

# **GENERAL PURPOSE STANDING COMMITTEE No. 4**

**Thursday 10 February 2005**

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

## **ROADS**

**The Committee met at 9.30 a.m.**

### **MEMBERS**

The Hon. J. A. Gardiner (Chair)

The Hon. J. C. Burnswoods  
The Hon. K. F. Griffin  
Ms S. P. Hale

The Hon. D. T. Harwin  
The Hon. D. E. Oldfield  
The Hon. E. M. Roozendaal

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### **PRESENT**

**Roads and Traffic Authority**  
**P. J. Forward**, *Chief Executive Officer*

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## CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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

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

**CHAIR:** I welcome Mr Forward to another hearing. Mr Forward, any answers to questions that you agree to take on notice will need to be back by the end of February. The Hon. Don Harwin is appearing in place of the Hon. David Clarke. At this hearing the Committee will examine the proposed expenditure for the portfolio area of the Roads and Traffic Authority. Later today it will examine Housing and Rail Corp. Before questions commence, some procedural matters need to be dealt with. In relation to the broadcasting of proceedings, I point out that the Legislative Council's guidelines for broadcasting proceedings are available from the attendants and the clerk. Only members of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus on any filming or photos. In reporting proceedings of this Committee, you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. The usual arrangements will apply to the delivery of messages—that is, via the attendants. The time allocation will be as per normal: one third for the Government, one third for the Opposition and one third for the crossbench. I declare the proposed expenditure open for examination. Are there any questions?

**The Hon. DON HARWIN:** Mr Forward, when will the Government announce the location of where the M4 East tunnel will exit?

**Mr FORWARD:** That is part of a comprehensive environmental impact assessment and we are at this point in time working through preparing an environmental impact statement [EIS]. I cannot give the Committee a date for the release of that document. That document will be released when it is ready to be released. At this point in time, it is not ready to be released and the document will assess the portals for that particular project.

**The Hon. DON HARWIN:** Can you give me a particular reason why there is not even an approximate date as to when the study might be finished?

**Mr FORWARD:** Well, these are comprehensive infrastructure projects. The Committee would be aware that there has been some frustration with the process with regard to one of the councils in that area, and they have some concerns—some legitimate concerns—and we are trying to work in a constructive way with that council and other stakeholders. These projects are not simple projects. They are very comprehensive. We need to carry out extensive geotechnical investigations as to what is underneath the ground. As I have said, that process to some extent has been frustrated but we are now in a position to carry out some of that geotechnical work there. That has happened, and it is continuing to happen. So, they are very complex projects and I do not want to mislead the Committee by giving a particular date that we in fact cannot meet.

You will be aware that the director-general of the Department of Infrastructure, Planning and Natural Resources gives the organisation a very comprehensive set of guidelines and requirements that have to be met in preparing an EIS and we must satisfy those EIS requirements. We are working through that at the moment. There is a very comprehensive list of requirements that are expected of the RTA to deliver. As I said, we are working through that at the moment. It is not a simple project; it is quite complex, and we would not want to mislead the community or the Committee here by setting a particular date. At the end of the day, it is up to the Government to agree that the EIS is of a high enough standard to be put out in the public arena.

**The Hon. DON HARWIN:** Mr Forward, obviously this is not the first tunnel that has been built in Sydney. There are examples such as the M5 East tunnel and the cross-city tunnel that is being done at the moment. Obviously there were problems that they had to confront in the process of doing their EISs and, from those experiences, surely you are able to form a better idea of how long it might take. For example, how long did the M5 East tunnel EIS take to complete?

**Mr FORWARD:** The EIS for the M5 East was done on two locations. There were two EISs. The project changed enormously throughout the whole process. You might recall that with the M5 East originally it was to go above ground. There was the corridor set aside going back to the 1950s, so if you want to talk about length of project, the EIS was on the planning books in the early 1950s. The corridor was reserved through there and an EIS was prepared on that project. The community said it was unacceptable and then we went back and redid the EIS many years later and put out another EIS which was then ultimately acceptable. Can I also talk about—

**The Hon. DON HARWIN:** How long did that second EIS take?

**Mr FORWARD:** Can I also give you another illustration here, and I think this is rather important. For the cross-city tunnel, the RTA put out an EIS and we had enormous comments—positive comments, constructive comments—from the community and various stakeholders. We then went out to tender and the proponents gave us an alternative non-compliant proposal that in fact required us to do a whole new EIS. So, also with the cross-city tunnel, there were two EISs prepared. That second EIS probably delayed the project by about 12 months. Now, you're right: we've learned from these projects. We want to make sure that with the M4 East we get it right, and of course there will be lots of comments, and we take those comments on board, and there could be other changes to the project as it goes along. These projects go through a very comprehensive process of considering what is the best for the community, what needs to be done and what needs to be done from a traffic point of view. Now I know, member, you would like me to tell you the EIS will be out by a particular date, but unfortunately I cannot give you a date because we want to get it right.

**CHAIR:** Mr Forward, talking about dates that cannot be met, can I ask you about the Alstonville bypass? Is it not a fact that Premier Carr announced in March 2003 in a media release that the State Government was funding \$24 million to enable the Alstonville bypass—which is a State responsibility—to be completed by the end of next year, and that the funding was in the RTA's capital works program?

**Mr FORWARD:** Like a lot of projects, there are economic constraints on when projects can be delivered.

**CHAIR:** But it is correct that Mr Carr made that commitment, isn't it?

**Mr FORWARD:** My understanding is that that is correct. The project is continuing to the extent that we are acquiring property. We are doing preconstruction activity in that area so it is not as if there is nothing happening on the Alstonville bypass. The work is proceeding and the project is in the capital works program.

**CHAIR:** Has the State Government now advised the Federal Government in a letter to Minister Lloyd dated last November that construction on that bypass will not commence until 2006-07, despite the Premier's commitment that I have just mentioned that it would be completed by the end of 2006?

**Mr FORWARD:** The bulk of the money is in our capital works program for 2006-07. The project, in fact, you could argue, has already commenced. You cannot build these projects unless you have acquired the land, unless you have done the surveying work, the geotechnical work. As I said, there are extensive preconstruction activities that have to be undertaken and we are acquiring the land and carrying out those preconstruction activities at this moment.

**CHAIR:** So is the public entitled to believe that any completion date mentioned by people like Premier Carr can be believed?

**Mr FORWARD:** Well, I think that we wouldn't have acquired the land unless we were committed to completing the project.

**CHAIR:** What is now the expected commencement date of the bypass at Alstonville?

**Mr FORWARD:** As I say, the project has already commenced. We are acquiring the land. We are doing the necessary preconstruction activities. You cannot just go in there and bring on the bulldozers. Quite a lot of work has to be undertaken.

**The Hon. ERIC ROOZENDAAL:** But the National Party does it like that.

**CHAIR:** So what is the current completion date?

**Mr FORWARD:** That will depend upon the contractor, when the contract is let, as to what the contractor can tell us.

**CHAIR:** And when will the contract be let?

**Mr FORWARD:** It will be let some time in 2006.

**CHAIR:** What do you think would be the estimated length of the contract?

**Mr FORWARD:** It is not a massive project. It is about a \$36 million project. It is probably not going to take much longer than a year to complete.

**CHAIR:** If I can move to the Ballina bypass, given that the Federal Government has offered to fund half of the cost of that bypass, even though, again, it is a State responsibility and planning approvals have been granted, why is not the State Government providing funding for this project, given the high accident rates to the north and south of Ballina, which this Committee has talked about before?

**Mr FORWARD:** First of all you say it is a State responsibility. In relation to the Pacific Highway, there is in fact a 10-year agreement with the Commonwealth Government whereby New South Wales is putting in \$160 million each year and the Commonwealth Government is putting in \$60 million each year. So we are putting in an extra \$100 million. They are putting \$60 million and we are putting \$160 million. That agreement concludes in June 2006, and we are waiting on the Commonwealth to come back and negotiate as part of Auslink arrangements as to the future negotiations and the future funding for the Pacific Highway. It will be, in fact, a joint responsibility and it will be part of that particular arrangement for the extension, if one is agreed to, and that is yet to be decided. But if an extension to the Pacific Highway agreement is reached it will be part of that program. It will be high on the list for that program.

Can I say, the area that the Ballina bypass goes through is some of the most environmentally difficult ground on the whole North Coast of New South Wales. The land itself is what is known as soft soil. In other words, there is an enormous amount of fall once the asphalt is put onto that area, and so the soil has to be compact. I am not talking about centimetres, I am talking about metres. The land, in fact, where that bypass has gone could drop up to six or seven metres and, therefore, it has to be compacted and extra soil put in there to weight it. We are currently carrying out detailed investigations to see how far the soil goes and what is underneath there. Once again, these are complex projects. You do not want to go in there and just build a road and then find that several months or even years later the road collapses because it has not been built properly. And we felt with Yelgun to Chinderah very similar things happened. They ended up using the most sophisticated technology and we put wicks underneath the ground and the wicks absolutely absorbed moisture and, therefore, compacted the road. It was a very sophisticated technique, but it actually took many years for that compaction to take place. Likewise with Ballina, it will take a long time for the road to be compacted properly, and it cannot be started any earlier.

**CHAIR:** If the New South Wales Government has not got its half share of the cost of that, which is about \$125 million, will the State Government be prepared to enter into an agreement with the Federal Government to use Federal Government money in the first half of the construction and then the State Government money could follow in funding the second half of the project? Would you consider such a concept?

**Mr FORWARD:** Can I say, "Just repeat my previous answer"? All the money in the world will not help the soil compact.

**CHAIR:** I appreciate that.

**Mr FORWARD:** The soil has to be compacted.

**CHAIR:** That is understood.

**Mr FORWARD:** That is happening now. We are currently in negotiations with the Commonwealth, as part of Auslink, to arrange a future program for the Pacific Highway. Those negotiations have not been concluded and an agreement has not been reached at this point in time. We

are hopeful that one will be reached, and that then work can proceed on important projects like the Ballina bypass. We do not disagree that this is an important project. We agree it is an important project. It has to be done properly.

**The Hon. DON HARWIN:** Why has the State Government not accepted the Federal Government's funding of \$10 million towards funding filtration in the Lane Cove tunnel?

**Mr FORWARD:** That really is a Government policy position. The \$10 million really will not go anywhere near the cost of filtration. That really is a matter for the Government.

**The Hon. DON HARWIN:** What do you estimate the total cost to be of the filtration?

**Mr FORWARD:** It is probably in the vicinity of \$60 million, \$70 million to \$80 million.

**The Hon. DON HARWIN:** So \$60 million to \$80 million?

**Mr FORWARD:** Yes. That is a rough estimate and would obviously depend on the tenders that were provided.

**The Hon. DON HARWIN:** Yes, of course. I refer to Main Road 92 between Nowra and Nerriga. Where is that up to and when do you expect that work will commence on that and when will it be completed?

**Mr FORWARD:** That also is a complex project. It goes through a national park.

**The Hon. DON HARWIN:** I have driven it. Trust me, I know it.

**Mr FORWARD:** I have driven it as well, many times. And you would be aware of the historic significance of the Bully Gap and the various towns that it actually goes through. We are working with the Department of Infrastructure, Planning and Natural Resources [DIPNR] to resolve the environmental assessment process at this particular point in time, and I suspect that very soon we will be able to call tenders for that project. Some work has already commenced, as you are probably aware, on the eastern end. However, once again, there are significant—

**The Hon. DON HARWIN:** That work is the work done by Shoalhaven City Council.

**Mr FORWARD:** Yes, that is correct.

**The Hon. DON HARWIN:** With Shoalhaven City Council money.

**Mr FORWARD:** That is correct, yes. It is a joint three-way project.

**The Hon. DON HARWIN:** Indeed, it is.

**Mr FORWARD:** Between the Commonwealth, the council and—

**The Hon. DON HARWIN:** It goes through Sassafras, where there are maybe a dozen farms.

**Mr FORWARD:** Yes.

**The Hon. DON HARWIN:** But that is the only area it really goes through, the only urban area—you could not even describe it as urban—it goes through. It goes to Bully Gap then it comes to the Endrick River and goes into Nerriga.

**Mr FORWARD:** That is right.

**The Hon. DON HARWIN:** What is the hold up?

**Mr FORWARD:** It goes through our national park.

**The Hon. DON HARWIN:** What are the problems that are caused by its going through the national park? Have they not been worked through in terms of the EIS?

**Mr FORWARD:** We believe that they have been, but there are issues of sensitive fauna and flora. There are issues of compensation. There are issues associated with runoff there are issues associated with that very historic Bully Gap area. And, as you would be aware, the old road, the old wool road, actually goes through that mountain area. There are some very historic sections there that the convicts actually built. Through Sassafras itself, as you mentioned, there is a very beautiful array of trees through that area and, once again, there are some road safety, there are some environmental—these are complex issues. They are not simple issues to go down there and just whack the bulldozer through.

**The Hon. DON HARWIN:** With respect, I accept what you say about the M4 East tunnel, it is complex, but the RTA builds roads like this all the time. What is complex about it? Why can you not give me a date when we will actually start seeing further construction in terms of the money the State Government is putting up, and why can you not give me a completion date? It is just nonsense to say that National Parks and the RTA cannot resolve this. You have to resolve these sorts of matters in terms of the Princes Highway and the Pacific Highway all the time.

**Mr FORWARD:** They have been resolved, and I am quite confident that work will start fairly soon on that project. I cannot give you a specific date because we still have to get an agreement through DIPNR on the conditions of approval.

**CHAIR:** In relation to collecting revenue from harvesters—you may need to take a couple of these on notice—can you advise the Committee how much money the Government has collected in revenue from fining harvesters in 2004? And can you also tell the Committee how many RTA inspectors are there serving as part of non-metropolitan New South Wales officers?

**Mr FORWARD:** In terms of the revenue from harvesters, I will have to take that one on notice. I have not quite got it at my fingertips.

**CHAIR:** Okay.

**Mr FORWARD:** The one about RTA inspectors, we have 350 inspectors throughout New South Wales who work from either the fixed vehicle inspection stations or they progressively are working now from mobile sites throughout New South Wales. At any one time there is a different number of inspectors working in those areas. For example, we have taken inspectors from one corridor and put them into another corridor if the traffic volume warrants that. So it does change from time to time. It is not a fixed number. Although they are allocated to three zones within the State, but we do move them across from one zone to another if the need arises.

**The Hon. DON HARWIN:** New South Wales is beginning its trial for drug driving in March. In terms of our approach, what are we going to do in terms of the determination of what is an impaired level of drug consumption? For the different kinds of legal and illegal drugs are there different levels of consumption that are going to be allowed? And how will you be able to prove impairment and that someone is unfit to drive?

**Mr FORWARD:** These are very technical questions that you are asking. My understanding is that the trial itself will focus on a number of drugs, a very specific small number of drugs that we believe to be the most potential for causing road fatalities. My understanding is we are talking about cannabis and we are talking about amphetamines. They are the main focus there. It is a limited number. We will be taking expert advice from the medical profession about the levels that affect people and their driving. If the Committee would like more details, I am happy to provide them.

**The Hon. DON HARWIN:** Are you happy to take that question on notice?

**Mr FORWARD:** I will provide on notice the details of the specific drugs and the levels.

**CHAIR:** I refer to unlicensed and unregistered drivers. During 2004 there were some tragic examples of alleged incidents in which drivers were discovered to be unlicensed and driving

unregistered vehicles being involved in accidents. Can you advise the Committee how many unlicensed drivers the RTA estimates are driving unregistered vehicles?

**Mr FORWARD:** Our surveys suggest that it is about 1 per cent to 2 per cent of drivers.

**CHAIR:** What does that translate to in terms of the number of drivers in New South Wales?

**Mr FORWARD:** It is probably about 40,000. It should be remembered that more than four million people drive in New South Wales. There are about 4.2 million licence holders and in excess of four million registered vehicles.

**CHAIR:** That is a fairly sobering statistic.

**Ms SYLVIA HALE:** I refer to the cross-city tunnel. Consent condition No. 269 for the tunnel requires public access to hourly, updated real-time ambient monitoring from ground-level monitoring locations, in-tunnel carbon monoxide and relevant meteorological data. Given that people live and work next to the eastern and western portals of the tunnels, will monitoring results of portal emissions also be made available publicly?

**Mr FORWARD:** We have put in a number of monitoring stations that we believe will pick up any impact on the ambient air levels. The results of those monitoring stations will be made public.

**Ms SYLVIA HALE:** Yes, but given the history of the M5 East, where portal emissions were directly prohibited, and that under the conditions for consent for the cross-city those portal emissions must be avoided, will the RTA make public readings of the emissions at the portal entrances and exits?

**Mr FORWARD:** We will make public readings from the monitoring stations. If additional monitoring stations are required we will put them in.

**Ms SYLVIA HALE:** Are you saying that the RTA will be prepared to install monitoring stations at the portals?

**Mr FORWARD:** Let us wait and see where they might be required. If they were required there, we would put them in.

**Ms SYLVIA HALE:** How will people know whether they are required if readings are not available from the portals?

**Mr FORWARD:** The reading sites are very close to the portals anyway. If there were any suggestion of concern, additional monitoring could be put in place.

**Ms SYLVIA HALE:** The readings people are getting from the M5 East are causing very real concerns about health effects of emissions from the portals.

**Mr FORWARD:** I do not accept that.

**Ms SYLVIA HALE:** So, you will be monitoring what happens at those portals to keep a check on whether stations will be established.

**Mr FORWARD:** No, I said that we will be monitoring at the monitoring stations. If there is any evidence to suggest we need to do more monitoring, we will do more monitoring. If there is no evidence to suggest that, we will not do it unless DIPNR, which is the consent authority, asks us to do more.

**Ms SYLVIA HALE:** Will you make that evidence public?

**Mr FORWARD:** If they ask us to do it we will.



**Ms SYLVIA HALE:** But you will not do that voluntarily; you will make that evidence public only if another government department asks you to do so.

**Mr FORWARD:** We are not a regulator; we are a road provider. DIPNR is the regulator. It takes advice from the Department of Health and the Department of Environment and Conservation. If the regulator asks us to do something, we will do it. I will not do things that the regulator does not require us to do that are nice to do but expensive. If they are required, we will do them.

**Ms SYLVIA HALE:** However, you are operating or constructing a facility that could have very immediate and grave impacts upon the health of people living in the vicinity.

**Mr FORWARD:** I do not accept that.

**Ms SYLVIA HALE:** Do you not agree that you have some sort of public responsibility, not only an obligation to stick to the strict letter of the law as you interpret it?

**Mr FORWARD:** I do not accept your initial premise. This project will have a major positive effect on air quality through the city. We are eliminating traffic going through the city and stopping at numerous sets of traffic lights. We all know that vehicles stopping at traffic lights cause the pollutants. Avoiding that will in fact improve air quality in the city. I do not accept the honourable member's initial premise that it will be a health problem. It will be a major benefit to Sydney's health.

**Ms SYLVIA HALE:** An interagency working party was established in September 2003 because of the quality of the emissions from the M5 East. One of the purposes of that working party was to agree on warning signs or literature to ensure the safety of drivers in the M5 East and to investigate the need for better in-tunnel air quality standards, particularly nitrogen dioxide emissions. What decisions or outcomes have resulted from that working party into the tunnel management and regulations?

**Mr FORWARD:** We are working with a number of agencies to look at standards for NO<sub>2</sub>. My understanding is that there are no standards throughout the world for NO<sub>2</sub>. This is path-breaking research. Once again, this is not a simple matter. We are looking at what is happening around the world and trying to get an understanding of the impact of NO<sub>2</sub>. Work is going on in that area. We are working on a brochure for the cross-city tunnel that will give people commonsense advice about driving through tunnels.

**Ms SYLVIA HALE:** Why are there still no warnings or information provided to drivers entering the M5 East tunnel about the potential ill effects on their health?

**Mr FORWARD:** I do not accept that there is an ill effect; I do not accept the honourable member's basic premise. We meet the standards, and if we did not, the Department of Health, as the regulator, would have some concerns. No motorist has been exposed to any adverse impacts after travelling through the M5 East tunnel.

**Ms SYLVIA HALE:** In December 2001, your department entered into a legal agreement with the residents against polluting stacks, known as the Tapered Element Oscillating Microbalance Committee. That committee included representatives from the RTA, the resident group and the Department of Environment and Conservation. Part of its brief was to investigate and agree on the need for correction factors related to the monitoring of pollution levels. How often has that committee met?

**Mr FORWARD:** I do not have that detail with me. I know that our people have been involved and they have briefed me on it, but I cannot provide the details of meetings.

**Ms SYLVIA HALE:** Will you provide that information on notice?

**Mr FORWARD:** Is the question how many times that committee has met?

**Ms SYLVIA HALE:** Yes. I understand that other members of the committee have been frustrated because the RTA keeps cancelling meetings. How many meetings of this committee has the RTA cancelled or postponed?

**Mr FORWARD:** Once again, I will take that question on notice.

**Ms SYLVIA HALE:** Can you also confirm or otherwise that on one occasion the RTA claimed that a suitable time could not be found for a meeting over a five-month period?

**Mr FORWARD:** I will check that.

**Ms SYLVIA HALE:** If the RTA was unable to convene a meeting of the committee during that five months, do you think that is an adequate discharge of its responsibilities and its adherence to a legal agreement with the resident group?

**Mr FORWARD:** That is a hypothetical question. I do not know whether it is true. I will investigate it first.

**Ms SYLVIA HALE:** You have been briefed on it by J. Stricker, who sent you a briefing note about it on 8 February 2004. There seems to have been some concern for quite a time. I refer again to the cross-city tunnel. Condition No 251 states that the tunnel should be designed and constructed so as to make provision for future installation of an appropriate pollution control system to treat air emissions. It also states that the proponent—namely the RTA—shall provide evidence to this effect during the design and construction phases to the satisfaction of the director-general. Please outline what evidence has been provided to you during the design and construction phase.

**Mr FORWARD:** At the western end of the project—the connection between the tunnel and the ventilation system—a cavity space has been provided in which pollution control equipment could be installed if required.

**Ms SYLVIA HALE:** Are you satisfied that the provisions that have been made are adequate?

**Mr FORWARD:** Yes.

**Ms SYLVIA HALE:** The design of the tunnel has led to the demolition of a direct walkway from Fig Street, Ultimo, into the city. I understand that it has been replaced with several indirect walkways that run through Darling Harbour and that the journey is now longer, less direct and takes more time. Given that more residential development is planned for this area and that Pymont already has one of the highest proportions of residents who walk to work, will the RTA be taking any steps to reinstate that direct walkway?

**Mr FORWARD:** We have had a lot of discussion with the Sydney Harbour Foreshore Authority. I believe that the new route from that area is far more pleasant, quieter, safer and enjoyable.

**Ms SYLVIA HALE:** That may be fine unless one is running late for working and wants to get there as quickly as possible.

**Mr FORWARD:** It takes pedestrians away from the motorway traffic through a very pleasant environment in Darling Harbour. It is safer because there is video surveillance through the area. It is a far more enjoyable walk. It might add one or two minutes to the walking time, but I would have thought it would be a far more enjoyable route. That was the general position that the Sydney Harbour Foreshore Authority discussed with the RTA. We reached a very amicable arrangement for the walkway.

**Ms SYLVIA HALE:** I am sure you can reach amicable arrangements with other authorities. However, it is a question of what the residents are saying, and they are finding it extraordinarily inconvenient that this direct walkway has been removed. Do you not think it is time to talk with them to ensure their needs are met?

**Mr FORWARD:** The walkway would be an add-on to the viaduct through Darling Harbour. If I had a choice of walking along a busy freeway or through a very scenic area of Sydney, I know which way I would rather go. Many of the residents are delighted with that approach.

**Ms SYLVIA HALE:** Are you saying that you will not reinstate the walkway?

**Mr FORWARD:** We are not required to reinstate it.

**Ms SYLVIA HALE:** No, but will you?

**Mr FORWARD:** I do not see any need to do so. People do not like change and there has been a change in arrangements. I believe that residents will grow to love the new walkway through Darling Harbour.

**Ms SYLVIA HALE:** I turn to the question of compulsory land acquisition. I understand that an increasing number of claims against the RTA in the Land and Environment Court relating to just compensation for compulsory acquisition of land for the motorways have been successful. How many cases and what compensation has been awarded by the court or agreed as part of a settlement following or as a result of litigation under the Land Acquisition (Just Terms Compensation) Act against the RTA?

**Mr FORWARD:** I will take that on notice. It is a very complex question.

**Ms SYLVIA HALE:** What were the legal costs of unsuccessfully defending the RTA's offers of inadequate compensation in respect to compulsory acquisition during this period, including indemnity costs and costs for any matters ultimately settled out of court?

**Mr FORWARD:** I will take that on notice as well.

**Ms SYLVIA HALE:** What is the dollar value of costs associated with compulsory acquisition costs and legal costs to defend such offers, successful or otherwise, that have been passed on to tollway operators?

**Mr FORWARD:** Sorry, you will have to explain that last question.

**Ms SYLVIA HALE:** What is the dollar value that has been passed on to tollway operators of costs associated with compulsory acquisition and legal costs to defend such offers of compensation that have been made?

**Mr FORWARD:** Could you explain that again? The costs that have been passed on to toll road companies?

**Ms SYLVIA HALE:** How much of the costs associated with compulsory acquisition have been picked up by tollway operators? So the costs associated with the compulsory acquisition of land have moved from the department on to the tollway operators.

**Mr FORWARD:** The contractual arrangements between the RTA and the motorway companies are that the RTA and the Government actually acquires the land. We are responsible for all land acquisition.

**Ms SYLVIA HALE:** There were no costs for land acquisition or compensation costs passed on to tollway operators?

**Mr FORWARD:** That is correct.

**Ms SYLVIA HALE:** The Government bears the entire costs?

**Mr FORWARD:** We always have bore the cost of land acquisition. It is government land at the end of the day. When the concession is handed back the toll road companies do not retain the ownership of the corridor. The Government has ownership of the corridor.

**Ms SYLVIA HALE:** What allowance has been made in budget estimates for those legal and other costs associated with the acquisition of land?

**Mr FORWARD:** Are you just talking about legal costs?

**Ms SYLVIA HALE:** Legal costs will do for the moment.

**Mr FORWARD:** That is the same as the other question you asked, is it not?

**Ms SYLVIA HALE:** Yes, except one asks specifically how much has been spent and the other asks how much has been allocated.

**Mr FORWARD:** For which year?

**Ms SYLVIA HALE:** Since 2000-01.

**CHAIR:** Mr Forward, I refer to questions about unlicensed and unregistered drivers. You said there were about 40,000 unlicensed drivers. What is the estimate of unregistered vehicles on roads?

**Mr FORWARD:** It is roughly the same.

**CHAIR:** What is the RTA doing to try to bring that problem under control?

**Mr FORWARD:** Really driving unlicensed or unregistered is largely a police matter. They are the enforcement agencies on the roads and they are more qualified to answer this question than I am, but nevertheless let me give you an indication of the sorts of things they are doing with us. When they conduct random breath tests on many occasions they ask drivers to produce their driver's licence and they check the registration of vehicles as well there. We also carry out surveys ourselves of parking stations to see what vehicles are unregistered in those parking stations. Letters are sent out to people to remind them that their vehicle is unregistered.

When I say 1 per cent or 2 per cent, remember that some people just forget to renew their registration and they are given a period of grace to do that. People are reminded to renew their registration. Also people go overseas and they decide not to register their vehicle while they are overseas. Because they are unregistered does not necessarily mean they are on the roads. They could well be in the garage. A lot of people I know, and I have some in my family, actually voluntarily give up their licence at an age of maybe 85 or 87 because they feel they are no longer able to drive on the road but they are reluctant to give up their car. In other words they still keep it in their garage. A member of my family has given up his licence, his wife does not drive, but the car is still in the garage and one day he will give it up. I guess it is the final passage of "I'm getting old, therefore, I'll give up the car" but he still retains the car. It is unregistered. It is on blocks in his garage, and there are a number of examples like that.

**CHAIR:** Is there an estimate of how many people would be considered to be deliberately flouting the law as distinct from the circumstances you have described?

**Mr FORWARD:** That is a very hard estimate on which to put a figure. On any one day at any one hour it will change. There might be a number of people who do it on a regular basis. There might be people who do it very rarely. They decide that it is important to do something or other and off they go. They run the risk, of course, of the police and some very big fines, and in some cases even prison sentences are warranted.

**CHAIR:** Are you aware of how many unlicensed drivers were detected by the police in the past financial year.

**Mr FORWARD:** You would have to ask the police that question.

**CHAIR:** The same with unregistered vehicles?

**Mr FORWARD:** Yes.

**CHAIR:** I understand that only about 50 per cent of number plates cancelled in 2002, for example, were actually surrendered once they had been cancelled. I also understand that the RTA surveys that phenomena from time to time and that in the last two surveys approximately 5 per cent of number plates recorded were excluded from the results because the database systems did not recognise the plate numbers or it was indicated that the plates had already been previously returned. What is the RTA doing about the use of false plates and the exchange of plates between vehicles in New South Wales?

**Mr FORWARD:** This is an issue that is very important to us. We believe that it is not widespread but there are some illustrations in the heavy vehicle industry where plates are swapped over. You would appreciate that this is a national issue because it is not just acceptable for New South Wales to go a particular way if, in fact, the other States do not go the same way because of the movement of interstate vehicles through New South Wales. This issue was raised at the Australian Transport Council [ATC] at its last meeting last year and a group of officers have been put together to review the whole issue of number plates, particularly for heavy vehicles, the issue of surrendering number plates, what should be done to control this issue to try to get a handle on the size of the problem and to come up with some solutions to it.

**CHAIR:** Is there an expected timetable for that investigation?

**Mr FORWARD:** There will be a progress report at the next ATC which is in June. However, as to whether the other jurisdictions agree to the committee's recommendations, I would not want to pre-empt the findings of that committee, nor the views of the Ministers from the various jurisdictions.

**CHAIR:** A perennial problem in rural areas is the matter of hay loading and the configuration in relation to the loads that are allowable. With the possible pending rollback of the drought status of New South Wales, it will mean that the drought concessions for hay transport will cease to operate and transporters, instead of being able to operate in their favourite dimensional considerations carrying hay on vehicles 2.7 metres wide when travelling to or within drought-affected areas, will have to revert to the 2.5 metre rule which many people believe inflicts costs on the industry with inefficient loads. Does the Government plan to address this problem of switching from one allowable load in what many producers and road users believe is a more cost effective way to use the roads?

**Mr FORWARD:** On that particular matter, as you say, concessions have been granted to farmers during the drought period. That really is a matter for the Minister to consider. When the due date of that regulation being taken off approaches we will brief the Minister on that matter and it will be his decision as to which way he wants to go. It is really a government policy decision.

**CHAIR:** Have you made any recommendations to address that matter?

**Mr FORWARD:** Not at this point of time.

**CHAIR:** Is the RTA considering the matter?

**Mr FORWARD:** We will need to provide some advice to the Minister as to a way to go forward but at the end of the day it is the Minister's consideration. I have not seen that advice at this point in time. No doubt I will have some views on it, but I need to look at the facts and consider the issue.

**CHAIR:** Will you take representations from producers in those rural areas?

**Mr FORWARD:** Absolutely. I am sure the Minister will be very happy to receive representations.

**CHAIR:** The Country Timber Bridges Program is another perennial issue. The \$129 million program over five years was cancelled in June 2003. Local governments were led to believe that the new program of \$105 million over seven years—\$15 million a year—would commence in July 2004 but the former Roads Minister Scully, as he is now, reneged on that promise and the program which offers less money than the previous one is now not to commence until July 2006. Is there a priority list for the replacement of timber bridges in New South Wales?

**Mr FORWARD:** You said that the previous \$129 million program to replace, in fact, 140 country timber bridges, was cancelled. I will correct that. It was not cancelled. In fact, it was fully delivered and all 140 bridges have been replaced or upgraded. That is a very positive statement in terms of what has happened. Because of budget considerations the program on regional bridges, it is correct in saying, was delayed. We would be seeking submissions from councils as to how that should proceed.

**CHAIR:** Do you have a priority list for the replacement of bridges at the moment?

**Mr FORWARD:** Remember that these bridges are largely the assets of local government. We would want to work closely with local government to work through what that priority list is. Because the program has not started we have not actually drawn up a priority list but we would do it in consultation with local government.

**CHAIR:** Once that list has been drawn up will it be made available? Will the public know what the priorities are?

**Mr FORWARD:** What will be made available will be the funding of the first year of the program as to what the priorities are for the first year. Many councils will have a variety of views as to what is their priority and it will evolve over the time that this program would be in place.

**The Hon. DON HARWIN:** What is the current position of the RTA in terms of the funding and remediation works to build a safer intersection at Strongs Road, Jaspers Brush?

**Mr FORWARD:** I will have to take that one on notice.

**The Hon. DON HARWIN:** In terms of the identified funding of \$30 million announced by the State Government just prior to Christmas for the Princes Highway, are you able to advise yet what the actual work will be out of that \$30 million allocation? There have been statements about Jaspers Brush but nothing further yet. What projects will be funded from that \$30 million.

**Mr FORWARD:** There are two programs in actual fact. One is from the Commonwealth and one is the \$30 million that you are talking about from the State Government.

**The Hon. DON HARWIN:** I was going to come to the Commonwealth one.

**Mr FORWARD:** The Commonwealth one was initially—

**The Hon. DON HARWIN:** It is south of Nowra.

**Mr FORWARD:** That is correct, but it was also focused on a particular Federal electorate and we are of the view that perhaps some of that money ought to be spent in other locations along the Princes Highway. We are discussing that with the Commonwealth at the moment. We believe that would be a far better road safety outcome than just focusing the money on one particular electorate.

**The Hon. DON HARWIN:** I wonder whether, Mr Forward, you could be more specific. What are the specific projects that the Commonwealth was suggesting that you think should not be funded as immediate priorities? I am perfectly willing to concede that you might consider that there might be other priorities, but if you are going to give that sort of an answer I wonder whether you could be more specific, please.

**Mr FORWARD:** There are some—

**The Hon. DON HARWIN:** Which are the Commonwealth ones that you want not to proceed with?

**Mr FORWARD:** I can give you a list of those.

**The Hon. DON HARWIN:** Thanks.

**Mr FORWARD:** As far as the State programs are concerned, there is a number of projects that we want to do. There is some replacement of old wooden barriers that are on the road—you would know the road very well.

**The Hon. DON HARWIN:** At which particular point?

**Mr FORWARD:** At many points along the road. If you go down that road you will see that we are replacing lots of those wooden barriers with wire rope barriers, which provide—

**The Hon. DON HARWIN:** Between what towns, rather than just saying "many"?

**Mr FORWARD:** I can give you a list of all of them, if you like.

**The Hon. DON HARWIN:** Yes, could you? Are you offering to do that on notice?

**Mr FORWARD:** I will give you a list as we see it today but of course we are carrying out consultation with councils and the police along the road as well so there may be some projects that still need to be developed. But I will go through the sort of program we are talking about. It is providing safety barriers between the road and where there are some severe drops off the road—you would be aware of them; where the road might drop five or six metres—to provide safe passage for motorists. To prevent motorists from hitting trees some barriers are provided as well. In some sections some widening work will take place. In other sections some right-turn bays need to be put in. In some cases land has been developed off the road and motorists travelling along the Princes Highway want to turn right and vehicles behind them are travelling often at high speed and come up behind them. There is the possibility of an accident.

**The Hon. DON HARWIN:** That is one of the problems at Strongs Road.

**Mr FORWARD:** Absolutely. Therefore, we are providing some widening of the intersections, putting in some right-turn bays so that motorists can safely turn right or in some cases even some other facilities to protect them from turning. So we have widening work. There is also a number of narrow bridges on that road that need to be widened. That will also be part of the \$30 million program.

**The Hon. DON HARWIN:** You have given a five-minute answer and you have not specified one single project. Are you able to actually specify some projects? Because, Mr Forward, I can assure you—

**The Hon. JAN BURNSWOODS:** Point of order: I have heard the witness say I think four or five times now that he will take it on notice. He said, I think, on the last occasion that he would be able to provide a list up to where we are today. I would ask you, Madam Chair, to ask Mr Harwin to stop hectoring the witness and to stop talking as if we have not all heard on the record exactly what Mr Forward has said, and in fact undertaken to give us details as early as today.

**CHAIR:** Mr Forward, are you able to give Mr Harwin any examples or are you only able to give them on notice?

**Mr FORWARD:** I have driven that road on many occasions—

**The Hon. JAN BURNSWOODS:** Madam Chair, are you ruling on my point of order?

**CHAIR:** Yes, I am. I have ruled that Mr Harwin is entitled to ask Mr Forward for some specific examples and I have asked Mr Forward whether he is able to give those. If he cannot—

**The Hon. JAN BURNSWOODS:** You should include in your ruling an acknowledgement that the witness has not only taken different questions on notice but has also previously undertaken to provide information later today.

**CHAIR:** Yes, I understand that.

**The Hon. JAN BURNSWOODS:** Thank you.

**The Hon. DON HARWIN:** I do not actually think there was an offer to provide information today but I am pleased to hear that that is your understanding.

**The Hon. JAN BURNSWOODS:** You should listen to the answers.

**The Hon. DON HARWIN:** That would be really good if they could be provided today. Nevertheless, we go on. We come back to the Commonwealth money that you made some comments on. Given that the Commonwealth were quite specific about where they wanted the money spent, which particular aspects of the Commonwealth offer do you think need to be reviewed and which are those aspects that you are speaking to the Commonwealth about?

**Mr FORWARD:** I will take that on notice. But, as I say, I have driven the road many times with officers from the RTA. We have looked at some of those projects. The advice that I have received from our road safety people in that area is that, while some of that money would be nice to spend in the area, there are higher priorities elsewhere on the highway. I can only take advice from my road safety people, who are saying that is where the money should be spent. I can give you in due time an analysis of that as to where the Commonwealth wants the money spent and where we think the money should be spent.

**The Hon. DON HARWIN:** Thanks, Mr Forward.

**Mr FORWARD:** I have to say that these are rather amicable discussions that we are having with the Commonwealth.

**The Hon. DON HARWIN:** I am sure that they are amicable. I am just interested in some details. What is the progress of upgrade works to the Conjola Creek bridge, to the Croobyar Creek bridge, which is just north of Milton, and to the bridge over Condie's Creek at Wandandian?

**Mr FORWARD:** There are a number of bridges that I have observed. As you would appreciate, there are thousands of bridges in the RTA's asset management program. I cannot recall the names of every one of them, but a number of those bridges—and I think the ones that you have talked about were pointed out to me—need to be widened. That will be done as part of this program.

**The Hon. DON HARWIN:** I wonder then, Mr Forward, whether you will please provide an answer on notice to my question, which is: What is the progress of upgrade works to the three bridges that I specified?

**Mr FORWARD:** I am happy to do that.

**The Hon. DON HARWIN:** All of which are between Nowra and Milton.

**Mr FORWARD:** I am happy to do that.

**The Hon. DON HARWIN:** Thank you. Are you able to tell the Committee whether locations have been identified for additional overtaking lanes between Nowra and Milton?

**Mr FORWARD:** Once again, that is part of the discussions we are having within the organisation as to what are the priorities for the \$30 million plus the Commonwealth money. I can take that on notice as well. You asking me very, very specific, detailed questions about a corridor that is very long. Whilst I have driven it on many occasions, I am not familiar with every bridge, the name of every bridge and the condition of every metre of that road.



**CHAIR:** I turn to the Kempsey bypass issue and flooding in that area. As you are aware, the Pacific Highway is built across a floodplain, which is a designated floodway on the Kempsey Shire Council flooding maps? I have some statistics about what the RTA has estimated in local meetings about the proportion of water that would be diverted in a flood by the route. Can you advise whether the RTA is in breach of the Water Management Act in relation to affecting the flow of water on a designated floodway? Is that an issue about which you are aware?

**Mr FORWARD:** We have had very detailed hydrological modelling undertaken of the Kempsey project, and it would be part of a very detailed environmental assessment process. I am not aware that we are in breach. However, it will be part of that consideration as part of the environmental assessment process.

**CHAIR:** Does the RTA currently have a view as to what is the best option for the Kempsey bypass route?

**Mr FORWARD:** Our preferred option is an eastern bypass, and protective measures would be put in place to ensure that any residence that is affected by flooding would not be worse off as a result of the bypass.

**CHAIR:** If there is a flood in which the new route has some part of play and the Kempsey central business district, for example, floods, will the RTA have to accept responsibility for compensation for damages to houses and businesses in such circumstances?

**Mr FORWARD:** No. The Kempsey central business district would flood any way if there is a major flood, irrespective of what the RTA does. What our hydrological modelling is trying to ascertain is what the impact of the bypass would be on any flooding. We will then need to take certain measures to mitigate those impacts. That is what the design work is currently looking at.

**The Hon. DAVID OLDFIELD:** How does the RTA estimate the number of unlicensed drivers and unregistered vehicles?

**Mr FORWARD:** It is done through a number of sources. It is done through police records, police investigations and feedback from police. We also carry out periodic surveys of vehicles in parking stations or at railway stations. People go around and make an estimate of the number of vehicles that are unregistered. Unlicensed drivers are a bit more difficult because an unlicensed driver, as I said previously, may only drive one day a year and to pick them up on that occasion is a difficult exercise. The police are now extensively engaged in an exercise when they do random breath tests to review the licence of the motorist. The feedback from the police is a good indication of that. We also rely on statistics from other States that do similar sorts of things and a rough figure is generally agreed between the jurisdictions.

**The Hon. DAVID OLDFIELD:** Do you have an understanding as to why people are unlicensed? For example, is it because they have lost their licences or is it because they do not speak English? What sorts of reasons are behind why there are 40,000 unlicensed drivers?

**Mr FORWARD:** It is a multiplicity of reasons. As I say, you should not assume that those 40,000 are on the road at any one time. Some might drive one day or two days a year because they have to do something or other or they do not have access to alternative transport. A farmer, for example, might drive from one paddock to another and he has to cross a road. He may well be unlicensed but he will continue to do that because he is only driving across the road. In actual fact he has committed an offence but the police are unlikely to pick him or her up because it is such an odd occasion that they will be there. It is complex reasoning as to why they do it. We understand that some young drivers—it would be a very limited number—do not even bother to get a licence. Clearly, they run the risk of very severe fines if they ever do that. We believe it is a very small number of drivers but it is a very dangerous pursuit.

**The Hon. DAVID OLDFIELD:** So there is no real understanding as to the reasoning behind why there are 40,000 unlicensed drivers.

**Mr FORWARD:** Remember that is only an estimate and there are diverse reasons behind it. As you say, some are perpetual offenders—repeat offenders—who have lost their licence. We often read about them in the press. They have lost their licence and are prepared to take the risk and go back onto the road again. Some of those people actually end up in gaol. This is quite an extreme, severe crime that they are committing.

**The Hon. DAVID OLDFIELD:** Is it correct that, unlike private bus companies, the RTA does not conduct any checks of public transport buses and it is left entirely in the hands of the mechanics who are responsible for the buses?

**Mr FORWARD:** We have worked closely with Sydney Buses and we have actually carried out—I guess it is a voluntary arrangement—very detailed inspections, particularly some pollution inspections, of those buses. We have actually connected them up to a very sophisticated piece of equipment to check the emissions from those government buses. As a result of that the State Transit Authority has put in place a very extensive maintenance program to improve the performance of some of those buses that do not meet their standards. That has been a very strong collaborative arrangement between us and the State Transit Authority.

**The Hon. DAVID OLDFIELD:** Is it correct that State Transit buses are not subject to the same safety checks by the RTA as private bus companies?

**Mr FORWARD:** I will have to take that one on notice. I know we do rigorously examine the private bus industry but also I am sure there is a close collaborative arrangement between ourselves and State Transit. The point that I am unsure of is whether it is a compulsory or a voluntary arrangement.

**The Hon. DAVID OLDFIELD:** Can you take on notice the differences between private and public as to safety checks and what is required—what is voluntary, what is co-operative? Thanks. I cannot think of the name of this particular road, but the road that runs essentially as an alternative to the F3 and comes through Broke and Wollombi and comes out at Mooney Mooney—

**Mr FORWARD:** I think it is euphemistically referred to as the Broke-Wollombi Road. I know the road you mean.

**The Hon. DAVID OLDFIELD:** In places that is quite a dangerous road. Is there any consideration by the RTA to improve that service there at all?

**Mr FORWARD:** That is not a State road. It is a council road. It is council responsibility. It has very light traffic, although I am sure Miss Gardiner will realise it is a shortcut for many people who go out to Tamworth and that area.

**The Hon. DAVID OLDFIELD:** What about, for example, things like the signs you see in other areas? I think of the road that runs out to Taralga, which comes off the Hume Highway and is an alternative route that goes to Taralga. It is all dirt and it is absolutely deadly. There are a lot of signs that say, for example, you have to toot your horn when you are coming up to corners, and those sorts of things. Those sorts of signs and mirrors and things such as that are surely not local council responsibility?

**Mr FORWARD:** Could I illustrate the classification of roads in New South Wales? There are roughly 180,000 kilometres of roads in New South Wales. Of those, the RTA is responsible for less than 20,000 kilometres.

**The Hon. DAVID OLDFIELD:** So it is local councils who are responsible for putting up signs. What about speed signs?

**Mr FORWARD:** The RTA is responsible for speed signs but we work with the local traffic committee to agree upon speed signs.

**The Hon. DAVID OLDFIELD:** And signs with a recommendation for kilometres to turn corners?

**Mr FORWARD:** There are Australian guidelines for that, but of that 180,000 kilometres, they are council responsibilities.

**The Hon. DAVID OLDFIELD:** So councils should be putting up those sorts of signs—and mirrors?

**Mr FORWARD:** That is their responsibility but we work with councils on the traffic committee. The traffic committee has representatives from local council, the police, the RTA on those committees

**Ms SYLVIA HALE:** I understand that 12 months ago DIPNR was supposed to have undertaken an audit of air quality conditions in the M5 East project. My understanding is that the RTA was given a draft of that audit. What stage is it at with your department?

**Mr FORWARD:** You would have to ask DIPNR that. It is their audit. They are conducting the audit.

**Ms SYLVIA HALE:** But have you made any comments on the audit?

**Mr FORWARD:** I have not seen the audit. It is their audit.

**Ms SYLVIA HALE:** I understand it was forwarded to the RTA last October for comment.

**Mr FORWARD:** It might have been forwarded at office level. I have not seen it at my level.

**Ms SYLVIA HALE:** Would you mind reporting back to the Committee if it is still with the RTA or whether it has gone back to DIPNR with the RTA's comments?

**Mr FORWARD:** I think there has been office level discussion. It is currently with DIPNR.

**Ms SYLVIA HALE:** So you say it has gone back to DIPNR and you do not know whether as a result of that audit the RTA has been asked to do any more tests or checks?

**Mr FORWARD:** I am not aware that we have been asked to do any test.

**Ms SYLVIA HALE:** Would you mind if you have been—

**Mr FORWARD:** I am telling you the answer. I am not aware that the RTA has been asked to do any test.

**Ms SYLVIA HALE:** But you will check and inform the Committee if any further work has been required of the RTA?

**Mr FORWARD:** I am telling you the answer now. No further work, to my knowledge, has been addressed to the RTA at this point in time.

**Ms SYLVIA HALE:** So now it is totally up to DIPNR as to the public release of that report rather than the RTA?

**Mr FORWARD:** That is my understanding.

**Ms SYLVIA HALE:** Have there been any scopings, studies or investigations of construction of a tunnel from Lewisham to Port Botany or to the airport?

**Mr FORWARD:** Some years ago Marrickville Council was keen to progress that matter. Marrickville Council, my understanding is, asked some consultants to do some work on that issue. The RTA has not carried out any detailed investigations of such a project.

**Ms SYLVIA HALE:** So there has been no consideration or entertainment of such a project?

**Mr FORWARD:** There has been no work done on it.

**Ms SYLVIA HALE:** But are there any long-term feelings that it would be appropriate if the M4 East is instructed that it would be a further connection from that out to the airport or to Port Botany?

**Mr FORWARD:** Like a lot of projects, there are all sorts of possibilities. That is a possibility but there are no plans to build it.

**Ms SYLVIA HALE:** As you know, the closure of many branch rail lines has forced a lot of heavy traffic onto council roads—trucks, vehicles carrying loads of grain. I realise that many of those roads are council responsibility rather than RTA responsibility, but is the RTA doing anything to assist councils with that added burden?

**Mr FORWARD:** Can I say, firstly, when you say many grain lines have closed down—

**Ms SYLVIA HALE:** A number of branch lines.

**Mr FORWARD:** I think it is a limited number. Secondly, I have not seen any evidence to support your statement that there has been an extensive increase in traffic on those council roads. No evidence has been provided to me one way or the other. It is a bit hard to respond to that unless I see some evidence.

**Ms SYLVIA HALE:** So the RTA would not have any statistics of additional haulage on its roads as a result of grain being transported by road rather than rail?

**Mr FORWARD:** The impact on RTA roads is infinitesimally marginal. The impact on council roads could be different but I have not seen any evidence. It is their responsibility. Nobody has provided me with any evidence that there has been an impact on council roads.

**Ms SYLVIA HALE:** I gather that the RTA has been focusing on compliance of drivers with grain tonnages and whether the vehicles are overloaded or not?

**Mr FORWARD:** It is a standard issue for the RTA inspectors to inspect for overweight vehicles.

**Ms SYLVIA HALE:** My understanding is that it seems to have picked up in some areas of the State?

**Mr FORWARD:** No. It is an ongoing issue. We work closely with the industry. The vast majority of drivers obey the limits but there are always some who do not, and particularly during harvest time it is an issue. But it is not a program that has increased or decreased. It is an ongoing issue for the RTA.

**Ms SYLVIA HALE:** I was at a conference of shire councils the other day and they were expressing their concerns that in the passage from the paddock to the silo they did not have access to weigh stations and they often had to estimate the weight of the load. They were saying that they varied obviously with meteorological conditions and things like that. They were seeking some sort of latitude—I think it was a 7½ per cent discretion—in those loads. What is the RTA's response to those sorts of considerations?

**Mr FORWARD:** Overweight vehicles on our roads damage our roads. Councils are aware of that and we have had strong representations from councils not to allow higher mass on our roads over the existing allocations. I know farmers would like to carry more weight to get more productivity but, on the other hand, farmers are the first to complain when roads break up and they get potholes in their roads. So, it is a balance, it is a trade-off. You say the farmers do not have access to scales. Many farmers now have storage facilities on their farms. They sell the grain. They have weigh stations, very sophisticated. They are not expensive, weigh stations on their farms. Many vehicles now weigh the load on the vehicle. Also remember that many of these farmers have been farming for 40, 50, 60

years, often with the same trucks almost, and when they take it to the weigh stations they have a pretty good idea of what is on that truck.

**CHAIR:** Mr Forward, could I follow up on a question I have asked you before about the Topdale Road in the Nundle, Walcha area. You previously indicated, after Mr Scully had visited the area, that good progress was being made in relation to sealing that road. Are you in a position to advise me where that issue is up to?

**Mr FORWARD:** I do not have the latest details on that road but I am happy to provide it on notice.

**CHAIR:** In relation to the matter of road safety, and particularly the RTA document *Road Safety 2010: A Framework for Saving 2000 Lives by the Year 2010 in New South Wales*, that document estimated that 820 lives would be saved by the year 2005 but the yearly road toll has remained virtually unchanged for the past five years. Can you tell the Committee, based on the assessment contained in that RTA document, how many lives have been saved to date and how those estimates are stacking up with actual experience?

**Mr FORWARD:** You say that the road toll remained constant. In fact, it is estimated that the final road toll for 2004 is probably around 510. That compares with the road toll in 1947. In 1947 we had 343,000 vehicles registered on our roads. Last year we had in excess of four million vehicles registered on our roads. So, when you take the registered vehicles, when you take the number of vehicles compared to that time period, and when you also take the distance travelled—the distance travelled, because of a booming economy has gone up—the figures are quite encouraging. Nevertheless, over 500 lives is still a large figure and we are anxious to get it down and we are doing a lot to get it down.

When you look at how New South Wales compares to other jurisdictions and other countries, the best performing countries in the world are Sweden and the United Kingdom, which have about six fatalities per 100,000 population. In New South Wales we have eight per 100,000 population. We are moving towards that sort of best practice area. We are not quite there yet but when you look at Germany and the United States, they are around 10 or 12 fatalities per 100,000 population. So, we are doing better than those countries, and countries like Spain and Portugal are above 26 fatalities per 100,000 population. So eight per 100,000 population is still a reasonably encouraging statistic.

**CHAIR:** So what is the estimate of how many lives have been saved up to the end of 2004?

**Mr FORWARD:** I do not have that figure with me. We are looking at that document at the moment to try to get some of those assessments. Remember, that document was written on certain assumptions about distance travelled and registered vehicles. Greater distances have been travelled and there are more registered vehicles than the document assumed initially.

**CHAIR:** If you look at those figures would you be able to provide on notice that estimate?

**Mr FORWARD:** The review has not been commenced yet. It is something we are looking at at the moment to see whether the figures are there. I am not sure that figure means a lot in the sense that it is only an estimate and it is based on a whole variety of different assumptions, one of which is distance travelled. In other words, the more distance people travel the higher the risk that there will be more fatalities. If the level of distance travelled goes up, the chances are there will be a higher chance of fatalities.

**The Hon. DON HARWIN:** I want to clarify one statement you made earlier when you were talking about Federal Government funding for the Princes Highway. You referred to the fact that it was focused on one electorate in particular. Which particular electorate were you referring to?

**Mr FORWARD:** I do not know the name of the electorate. It is Nowra, around Nowra.

**The Hon. DON HARWIN:** Yes, Gilmore.

**Mr FORWARD:** Yes, that is right, Gilmore.

**CHAIR:** Another road safety issue: can you explain why New South Wales taxidrivers are still allowed to drive without seatbelts, particularly in light of the RTA seatbelt advertising campaigns for other drivers which displayed a danger to other occupants of cars if the driver is not wearing a seat belt?

**Mr FORWARD:** That is something that was negotiated with the taxi industry. Certainly my preference is that it be made compulsory for taxidrivers to wear seatbelts. They argue that they are in and out of the vehicle all the time. I do not accept that as a very strong excuse. Nevertheless, it was an arrangement that was made with the council many years ago, before my time. It is something that perhaps ought to be looked at again.

**CHAIR:** So you would be interested in looking at that again?

**Mr FORWARD:** It is something that ought to be raised with the Taxi Council to get their views on it again. I think seatbelts have improved. When you look at the old seatbelts that were introduced, they were fixed and often uncomfortable. Modern seatbelts have got a lot of benefits. It is an issue that we should raise with the Taxi Council. I take that suggestion on board.

**CHAIR:** Could you advise when the RTA is proposing to release its Footway Parking discussion paper, which I believe was produced in September 2002?

**Mr FORWARD:** We are currently carrying out a trial with Leichhardt council on that matter. A number of streets have been selected to trial that issue and we are getting feedback from the residents and the council. So the matter is continuing and, as you can imagine, there are strong views either way on that particular matter. It is a matter of trying to balance the opposing views and work constructively with the local council and the local residents, and I believe that is happening at the moment.

**CHAIR:** In relation to drink-driving and the introduction of the Government's zero tolerance for provisional drivers, can you advise the Committee how many P-plate drivers have been detected driving in breach of zero tolerance and how many licences have been revoked as a result of such detection?

**Mr FORWARD:** That is a matter for the police. The police are the enforcement agency on that matter. I suggest you refer that matter to the police.

**CHAIR:** Okay. So you do not have an estimate. I have a question in relation to a specific road project. Can you give an update on the progress of the Downing deviation on the Lachlan Valley Way?

**Mr FORWARD:** I will have to take that on notice. I do not want to mislead you in terms of where it is up to.

**CHAIR:** Has the RTA, the State Government, finalised negotiations with the Tumbarumba shire regarding the future of the Alpine Way?

**Mr FORWARD:** No. I would have to take that on notice as well.

**CHAIR:** If you could provide the Committee on notice details for that road. That brings us to the conclusion of this session. I thank you for being here and look forward to seeing you again.

**The Committee proceeded to deliberate.**

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