcastle that would be pretty expensive, too. I just know about it; I do not know it intimately. I am hoping this new injection of \$150 million from the Federal Government might go some of the way towards these major projects. Can you give us an idea of what is on the agenda for this money? Are some major projects going to be done or will it be frittered out as much as possible?

Mr GLASSON: Frittered is a little strong.

Mr GEORGE SOURIS: "Spread" is the right word, I think.

Mr GLASSON: The answer is that in the boom gates program the Commonwealth Government has announced there is no money for grade separations or major programs like the one at Scone. The money is very specifically for crossings that are currently not actively protected, which means they do not have flashing lights or boom gates, and moving them forward.

Mr GEORGE SOURIS: But will that money liberate other money that would have gone to those projects and can now be used for major projects?

Mr GLASSON: No, that money is going towards projects that were further down on our priority list.

Dr ANDREW McDONALD: The report shows the deaths in the last four years, which have averaged about one a year. Do you keep any information on injuries?

Ms WALSH: Yes we do. The data that we collect on level crossings includes both deaths and injuries. They are considered to be serious injuries and there is a definition of that—

Dr ANDREW McDONALD: Are they published anywhere?

Ms WALSH: We provide data to the Australian Transport Safety Bureau and they publish them on their website. That is updated on a six-monthly basis.

Dr ANDREW McDONALD: Where is that available for New South Wales on the web?

Ms WALSH: I am reasonably confident we have a link to it on our website. I will get back to you if this is not correct. I am pretty sure we do. It is at transportregulator.nsw.gov.au.

Dr ANDREW McDONALD: Were the seven fatalities in 2002 in one accident?

Ms WALSH: No. In New South Wales?

Dr ANDREW McDONALD: Yes.

Ms WALSH: I am confident that it was not but I could not tell you offhand how many there are. I can take that on notice if you want the details of those fatalities in 2002.

Dr ANDREW McDONALD: The maximum speed of trains should not exceed 120 kilometres an hour unless it is a closed corridor. What is the average speed on the New South Wales rail network?

Mr GLASSON: Average or maximum?

Ms WALSH: I should say at the outset, I could not give you a figure on a daily basis because temporary speed restrictions are put on from time to time depending what works are going on and so forth. Whether anyone has calculated the average speed without temporary speed restrictions, I do not know.

Mr RYAN: We have those numbers. I can get them for you. I do not have them with me. Typically on the North Coast—and it will be very specific—the North Coast is running about 85 kilometres an hour for freight trains and about 92 for passenger trains. It would be much higher than that for passenger trains on the south. I need to get the exact numbers for you.

Mr GLASSON: We are happy to provide those for you.

The Hon. ROBERT BROWN: Mr Glasson, recommendation 23 is that the MOT in consultation with the RIC, RTA and other agencies actively seek the closure or relocation of crossings. That is the theme that was raised by the previous witness. One could probably assume that one of the agencies that would not be actively seeking the closure of crossings would be the local council, which is responsible for the roads on most of those crossings, because of local political issues. What factors are taken into account during the consideration of the closure of a railway level crossing, and are they consistent across the network managers, demonstrating a consistent approach to railway level crossing closures across the State?

Mr GLASSON: Can I answer part of the question and ask Mr Ryan to answer the rest, because he is involved regularly on local consultation. Yes, there is a standard of consultation and issues to be applied prior to a recommendation to the Minister. That is the operator, the Roads and Traffic Authority, the local council and affected landholders. So a very detailed set of consultations is required. The file for a closure of a crossing is never less than about an inch thick. It is a lot of detail.

Mr RYAN: The primary factors we take into account when seeking to close a level crossing—and we probably approach the question from wanting to close all—are whether or not alternative access is available, the basis of the legal right that people have to the level crossing—some are obviously embedded in land titles and others have been there for convenience—whether there is local community objection and, lastly, emergency services. That is always a difficult one, where emergency service access may be impeded in some way.

The Hon. ROBERT BROWN: A previous witness indicated the Federal Government is formulating a new body for rail safety nationally and a working group would be formed that would report to it. The point was made that the Local Government and Shires Associations' national representative did not appear to be represented on this Federal body yet. In New South Wales—and I assume all the other States are the same—the majority of the road component of those level crossings is the responsibility of local government. What is your view of the local government peak body being represented on that national working group?

Mr GLASSON: I think the national body has to interface with the local government people, just in matter of detail. Generally those national bodies will be subsets of the ministerial council and they will be working groups reporting ultimately to Ministers. The particulars of that are that even if industry representatives

or local government or others are not formally represented, there is usually a process of interface and consultation.

The Hon. ROBERT BROWN: Of course, they do form a strong component of your council?

Mr GLASSON: They do.

Mr GEORGE SOURIS: Mr Glasson, may I return to this issue of level crossings. You have here an Australian level crossing assessment model [ALCAM] list of prioritised items. Earlier in your submission you refer to the amount of money per annum, which appears to be \$23 million spread over four year, but another \$2 million per annum has been added to that. Is that the kind of money we are talking about?

Mr GLASSON: That is the money we are talking about.

Mr GEORGE SOURIS: So, what does this list of priorities do? Are you working on No. 1 and then you will do No. 2? Is that the order of work?

Mr GLASSON: We tend to try to work down the list but there could be one near the top that is already protected. We are typically using the funds we have available to move to a higher level of protection, acknowledging there is still going to be an upgrade crossing of the railway line and the road.

Mr GEORGE SOURIS: When a project that has \$12 million attached to it reaches the top, what happens?

Mr GLASSON: Then it has to be funded separately by the budget through the rail agency or road agency.

Mr GEORGE SOURIS: So how do we know which of these prioritised items are capable of fitting into your program and those that are never going to and will have to be specially allocated in the way you have just described?

Mr GLASSON: I am happy to provide some advice on notice of which ones are likely to be—

Mr GEORGE SOURIS: I know the two that I know. You have Liverpool Street at Scone, that is the secondary one, and the New England Highway at Scone, a lower priority, which I am amazed at. But when the New England Highway one gets to the top, it is \$10 million or something?

Mr GLASSON: Yes. From our perspective it then sits at the top until the alternative money becomes available to do a grade separation.

Mr GEORGE SOURIS: There is another question. I do not know what these projects are in value. This list is good, but the value would have been relevant.

Mr GLASSON: Yes.

Mr GEORGE SOURIS: What projects are up there now that are sitting, waiting around, of that magnitude?

Mr GLASSON: The Scone one, the Garfield Road one.

Mr GEORGE SOURIS: No, I mean what is already up there? You might have \$100 million parked up there?

Ms WALSH: Can I make a clarification that I think might be helpful? This particular funding program is not the sole bucket of money that goes towards level crossing upgrades. It is really designed around accelerating the process by which you can take crossings from lower forms of protection, passively protected crossings to actively protected crossings. Once they start getting to the scope of the risk issues around that level crossing involving major roadworks, for instance, or even grade separation, they really need to be considered as part of the roads authority's and the railway's broader capital programs. So, there are many crossings in New South Wales over recent years that have been upgraded but not out of this money, because they were part of a

capital program of the ARTC as they have been developing the railway. It is important to recognise that that \$23 million is not designed to be the funding pool for major roadworks and particularly grade separations. That then becomes a different decision making process within government to allocate those funds to those crossings.

Mr GEORGE SOURIS: You have exposed the farcical nature of the funding now, with that answer.

CHAIR: In your opinion.

Mr GEORGE SOURIS: Well, it is farcical because there are so many agencies that no-one wants to take charge or provide the funding. We could well have a national highway that the RTA manages, the ARTC is involved, and the State Government might be approving a coalmine further up and it thinks it can saddle the cost of that to that, for example. So we sit and wait. There is gross inaction, for a start. The farcical nature, I am sure, is demonstrated in the case I have in mind. The coalmine is not going to help it anyway, because the coalmine will end up being saddled with the tunnel further up at Murrurundi. I hope you know the area I am talking about?

Mr DARYL MAGUIRE: What you are saying is smaller projects will be funded, most likely on local roads, rather than the larger ones that might be top of the priority and the most dangerous of them all, but they cost \$50 million, and that \$50 million is going to be expended on 500 crossings or a thousand crossings at \$10,000 each or \$5,000 each, whatever the cost is? That is what you are saying?

Mr RYAN: We need to be careful when we do that. The risk assessment that drives the allocation of funds is based on whether or not the crossing is safe. The Scone level crossing has had all the treatment that you can ever do to a non-grade separated crossing. In fact, that is why it is a lower risk than Liverpool Street. I know both those streets.

Mr GEORGE SOURIS: It also has the same stuff on it.

Mr RYAN: Liverpool Street has couple of other complications. You cannot do anything more to those level crossings from a rail safety perspective.

Mr GLASSON: Other than grade separation.

Mr GEORGE SOURIS: This points to another aspect altogether. You might have a boom gate and the highest level of protection for a level crossing, but we are looking at volumes of train traffic and the lengths of trains increasing. In this case if both level crossings go out, an ambulance would not get through as there are residential properties on both sides of these crossings. An ambulance would not get through. This is not your concern because the crossing itself is safe, even though people have to wait for ages. And ambulances, et cetera, would not get through.

Mr RYAN: For this particular program?

Mr DARYL MAGUIRE: Yes.

Mr GEORGE SOURIS: I refer to this also as a farcical situation.

CHAIR: You have made your point.

The Hon. RICK COLLESS: Part of the question that I wanted to ask has been answered as a result of Mr Souris's inquisition. I was also going to raise the issue of Liverpool Street verses the New England Highway at Scone. However, the other highway that caught my eye was Oxley Highway at Wauchope and, in particular, the New England Highway at Scone. I regularly travel on the Oxley, New England and Pacific highways and so on. Taking into account the amount of traffic on the Oxley and New England highways, it appears to me that the New England Highway would have a much higher priority than would the Oxley Highway at Wauchope. It comes back to the point that Mr Souris was making: How on earth do you arrive at those priorities? Anybody who knows those crossings reasonably well cannot see the logic in it.

Mr RYAN: I do not know the particular crossing at Wauchope to which you are referring. But let us go back to the Australian Level Crossing Assessment Model [ALCAM] model which is driven by number of factors including traffic volume and train volume, road speed, approach distances, and all those sorts of things.

There comes a point where volume ceases to have an impact on the model, and that might be why that is the case. I do not know. Do you know Oxley Road?

Mr FARRELLY: No, I do not. Just to support what Mr Ryan said, the model tries to capture both demand—rail and road—but also operational characteristics around the level crossings. The road configuration might have an intersection reasonably close to the level crossing. With the types of vehicles that use the road that might have an impact; we call it short stacking, and on the level crossing is one example. So we have a potential problem. I do not know whether that is the case at Wauchope. A semitrailer might use the highway, quite legitimately, and potentially queue across a level crossing because it is waiting at the adjacent intersection for one reason or another. It is quite a complex model and it covers a lot of factors.

The Hon. RICK COLLESS: I would not have thought that there was that much traffic on that road to cause that to happen.

Mr FARRELLY: I do not know the specific details, but we can come back to you. I am alluding to the fact that the model captures demands and also the environment around it and how that works together.

CHAIR: Mr Farrelly, in view of Mr Souris's comments, could you tell us how the Roads and Traffic Authority determines a priority for, say, the exact grade separations that he talked about in a budgetary process?

Mr FARRELLY: As Mr Ryan was saying, essentially, we are using the ALCAM model as the principal basis for the prioritisation of sites. We take that with our rail partners and review each site to determine the issues that might exist. We also use some of the ALCAM outputs. Subsequent to that, each year the list of sites is looked at either for investigation or for actual works, following planning.

Mr GLASSON: You asked a broader question about what triggers the application for funding for the major works under grade separations. I think that is something we are happy to come back to you on. Clearly, that will be part of the agency's overall budget process.

Mrs DAWN FARDELL: In the next budget allocation how many items at the top of the list will be completed? The list contains 300 prioritised sites. How many would you expect to be able to address in a 12-month period, although it might take longer than that to complete these projects?

Mr FARRELLY: It depends on the site, the likely cost and, therefore, the impact on the program. As an example, over 2006-07 we completed five major sites, or major upgrades, and two minor sites, whereas in 2007-08 we completed seven major and 15 minor sites, essentially with similar amounts of money. In 2007-08 there was about \$1 million extra or thereabouts. It just comes back to the types of changes that we undertake.

Mr GLASSON: Typically, that is the order of magnitude of what we would achieve on an annual basis.

Mr DARYL MAGUIRE: You said that in a good year you managed to give treatments to 20 level crossings, and there are 3,000 in New South Wales?

Mr GLASSON: There are more than that.

Mr RYAN: I think there are 3,000 public railway level crossings.

Mr FARRELLY: There are around 1,500 public railway level crossings.

Mr DARYL MAGUIRE: If you achieve 20 out of a total list of 3,000 we will be very old people before you complete it.

Mr RYAN: Those 3,000 are already protected.

Mr DARYL MAGUIRE: I refer to the major upgrade of the rail line, in particular, from Sydney to Melbourne. There has been a suggestion that the ARTC, or the transporters, wish to use double-decker trains. Who coordinates the infrastructure budgetary requirements and planning to remove low bridges and replace them with road overpass bridges? I imagine that that would be a rather complex operation. It appears to me that no-one is taking the lead in negotiating those discussions. There are major traffic problems with S-bends on

Kapooka Bridge and trucks go over onto the ARTC line all the time. It is only time before someone is killed, or a train driver is killed, yet no-one seems to be in a position to bring those parties together to make a decision about funding, road works and new infrastructure. Can you explain why that is so difficult?

Mr RYAN: If you go back to double stacking for a start, about six years ago the Australian Transport Council adopted the policy that any new structure built on the defined interstate network would be clear to a height of 7.1 metres to allow for double stacking. We now have that between Parkes and Perth and Adelaide and Perth. Any new structure being built on the interstate network in New South Wales either is being built to that height or it is being built in such a way that it can easily be taken up to that height. However, between Melbourne and Sydney our fundamental problem is six tunnels.

We are progressively trying to work that out. You cannot get into Melbourne without going through the Bunbury Street tunnel. Until we can get freight centres out of the centre of Melbourne it is an academic argument. Our policy is to preserve the future so that we do not build any more. As we can take our structures in priority order we would then come back to end up at something like the bridge to which you were referring, which unfortunately I know very well, and then do that at the end.

Frankly, spending money on double stacking has to be funded by the rail operators getting efficiency out of double stacking. At the moment, on the Melbourne to Sydney run, five big tunnels will cause us grief before anything else.

Mr DARYL MAGUIRE: You are saying that those bridges that were constructed in the early days are destined to sit for many years to come because the great majority of expenditure will go on those tunnels rather than on road bridges.

Mr RYAN: If any expenditure occurs. At the moment there is no economic case to lift the tunnels.

Mr DARYL MAGUIRE: But if there were a case?

Mr RYAN: Yes.

Mr DARYL MAGUIRE: That means that those bridges will sit there, either until someone goes over the site and gets killed, or a truck causes a major train disaster. Perhaps only then something will be done at Kapooka Bridge. That is the reality.

Mr RYAN: Yes, because from our perspective it is not a double-stack issue, it is a road issue.

Mr DARYL MAGUIRE: Recommendation 33 of the Staysafe report recommended that the Rail Infrastructure Corporation, the Roads and Traffic Authority and other agencies develop a program for the installation of gateway treatments for level crossings. Are you confident that the revised standard 1742.7 will improve safety at level crossings?

Mr FARRELLY: We believe it will, yes. It provides clear guidance in terms of the type of delineation; for example, posts or pavement markings, which include the rail insignia on the road and also signage as you approach and also at the level crossing from a road user's perspective. It makes it consistent and improves the old standard because the signage is a lot clearer, so we believe it will improve safety.

Mr GEORGE SOURIS: At the top of the list of priorities, I select a couple of items not in my electorate but I know them because they are in Newcastle. Beaumont Street, Hamilton is number 3 and Merewether Street, Civic, further into the city of Newcastle is number 5. Can I assume that they will be dealt with? What else has to be done there? They have boom gates, lights, the surfaces have been refixed, pedestrians have their little thing as well. What is it that you are going to do for those two projects because if you do 12, you must know the details of the first 12?

Mr GLASSON: My assumption is that those ones, having been fully treated, are at the point now where they cannot have any more works done under the allocation of funding that we have available for the accelerated program and they will simply wait until there is money available.

Mr GEORGE SOURIS: To do what though?

Mr GLASSON: Grade separation or whatever is required. Generally those ones that get right to the top have high volumes of traffic and high volumes of trains. That is generally the thing that drives the top of the list. Where those are in urban environments, such as the Newcastle ones, then grade separation is normally the only treatment that will remove them from the way the model is defining risk.

Mr GEORGE SOURIS: So it exposes again this point that projects of some magnitude stack up at the top, so we would be incorrect to imagine, having heard the earlier evidence, that the first 12 projects are about to be undertaken?

Mr GLASSON: That is correct.

Mr FARRELLY: Just to clarify what Jim has said, we have actually got an allocation of \$110,000 in this year's program for Beaumont Street, Hamilton so it is being actively investigated and planned at the moment. There might be some works that come out of that planning, but I specifically do not know the details at this stage.

Mr RYAN: But Merewether Street has been completed now. It has got passenger electronic gates. There is nothing else you can do there. You cannot do anything else to Merewether Street, but it will still get a very high risk score because of the number pedestrians, trains and cars that go through that crossing.

Mr DARYL MAGUIRE: With regard to the funding that you are going to receive through the Federal package, how much will New South Wales receive out of the \$150 million announced by the Federal Government?

Mr GLASSON: Off the top of my head, I think it is around a third or a little less.

Mr RYAN: I think \$47 million.

Mr GLASSON: It is in the 40 millions.

Mr DARYL MAGUIRE: How many of the 200 sites announced for improvement will be located in New South Wales?

Mr GLASSON: I could not give you a final number on that because the advice that we provided back to the Commonwealth is about lists in priority order and it will be a determination with the Commonwealth once the detailed designs are done, and Tim is involved in this. Whilst we have nominated a list of sites, we have to get out there and do the on-site designs. As Tim and I were talking about this morning, the power at one site might be quite cheap but to get power to another site might be quite expensive. The number of sites you ultimately get out of that money is yet to be finalised.

Mr RYAN: In giving the priority list to the Commonwealth we used an average cost per site based on history. Because a lot of these sites are actually in rural areas the cost is actually less.

Mr DARYL MAGUIRE: Will they actually set a target, otherwise they will not achieve their 200? If you have used an average cost for that, some of the priority list may be more expensive and they may not get to their 200 target. It could end up at 100.

Mr RYAN: I know that is how they set their target. We think the number is adequate and I think they will get their 200. We have a list that we have provided for New South Wales. It could be 100 on there, if you kept going down the list.

Mr DARYL MAGUIRE: What was the average cost that you used?

Mr RYAN: We used \$700,000. One of the problems is you could get really lucky and have a power connection on-site or near, or you could be five kilometres from power and then you are going to pay a couple of hundred thousand for the connection.

Mr GLASSON: But ultimately because the Commonwealth is funding a program across Australia, it will make the final determination about numbers and dollars.

Dr ANDREW McDONALD: I ask about numbers 16 and 43 on the prioritised list. Number 16 is Liverpool Hospital. My understanding is that it is going to be paid for already as part of the Liverpool Hospital redevelopment, so even though it is on the list, nobody in this room will have to pay a cent towards it, is that correct?

Mr RYAN: Yes.

Dr ANDREW McDONALD: So it might as well not be on the list because it is not your problem. I agree that it is a prioritised site, but there is no money going from the LCSC or anybody like that towards the hospital. The second one is Casula at number 43; that is a low-volume costing next to the powerhouse. It would be very expensive to have a grade separation, even though desirable, so it does not look to me as if that will ever be done, am I right in saying that?

Mr GEORGE SOURIS: Would you think the list farcical then?

Dr ANDREW McDONALD: No, he is saying that he would not think that.

Mr GEORGE SOURIS: Not that extreme?

Dr ANDREW McDONALD: No.

Mr RYAN: Let us just be careful. The list is a risk assessment of the current level crossings as it sits with its current assessed risk.

Dr ANDREW McDONALD: So it is a risk assessment list rather than a prioritisation list?

Mr RYAN: Yes, and then you go back and take out the ones, for example, Garfield Road, where it has already been decided there is no point in spending any more money on level crossing treatments and I understand that is part of a separation program.

Dr ANDREW McDONALD: So it is a risk prioritisation list?

Ms WALSH: Indeed, and that is a very important thing to understand.

Mr RYAN: Casula Road I would take on notice, but I understand there are some proposals to solve that associated with the southern Sydney freight line, so I think Casula and Liverpool Hospital are in the same pick.

The Hon. ROBERT BROWN: It is obvious that this list has caused a great deal of interest this morning in the context of the 72 recommendations. Perhaps next time you develop a priority list, which is a priority list based on safety—and there are other issues such as when will the money be spent, and whether it will be small or big money—rather than a list, can it be a table, so that it is clear that this is a safety priority list, this is the list of the top 12 that will not be done until there is funding and then you will not have any questions. I am not suggesting that the list is farcical.

Mr GEORGE SOURIS: I totally endorse that remark.

Mr GLASSON: I take your point.

CHAIR: We will put our other questions to you on notice. Thank you for your attendance here this morning and your forbearance with our some of our comments. We appreciate it.

(The witnesses withdrew)

(The Committee adjourned at 11.59 a.m.)