ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo – 21 October 2003

Members

Mr B. W. Bishop       Mr T. W. Mulder
Mr J. H. Eren         Mr E. G. Stoney
Mr A. R. Harkness     Mr I. D. Trezise
Mr C. A. C. Langdon

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witnesses

Mr D. Beard, Director, Infrastructure Services;
Mr J. Mensforth, Senior Engineer, Traffic; and
Mr D. Hannah, Manager, Engineering Services, City of Greater Bendigo.
The CHAIR — Thank you for your time and input to the parliamentary road safety inquiry into the country road toll and crashes involving roadside objects. We will be taking a transcript which we will use for our own internal purposes in writing the report. This committee hearing is under parliamentary privilege, so what you say cannot be used against you legally. We intend to travel through country Victoria. We were in Ballarat yesterday, and we will spend today in Bendigo. Again, we thank you for your time and we look forward to your submissions.

Mr BEARD — Thanks for the opportunity to present a submission today. My name is David Beard, I am the director of infrastructure services with the City of Greater Bendigo, reporting directly to the chief executive officer and we have a new CEO starting on 1 December, so we are leaderless at the moment.

David Hannah is the manager of engineering services with council, which predominantly looks after all the design services, asset management and those types of areas — you probably meet a lot of people in roles similar to David’s through your inquiry.

Jim Mensforth is our senior traffic officer for the city and predominantly looks after all the road safety issues for the City of Greater Bendigo. He is one of our key liaison people with Vicroads on matters dealing with our arterial and main roads network.

The CHAIR — Is that Jim’s primary job?

Mr BEARD — Yes — probably doing traffic studies. Jim is one of the leaders of our road safety plan and the implementation of that. Do you want to add anything, Jim?

Mr MENSFORTH — I am the only council officer who does traffic engineering work so I am very busy, overworked, underpaid and all that stuff. I do everything — strategic planning, road scape, road closures, road humps — even down to the nitty-gritty. I do everything.

Mr BEARD — To put it into context, David’s team consists of a number of design engineers and construction engineers. We also have a capital works group within the council which implements the capital works program, and Jim’s role is looking after the traffic management issues and liaising with the public on any concerns about road safety. He even acts on behalf of the planning department in looking at subdivisions and maybe individual developments on sites and how they impact on the roads and similar issues. It is a big job, and I agree with Jim; he is probably overworked and overpaid!

Slides shown.

Mr BEARD — I will leave the disks with you and will run off some copies which I will have dropped off in the morning, so you will get a hard copy of this. To put it into context, that is Bendigo in a nutshell. Interestingly, I had another look through the road safety report that was done in 2002, the red book, and basically it grouped Ballarat, Bendigo and Geelong as major provincial cities, so we just make that note.

It is a fairly big, expansive area. Predominantly it is Bendigo but we head out towards Elmore, which is probably our furthestmost point, so we have a large contingency of rural areas. To add a little bit to that, we have a rural liaison committee with which we meet every two months. That is made up of a lot rural land-holders and business people in the rural community, and predominantly they raise issues in regard to local roads in the rural areas. For example, they will get into debate on canola issues and genetically modified foods, et cetera. Predominantly the forums come together on issues about trees and roads, overhanging limbs, et cetera.

It has a fairly high annual growth rate which is putting pressure on our capital works program and our infrastructure, so we have competing interests with regard to the need to deliver health care for the ageing and the younger communities, and that is putting pressure on our response growth as well in respect to infrastructure.

The council vision is fairly important, given the council plan is the lead document for council in delivering its vision for the future and services as well. The overall council vision is that greater Bendigo will be a progressive, vibrant and caring community — that is what we are aiming at. Two of the key objectives of the council plan are the ones we struggle with as engineers: supporting the improvement to the transport network, and the next slide goes through our budget. We do have a fairly active and progressive capital works program, and it is a good program, thus our job satisfaction is right up there because we have plenty to do.

Coupled with that is preserve, protect and enhance the natural environment, so we find those two compete. We have a couple of case studies at the end of the presentation which David will present and which really highlight
those conflicts. We welcome the chance to talk on this major issue because it is probably up there as our no. 1. Just on that, when we put together our capital works program, because it is such a big program and takes a lot of work to implement, we tend to ask, ‘What are we going to deliver?’, given there is probably half a dozen to a dozen controversial issues in trying to meet those objectives. We tend to say, ‘We will do those two’, because we know there is a battle, and we will put the others off to the next financial year, which is not really the way to deliver a program.

We have about $32 million all up in the council’s capital works budget and that is made up of a number of areas. I have highlighted the ones to do with road safety, and that is today’s work. That puts into context what we have to deliver with a small work force. David has three or four design engineers and I have two project managers delivering a $32 million program, so it is pretty tough.

The CHAIR — Roughly what type of money were you getting through the black spot program?

Mr MENSFORTH — That would be most of the traffic management figure there, I imagine.

Mr HANNAH — That is council’s contribution to traffic management projects. The black spot program has varied a lot.

Mr MENSFORTH — I apply for the funds; it then goes over to capital works or to David in design. I am not sure.

Mr HANNAH — We could pull those figures out and supply them.

Mr BEARD — We will put them on the back of the handout we bring up.

Mr HANNAH — We have had a number of projects in recent years and one of the case studies we will talk about is part of the black spot program.

Mr BEARD — It is a bit tough because you pull some big money under the black spot program, and then you pull some smaller bits. Last year we did very well, but one was as a result of an accident that occurred. It is a little hard to pinpoint. We will give you a list of what they are.

The capital budget allocates $3.5 million on local roads, of which about $1 million is on rural roads and which Jim will touch on with regard to the accident statistics. We are probably looking at 10 kilometres of road that is being sealed each year. I make the point that in determining which roads are going to be upgraded, safety is one of the components that is looked at, but given the politics surrounding the selection of projects, the levels of decision-making mean you basically compete or put up road safety as one option as against maybe dust suppression to appease two property owners who live on a road. It costs you $1000 to seal up to their gate, but they are politically active and can get the project through the council process. There are a lot of competing interests when prioritising projects. That is the message I am trying to get across, and it is the same right through the program, whether you are looking at a day care centre versus a road.

I will pass over to Jim now because he has his head around the statistics. He will run through the statistics and explain how Bendigo sits in that context.

Mr MENSFORTH — We have taken a five-year period: 1 January 1998 to 31 December 2002.

Mr STONEY — How do you get these figures? Where do they come from?

Mr MENSFORTH — They come from Vicroads.

Mr STONEY — Vicroads actually extracts it down to that sort of detail?

Mr MENSFORTH — Yes.

Mr STONEY — They are just crashes and not deaths?

Mr MENSFORTH — No, they are casualty crashes. You are jumping ahead a little bit. There are 1359 casualty crashes. When 1359 is divided by five, it is a bit more than 200-odd accidents a year. They are casualty crashes — that is, people with minor and serious injuries or fatalities. Now 407 of those, which is 30 per cent, involve single vehicle run-off road crashes; 241 of those struck objects, which might have been an embankment, a tree or a pole. That figure of 30 per cent is fairly high for single vehicle run-off road crashes. Of
that total up the top, 270, or 66 per cent, of single vehicle run-off road crashes during that period occurred on straight roads — I am not sure what you will get out of these figures — and 187, which is almost 70 per cent, of single vehicle run-off road crashes on straight roads actually strike objects. If you run off the road on a straight road you have a fairly high chance statistically of hitting a fixed object.

Interestingly, though, if you take the next one, only 3.94 per cent — that cannot be right, it must be 39.4 per cent — or 154 single vehicle run-off road crashes actually occur on curves and they strike objects. So there is more chance of running into a tree on a straight stretch, less chance of running off on a curve and less chance of hitting a fixed object. I would have thought it should be the other way around. The last figure shows that 177, which is 43.5 per cent, of single vehicle run-off crashes occur on state highways and main roads.

Mr BISHOP — Therefore when a driver is concentrating on curves it is at its lowest; is that what the figures say?

Mr MENSFORTH — You could say that, or you could say there is some element of braking going around the curve. I am really not sure.

Mr BISHOP — The highest figures are on the straight roads, are they not? They have gone off on a straight road, that is the highest figure out of the 407?

Mr MENSFORTH — Perhaps they are asleep and they do not miss a tree. Perhaps when going around a curve they are wide awake and trying to control the vehicle. I am not sure if those statistics are consistent across the state. When I looked through the figures I found it interesting because a lot of people tend to think of curves as being a danger, and substandard roads and alignments.

Mr BEARD — We were talking about it yesterday. We had a debate ourselves and we could not pin it down. You might have a rollover on a curve where the car might lose control, spin and roll, versus on a straight where you might drift off to sleep and drift off the road at full acceleration. There are a whole range of factors.

The CHAIR — You overtake on straight roads so I would imagine part of it would be coming the opposite way.

Mr MENSFORTH — If there were two vehicles involved I think the police would have recorded that, but I am not sure.

Mr BISHOP — Is there any other data attached to those crashes?

Mr HANNAH — You would have to go to the individual reports to see the circumstances in terms of weather, the sorts of things police put in their reports.

Mr MENSFORTH — By the way, I have a copy of every police report and I go through those for funding applications to work out a treatment. First of all, I identify where a site is that would be eligible for funding, and then I have to analyse the accidents, see how they are occurring, and come up with a treatment.

The CHAIR — Do you have the same sites come up? Yesterday in Ballarat the Geelong road between Meredith and Elaine was mentioned as a site predominantly coming up with off-road crashes.

Mr MENSFORTH — Yes. Most of the traffic is on the main road system. They are busy roads and you find that a lot of vehicles run off roads. You have a 43.5 per cent run off on those main roads, and I did work it out but it was something like 20 per cent of the road network. A lot of people run off the Calder; it is a real black length. You only have to look through the statistics and there are quite a number of pieces where you can take segments out and clearly if you put the whole thing together again, it is a black length.

Mr BISHOP — And some of those roads would be unsealed roads obviously?

Mr MENSFORTH — Yes.

Mr BISHOP — But not many of them, given the geographic nature of the City of Greater Bendigo?

Mr HANNAH — We have about 16 kilometres of unsealed roads.

The CHAIR — Which is what type of percentage?
Mr HANNAH — It is about half. We would have about 1700 or 1800 kilometres of sealed roads and slightly less of unsealed roads.

Mr MENSFORTH — Our municipality takes in Heathcote as well.

Mr BEARD — On that the quality of our gravel road network is very high. My previous role was director of Murrindindi Shire Council, which had a lesser standard of gravel road to what Bendigo does. The community here certainly demands a very high level of service, so the typical speed you would probably safely travel on them is 80 km/h.

The CHAIR — We met with people from the Pyrenees Shire Council yesterday and they are strong advocates of 80 km/h as a limit on gravel roads.

Mr BEARD — I would support that.

The CHAIR — Would the general community living on the roads support that?

Mr MENSFORTH — In Bendigo I think so because it would be fair to say we do not have long arterial gravel roads. If you looked at bringing in a third default speed limit, like 80 km/h across the state, you might have people up in Mildura or somewhere —

Mr STONEY — You would have to do it by region.

Mr MENSFORTH — And certainly you would not have a hope of doing it nationwide, for example in the Northern Territory or somewhere, but in Bendigo it is fair to say that a lot of the residents would like a lower speed limit on gravel roads.

Mr BISHOP — Are there statistics to support that gravel roads are picking up whatever percentage of that?

Mr BEARD — You would have to do a bit of research on that.

Mr MENSFORTH — Yes. One thing I do find with gravel roads is that we tend to get a lot of motorbike crashes on gravel roads. Bendigo is surrounded by forest — parks, and you get a lot of trail riding. When you look at some of those accidents, you get a lot of motorbikes come out of the forests onto the road and then the rider puts the bike down and is injured, but motorbikes will probably show up fairly high on our gravel roads. I have not got the statistics to show that — that is just anecdotal, from going through the statistics.

Looking at where the City of Greater Bendigo currently rates in single vehicle run-off road casualty crashes compared with other municipality areas across Victoria, this is what I received from Vicroads yesterday. Bendigo is the 19th highest in 78 municipalities in overall road crashes, 20th highest in serious injury run-off road crashes and 17th highest in fatalities involving run-off road crashes. The interesting thing about that is they are all fairly consistently rated. If you look at some municipalities they may be no. 1 in fatalities but they might be 40th in the serious injuries, whereas we are fairly consistent.

Mr STONEY — Is there any reason for that? That is quite strange.

Mr MENSFORTH — I think if we look at the overall network, and I always look every year or every half year into the accident statistics, and if we find a problem we will apply for funds to fix it. If you are generally concentrating on the accidents, the casualty crashes — I would like to concentrate on all accidents but we only get the casualty crashes, because that gives you a good sample of instances where the problem is — you concentrate on that and fix that problem. If you get your overall casualty accidents down, your fatalities will come down and everything else will come down. That is my feeling. If we concentrate on everything, everything is fairly consistent. If you look over the years — 1998, 1999, 2000, 2001, 2002 — the little things down the bottom are the fatalities and they are averaging around seven, they are all fairly consistent. If you have a look at the serious casualty crashes, they are tending to come down, but only very slightly. They are hovering around 95 or 100 I would suggest. The minor casualty crashes I would say probably tended to come down slightly but they are still relatively level.

Collisions with vehicles: that just shows the accident types over the period. Collisions with vehicles was the highest, about 30 per cent — sorry, 30 per cent is run off the road. We have a slight pedestrian problem, but no collision and no objects. The council and Vicroads are treating accident black length run-off road-type crash areas
generally by shoulder sealing with painted edge lines. This treatment is designed to improve delineation to help the
driver to recover from minor deviations from the travel path. Vicroads and Austroads have produced a clear zone
guideline, which provides for a driveable area clear of the edge of the traffic lane — I am sure you would be aware
of that — and the driveable width of the cleared zone varies depending on traffic speeds and volume. Guidelines
are based on road safety considerations but council found that other considerations work against the achievement of
a full clear zone width.

David will talk about two recent road projects in the rural area where this can be demonstrated.

Mr HANNAH — The first project we looked at is the Sutton Grange Road. We applied for black spot
funding under the state program and were successful. This was aimed at treating run-off road accidents, and the
idea was to seal the shoulders to a width of 1.5 metres. Sutton Grange Road is an arterial road servicing the
Mandurang area and the hamlets of Sedgwick, Sutton Grange and Elphinstone. The road also provides an
alternative route to the Calder Highway for people on the eastern side of Bendigo travelling to Melbourne. Instead
of going back through Kangaroo Flat there is a temptation to use this road on their trips to Melbourne, so it has
quite a high traffic volume on it, we think.

Mr MENSFORTH — Up to 1990 it was a state-declared main road but it ran parallel with the Calder
Highway, so they dropped it off.

Mr HANNAH — It is also a popular road with cyclists in training because it has some hilly areas and
kerbs, et cetera, so they tend to like to ride down there for experience.

Mr BEARD — It is worth noting — this project you might be aware of — there is a project in tune which
is the one we are talking about, then another accident occurred which was the Whelan accident, which you may
remember. As a result of that accident there was another section done further on, so if you can bear in mind that
when this project was going on there was not a lot of community feeling about it, even though it was as a result of
an accident, but then it became a real emotional issue at the end.

Mr MENSFORTH — Both sections were black spots; the funding applications were in.

Mr HANNAH — And this is the first one. Where that accident occurred is the second one. The actual side
of the road — it is a bit hard to see from here. If you see the words ‘Ravenswood South’ near the number 13 to the
right, that is about the section we are looking at. This is the track that people have been following as an alternative
to the Calder, so the issue was to try and seal the shoulders in that section.

The CHAIR — What length of road are we talking about?

Mr HANNAH — Two kilometres.

Mr MENSFORTH — And I think the next section was about 1.3.

Mr HANNAH — Yes, about that order, I think. These are the pre-construction photos to show you what
we are looking at. It is a curvilinear alignment, heavily treed road reserve. To give you some idea, there are a lot of
significant trees on the road reserve and you can see some large red gums. Even that dead tree on the side was
highlighted by Landcare groups as something they would like to see retained for habitat — again, curvilinear
alignment, high traffic volume, narrow lanes — this is just the process we went through.

Given that we received the black spot funding, we then applied. The idea was to seal 1.5 metres on either side of
the existing alignment. When we mapped it out we found a considerable number of trees that would have to be
removed in order to achieve that, so we commenced the planning process. The application was lodged in August.
The Department of Natural Resources and Environment, as it was called at the time, was the referral authority, so
the application went off to it. We met with DNRE staff on site and they were uncomfortable with the number of
trees to be removed. We reviewed our design and looked at shifting the centre line alignment so that we could shift
the road off some of the larger trees and to the other side of the road in order to avoid some of the trees they had
highlighted.

Mr BEARD — The trees were highlighted as being significant on a number of grounds: one was habitat
obviously, history was another one, and salinity was the other.
Mr HANNAH — We put forward a redesign which reduced the number of trees to come out to 16. That application was advertised. Sixty-six submissions were received objecting to the proposal. An applicant-objector meeting was held at which no agreement could be reached because council’s position was — —

Mr BEARD — I will jump in here again — we will tig-tag a bit. The council in any planning permit application has what we call applicant-objector meetings. We advertise the permit, the objectors put their objections in, and then it does not go straight to council. We have a round table applicant-objector meeting with the developer and the residents. We went through that as part of the process and a number of issues were raised. As well a range of onsite meetings were held with the community. I went out to the site with the councillors and half a dozen residents. That happened all through the process. I probably went out there six or seven times.

The CHAIR — Were there objections over the removal of trees?

Mr BEARD — Absolutely.

Mr STONEY — Who has the final say? Does it have to go to the Victorian Civil and Administrative Tribunal?

Mr HANNAH — In this process, after that applicant-objector meeting the report went to council and it resolved to approve the application. Subsequent to that people made application then to VCAT to appeal that council decision. We subsequently went through the VCAT process whereby they put their case and we put our case on behalf of council. At the end of the day — it was a two-day hearing — VCAT resolved to grant the permit, which meant that we were given approval to remove the 16 trees to allow this project to go ahead. That is a 12-month time frame from lodging the application to getting through the process. We had state government funding approved to address the issue but could not commence the process for at least 12 months. We had gone beyond the normal 12-month period. With black spot funding if you revise the funding you try to complete the project within that same financial year.

Mr STONEY — Tell me about the Department of Sustainability and Environment: if it objects to a particular set of trees or a tree, does that go to VCAT? Who has the final say, council or DSE?

Mr BEARD — DSE as the referral authority. If it says we cannot remove the tree, council is obliged to not issue a notice of decision to grant the permit. That is where you end up in a bit of a quagmire.

Mr STONEY — Why are you obliged to do that?

Mr BEARD — We are required to do that under the regulations. You might have council being the applicant, refusing its own permit, and then council taking itself to VCAT. We did not get to that point because DNRE approved the final design through the negotiations. A whole range of things were done which were good things.

Mr HANNAH — The next slide is an example of an environmental plan we are required to produce as part of the design. That attempts to address most of the environmental problems.

Looking at the Vicroads Road Design Guidelines, it can be seen that for a road of this type with vehicles in excess of 500 vehicles per day — although we do not have that traffic today, we will have that in a 20-year period so we need to look at that in preparing a design — it calls up 3.2 metre through lanes, 1.5 metre wide shoulders, and a clear zone from the edge of the through traffic lane to any object, if you like. We certainly were not able to achieve that on this project. We had to compromise on that. For example, you can see the 1.5 metre shoulder. We have had to install kerb on one edge of the road so that we avoided pulling down the batter, and so reduced the impact on the trees on that batter.

Mr BEARD — Originally we had the shoulder widening and away we went. Through the negotiations with DNRE and a relook at the design — and David will touch on the design solutions — we got to a point where we were able to save a number of trees. That was a good process, but at the end of the day there were still a number of trees that had to be taken out, hence the VCAT appeal. We just were not able to satisfy. So that we do not miss it, the dead tree that David showed originally was one they believed was of high environmental significance because of habitat. In the negotiations for the planning permit we went to lengths way beyond what you would deem reasonable to try to get it out of the VCAT process, to try to keep it out of the tribunal, even to the point of relocating that dead tree into a rural property and then staying it. It would have cost $4000 to $5000 to do that. We went way beyond what was required and still could not reach agreement. Hence, we ended up at VCAT.
Mr HANNAH — Some of the other things we have employed include guardrail where we could. Obviously we could not save all the trees because we could not even meet the design clear zones for guardrail. You need half a metre from the back of the guardrail to the object so that the thing can deflect. If we could not achieve that the tree had to come out, so we had extensive use of guardrail on the project in order to conserve as much as possible of the trees. The slide shows some photos of that.

Mr BEARD — To add to that, we installed guardrail; kerbing, so we did not have the gutter and could produce the clear zone; and we moved the road centre line across so we had minimal widening on one side and more widening on the other. Again, in moving a road centre line on a curvature alignment, to get back out of the curve you have to go a long way. It is not like taking out a little curve, for example. We still had a lot of engineering solutions, hence it was a learning process for us and the next project was a little easier to get through.

The CHAIR — What was the total time line for that project?

Mr BEARD — Probably two years from the granting of the funding through to completion. Through the planning permit process it actually came back to council a number of times, so the permit was ready to be awarded. Council looked at it and said it was not ready. It had an informal meeting prior to it going on the agenda. It went up a few times but was knocked back, and we were to told to ‘Look at this’, or look at something else.

Mr HANNAH — The other project we wish to talk about is a road called McGlashans Road, which is out off the Bendigo–Maldon Road and services a rural residential area. Council had an agreement with the developer that it would seal the road which accessed his development. The existing road consisted of a narrow unsealed pavement on a curvy linear alignment. The section was located in a 20-metre heavily treed road reserve, with many significant trees, and the length was approximately 2.2 kilometres. They were basically the existing conditions. In sealing roads of this type, council has been looking to get a 6-metre sealed pavement so two vehicles can pass on these low traffic roads without having to have their wheels off on the unsealed shoulder, and all the maintenance and safety issues that go with that. In considering heavily treed road reserves, we try to have a minimum shoulder width. We have a minimum of 0.3 of a metre. There are narrow verges to the table drains in order to achieve reasonable batter slopes, and where possible a 3-metre clear zone from the edge of the seal to the trees or any objects. We are looking at a total pavement width of 6.6 metres, but then to try to shrink back the other widths you need to cut your table drains et cetera so we minimise the impact on the treed environment.

Mr MENSFORTH — Three metres is not the clear zone now because you have table drains and things which in themselves can be a hazard. The actual clear zone is less than 3 metres but the 3 metres is to trees.

Mr HANNAH — So on this particular project we had pressure again from the Landcare group and the residents to limit the number of trees to be removed, and that has resulted in a lesser design standard.

Mr BEARD — To go back to the last one, the two there were predominantly the habitat issue and salinity.

Mr HANNAH — Again, we have effectively achieved a 5-metre sealed width on this particular road. We will go through the next slide. The design considerations that we would refer to here are the Austroads design guidelines and VicRoads standards to clear zones, and the design adopted by council is, as I said before, the 5-metre sealed width. We had to cut the table drains, the installation of guide posts, and on this particular job because we were not that comfortable with the clear zone we have achieved we have put up signs at either end of the project warning motorists that this is a heavily treed road reserve, because as we said we have not achieved what we would like to see in terms of a clear zone or a run-off road area so that people can recover and get safely back onto the road.

There on the left-hand side the photo shows the heavily treed road reserve; that is the 5-metre sealed width that has been installed there. The sign you can see is at the start of the job. It says, ‘Caution, heavily treed road reserve’. We have also had to install speed advisory signs, so in the photo on the right-hand side you can see that. I think it says that this is a 40 km/h speed advisory sign because of the curvilinear nature of the road. In order to wind its way through the heavily treed road reserve we would say we are down to that level, but also we have installed guide posts so we can give, as best we can, good guidance to the motorist as to the shape of the road ahead. With also the speed advisory signs and that cautionary sign we are attempting to highlight to motorists who may be unfamiliar with the area that this is a road that you should proceed on with caution.

Mr BEARD — There is a lot of pressure in regard to lowering the speed limit on the road. The issue was that we sealed a gravel road, and the perception was that by sealing a gravel road the speeds would increase along
That road. Council decided it wanted a lower speed limit. We approached VicRoads, which was apprehensive about introducing a speed limit into an area where it does not conform with the VLimits program, which is your guidelines for what speed limits are appropriate in certain areas, and when you look at it, it is a rural road. VicRoads did however agree to a 60 km/h trial zone, so it is currently that and we are conducting a trial to see how it works.

Mr MENSFORTH — We have done traffic speed surveys all through it and the traffic is travelling much faster than 60, generally averaging about 70. I have a dilemma. It has been in place for over 12 months now — it is a 12-month trial. My dilemma is what do I recommend. Do I recommend 60 and see if VicRoads will approve it, knowing that people are going faster than that, or should I say it should be 70 — again knowing that if somebody runs off the road they are going to be in trouble?

Mr STONEY — It is a fact that people in a situation like that will drive at what they consider is a safe speed. Irrespective of whether it is a bad speed zone they will drive at what they think is right.

Mr MENSFORTH — That is right. You should have credible speed limits.

Mr BEARD — That is the dilemma we have, and that is why we are apprehensive. If we look at the urban/rural interface where you advertise, say, 80 km/h when 100 km/h is legal, people may tend to go up to the 80 km/h because they will say, ‘Well, I can travel at 80 here’, whereas the environment might suggest it should be a bit slower than that. So we are always in a dilemma on that.

The CHAIR — Why are there no line markings?

Mr BEARD — It is not wide enough. It is a narrow seal. If it was 6 metres wide we would possibly put one down. The other dilemma we have is that even though it was a trial, we have no previous data to measure against because it was a gravel road, it was different conditions and so on. Thinking ahead for your panel, there is not a lot that you can draw on statistically, but it is something that I suppose we are trialling.

Mr HANNAH — We had a post-construction review in the engineering area and we looked at what had been built there. We had some concerns with it in terms of our having some vertical batters on table drains, the site distances are certainly reduced over what we would like to see on a sealed road, the shoulder widths are virtually non-existent or very narrow. What happened then, we reported to council on some improvements we would like to see in terms of addressing some of these issues but that process would have involved further tree removal and council was reluctant to do that, given the pressure from the residents and the Landcare groups, and that led to the process of the trial speed zone. That is where we are up to with that project.

Mr BEARD — On the batters, in order to keep away from the trees basically we cut the batter and then a vertical batter at the back and then the tree sits here. We have exposed the roots, we have probably increased the siltation issues in regard to the table drain, and we cannot clean it as well. The idea would be to batter the table drain off so that you got a good grass cover, et cetera. So all of a sudden we have created a potential safety hazard as that tree grows, because a lot of these are only small trees with a diameter of 6 inches or thereabouts. As they get bigger, they will start to move across. So in appeasing the community in the short term we are creating a long-term problem for ourselves.

Mr MENSFORTH — It is a fairly big subdivision off that road.

Mr BEARD — Yes, there is probably the potential to be about 300 lots at the end of that road, and it was one that was created against the wishes of council. They are lot sizes of about 3 to 5 acres or thereabouts, so they are potentially big traffic generators.

Mr STONEY — Will the developer kick in for that?

Mr BEARD — The developer has built the subdivision and so on but has made no contribution to the road or any future expansion of the road.

Mr STONEY — In some cases developers have to do something to the access roads.

Mr BEARD — The road upgrade itself was part of the planning permit conditions, and this particular example had a lot of history to it and court cases and legal actions and all sorts of things, so as part of this development council had to seal the road as its contribution to the project based on — — it is probably not worth going into it but that one is very complicated. In normal conditions, yes, that is what you would do: if a development occurs and there is a requirement to upgrade, the developer usually meets that cost. In some instances,
say for drainage which is separate to road safety, there would be a contribution per block towards any drainage upgrades that council have to do — like a head works charge, I suppose, to some degree. That is about all we had for you. We can supply any further information that you want today if there is something in particular you are interested in, and I will leave the copy of the presentation or I can change it — one of those stats was wrong — 39 per cent instead of 3.9 per cent.

Mr STONEY — Would you like to make a comment on the Vicroads stance for object-free verges for different categories of roads? I think you mentioned a couple of roads in categories and for that category there is a certain standard. Would you like to make a comment about whether, if you were king for a day or something, you would make it wider? If there was plenty of money should there be more width as a matter of course? What should we be aiming for?

Mr BEARD — David can answer this to some degree, but I will put a political bent on it. Where I find it difficult is there is no clear rule in the guidelines. When you put something up to council and say, ‘This is what we are going to do and this is what we need to achieve’ you get, ‘But they are only guidelines’. Then you go back to Vicroads and Vicroads in some instances will not shift; in other instances where the politics are so high they will shift but then three months down the track you put something else up and they go, ‘Oh, yes’, but they changed their minds. Vicroads had a different position three months ago; why now have they compromised on that original position?

You would have come in through Kangaroo Flat and seen the sugar gums on both sides of the road. We did some flank widening there and did not achieve the clear zones, but we were able to reach agreement with Vicroads on that. That was done probably three years ago and has haunted me every day since because of that compromise on the clear zone. From my point of view it would help me if we had an absolute minimum and that was it, particularly given the roads bill that is going through and our requirements on the non-feasance issues, where we can have things raised or make decisions and it might open us up to litigation later if we have not taken action.

The CHAIR — So you are saying that because they are just guidelines there is room to compromise, and basically through those guidelines there are instances where you compromise the safety of motorists?

Mr BEARD — That is correct.

Mr STONEY — Are you also saying you would like Vicroads to create stronger guidelines so everyone knew where they were; is that what you are trying to tell us?

Mr BEARD — Probably strengthening it up. With the processes we have been through, particularly the Sutton Grange process, it takes out a lot of the ambiguity as you move forward.

The CHAIR — Are you saying we should move away from guidelines and go to regulations?

Mr BEARD — Not totally regulated because the beauty of engineering is that you have to be innovative in your solutions. There need to be a number of tests. Some of the things we have tried to highlight with regard to kerb and channel, guardrail, et cetera, just might have to be done in order to preserve the environment. If we go right back to the start you have the corporate plan saying, ‘We want to achieve both’, and we as engineers want to achieve both as well.

Mr STONEY — Where would you stand if that dead tree that you wanted to take out just fell on a car and killed a couple of old ladies?

Mr BEARD — We would be held liable.

Mr STONEY — Even if you wanted to take it out and you were stopped by the process?

Mr BEARD — In preparing the planning permit application we had to undertake an arborist’s report of the tree in question. If at that time we found the dead tree was unstable we could take it out on safety grounds without having to go through a planning process. If we compromised ourselves and said, ‘We recognise it is unstable but it is of significance for nature and the environment’, and left it there and it fell over, I think we would be in trouble because we knew about something and we did not take action.

Mr STONEY — Obviously that tree was stable.

Mr BEARD — It was stable.
Mr MENSFORTH — On the clear zone guidelines there is a minimum in the urban area of 1 metre. I am not sure if there is a minimum in the urban graph. If you set a rigid minimum you will find a lot of people, because of these pressures, will go to the minimum, and rarely do you want the minimum of 3 metres in the rural environment. I suggest the guidelines are pretty good. It is just we have a problem.

Mr HANNAH — The issue for us is that in the rural areas we recognise that in a lot of instances there is a requirement, according to the guidelines, for a 6-metre clear zone. That, in terms of the environment, is virtually unachievable. Although here we have a situation where we should be giving 6 metres for safety grounds, we cannot achieve it. We have gone back to something where we have tried to achieve 3 metres which just gives us a space to create our shoulder and our table drain with reasonable batters, and we have even had to compromise on that further. The issue for us is that we are concerned about our potential liability because we have created roads like that. These things have not been tested. We have built a road about which someone may argue, ‘You have not provided a 6-metre clear zone, someone has hit a tree, you guys are negligent’. We have been forced to compromise. Where does the responsibility lie? We do not really know; we are not sure.

Where we have comprised these guidelines we have tried to adopt other measures to make the road as safe as possible — for example, the cautionary signs, the extensive use of guide posts over and above normal standards. With the speed advisory signs we have tried to give the best guidance we can knowing we are not that comfortable with the road environment we have provided in terms of safety. As I said, that has not been tested so far as we are concerned and we are not that comfortable about it, but that is where we have been channelled.

Mr MENSFORTH — The other thing on those reduced roads is that if somebody wants to turn into a driveway or a road, the other vehicle cannot pass to the left because there is not the room.

Mr BEARD — The conflict with the Department of Sustainability and Environment and council is just a conflict over our roles, but we have a very good relationship with DSE and certainly it sees the council side as council sees the DSE side. Our issue is with the community and its non-acceptance and the playing off of those two areas, and even disturbing things such as the onsite meetings at the McGlashans Road site where we said we needed to take out a couple of trees. Even though it looked like a straight road there were a couple of bends and a couple of trees which at night you can potentially go straight through and clean up. One of the residents made a statement and I asked them, ‘What happens if someone is killed?’ The answer was, ‘That is their fault; they should not be travelling that fast’. I asked, ‘What if it was your 18-year-old daughter?’. Obviously I did not get a response to that, but the passion for the environment is very strong.

Mr HANNAH — We believe we need to provide a reasonably forgiving roadside so if someone momentarilly has a lapse, for whatever reason, they will not pay for it with their life. That is what we would like to achieve. Again we have the pressure from the other side.

Mr BISHOP — David, in answer to a question from the chairman you said that you did not want regulations but you still wanted guidelines, possibly because of your engineering bent for innovation. Would it not be a lot easier if there were quite strong and rigid regulations from Vicroads that said, ‘These are the rules’?

Mr BEARD — It would absolutely be easier, there is no question about it, but I do not know whether the fact that it is easy is the right thing. Because we had to show innovation with Sutton Grange Road I think we have ended up with a better outcome than if we had relied on guidelines. I also recognise that Bendigo city is probably lucky in that it can attract professionals to work for the council, it has the capacity to share knowledge and so on, while a lot of the smaller councils, such as the Loddon and Wimmera councils, will attract graduate engineers with not a lot of experience and they will go straight to the guidelines and say, ‘This is the answer’, and that is it. I did not realise that until David raised it before, but I think it is a very good point. Because we went through an arduous process with regard to Sutton Grange Road, when we do our public consultation the next time we do a project of that type we can say, ‘This went through this process, it was tested at VCAT, and this is where we ended up’. Hopefully through that consultation process we can stave off VCAT.

The CHAIR — What emphasis do you give to armed barriers in those instances where you have individual trees that are of concern?

Mr HANNAH — If we can fit the guardrail in then we can use it, and we have used it on other projects as well whereby we have significant trees close to the edge of the road, we have sealed the shoulder and maybe put some guardrail around two or three trees. In adopting guardrail we have decided we will stick strictly with the installation guidelines. We will not compromise on those guidelines with respect to the installation of the guardrail because it would be clearly held that if we do not do that we could be creating a hazard by installing the guardrail.
Mr BEARD — So there is a clear zone behind the guardrail for the guardrail to bend on impact. The other one we have an issue with is installing guardrails. You have to have an approach and a termination on the guardrails, so to protect one tree you end up with a fairly long— —

Mr HANNAH — Twenty metres.

Mr BEARD — And the other one is when you have a 1.5 per cent population growth, as I think we said, in a lot of these the environments where we are having the problems — for example, McGlashans Road — are starting to get built up which means you have a driveway, which means you have to terminate the guardrail and sometimes you just cannot get them in to allow that entry into the property.

The CHAIR — Very good.

Mr HARKNESS — A very quick one, and I am mindful of the time. We talked about the rural roads. On the suburban streets and the built-up areas, what are the major issues that you confront — pedestrians?

Mr BEARD — Pedestrians is our high one.

Mr MENSFORTH — Yes, pedestrians, although when you try to track down where they are happening they are either right in the CBD on a couple of sites which we have probably treated and treated again, but generally we do not have a real pedestrian problem because if you look at them as one here and one there — you know what I mean? So we have not really got a pedestrian problem.

The CHAIR — Is speed an issue for you?

Mr MENSFORTH — In the urban area? We have a 50 km/h general urban speed limit now, which is really good, the new speed zones past schools which is again very good.

Mr HANNAH — What we do have an issue with is the number of speed zones between Kangaroo Flat and Huntly, and we are up to at least 17; so for someone who is travelling through, that is an issue, I believe.

Mr BEARD — It is now a trivia question in any sports night we go to!

Mr STONEY — You must have, the same as every shire I think, some really bad intersections where you know there will be a bad prang one day but because there have been no major accidents there you cannot get funding and yet everyone in the whole vicinity has their heart in their mouth every time they go through it. Is there any solution to that where it is genuine that there has not been a prang, you know there will be a prang but because there is no record of it, no statistics, it just does not rate as any black spot, because I suppose there are lots of applications, and who is to say which is ‘really bad’ and which is just a ‘bad’ one?

Mr MENSFORTH — We have one at McKenzie Street West-Bay Street-Symonds that we have always known was going to be a black spot. The council built the road with a slight stagger just to make it look dangerous or whatever, but there is a huge subdivision there. It is on a state-declared main road so it is a state government road, it requires state government funding. It is now a black spot. We have put the same contribution towards traffic signals there. That would be the one the community is agitating most for. As I said, it is on a very busy state-declared main road — lots of trucks.

The CHAIR — But a low accident record.

Mr STONEY — The criteria is accidents, isn’t it?

Mr MENSFORTH — Now it is a black spot but because traffic signals are very — —

Mr BEARD — It was a potential black spot. It is now a black spot.

Mr STONEY — As I said, there has been a prang.

Mr MENSFORTH — There have been three or four now over a five-year period, but because traffic signals are very expensive your benefit-cost ratio is fairly low, you need 10 casualty crashes instead of four. But that is one of those sites you are talking about. If it was strictly a council road we would probably have traffic signals in by now but because it is a state-declared main road it has to compete with funds applications all across the state.
Mr BEARD — The other one with that benefit-cost ratio is a council like Bendigo that can put some funding in, which takes the state contribution down, to try and get the ratio up. I have a soft spot as I come from Murrindindi, but Murrindindi struggled with finances and therefore a roundabout in Murrindindi versus a roundabout in Bendigo. If Bendigo put in half the funding, it will get up, so that is a quandary as well.

The CHAIR — All right. No further questions. Thank you, David, Jim and David for your time. We appreciate your input again. As I mentioned, we will send you a copy of the transcript.

Witnesses withdrew.
ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo – 21 October 2003

Members

Mr B. W. Bishop
Mr J. H. Eren
Mr A. R. Harkness
Mr C. A. C. Langdon

Mr T. W. Mulder
Mr E. G. Stoney
Mr I. D. Trezise

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witness

Mr J. Lockie, Roadsafe Central Victoria.

Necessary corrections to be notified to executive officer of committee
The CHAIR — Welcome, John and thank you for your time and input. It is appreciated. As you are aware, the parliamentary Road Safety Committee is running two inquiries at the present time, one involving the country road toll and in correlation to that is obviously crashes involving roadside objects. We are taking a transcript of the proceedings and will send you a copy. Mostly it is for our own internal use when we write the report. You are under parliamentary privilege at this time, which essentially means that whatever you say cannot be used legally against you, so feel free.

Mr LOCKIE — I am here representing Roadsafe Central Victoria. I am a member of Roadsafe Central Victoria but I should also mention that I am employed by Vicroads as a road safety coordinator. As part of that role about one-third of my time is devoted to providing support to the road safe programs. I guess my submission will be an outline of the activities that Roadsafe Central Victoria has undertaken in recent months and the last couple of years. I have copies of the documents, and I apologies that there are only two.

The CHAIR — Perhaps I am jumping the gun here, but what area does Central Victoria take in?

Mr LOCKIE — Roadsafe Central Victoria covers the municipalities of the City of Greater Bendigo, the Shire of Loddon, the Shire of Mount Alexander, and the Shire of Macedon Ranges. We have had some involvement a little further afield in the Shire of Mitchell although we share a responsibility there with Roadsafe Goulburn Valley and we do a couple of programs that get up to the fringe of the Shire of Campaspe so we are fairly fairly spread out.

Our members include representatives from the municipality of the City of Greater Bendigo. We recently recruited a young engineer from the City of Greater Bendigo and also recently recruited a young engineer from the Shire of Mount Alexander. We are pleased to have those new members join us. We have a teacher from Big Hill Primary School and members from the police traffic management unit, the State Emergency Service and the Country Fire Authority. All up we currently have 17 members and seven of those are community members. They are people typically who may have retired, who have probably had a former involvement in an organisation such as the SES or that type of community group.

Roadsafe Central Victoria is one of 24 community road safety councils across the state. We have an overarching Roadsafe executive which is responsible for our strategic direction. I have included a copy of the strategic plan in the documents. In this current financial year we have embarked or are focusing on six new key directions. Specifically we are being encouraged to target key road safety issues and move away from what you might refer to as the soft, warm and fuzzy type programs — school fetes, et cetera — and to focus on the issues of speed, fatigue and drink-driving.

We are encouraged to link in with local government authorities, in particular in the development and actions of the road safety strategies that local government in this region is in the process of developing. Roadsafe Central Victoria has recently been involved in the road safety strategy community briefing workshops for the Shire of Macedon Ranges and the Shire of Mount Alexander. We are part way through developing those strategies. Among the documents I have included copies of our last two annual reports. I am not sure if you would like me to refer to some of the programs.

The CHAIR — It is up to you.

Mr LOCKIE — For the last financial year, 2002–03, one of our main programs with drink-driving in this area was the Looking After Our Mates program. That is a one-hour presentation that we take into sporting clubs and secondary colleges, actually any community group. We have tailored this presentation to reach four different target audiences including business, youth, sporting groups and the general community. We have tailored this presentation to reach four different target audiences including business, youth, sporting groups and the general community. We launched the program in the last 12 months and have delivered it in a couple of football clubs in central Victoria and have been able to secure the program in the Bendigo Senior Secondary College. It is going to put all the year 12 students through this program, so that is 1000 year-12 students.

The CHAIR — What type of reception do you get from the football clubs?

Mr LOCKIE — We showed the program to the Bendigo Pioneers Football Club, which was the first football club we did. It is a fairly interactive presentation. We have what we call fatal vision goggles and they simulate a blood alcohol content of up to 0.2, so we get the guys involved in wearing these goggles and hand-passing the football. There is a bit of humour involved, and there has to be. It is about the effects of alcohol and it cannot all be about the morbid side of road safety. It is about getting that message across in a relaxed and
enjoyable fashion. The reception from the Pioneers was very good. Certainly the welfare manager of the Pioneers group was very impressed, so we got some pretty good feedback from there.

Mr BISHOP — Do you do any other football clubs or is that the only one?

Mr LOCKIE — On a statewide basis we have formed a partnership with the Victorian Country Football League. The agreement was that we would deliver approximately four football clubs in each community road safety council area this current football season. Across the state I believe we met that target, but in this area we did not quite meet that with the country football league.

The CHAIR — Do you feel there is a slippage in the .05 message at all? If we take the football clubs, the bush telegraph system, for want of a better term, probably works well around rural areas. Are people inclined to sneak out of the footy club and down the back track because they know the booze bus is not around or the local policeman is somewhere else?

Mr LOCKIE — Absolutely. I believe that is a cultural thing, particularly the further you get away from the bigger cities where the bigger operations and enforcement is seen. It is certainly cultural.

The CHAIR — Do you think that is slowly creeping back into the culture or is it something that has always been there?

Mr LOCKIE — I have no evidence that it is slowly creeping back in; I think it has always been there. We have made wonderful inroads into the newly licensed drivers and they display excellent habits as a group in terms of not drinking and driving, but we certainly have those issues once they get to understanding the residual effects, et cetera, once they become 21.

Moving on to our programs last year, we partnered with the City of Greater Bendigo in highlighting speed and safety in the community. We hired a mobile speed radar digital display trailer. That was used around the city of Bendigo for a month at the end of 2001; I believe it was in December. Even members of the community were giving us quite a bit of good feedback on that. The city was receiving a lot of calls through its reception about the trailer, and it seemed people wanted to check their speedos.

Mr STONEY — Absolutely, and there is nowhere for them to do that.

Mr LOCKIE — That is right. Yet conversely recently our traffic management unit for the police bluey day thought they would run a bit of a fundraiser so they had the radar gun set up on one of our quieter roads in town. For a gold coin donation people could come and have their speedos checked. Did anybody turn up to have their speedo checked? No, that was poorly attended. I have police contacting me from outer areas wanting to run programs involving the community but I have to tell them, ‘If you are going to have a police car parked there, you will not have anyone turn up’. So that is certainly an issue.

We are continuing the speed program this financial year and in fact we have actually invested $5000 of Roadsafe’s funding in partnership with the City of Greater Bendigo to purchase one of those trailers. The City of Greater Bendigo has received the funding for the Not So Fast program through Vicroads so we will partner with it in implementing that this year.

Mr STONEY — Have you any way of checking that the trailer reading is accurate? How do you make sure you are not misleading people? There is one at Ballarat and one on the Hume Highway and I understand they read differently sometimes and it confuses people.

Mr LOCKIE — I think there is probably an important issue that we need to convey, and it is only a guide. We certainly have no ability — I am not aware of any calibration that is done on those trailers. I am aware that one of my colleagues received a call yesterday just on that issue, so I think you have to be careful about the message that goes into the media about that.

Moving on through that program last year, bicycle safety was another of our key programs. We have funded a trailer of equipment — we call it the Bike-ed challenge trailer — a program that is run on a statewide basis by Vicroads traffic safety education coordinators and Road Safe groups. We have taken that into quite a large number of Victorian primary schools and involved them in an extension activity of their traffic education or bike education programs. We have been conducting these municipal and regional competitions for several years, now and this year we are hosting a state final of that competition series.
One of the issues that we were made aware of in early 2001 was through the development of a new nightclub on the McIvor Highway here in Bendigo, the increasing number of alcohol-affected pedestrians in the nightclub precinct. We participated in a Walksafe program which was managed by the City of Greater Bendigo. We assisted with some of the evaluation and marketing of the program. The program involved getting the stakeholders together, consulting over what sort of treatment could improve safety of pedestrians in that nightclub precinct. Pedestrian fencing was installed and Road Safe central Victoria engaged a film crew to video a before and after treatment to evaluate how successful the treatment was.

Some interesting results came out of that. We saw a reduction in the number of pedestrians who were having to avoid being struck by a vehicle, and we also saw a reduction in the number of vehicles taking evasive action away from pedestrians. But there was an interesting statistic that showed an increase in illegal crossing behaviour, and partly because of the positioning of the fence and the location of two nightclubs on diagonally opposing corners of that intersection where people take the shortest possible route, that is the way everybody goes. We also participated in that process of relocating the taxi rank, which was one of the significant issues in the safety of people getting to and coming away from the nightclub precinct.

The CHAIR — Are older road users a concern with regard to being a pedestrian?

Mr LOCKIE — When I think about our pedestrian statistics, in the recent three or four years I think the oldest pedestrian who has been in a pedestrian crash was 30 to 49.

The CHAIR — That is old!

Mr LOCKIE — Yes, very old! I do not see that as a particular issue at present, but I am aware of programs that we were involved in some years ago. Certainly for older drivers we have been involved in putting the Wiser Driver program around Central Victoria, and we believe that to be a very successful program. We get a lot of excellent feedback from that, and we partner it with the Hawthorn community education project and the Australian Transport Safety Bureau in an evaluation of that program. We ran a forum up here to assist with the process.

Moving down that program for last year, fatigue is an issue that we probably feel a bit underdone on. We had difficulty delivering fatigue programs, and I guess we tend not to fully expend our budget in that area and recognise that it is a very significant contributor to road crashes in this area.

The CHAIR — When you talk about fatigue, are you talking long-distance travel or are you talking fatigue as in a couple of young blokes who were at the disco on the Saturday night and on the Sunday they are out driving and suffering the effects of fatigue?

Mr LOCKIE — I am talking about long-distance travelling, although it does form a factor. We have people who live in Bendigo who might commute to Melbourne to work or they may do a day’s work in Melbourne and having driven down then turn around and drive back. So fatigue in the sense of the time you have been awake and the amount of sleep debt you might be carrying with you. I guess we are looking at the issue from the occupational health and safety perspective. We are encouraged by the development of the new safer driving kit that the Safer Roads program group has put together with VicRoads and other partners, and hopefully we can market that to business in central Victoria. It has some good resources in it that deal with not only fatigue but other road related issues as well.

I guess the last program I have listed in our last annual report is the Learner Driver program. We provided some support to the Shire of Macedon Ranges road safety subcommittee, which developed a program around supporting learner drivers. It developed a series of driving route maps that would encourage learner drivers to get as much experience as possible on a wide variety of road conditions. Those are issued through schools, through the VicRoads licensing office in Kyneton and through the Keys Please program that VicRoads conducts through secondary colleges.

The CHAIR — Going through your list of events and activities, can you explain the holiday vehicle safety checks?

Mr LOCKIE — We partnered with Bob Jane T-Mart and the RACV, and that was conducted a week out from the Easter holiday break. We advertised for people to come and have their restraints checked — that they were correctly fitted to their vehicle — and also that they had their brake lights and those minor equipment items tested. That was at no cost.

The CHAIR — So you are talking about towing a caravan in?
Mr LOCKIE — Not so much caravans; although they would have taken caravans in that process we did not market it as a caravan exercise. It was basically just the vehicle, although we did do one of those caravan safety check days the year before and that was conducted up at the Prince of Wales showgrounds where we have a big area where we could handle lots of cars with caravans. We got about 70 vans through that day.

Mr BISHOP — Your Wiser Driver program, could you give us a bit more detail on that? I am interested in the first issue in that.

Mr LOCKIE — The Wiser Driver program is a series of workshops for 2-hour sessions where older drivers are taken through a process of understanding the issues that face older drivers, such as their restrictions in mobility — for example, neck movement — and to help with that we invite an occupational therapist in for that particular session. We also invite a police officer in so we get some dialogue between the older drivers and these people to help them understand issues that might concern them for driving. The concept behind it is to help them remain safe and to maintain their mobility, particularly in rural areas where older people may live out of town and rely entirely on their motor vehicle to get their shopping and for their social life. Their whole life revolves around the motor vehicle, so the program is aimed at supporting older drivers to maintain their mobility.

Mr BISHOP — Did you get good turn-ups to that?

Mr LOCKIE — We have had good turn ups. We have run about 15 or 16 of these in the last couple of years, and we are just about to start a second one this financial year, in partnership with Veterans Affairs, which has about 6000 people in its organisation across this region. We are hoping through that partnership we will keep the program going and get it out beyond Bendigo. We have had some success getting it up north in the central Murray area to some of the outer townships, but places like Castlemaine — we would like to get out a bit further than just Bendigo.

Mr BISHOP — What sort of feedback have you got with your fatigue program? Have you any other data on that?

Mr LOCKIE — I do not have any data.

Mr BISHOP — You said you were underdone on that.

Mr LOCKIE — Some marketing is done through the State Emergency Service driver reviver stops.

Mr BISHOP — The cups of coffee stops?

Mr LOCKIE — Yes, but that is preaching to the converted. People have already made the decision, they have made the stop, so that is not really well targeted. It is about getting the information. I believe we must go through occupational health and safety groups; we must get into business and have employers undertake some of that education for us.

Mr BISHOP — So you believe it is having an effect on road safety that is increasing or has always been there; what is your view of it?

Mr LOCKIE — For as long as I have been involved in this role I believe that fatigue has been a significant issue in the crashes in this area.

The CHAIR — John, thank you for your time. As I said, we will send you a copy of the transcript. We appreciate your efforts and input.

Witness withdrew.
ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo–21 October 2003

Members

Mr B. W. Bishop  Mr T. W. Mulder
Mr J. H. Eren  Mr E. G. Stoney
Mr A. R. Harkness  Mr I. D. Trezise
Mr C. A. C. Langdon

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witnesses

Mr N. Jacobs, Chief Executive Officer; and
Cr R. Gersch, Mayor, Shire of Hindmarsh.

Necessary corrections to be notified to executive officer of committee
The CHAIR — Welcome Rob and Neil to the parliamentary Road Safety Committee’s inquiries into the country road toll and crashes involving roadside objects. We will be taking transcript which we will use for our own purposes in writing our report. We will provide you with a copy of that transcript when it is ready. These are public hearings and the evidence is under parliamentary privilege, which means anything you say cannot be used legally against you in the future, so feel free. We will try to keep the hearing relatively informal. We will listen to your submission first.

Mr JACOBS — The Hindmarsh shire, as you may know, is in north-west Victoria and is geographically very large. It is an area larger than the Melbourne metropolitan area, with a local road network of over 3000 kilometres. It has a small and ageing population of less than 7000 people. The predominant industry is agriculture, dryland farming, grains, oil seeds, legumes, also some other industry diversification with Luv-A-Duck processing 40 000 ducks a week in Nhill, and farm storage equipment manufacture. We are nestled between the big and little deserts.

We have two broad issues with road safety in respect of the committee’s terms of reference. One that is very practical to us, and is the cause of immense frustration to the council and the community as outlined in our submission, is that if a resident farmer has a concern about a dangerous roadside tree today we may not be able to rip the thing out for at least two months. We have to follow a planning process to remove even one native tree on the roadside.

We have suggestions for how that current procedure could be modified, and please do not misunderstand us, our council has an enormous commitment to the environment. Through Project Hindmarsh we are planting over 100 000 new native trees every year. An enormous amount of community and council effort is devoted to environmental issues, but on practical issues such as road safety and trees on the sides of roads, clearly we can see a better way than the current enormously bureaucratic planning process.

The second broadest issue is that of funding and the cost disbenefits faced particularly by small rural shires. We have an enormous local road network, and our rate base is not large enough to appropriately maintain that. In common with all other councils we are putting an enormous amount of effort into asset management, the primary focus of which is the sustainability of our road network over the long term; risk management, particularly with the changes to nonfeasance legislation; to act in the best interests of ratepayers we have to ensure that we have an inspection and maintenance regime which ensures the highest standard of road maintenance; legal protection for the council, but importantly a safe environment for locals and non-locals alike.

CR GERSCH — I guess the big problem we have in our area, Nhill in particular, we are exactly halfway between Melbourne and Adelaide on the main highway and it is from 4 to 4½ hours each way. Local people grow up with the fatigue of travelling long distances and we are used to it. One of the major problems we have around our area is probably from Stawell to the border. It is classed as a fatigue zone and there are unfortunately a lot of single-vehicle fatalities. We had an interesting one last year when a man went out to a New Year’s Eve party, went home, picked his family up, got in the car, drove to Nhill at 7 o’clock the next morning and drove straight into the front door of our information centre. He just went to sleep as he came into town.

I do not know how you educate people. Country people are involved in a lot of rural accidents, there is no doubt about that, but it is a major problem on the highway. As in our submission, there are mobile phones, there is fatigue, and there are so many various things that need tightening up and some more enforcement. But fatigue is a major problem in our area and education about fatigue is one of the major needs — and I am not sure how we attack it. I suppose it is an issue for local, state and federal governments.

Our highway is predominantly a single-lane highway with very few passing lanes, and again that has a bearing. I believe we need more passing lanes and upgrading of the highway, not so much around our area at the moment because there has been a lot of money spent. People need to be educated about fatigue. They just feel they can go to work, do what they want to do and then get into the car and drive. In my position as a motel owner in Nhill for a number of years I have found that the majority of people who come in at 1 o’clock or 2 o’clock in the morning and think they can just drive and all of a sudden realise they cannot; then they pull up. That is great, because they do pull up, but a lot of people seem to have the mentality that they will keep driving. How you educate about that is why I guess we are sitting around this table just to try and come up with those answers, but that is one of our problems, just to reinforce what Neil said.

The CHAIR — Do you see that fatigue problem as relating essentially to the one-off holiday of travelling through to Adelaide, or do you see it as also relating to truck drivers who are regularly coming back and forth?
Cr GERSCH — Yes. Unfortunately again we had a major fatality about three months ago involving three trucks. It was 3 o’clock or 4 o’clock in the morning and it was on a little sweep bend. You could blame everything, but the bottom line is that there is a 99 per cent chance it was fatigue. Nobody knows, because unfortunately everybody was killed.

In Nhill in particular there are two 24-hour roadhouses and from about 10 o’clock to 3 o’clock in the morning the number of trucks is just mind-boggling. There is a lot of truck changeover. I believe there is a change of attitude of the companies in the trucking industry in that they do a lot of changeovers at Nhill and also other towns — Horsham, Dimboola and all along — but predominantly in Nhill because it is halfway, and because of the need for completing logbooks et cetera. That gives drivers a good spell and it saves that 20 out of 24-hour driving because they are changing trailers and they come halfway, go back, and it is probably a 10-hour turnaround so I believe there is certainly some elimination of fatigue in the trucking industry. It is the guys going through who are the problem because they continue to drive all night.

The CHAIR — They should be stopping at motels.

Cr GERSCH — We have sold it now so it does not matter! I think it is predominantly with the vehicle, and in the case I just mentioned this chap — fortunately the family was not hurt, but to go to sleep in a town is mind-boggling. He just came into town and went over a couple of kerbs, over a lawn and straight in the front door! Fortunately they all walked out of it. That guy had been up most of the night, and yet he got in his car with his family and drove. It is just crazy stuff.

Mr JACOBS — There is a pattern of fatalities, particularly on the Western Highway where I think 40 per cent of the traffic is heavy vehicles and trucking movements, but there is also a number of single-vehicle facilities off the highway on the local and main roads. Quite often you are looking at narrow sealed surfaces there, so if someone makes a mistake and goes off into the rough there is not the margin for error that you have on a national highway with edge-sealed strips and the audio-tactile edging. All of a sudden you are in the rough, you can be out of control and you have slammed head-on into a tree.

The CHAIR — Do you want to expand on your concerns with regard to what I guess is a bureaucratic process of removing the trees? You mentioned a two-month turnaround.

Mr JACOBS — It is part of Victorian planning law that where you are required to remove native vegetation even the council needs a planning permit, and to go through the process of permit application, then an inspection with officers of the Department of Sustainability and Environment, then to the point where the council can finally issue a permit to itself is very frustrating when we could see a code of practice approach which might set an envelope each side of the road formation so perhaps at 2 or 3 metres outside the culvert you could allow pretty much as-of-right removal of vegetation, which would create an acceptable envelope of safety, still with replanting requirements to meet government policies for a net gain in native vegetation, and we would have no problem in meeting those revegetation requirements. We understand why they are there, but there would be an enormous saving. We are certainly not a resource-rich organisation so our operations engineer who is basically a one-man band is not spending his time filling out planning permits and reports to council and needless inspections. If the tree is seen, take it out.

The CHAIR — Do you have instances where you see a tree is dangerous but you have not been able to get it through the planning process and the tree still exists?

Mr JACOBS — No, I would say in most cases we have a good cooperative relationship with our local Department of Sustainability and Environment people and there is no problem there. It is the time and the waste of staff resources when there could be a better approach.

The CHAIR — Have you put that suggestion to government?

Mr JACOBS — Yes, we have via the rural councils network, of which Cr Gersch is the chairman. It consists of 25 to 26 large areas, which are small population rural shires, and that suggestion was sent some months ago to the Minister for Environment and the Minister for Planning.

The CHAIR — Have you received a reply?

Mr JACOBS — I do not believe we have received a reply.
Mr STONEY — So this problem with trees that really should come out for safety reasons does not apply if the tree is unstable or dangerous? Are you allowed to just take it out then? What criteria are you allowed to use? If a farmer rings and says, ‘The wind last night has weakened this tree, I think it is going to come down’, what is your process?

Mr JACOBS — There would be practical steps which could be taken by maintenance staff on the ground, but its response, for example, after a wind storm could also create a problem later on if the clearing was judged as excessive by officers in another agency. As I said, we have a very good relationship and our staff would not use the opportunity. There is always cleaning up having to be done after wind storms.

Mr STONEY — If a tree is seriously weakened and dangerous, and not just that you hope it is, can you just take it out if it is going to fall anyway? What do you have to do?

Mr JACOBS — I would say in practice the staff would take it out, but legally they would have a greater regard for the practical issue they are faced with and the maintenance problem than worry about the proper planning aspect. The proper planning aspects might not even figure in their decision making.

Mr STONEY — If the tree in question is dangerous, you are not allowed to take it out and it dies through natural causes. Do the rules still apply that the dead tree still stays there?

Mr JACOBS — On a road reserve there are limitations on removing dead native vegetation because it is regarded as habitat and hollows for nesting and that sort of thing.

Cr GERSCH — There is an argument that people hit trees, trees do not hit vehicles. That is an argument, whether you are off 2 or 3 metres, but we are saying that there needs to be some formal arrangement so that every time a council felt there was a danger it would not have to go through this procedure, that there was a rule of thumb right across the board. A word that has gone out of our vocabulary is ‘commonsense’. Unfortunately we have lost that and we have to go through this system. What we are saying is there needs to be a function brought in, whether it is a common rule right across the board, so that councils have a little bit more autonomy. As Neil has said, Hindmarsh shire in particular is a leader in local government. It has won many Landcare awards with its vegetation regrowth, so it is not to do with the removal of a tree but the policy of it.

The CHAIR — I have noted risk management and that you have an inspection regime. Can you elaborate further on your inspection regime?

Mr JACOBS — As you are aware, in the good old days we had the common-law protection of non-feasance, which has been changed by High Court rulings, and the Victorian government has temporarily reintroduced non-feasance-type protection for road authorities until 1 July 2004. A new road management bill is shortly to go before the state Parliament which will set new standards for all road authorities.

Roughly 12 months ago, aware of all these issues, we employed a person who several days each week is progressively monitoring the major parts of our road network. As you would appreciate, a significant number of roads are so-called paper roads or bush tracks and the roads management bill appropriately defines such paper roads and bush tracks. We are not faced with an increased maintenance burden there, but we have a person who puts extra resources into the process of road inspection and the results of those inspections are fed back to our maintenance teams in a proactive way. In the good old days there would have been an annual plan for the road maintenance, reactive problems would be raised by residents and crews would be despatched to those particular problems as they arose. Now we are more proactive in meeting the maintenance requirements and the inspection requirements. However, the size of our local road network is the fundamental problem, and having the resources to keep that at an acceptable level.

The council has invested a lot in road condition monitoring for a period of at least five years and is well down the path of asset management. We can see our procedures and processes meshing together very nicely with the new roads management legislation, but our fundamental problem will remain our inadequate rate base to appropriately fund that very large network which is spread out over an area larger than metropolitan Melbourne. It is a road network used by a sparse population, but it is also used by tourists and school buses, and 90 per cent of our local produce is exported. A lot of our roads and bridges constructed earlier in the last century were designed for the old Bedford truck.

Mr STONEY — The 7-tonner.
Mr JACOBS — It is now expected to cope, and there is an economic imperative in getting goods to market or port. Now we have the B-doubles with a loading of 55 to 65 tonnes. We have just spent a few more of our precious dollars having all our bridges tested. The results were pleasing in some aspects, but load limits have been introduced on all those bridges now, including a magnificent concrete structure built in 1919 which probably deserves to be heritage listed, but the consulting engineers said it can still carry 50-odd tonne.

Cr GERSCH — Just to go back to the issue of fatigue, the council through a grant and council funds has just put in an upgraded information centre and toilet facilities down the median strip in the centre of town. Because we are halfway, it is an excellent stop and we encourage that, obviously for our business retailers as well as a safety factor. We have an excellent facility. We put in a four ramp bus stop. Vicroads has just completed a nearly $1 million extension to a trucking bay. It is quite a huge complex. Again, without harping on the Nhill area, it is the classic example of being halfway in that fatigue zone, and between Vicroads and the shire we are very conscious of encouraging people to stop. Again it is a matter of education. When we apply to governments for more funding for something, hopefully we will be successful in something else; but we are certainly very much aware of it and we have good cooperation with Vicroads also.

The CHAIR — What percentage of your roads are unsealed?

Mr JACOBS — Eighty per cent of our local road network is unsealed.

Cr GERSCH — One of the big problems in the rural area is normally you have a single-lane, very narrow pavement, and it was a very big issue last year. We closed the road on the west side of Lake Hindmarsh. There is a bus route there and a very large gypsum bed, and we put a weight limit on it to try and get the trucks off it because the school bus nearly got cleaned up.

Mr JACOBS — Near misses.

Cr GERSCH — It was a real hot potato because the truckies naturally did not want to go another 10 kilometres further, but we put the limit on this road for the safety, and the vegetation is very close to the road and the school bus has had a couple of near misses. We as a council got into hot water with our ratepayers for doing that, but we looked at the safety factor and that was our main issue.

The CHAIR — In the past two days we have had a couple of councils advocate for an 80 km/h speed restriction on unsealed roads. What are your thoughts on that?

Mr JACOBS — I would never get to a meeting on time! We are aware that that was raised by the City of Warrnambool mid-last year, and our understanding of the law is that there is a maximum speed limit which we exceed at our peril, but also you are supposed to drive having regard to road and climatic conditions. We have some magnificent limestone roads, and I can only speak for myself, but I feel I can very safely travel on them at 100 km/h. Equally, coming home from a meeting last night through some lightly forested area where there were kangaroo warning signs, I was going considerably slower. So I think in all these things you have to be practical. There would seem to be perhaps some community perception that because you are in a 100 km/h area you can drive at 100 km/h, but as most of us know that is not the case.

Cr GERSCH — I know it is not the answer, but there is always the human element. You can have all the safety features, but if somebody is going to get in a vehicle and drive and use a telephone, drugs, or alcohol — unfortunately probably in the more remote rural areas there is a tendency to do these things — whatever safety factors you put in, I am afraid the human element does comes in. The more we can eliminate, certainly it is better; but unfortunately with human nature as it is we will always have this problem, it does not matter what rules we make around a table like this.

Mr BISHOP — In one of the paragraphs on page 3 of your submission you say that with the loss of non-feasance prompt attention to road safety matters is much more important. Is that a predictive statement? Can you expand a bit more on that?

I will give you a couple of issues. One is the incidence of trees on the roadside. The other is that in a broadacre area such as yours I would imagine that nowadays a number of your ratepayers would have difficulty in getting along some of your roads with some farm machinery, and I assume that would create some safety measures as well. Could you expand on that? Are you talking about the road management bill that is being proposed? I do not quite understand what you are driving at there.
Mr JACOBS — In the good old days we had the protection of nonfeasance, and that has gone. There is a coming together of both asset management and risk management in local government, which means we are spending more resources on the strategic assessment of our road network for pavement conditions, life, and picking optimum maintenance intervals, and that nicely meets risk management factors also. But the ratepayers and the workers at the coalface would be seeing that more resources are going into the administration and bureaucracy rather than into bitumen, stone, plant hire and labour time on the road network. However, particularly with the change in legal responsibilities and also heightened awareness of the purpose of managing the network in as sustainable a way as possible, we have to put extra resources into that area. If we had our own way we would rather just continue to put — —

We know we do not have enough resources to properly maintain the network as it is, so there is an extra hump of effort in doing the strategic risk management and asset management. We know that is essential, but it is detracting from our on-ground maintenance inputs.

Mr BISHOP — Your point here with the loss of non-feasance, are you saying that is of now or in future? It is my understanding that in fact Parliament corrected that, albeit for a designated time, until some reassessments could be done as I understand it. So you are saying that if it changed back again to where it — I mean I am a bit confused — —

Mr JACOBS — No, because of the amendment to the Transport Act or whatever which continued non-feasance-type protection from now until 1 July 2004, in common with every other council we have to thoroughly revise our road register — that is, identify every road we intend to maintain, so we may leave the paper roads and the bush tracks off that and impose a maintenance standard for each category of road. We already have a basic road register, we already have a road hierarchy which prescribes different maintenance standards for different classes of roads. The highest standard, for example, is school bus routes and downwards from there. We have the basics in place, but the council is not underestimating the effort to get that fully developed and have all our processes and procedures in place. There is a considerable effort involved in getting all of the documentation right prior to 1 July 2004.

Mr BISHOP — For example, if we had a loss of non-feasance in another three years time which would then make the council responsible; is that true?

Mr JACOBS — That is my understanding of the law.

Mr BISHOP — So you are talking about the roadside safety matters being much more important. Therefore it would present a strong argument for you if there were some really solid rules in relation to what you can do in road safety to protect your council — removal of trees, whatever it might be?

Mr JACOBS — But also to comply with the requirements of the road management bill to protect the council from threat of litigation as best as possible and to also have as safe a road environment as we can given our limited resources.

Mr BISHOP — I am pre-empting a bill, which is not fair, but I can see some links in relation to the non-feasance, the debate that was had there when non-feasance was returned, and the proposed bill that will probably come before Parliament on the legal requirements of councils in relation to roadside objects. Is that right?

Mr JACOBS — I am not saying one aspect of the road environment is more important than any other, and you would have a better grasp of the major risk factors than me. Clearly there are objects including trees that can present a hazard; the road surface can present a hazard; signage, or the absence of it, and maintenance practices can also present a hazard. The public liability insurance scheme operated for councils under the name Civic Mutual Plus recently quoted that 50 per cent of public liability claims faced by councils came from the road. Engineers in local government and asset management processes typically concentrate on the road pavement, but a lot of the claims arise from other factors such as that a sign was there and then it was removed and not replaced, or the resurfacing occurred and the double lines disappeared and were not repainted. A number of aspects of the road environment give rise to safety issues and litigation.

Mr LANGDON — In your letter to the committee you referred to the safety cam system in New South Wales which you are supporting. The government has recently announced it is going install point-to-point cams on the Hume Freeway. Do you believe they should be put on the Western Highway as well? Would that make things safer or stop people driving too fast for too long a period?
Mr JACOBS — My observation of driving extensively in New South Wales, particularly on the Pacific Highway, the Hume Highway and the Newell Highway, is that the safety cams are in operation and every truck passes point A at a time, passes point B at a time plus X, and the average vehicle travelling speed can be established. I am not a road safety expert, but it seems an effective way of ensuring constant monitoring of vehicle speeds without the need for one-off cameras at particular locations. It is a permanent road safety feature.

Cr GERSCH — One of the issues with that through our area is that it is a single lane highway. The Hume in particular is a dual highway, and there is no slowing down. If a truck gets caught behind a car from point A to point B, the time is averaged out; where you have a dual highway with no slowing down, yes, there is a place for it, I do not know if it would be as effective where you have a single lane highway.

Mr LANGDON — You also talked about having trouble financing all your maintenance. Do you think the black spot funding and the federal government’s Road to Recovery programs should both continue?

Mr JACOBS — Unfortunately our shire has always missed out on black spot funding. Our staff have identified a number of dangerous locations, but given our size we will always be disadvantaged by numerical comparisons with areas of higher traffic volumes. Roads to Recovery has been terrific for us and the council will be campaigning strongly to try to ensure that the federal government continues that funding.

Mr LANGDON — I have recently driven up and down the Newell Highway. An issue that has been raised in the Herald Sun is that there are too many speed zones through some of our rural towns. Colac was one mentioned more than any other. I notice in New South Wales as you approach the town there are signs saying you are about to approach a 50-kilometre zone and the whole town is 50 kilometres except where there is a school where it may be down to 40. Do you support that sort of thing in your rural town?

Mr JACOBS — I am thinking of Nhill where you come into town through an extensive 80-kilometre zone. Whenever Vicroads gets to our area there will be a 40-kilometre school hour zone. I think we are on the schedule for mid-2004. Then you go back into a 60-kilometre zone, and they have recently introduced a 50-kilometre zone through the retail area. As we know, drivers should pay appropriate regard to the speed signage, but you are right, there is probably a very practical element in that where even in one town, from next year, unless something is done, there will be four or five different speed zones through the town.

The CHAIR — Thank you for your time, we appreciate your input. As I said before, a copy of the transcript will be sent to you for your comment. Thank you for travelling a fair distance to get here.

Witnesses withdrew.
ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo – 21 October 2003

Members

Mr B. W. Bishop       Mr T. W. Mulder
Mr J. H. Eren         Mr E. G. Stoney
Mr A. R. Harkness     Mr I. D. Trezise
Mr C. A. C. Langdon

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witness

Mr B. Martini, Group Manager, Operations, Shire of Mount Alexander.

Necessary corrections to be notified to
executive officer of committee
The CHAIR — Welcome to the parliamentary Road Safety Committee inquiry into crashes involving roadside objects and the country road toll. We are taking a transcript which will be used for our own purposes when we are writing our report, and we will provide you with a copy for your own use. You are also protected by parliamentary privilege, which means that anything you say cannot be legally used against you. Having said that, please relax. We will keep this as informal as possible, and as you go through your submission, if you do not mind, we will ask questions as we go.

Mr MARTINI — I have a written submission that has been handed around and I will not run through that in too much detail or refer too much to it as we go. I will now touch on some of the issues raised in that submission and run through a couple of examples of experiences within our shire that highlight some of the key issues that we meet on a regular basis.

Mr LANGDON — Before you continue, can I ask where you are and how many highways you run through? The locals here may well know, but I certainly do not.

Mr MARTINI — The Shire of Mount Alexander sits directly below the City of Greater Bendigo. We are at the junction of three main highways, being the Calder, the Midland and the Pyrenees. We are a relatively small shire in a rural sense. We are probably seeing a fair bit of growth and benefit from the works that are undertaken on the Calder Freeway and the upgrade, and I guess that is bringing us a bit closer to Melbourne and the like. We have the key towns of Castlemaine, Maldon, Newstead and Harcourt, also a range of traditional rural industries and probably a couple of key industries, one of which is Castle Bacon.

Slides shown.

Mr MARTINI — The first slide is on a bit of an angle. It is probably what we would classify as our typical local road environment in a rural sense. It is probably one of our more heavily trafficked local roads where we have a seal; it is a single lane, about 12-foot wide bitumen seal with gravel shoulders. One of the characteristics of that is wherever two vehicles pass both vehicles tend to have a couple of wheels out on the gravel shoulder.

There are a few things on that particular slide that highlight some of the issues for us. As you can see, there is a truck sign — this was taken out at Harcourt where we have a number of orchards, et cetera, so we have a mix of local agricultural traffic as well as bus routes and tourists and local traffic movements. One of the key things there is that the trees tend to form the edge of the roadside and we have very little scope for people to manoeuvre and there is very little room for people to recover if they get themselves into trouble, particularly if they are moving on to the gravel shoulder to avoid an oncoming vehicle in the other direction.

Next, looking at a typical gravel road again, this is probably a formation that suits two vehicles to pass at what would be a reduced speed in their normal movements through there. Again it is fairly heavily wooded on either side. What you cannot pick up from that particular slide — this is in a lot of cases — is that beyond that there is an agricultural farm which over history has probably had much of the native vegetation cleared, so we recognise that in many of these rural areas the road reserve is the last frontier for native vegetation. We are then caught in that compromise between providing a safe road environment and maintaining the native vegetation.

Mr LANGDON — What is your opinion of some suggestions that gravel roads have a maximum speed limit of 80 km/h on them?

Mr MARTINI — Yes, we are a bit different to others in that we probably have not got major stretches of gravel road linking into sealed roads so we would tend to support that idea, given that the majority of people travelling would not be on gravel roads, so we are not impacting on people’s time of travel et cetera. The other thing is that probably contrary to the last speaker on many of our gravel roads I think a safe speed would not be 100 km/h, so people would probably tend to travel at a speed well below that at the moment. With speed limits in those sorts of areas we will aim at working to raise awareness for the minority who tend to try and travel at the maximum allowable speed.

The CHAIR — Do you have many accidents on your gravel roads?

Mr MARTINI — Probably not high from a statewide perspective, but one of the key things with regard to roadside accidents is that about half of them in total are single vehicles leaving the road and about half of those again involve an impact with a tree. It is probably the significant accident type within the shire.
Mr LANGDON — I have noticed in some areas, mainly in New South Wales, they have put up wire rope between the roadway and the trees to protect the cars. On the two slides you have shown us so far there is no room.

Mr MARTINI — No, that is probably one of our issues. At times we have looked more at the traditional guard fence arrangement, but there is very little room for additional width. In those locations where we have put it in we have put double rail together so it is much more stiffer than normal because we do not have the room to allow the car to deflect off the rail and that sort of thing. We are also aware that they create a bit more of a hazard, and by putting in the rail and posts you are narrowing the road width at that location. They are certainly an option and we have undertaken that on occasions, but we need to be a bit wary about their application.

The next slide highlights the key issues. I will talk briefly about them and then move on to a couple of practical examples and that issue of trees close to the road. One of the key issues with the planning permit process that we are always involved in when looking at removing native vegetation is that it is always a public process and submissions and objections are invited from the public. That leaves us trying to balance what people see as the benefits of retaining the native vegetation versus trying to provide a safe road environment. That often comes back to a compromise with regard to safety.

The CHAIR — What has been your experience with the planning permit process? Have you experienced delay?

Mr MARTINI — There can be significant delay, yes. We have learnt a bit from that lesson in that where we have those locations we need to look at them. Rather than traditionally getting approval in council’s budget and then undertaking the design and planning for a planning permit, we would look to stage that — for example, if we know that project is coming up we will probably perhaps 12 months ahead plan to apply for a planning permit and go through a mediation process to see if we can get some agreement on some compromises. That gives us some time up our sleeves if we finish up at the Victorian Civil and Administrative Tribunal. It is a time-consuming process and we have always gone through a mediation process. We have had objectors in and discussed with them generally what council is trying to achieve through the works it is looking to do, and we try to listen to their concerns to see if we have some leeway to protect us where we are willing to compromise and get some agreement on the level of native vegetation clearance. It is probably more an issue between council and the community. The Department of Sustainability and Environment has worked well with council in looking at what trees should and should not be removed, but I guess the biggest hurdle for us to overcome is that issue of community perception. There is a strong environmental element within our council which is keen to see as much as possible of the native vegetation retained. That is one of our challenges: to try to balance that safety issue.

Mr LANGDON — Looking at the previous slides, obviously the trees are close to the roadway. If you had to remove one or two of those trees that is obviously the process you need to follow. If you wanted to remove trees from a certain area and you did two or three years of more appropriate tree planting in that area before you removed those trees, do you think the community would accept that better?

Mr MARTINI — Generally I think they probably would. I suppose what you are saying is whether that planning process comes forward even further. They would need to be aware of the program we are looking at. People would be a bit sceptical if we started a program of tree planting and then in a couple of years put in our planning permit to remove some of those trees a bit closer to the road. As long as that was spelt out. Certainly part of the general conditions DSE places on planning permits is the replacement of trees.

Mr STONEY — How do you find DSE to deal with?

Mr MARTINI — Generally we have a good working relationship. Looking at the previous slides, one issue is the land we have available to look at replanting. Traditionally we have a 20-metre road reserve. At least half of that is taken up with road infrastructure. Then we have a bit of a green belt up against the farmer’s fence line. There are some physical constraints as to what tree planting and replacement we can undertake. One of the things that is raised there — and I know it has been talked about by other councils, but I am not sure if it has been raised through this committee — is the issue of a code of practice for tree removal within the clear zones as set by VicRoads in its Road Design Guidelines and whether there is some opportunity to put forward a code and get some understanding between all the parties as to how removal within those areas will be managed and whether that can streamline the process without shutting the community out of the picture.

The CHAIR — Are you saying the code of practice would replace the planning permit process?
Mr MARTINI — That is one option. We are looking at within a specific area, so we are not looking at wholesale clearing within the road reserve. It is the area identified by VicRoads as being critical from a road safety point of view. Perhaps there is an alternative process rather than the planning scheme and planning permit to look at some of those issues.

Mr BISHOP — Would it be easier for you as a council if VicRoads told you the distance required for safety and that was it?

Mr MARTINI — Certainly it would, particularly with regard to, as mentioned earlier, the changing legal and legislative environment that we will be moving into in 12 or 15 months. I understand VicRoads guidelines, so far as clear zones are concerned, will be those guidelines, and in much of our road network we would not go close to meeting those guidelines so far as providing a safer distance from the road to the nearest hazard, be it a tree, pole or whatever. There are some serious implications if that was the hard and fast rule, but it would certainly be a much clearer environment in which councils could work.

Mr BISHOP — Do you have a difficulty with culverts and channels in your shire as well?

Mr MARTINI — Only very minor. Coliban Water has irrigations throughout Harcourt, but generally it is not a significant problem for us. We have talked about the issue of speed zones for gravel roads. I will now run through a couple of examples of recent works we have undertaken and some of the issues that have come up through that with regard to safety. The first one is the North Harcourt Road, which was similar to the first slide and had a single lane sealed road with gravel shoulders. Native trees basically form a barrier at the edge of the road.

We are in an area where farm machinery through the orchards is prominent. As I say, much clearing of the agricultural land outside of the road reserve has been undertaken. This is a road where traffic volumes have increased as a link between Castlemaine and Harcourt and some of the expanding areas of Bendigo. Again that is basically within that area, a section of road where, as I say, all those elements that were on that slide are there. That is a following slide after the works, but that was the situation we were presented with. Again if two vehicles pass there one of the vehicles would be out on the gravel shoulder and there is very little room if somebody has trouble in that area. They have nowhere to go.

Mr BISHOP — Is that a farm lane next to the trees?

Mr MARTINI — I guess it is a service lane within the orchard so it is within the private property. As you can see, all that is left between the road and the clearing on the private land is a line of native vegetation. There is a 20-metre road reserve there, but it is not fenced along that particular side. I will quickly run through what we had. We looked at our typical road design issues. In this particular case, prior to looking at applying for a planning permit we had to decide whether we needed to modify the design, fully aware that we would be looking for a planning permit and at some of the issues that the community would raise. We looked at reducing that shoulder width in some locations down to as low as 0.3 of a metre, which reduced the total width of works that we were looking at as well as the option of installing a concrete kerb and channel in more of a normal open drain in a rural area, which again reduced the width of the works. As mentioned earlier, alternative treatments such as a barrier fence is one option that we looked at.

We had an application in for a planning permit which was referred to the Department of Sustainability and Environment and received objections. We had a mediation meeting where primarily most of the objectors could see the objectives we were trying to achieve and were pleased that we had modified the design somewhat to take into account those local conditions. We also made a commitment to look, as we do, at those particular works to see what disturbance we were causing and, if it was only minimal, whether those trees could remain. Much of it depends on what disturbance we cause to the tree roots and how stable they would be after we left. So we had a good community working relationship there that we would look at retaining as much as we could. As we were not able to get the objections withdrawn we required a council resolution, and council resolved to grant the permit. In this case there were no objections to VCAT, which allowed us then to proceed without delay in this case.

One of the issues I will raise now is that works were undertaken through roads recovery funding, and like many rural councils, council has seen that Roads Recovery funding and black spot funding have been the key ways by which we have been able to undertake both road improvements and safety works.

Mr LANGDON — You would be supporting the continuation of both?
Mr MARTINI — Certainly. I guess probably from the point of view of Roads Recovery being a beneficial tool for council, it has less conditions and criteria to meet; whereas with black spot funding we had been through a process of having had a couple of projects funded, but they are at the stage now where many of the locations no longer meet the criteria, so from that point of view that funding has tended to dry up from. Certainly we have looked at it with our Roads Recovery funding balancing road safety works as well as road improvements and upgrades — for example, this is a case where we have been able to go from a single seal to a dual-lane sealed road to meet the increase in demand that has happened over the years.

Mr LANGDON — What about the suggestion of black spot funding? Obviously is it Vicroads based, but with the same guidelines across the board do you think there should be different guidelines for, say, rural Victoria?

Mr MARTINI — It is difficult to answer that without a rural Victorian council hat on. Probably one of the issues, particularly for rural Victoria — and it is probably common across a lot of councils — is that they have exhausted the projects that meet the current criteria, so I guess the continuation based on current criteria will probably see very little funding flow to rural Victoria. Certainly we would support that if any case were put that would justify that there needs to be different criteria set between rural and metro.

To quickly move on, that is the same location of the previous slide. One or two trees have gone from that, but we are still left with a bit of a compromise between having a two-lane sealed road; we still have trees well within the Vicroads clear zone guidelines. Again there is probably very little protection if you happen to lose control at that location, although the safety has been improved through the improved road width. Again that is the same project, following those works. One of the issues that has come out of that is we had improvements through being able to provide centre-line and edge-line markings. A lot of practical issues came out of that in that by reducing the width of table drains et cetera we have created an erosion problem. This photo, taken down at the bottom of the hill at the extreme left and right of the picture, shows some of the road shoulder material that has washed down the hill and created a bit of a hazard for us further up which we need to address.

Mr LANGDON — Is it covering the white line or is the white line worn out?

Mr MARTINI — It is probably covering the white line in that that material has washed down, particularly on the right-hand side where you will see that there would have been a table drain when we completed construction a few months ago, but that material has washed down because we are left with a very narrow drain which has eroded over that period.

Mr LANGDON — Just before the tree — how comfortable!

Mr MARTINI — I guess the issue comes back to: do we need to widen that drain and provide a flatter, wider drain up the hill past those trees and put in some sediment control and other measures so we do not continue with that erosion; but again we really only provided enough width to get in a very narrow drain at that location.

Moving on, that is the same view from the top of the hill. We have temporarily brought in our guideposts right on to the edge of the seal because of that scour. I guess that is one of the issues that comes up when we are trying to compromise road width and, from an engineering point of view, good road design, with a reduced width and a compromise to retain that vegetation.

The slide shows an intersection we are still working through where we have some sight distance problems. Previously the priority of the intersection was not the tradition. We have strong right-turn movements against the through traffic, so we have people propped in the middle of the road turning right with issues of sight distance due to earth embankment and native vegetation. The slide shows the location. The original proposal was to undertake some land acquisition and cut down some of that bank you can see at the top left of the slide so that people could see around the corner. In this location the vehicles coming from the top left of the screen and coming around the corner have priority, so that the vehicle movement that car is undertaking, and even to go straight through, needs to give way to those vehicles coming down the hill.

Mr LANGDON — That vehicle is crossing a double line.

Mr MARTINI — There is a break there somewhere, but he has not picked it. We applied for a planning permit and received a number of objections with regard to the removal of half a dozen significant trees around that intersection.
One of the things we then went back and looked at was the alternatives and primarily came back with a proposal to look at changing the priority for the intersection and realigning roads et cetera from a design point of view. We are looking at changing how that intersection operates while retaining much of that native vegetation. It has come at a much larger cost than the initial treatment we looked at. That is the cost penalty we are experiencing.

I now turn to works we are about to undertake. We currently have a bridge that was built — I am not sure of the date of the construction — to accommodate the trees that were there at the time, and they have grown since then. It is a single-lane bridge with a 3-tonne load limit on it. It gets a lot of traffic. It is used by Castle Bacon staff to access the plant and the like. It is on our capital works program and the traffic volumes warrant it being upgraded to a two-lane bridge because it also services a relatively new subdivision. That is the situation we are faced with. You can see that the centre line markings line up pretty much; it is just that the bridge is in the wrong spot.

Mr LANGDON — The trees have been there a while too.

Mr MARTINI — The trees have been there for a while.

Mr STONEY — The tree was there first.

Mr MARTINI — The tree was there first, but the problem is now that we have trees on both sides and we have probably less of an impact if we widen to the left. However, that does not suit our road geometry, so we are looking at building in another hazard so that people will have to negotiate a bit of a S-curve, as they currently do, to get around there.

Mr STONEY — You could put a lane each side of the trees.

Mr LANGDON — Or a roundabout.

Mr MARTINI — Those options have been considered. We are left with whether we build two bridges, one on either side of the tree, and the costs associated with that. I am not looking forward to putting in the planning permit and dealing with the issues.

The CHAIR — What is the council’s intention there?

Mr MARTINI — At this point we would be looking at weighing up the cost penalties in doing other than a two-lane bridge that follows the road centre line. We will not shy away from raising that issue about removing the trees, because from a safety point of view that is the obvious treatment, to provide a two-lane, two-way bridge that corresponds with the existing sealed road and the line markings et cetera. In the long term that is probably the way to go. We will have a look at the health of those two trees. We will get some independent advice and determine how their remaining life sits with the life of a new bridge.

The CHAIR — What is the accident record in that area?

Mr MARTINI — Probably not high at the moment. At the moment it is within a 50-kilometre zone. Most people are generally aware of it, although off to the right-hand side over the bridge is a new subdivision and traffic volumes are increasing around that location.

The CHAIR — That is a good example.

Mr MARTINI — The outcome on that one is yet to be seen. That completes my slide show. I will leave you with the details in the submission.

Mr LANGDON — You may have heard me ask the previous council what its thoughts were on the New South Wales version of reducing the speed to one limit throughout the town compared to multiple speed zones. What is your opinion?

Mr MARTINI — Mount Alexander had the benefit or disadvantage of having the first 50-kilometre speed zone on a highway in rural Victoria, which went through Chewton, and there was some community angst, rightly or wrongly, as to the additional time it took people in travelling their daily journeys and the like. Since that time we have had other 50-kilometre speed zones introduced on the highway through Castlemaine. It is probably not as big an issue for us, given that the shire is made up of relatively smaller townships, so we are not having the number of changes that have been talked about with the likes of Colac and Bendigo.
Over time it will become inevitable, as people accept the 50-kilometre speed zone in residential areas and through commercial centres on highways and then the reduction to 40-kilometre speed zones at school crossings et cetera that the 50-kilometre zone will be more recognised as the default. The council would probably tend to support that if that were to be the case. We have not got large townships such as Colac and Bendigo where the length of time to travel through those towns will be far more significant than for people in smaller towns.

The CHAIR — Thank you for your time and the preparation put into your submission.

Witness withdrew.
ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo – 21 October 2003

Members
Mr B. W. Bishop
Mr J. H. Eren
Mr A. R. Harkness
Mr C. A. C. Langdon

Mr T. W. Mulder
Mr E. G. Stoney
Mr I. D. Trezise

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff
Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witness
Mr J. McLinden, Director Operations, Shire of Loddon.

Necessary corrections to be notified to executive officer of committee
The CHAIR — Welcome to the parliamentary Road Safety Committee. As you are aware, we are looking at two inquiries: the country road toll and crashes involving roadside objects. Today they are public hearings. We are making a transcript of those hearings for our own internal use in developing our report and you will receive a copy of that. You are protected under parliamentary privilege, which means that what you say cannot be legally enforced against you in the future. Having said all that, relax. I will hand over to you.

Mr McLINDEN — I have made only a couple of copies of some material I would like to hand up — just some crash data statistics which I am sure you have adequate access to anyway. To start off, would you like me to add to the submission I have made?

The CHAIR — If you like. Perhaps you can you start off with the area you cover?

Mr McLINDEN — Loddon shire sits north-west of Bendigo. We cover an area of about 130 kilometres north to south and about 80 kilometres across. We touch up against Cows Swamp, which is about 15 kilometres from the Murray River. We cover the towns of Pyramid Hill, Boort, Serpentine, Mitiamo, Dingee, Wedderburn, Korong Vale, Bridgewater and Inglewood on the Calder Highway, down as far as Tarnagulla and almost to Dunolly. It is an area of just on 6800 square kilometres. We manage 5000 kilometres of road in the municipality, some of those are Victorian declared main roads.

Mr LANGDON — How many highways go through the shire?

Mr McLINDEN — Three: the Loddon Valley Highway, the Calder Highway and the Wimmera Highway.

The CHAIR — What percentage of roads would be unsealed?

Mr McLINDEN — About 3500 kilometres would be unsealed in round terms, about 1000 kilometres sealed and about 500 kilometres of main road or state highway. The statistic we give when we discuss the size of the roads issue in a number of community forums is that 5000 kilometres gets you from here to Perth and about 200 kilometres short of Darwin, which gives you a bit of an idea. Obviously they are not all highway standard, but they are roads that we have responsibility for. It is a very small population, just on 8000 people. It is a fairly diverse but sparsely populated area. About half our population lives in towns, and our biggest town is 800 people. There is no one large urban centre, and about half our population are rural dwellers, predominantly farmers or farming families.

The issues we have with road safety are accidents that involve single-vehicle run off-road accidents. Fatalities tend to arise either as a result of the vehicle rolling or hitting a fixed object such as trees — nearly always trees. It is amazing in the rural areas that are low or sparsely timbered, how often we find a tree down on the road at an accident site. I guess you hear that in media reports and elsewhere. It certainly strikes us as strange how in an area where there appears to be plenty of opportunity to miss, it is almost as if the driver gets focused on the tree — ‘Oh, no, I am going to hit it, I am going to — oh, I did hit it!’ . They get fixed into that instant of emergency or whatever is going on at the time of the accident.

In our fairly brief submission we say about roads and fixed objects that there are not any legal impediments to us making clear zones and removing the vegetation, simply the size and cost of the job to provide a 6 or 9-metre clearway on either side of the pavements on all of our roads. We, along with I am sure every other municipality, have made a start on some high trafficked areas, but it is nowhere near adequate. We find a lot of our tree-clearing activities on roads are about wide farm machinery issues where the trees are starting to encroach on roads that are trafficked and generally low speed that are important for the movement of farm machinery. As machinery is getting wider a lot of our tree clearing is not really aimed at road safety but more at the functional aspect of farming.

The CHAIR — How do you find the process with regard to having trees removed from a bureaucratic point of view — the Department of Sustainability and Environment?

Mr McLINDEN — The need to apply for planning permits for any tree removal on a road is an annoyance to us, to use the best term. It is not impractical; I do not think we have ever been refused a permit.

The CHAIR — As long as they get the results?

Mr McLINDEN — It is just a process you need to go through about planning ahead. Never have they been refused, as I said. I do wonder why, when you look at the planning provisions for native vegetation removal, there are so many exemptions for others for tree removal, but not for councils removing trees for road safety or
road maintenance or construction purposes. It is a bit of an anomaly and it is something we have been saying to DSE through other forums, that it is a bureaucratic process that does not achieve anything, but we still remove the trees regardless.

Mr BISHOP — We have had other municipalities say to us they have had a lot of difficulty in relation to their going anywhere near the guidelines provided by Vicroads, so it is strange that you must have a golden wand at Loddon.

The CHAIR — Or not much community opposition.

Mr McLINDEN — Certainly we do not have much community opposition to tree removal. I would suspect the further south you go into the region the stronger the view on the value of all trees, regardless of whether they are on the roadside. I think in the more open rural country motorists are more likely to see the roads for road purposes and perhaps place less value on native vegetation and habitat issues. Our approach to DSE is we never advertise those applications so we do not give any opportunity for community involvement — it is not a requirement that we do. The cost to us is planting replacement trees and looking for the sites to plant them where they will not cause an issue.

The CHAIR — So you are not required to advertise?

Mr McLINDEN — No.

Mr LANGDON — Do other councils advertise?

Mr STONEY — Yes, they do.

Mr McLINDEN — And the requirement in the planning scheme is that the planning authority needs to decide if there is a material detriment likely to be caused to any other person as a result of granting a permit. If these trees were on a particular person’s private land we would be saying there is a material detriment and we would need to advertise them, but we do not for road clearance. While it is a source of annoyance to us it is a bureaucratic process that we go through every day for tree removal. It causes us to plan our works, to have a program at the beginning of the year. If we have some roads which we are proposing to do clearing on we prepare the planning applications and file them early to allow us to do our work. It is really the cost prohibitive nature of the roadside clearing of the large number of trees that would need to be removed that is preventing us from getting the clear zones we think are necessary, which in a 100 km/h environment are in the order of 6 to 9 metres outside the travel path.

What we tend to guard fairly carefully is the shoulder of the road and the drainage system of the road. There are always competing interests in road reserves for native vegetation, traffic, service authorities and the like. We say the road pavement and shoulder and the drainage system is for the roads, so if native vegetation grows there we remove it. We are pretty hard and fast on that. We have just been doing a fair bit of work with our community about road standards as a result of the need to prepare a road management plan. We have asked a number of community forums about the road standards that we currently provide. We talked to them about the cost implications of that and asked the community for its opinion of where it would like us to head.

The funding we are providing for our road network is in the order of 50 per cent of what we need to maintain and replace our network. We have done a fair bit of work on the annual maintenance costs to keep our network at its current condition. We have annualised the costs if we put aside money each year to replace our roads. For us it is in the order of $7 million for our urban and rural road network, and we are putting in just on $3.5 million at present. So there are some issues ahead for us and our community, and really not next year but 20 years out. Some of the pavements that were constructed in the 1950s and 1960s are coming to the end of their useful life. Some chickens are coming home to roost is how we have been putting it to our community.

Largely what we have from the community is that it is happy with the standards the way they are, it would hate to see them deteriorate, but do not put rates up — which is not a surprise. There is a strong push from our community to find out information about the state, federal and local government cost-sharing arrangements on fuel excise. One of the things we have given to our community is an undertaking to come back in a few months with that data and help explain that. The community is looking at ways of maintaining what we currently have, but not at a cost of rate dollars.

Mr LANGDON — Have you received money from the rural Roads to Recovery program?
Mr McLINDEN — Yes, just on $1 million.

Mr LANGDON — Obviously you would like to see that continue?

Mr McLINDEN — It will be very desperate for us all if that does not continue.

Mr LANGDON — Do you receive any state black spot funding?

Mr McLINDEN — Very little. We do not have the traffic volumes to attract adequate state government black spot funding. Generally a cost-benefit analysis is done for each project that is put up. We do not have the traffic volumes to show the benefit.

Mr LANGDON — Do you think black spot funding should have different terms of reference for say rural Victoria?

Mr McLINDEN — Yes, it certainly should. There needs to be some formula perhaps based on population or traffic counts to show that the impact of a traffic accident in somewhere like Loddon shire is a lot more significant than if that accident were to happen in Stonnington where no-one around will know the person injured. In our communities every person who is taken out is probably either the president of the fire brigade or works for the footy club, et cetera. There is a lesson here in basic statistics. When there are less people every casualty is a greater proportion of the population. On local roads, where a number of our accidents are, it is almost certain that it will be locals who are injured.

The CHAIR — What are your accident statistics?

Mr McLINDEN — I can refer you to the document I have handed out.

Mr LANGDON — Did you say they were mainly locals involved in the accidents?

Mr McLINDEN — On the local roads. If members look at the map on the front of the document, the black sections are the worst 10 per cent of roads in our municipality. The Calder Highway is the diagonal one with all the black dots; the Loddon Valley Highway is the pink and black; a fair portion of the blue one is the Wimmera Highway. That is the worst 10, 20 and 30 per cent of road network in our municipality. It is purely a function of traffic volumes. The greater number of vehicles are on the highways, so it is likely that is where the accidents will be. The yellow dots elsewhere are nearly all local roads and it is almost certain to be a large proportion of locals who are affected by those accidents.

Mr LANGDON — I assume the gathering of yellow dots might be a town of some description.

Mr McLINDEN — Yes, that is correct. On the Calder Highway, the diagonal line, just east of the two black marks there is a bunch of dots and further to the west as well — that is Inglewood and Wedderburn. There are some difficulties there.

Mr BISHOP — You have had some difficulties with your road surfacing, have you not, in safety aspects near the piggery?

Mr McLINDEN — Yes, we have. It comes back to dollars again. Our ability to replace our roads as they wear out and to resheet our gravel roads is about half of where we would like to be. Gravel roads need to be resheeted on average every 37 years, and we believe on average across the municipality they last about 20 to 25 years.

The second page of the handout contains some statistics of the most recent crash data statistics available. It shows that one or two people are killed a year. Last year three people were killed in our municipality. In the order of 20 people a year are seriously injured. Across the state they are not big numbers when they are compared to other municipalities, but for a small population they are significant to us.

The CHAIR — Are they people passing through or locals who live within the Loddon shire?

Mr McLINDEN — Both. I could not identify a trend one way or the other there.

The next page contains crash statistics. The column on the left is the definitions for coding accidents (DCA) — that is a category that describes a type of accident — and the 170s and 180s, the single vehicle run off the road style of
accidents, that is where all the numbers are. If you look at the total persons involved on the right, you will see that it
is pretty clear that is where they all are, and they continue over the page.

Mr LANGDON — Can these statistics be obtained for every shire?

Mr McLINDEN — Yes. Wherever a serious injury occurs, the law requires that the police must attend
that accident. They fill out these reports which go into a central database. Then once a year we are given access to
this database for our municipality. It is a system called Crashstats which Vicroads submits to each of us.

Mr LANGDON — Do you have any idea how many of these would be on gravel roads?

Mr McLINDEN — The minority. If you look at the map where the dots are the majority are sealed roads.

Mr LANGDON — There has been some suggestion that gravel roads should have a speed limit of
80 kilometres an hour. What is your opinion of that?

Mr McLINDEN — I do not support that. You need to drive to the conditions. We probably need to
emphasise that with the community. Many of our gravel roads for many months are quite safe at 100 kilometres an
hour. Many of our unsurfaced roads, our clay-formed roads, are quite safe at 100 kilometres an hour through the
summer months. When they get wet they quickly drop back to 60 and 50 kilometres an hour as a safe speed. They
are very hard and firm surfaces for much of the year. They are weather dependent and change condition rapidly
with the onset of wet weather, but I do not support that as an argument for putting an 80-kilometre-an-hour limit on
them.

The CHAIR — The statistics show that the dominant accidents are single vehicle run-off road accidents.

Mr McLINDEN — Yes.

The CHAIR — What percentage of those have involved hitting a stationary object such as a tree?

Mr McLINDEN — The 170s, I believe.

Mr LANGDON — You said earlier they have the knack of finding a tree, even if it might be the only one
for ages.

Mr McLINDEN — I am sorry, the statistics do not give me that information.

The CHAIR — From your own experience they would be a significant number.

Mr McLINDEN — To result in a fatality or a serious injury it is generally that they roll or hit a fixed
object. But as to what percentage is which, I cannot give you that. There are a couple of other issues. The treatment
of bridge endposts is an issue for us, particularly in the irrigation area. There are significant costs involved and there
is value in some research work being done to come up with low-cost treatments that are effective in putting
approach rails on to bridges. We find typically for even the smallest structure you are looking at around $40 000 to
meet the current day standards for Armco guardrailng or similar treatments to protect an existing bridge.

The CHAIR — Do you have any idea how many bridges you have that require protection?

Mr McLINDEN — This is an estimate, but it is in the order of 100.

The CHAIR — So we could multiply that by $40,000?

Mr McLINDEN — Yes, and you are up to 4 million very quickly.

Mr LANGDON — Have you an opinion on the wire rail they use, the rope?

Mr McLINDEN — I have not had any experience with it, no. I am not aware that it has been used on
bridges. The philosophy of the design of bridge approach rails is that the bridge has a very solid railing with
concrete end posts. You start off with a fairly soft Armco guardrail and the closer you get to the bridge you stiffen it
up by putting in a double thickness of railings and much more closely spaced posts. You stiffen it up and you
transition it into a stiffer and then a solid rail.

The CHAIR — Have there been any accidents in Loddon?
Mr McLINDEN — No, there have not. We have not had a lot of crashes into bridge railings. Where there have been, the fact that the bridge rail is there has not been the cause of the accident because often it is not, but they seem to find them and hit them.

Y-intersections are another area where we have some safety issues. Back in the 1960s the philosophy of design was that flowing traffic, like little ants merging in the cartoons of the US freeways where all the cars merge, probably works very well with freeway design, but not with low-volume traffic roads in the rural areas. When you come to a Y-intersection where you do not have a good vision of who is on your right we have been going through a process of developing those into T-intersections where the priority is clear and drivers know who has to give way to whom. The only thing stopping us from doing all of those is the mighty dollar. It is a matter of prioritising the areas. We did one this year and one last year.

The CHAIR — What costs are you talking about when you are changing from a Y-intersection to a T-intersection?

Mr McLINDEN — It varies significantly on the site, but we have been budgeting between $30 000 and $60 000 for the jobs.

The CHAIR — Which I guess means just realigning the roads and rescaling?

Mr McLINDEN — Yes, decommissioning the Y elements of the pavement and building a piece of pavement up to the T through the middle of it.

The CHAIR — And do you have a lot of Y-intersections?

Mr McLINDEN — We have identified about 40. That was pretty much the information I provided in the written submission that we gave. In addition to that, one item that has come up of recent times is that of road trauma response, which has concerned us a bit. I would like to use this opportunity to share that with you.

The Country Fire Authority Swan Hill region has been looking at equipping some of its brigades as road rescue or road trauma response units. A protocol has been developed through the Department of Justice as a process to go through to get authority to equip and to train a CFA urban unit for that role. In order to get that approval all the other agencies that may have an interest in that have an opportunity to vet the application, and some of them such as the SES have the power of veto. We have an area in the northern part of our shire which cannot be met by any of the current units. There is, I think, a 40-minute response time suggested in the service standard, and we have areas that are at least twice that, so if you have an accident in that area it will be an hour and a half before a rescue unit could get to you. I understand that the Swan Hill region of the CFA is applying to equip the Cohuna CFA as a road rescue unit, which would fill some of that gap blocked by this power of veto.

The CHAIR — Like the SES?.

Mr McLINDEN — Yes, so there is a bit of an issue with the process. It seems strange to us that for no good reason — we have looked into it to see if there is a good reason — they would block it. There is no good reason other than they say it is not warranted. The response from the Cohuna SES is that it is not warranted, yet there are areas where there is an hour and a half rescue time, more than twice what the published service standard should be.

The CHAIR — So that is an ongoing issue at the moment?.

Mr McLINDEN — Yes, it has only just arisen. We have only just become aware of it as a municipality. I understand it has been going on between the two bodies for some time. It seems a shame that that sort of protection of their patch is going on. Our community is losing out as a result of that. That is pretty much my submission.

Mr BISHOP — Is the non-feasance stuff, which was on and is now off again until 2004 when the new process will be looked at, of concern to your council in relation to roadside objects, be they bridges, trees power poles or whatever?

Mr McLINDEN — If we have a good quality plan in place and a responsible plan that shows that within our resources we are going to manage our risks as best we can and the plan is responsive to our community’s needs and traffic design issues as they emerge over the next 10 to 20 years, we will have an adequate protection at law. It seems a negative way to respond to this issue — developing a plan that will be used as a defence if we are tackled by someone who has cause to tackle us, but that is the system we are now working in and we need to develop a
response. The challenge for us all is in developing sensible road standards as a means of describing what quality of road surface and road alignment we will provide for various types of roads and then what happens if we do not deliver those. I guess the risk is that the industry will aim for a low standard. At present it is perhaps delivering for, if I can say it this way, a mediocre standard. Obviously in some areas where the resources are high it is delivering quite high. If we are delivering at a mediocre level the temptation for all in the industry is going to be to publish the standards down here. We have a bit of work to do as an industry between now and June because there are 78 municipalities plus others — Parks Victoria, Vicroads et cetera.

Mr LANGDON — Previous witnesses have mentioned councils needing road safety officers. What do you think of that opinion — even if you shared one with, say, half a dozen or three or four local shires?

Mr McLINDEN — A person whose focus is improving road safety certainly would be of value. We do not have anybody within our organisation specifically targeted at that area or particularly with those skills. I guess a lot of our design engineers have a basic level of road safety knowledge. For the specific traffic management issues we tend to go to the local regional Vicroads for that support. Generally on main roads that is not an issue; on local roads we will get advice as a result of personal relationships, so that is a given and there is certainly a benefit in that.

The CHAIR — Thank you for your time.

Witness withdrew.
ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo – 21 October 2003

Members

Mr B. W. Bishop
Mr J. H. Eren
Mr A. R. Harkness
Mr C. A. C. Langdon
Mr T. W. Mulder
Mr E. G. Stoney
Mr I. D. Trezise

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witness

Mr G. McKern, Chairman, Coliban Water.

Necessary corrections to be notified to executive officer of committee
The CHAIR — I welcome Mr McKern to the parliamentary Road Safety Committee, which is undertaking two inquiries: one is into the country road toll and the other, which is probably more involved with your work, is crashes involving roadside objects. We are taking a transcript which will be used for our own internal purposes for report writing. We will send you a copy of the transcript. You are under parliamentary privilege, which means anything you say cannot be used against you legally in the future.

Mr McKERN — In what role are you talking to me, as a private citizen or as representing Coliban Water?

The CHAIR — We are primarily talking to you as representing Coliban Water.

Mr McKERN — I am happy to talk in many ways because I have a few hats around the town, so whichever suits.

The CHAIR — Generally we ask you to make a submission and then we will ask a few questions as you go along.

Mr McKERN — I must confess I have not done any research into this. Alex has rung me two or three times to set dates and what have you. Although I am happy to do it whichever way you like, I have not come necessarily prepared to make a statement because I confess have not put enough effort into it. Is it realistic to ask a few questions first to give me a bit of background and I can follow on from there?

The CHAIR — You can start by telling the committee what districts Coliban Water covers. Tell us a bit more about Coliban Water.

Mr McKERN — Coliban Water is, we believe, an amalgam now of what were about 45 smaller water authorities over the years. We cover the area from just south of Kyneton up to the river at Echuca in the north, and then up to Cohuna along the river from there, and from west of Wedderburn to east of Heathcote. We cover about 16 500 square kilometres, with about 56 towns and cities and about 132 000 people. Being a regional urban water authority we also have a number of dams and reservoirs of our own. We also have within our system about 2000 what we call rural customers on channels and things of that nature, which is unusual among the urban water authorities. That is a small part of our organisation, but it uses a lot of water.

I have been chairman for 10 years and in that time we are quite proud of what we have achieved so far as providing services. In fact John Thwaites asked me just recently what was the best achievement for Coliban in the last 10 years and I had no hesitation in saying that while big is not always better, in the water industry it is because we have provided decent drinking water and sewerage to small towns that would never ever have got it before. While the small towns were hostile when they were taken over by this Bendigo mob, they are now grateful we have done things for them that could not have been done before. That is Coliban Water.

Obviously the current issue is the government green paper, particularly in the catchment management areas and where we need to do more in conjunction with catchment management, healthy rivers, water conservation, environmental issues and what have you. I am not sure how it impacts on the country road toll. The biggest local issue here undoubtedly is the Calder Highway and funding or lack thereof. I certainly subscribe to that, but compared to not that many years ago the Calder is vastly better than it used to be. I do not say it cannot be better, but it is better in a lot of ways.

I am also involved in public transport because I was chairman of V/Line and I am currently chairman of the Spencer Street Station Authority. I would like to see a lot more people on trains and less on roads, but frankly until we improve the rail service, that is a bit of a white elephant to a certain extent. I am not sure exactly where I can contribute greatly on road obstacles as they affect Coliban Water or the community.

Mr STONEY — Your infrastructure crosses roads, it clashes with roads, perhaps with road upgrading and so forth. How does all that work? What is the process when one of the councils want to widen a bridge or do something? How do you interact on that?

Mr McKERN — Thank you, that is a good question. It certainly does. We still deal, even after local government amalgamations, with eight councils. For some municipalities we provide services for the whole, others are just periphery bits, but we still have eight councils to deal with. Our relationships with them are very good, but there is always the issue when something does need to be done, particularly road crossings and things of that nature. We and most of the water industry are fairly concerned about the current road management bill before the Parliament. I have not personally got myself heavily involved in it, but I know the water industry as a whole is
concerned about cost impacts because of the road management bill. We know that local government is keen on it. We also know that the other utilities are not so wrapped. Of course water is the only — I think it still is — utility in government hands. Electricity and gas, of course, are not. We are concerned about some impacts of that.

**The CHAIR** — In what way?

**Mr McKERN** — I think cost. There is an inference that it will add another bureaucratic barrier and perhaps another cost. I have a paper on it which I can provide to you if you wish. Barwon Water has taken the lead in putting submissions in, and I have a copy of its submission and ours. I can certainly give the committee a copy of that. Although I have been involved for 10 years at Coliban, I do not deliberately get heavily involved in the day-by-day activities naturally, and nor I should. I do not doubt that there are issues with widening bridges, crossings over roads, and certainly within the city of Bendigo we have regrettably the highest proportion of burst mains of any water authority in the state. We also have the best record of repairing them, but it does not alter the fact that we have them.

**Mr STONEY** — Is that as a result of accidents?

**Mr McKERN** — A lot of the infrastructure under Bendigo is pretty old — by our standards and not by European standards — and pipes that were laid here 100 years ago are past their use-by date. It is also difficult soil, so we certainly cause disruptions to traffic because a sewer main burst in the main highway causes difficulties. We do not seem to get too much adverse publicity over it, apart from the natural reaction from drivers and council.

Our next biggest expenditure we would have as an authority would have to be to spend probably $100 million on replacing sewer infrastructure underground in Bendigo. We have excellent treatment plants and everything like that, but the actual infrastructure is a bit past it. I do not doubt that causes some hassles. I am trying to think of other towns where we have the same problem. We have a lot of burst pipes at Echuca, but that does not affect anybody greatly.

**The CHAIR** — Are you aware of any accidents that involve cars in your infrastructure?

**Mr McKERN** — No, I do not think so. I certainly cannot think of any specific examples off the top of my head.

**The CHAIR** — If there are, obviously they are few and far between?

**Mr McKERN** — Yes, must be. We have one interesting infrastructure project which does not initially affect your inquiry, but one of our reservoirs here in Bendigo called *Crusoe Reservoir is no longer an integral part of our system because we bypassed it with a new water treatment plant. We are going to give that back to the state which in turn will give it to the local council to make into a beach, so we will have a beach at Bendigo, which will be a bit of a novelty. That will probably cause some road changes because at the moment the road to Crusoe Reservoir is not a busy one, but the road to Crusoe beach will be a different story. Those issues crop up regularly about improving road structure to our facilities, but I cannot honestly say I can think of any specific one — and I am trying to get away from Bendigo now and think of the other towns. I think there was an incident in Heathcote, but whether it was entirely our problem or somebody else’s I cannot quite remember. Certainly nothing jumps out at me.

**The CHAIR** — That is a fair indication that in your mind there is not a situation there from a road safety point view.

**Mr STONEY** — I am sure you would know if it was a big issue.

**Mr McKERN** — I am sure I would know about it, yes. I am trying to think back also to my days here as a local government commissioner, but that is all old hat now so it does not mean anything anyway.

**The CHAIR** — We have spoken to nearly all the shires, including the City of Greater Bendigo.

**Mr McKERN** — *David Beard?

**The CHAIR** — Yes.

**Mr McKERN** — Okay. He would know. I am sorry I cannot be a bit more help to you.
I will just have a quick skip through the reference just in case there is anything that causes me to think of something. Speaking purely as a citizen, why is there such a high road toll outside metropolitan Melbourne?

Mr STONEY — That is a question we are asking.

The CHAIR — That is a question we are going to attempt to answer in the next year or so.

Mr STONEY — That is our term of inquiry, exactly.

Mr McKERN — Are they accidents involving people living in regional Victoria, or are they also involving people living in Melbourne who venture into regional Victoria?

The CHAIR — It is probably a little bit of both — for example, I know down our way on the Great Ocean Road a lot of the accidents involve tourists who are not aware of the pitfalls and dangers of the road, and a lot of the accidents are also single-vehicle run-offs hitting objects such as trees.

Mr McKERN — Yes, I think we are all aware of that nowadays; you see the flowers on the trees and that sort of stuff. It is a terrible thing, and so many of them are single incidents. A friend of mine lost their son 12 months ago coming back at night from a party and just lost it, hit a tree. Trees do not forgive very much.

The CHAIR — No. That question you asked us is a question we are attempting to answer over the next 12 months through this inquiry.

Mr McKERN — I am glad in that case there is an inquiry because frankly it is a very serious issue. Sorry I have been of little help to you.

The CHAIR — No, that is fine. We appreciate your coming in and giving us your time.

Witness withdrew.
ROAD SAFETY COMMITTEE

Inquiry into country road toll

Bendigo – 21 October 2003

Members

Mr B. W. Bishop         Mr T. W. Mulder
Mr J. H. Eren           Mr E. G. Stoney
Mr A. R. Harkness       Mr I. D. Trezise
Mr C. A. C. Langdon

Chair: Mr I. D. Trezise
Deputy Chair: Mr E. G. Stoney

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr G. Both

Witness

Mr L. Whelan.

Necessary corrections to be notified to executive officer of committee
The CHAIR — Welcome to the parliamentary Road Safety Committee. As you are probably aware, we are running two inquiries at the present time: one is an inquiry into the country road toll and the other is the inquiry into crashes involving roadside objects. Obviously we are aware of the tragic circumstances surrounding your family’s accident and so we welcome your input today. There will be a transcript of the proceedings and we will send you a copy. You are under parliamentary privilege, which means that anything you say cannot legally be held against you in the future. Welcome, and we hand over to you for your submission.

Mr WHELAN — Thank you very much. My address is 6 Hallam Street, Flora Hill. I apologise for the late registration.

The CHAIR — No need, that is fine.

Mr WHELAN — I was aware some time ago of the announcement in regard to the parliamentary committee’s inquiry into road safety and rural road deaths, and that is the reason I am here. Thanks for acknowledging my family situation. I will probably touch on that a little.

I want to express that this issue concerned me even prior to that tragic day, but since then it has had an enormous impact on me and our families and friends and continues to do so. Hopefully I can in one sense give a personal account in terms of the impact, but also about the issues that I believe need to be seriously considered in regard to road deaths on country roads.

The main issue that I have mentioned on a couple of occasions before, but that I also want to put before this committee, is reducing speed limits on some rural roads. It needs very close attention and an analysis as to what I mean in that regard. In a sense I cannot escape from talking about the road that my wife, Julie, and my two young daughters, Kellie and Ruth, were killed on 29 May last year, because it was that road that we and the community had great concerns about. That, of course, is the *Bendigo-Sutton Grange Road, which leaves from the Bendigo railway station, goes out through *Spring Gully, *Mandurang, *Sedgwick through to *Sutton Grange and then joins the Calder Highway at Elphinstone. If you are travelling back to Bendigo I recommend travelling back on that road. A lot of people travel it because it is also a very picturesque road. It is quite a beautiful road, which is incredibly ironic, but we have always known that it is a beautiful road but also a very dangerous road in many respects. So the issue has been of great concern and was prior to that occasion.

I should also say that the reason I am putting forward reducing the speed on country roads is by no means to blame or to implicate at all the truck driver who was involved in the accident. Just for your own information the coroner’s hearing, as you are probably aware, has been held and the coroner has released his finding, which I received this morning. It is just pure coincidence that it is available today. It is quite clear that in the case of my daughters, Kellie and Ruth, and Julie, my wife, in their Commodore and the truck driver, they both were not speeding. The issue is the 100 km/h default that Vicroads applies across our rural roads. When you compare the quality and character of a number of our rural roads to our highways where the 100 km/h default limit also applies, we have very different situations in regard to sight distances, the camber of the road, the quality of the road, the road verge — all those sorts of characteristics are very different.

You are probably aware of my role here as a councillor and as mayor. In that role I have tried to explain to people that Vicroads has defaults and you have to drive to certain conditions. I certainly understood that and I accepted it, but I have come a long way in terms of understanding that we need a different approach. Can we afford to continue to lose our family members and endure the heartache and difficulties that a lot of people suffer through their own physical injuries, even just from minor accidents? I firmly believe that reducing the speed limit on some sections of our rural roads is necessary. I use the example of the reduction of the speed limit on residential roads which came in a couple of years ago, from 60 to 50 kilometres an hour, and obviously the evidence that has been presented in the media with regard to the reduction of fatalities and injuries as a result of that.

I refer to a Vicroads report, and the two items the committee is inquiring into are of interest because the road we live on, the Sutton Grange Road, has been a recipient of black spot funding because of the number of fatalities that have occurred along that road as well as a number of other minor accidents. Prior to the accident involving my family, there were four fatalities in separate accidents along a 3-kilometre stretch of that road in the nearly five years prior to that. Council has that information and that was part of the submission we put in at the time. I was here around this table when council was putting forward that application for black spot funding. As a result of that, of course, the upgrading was going to impact on the roadside vegetation. A lot of people were clearly disappointed and annoyed in terms of the impact that would have. Of course there were a number of people who clearly supported the issue of clearing all the trees. Their view was to clear any objects from the side of the road.
A planning application to the Victorian Civil and Administrative Tribunal and a tribunal hearing ensued, and it came down to a number of large trees — and I do not want to go over that; it has been decided. The issue was clearly highlighted in terms of the fact that these sorts of things will continue to occur unless there is more flexibility in the upgrading of rural roads that clearly were designed or surveyed and laid out 100 years or so ago, and have had nowhere near the upgrade of highways like the Calder Highway, the McIvor Highway and Redesdale Road. They have varying status. They are all managed by Vicroads, and clearly the Calder Highway is a major road and is being upgraded to freeway status.

The 100-kilometre speed limit applies across some of these other minor roads — and the Sutton Grange Road is the main road managed by council and the 100-kilometre speed limit default applies. Over the last 15 years it has been slightly upgraded, and, of course, it will continue, but it has not changed with regard to the sight distances, it has not changed the sorts of vegetation and the wildlife that clearly cross the road, and that was some of the evidence presented at the coroner’s inquest. There are a number of factors about that road and other similar roads with regard to it not being in the same category as the Redesdale Road or other roads where there are clearly better sight clearances, better formations of the road and those other characteristics that make it quite different.

The CHAIR — Are you saying that instead of having the blanket default 100-kilometre speed restriction, that Vicroads, for example, needs to review all country roads for the purpose of identifying those roads that do need to be dropped back? Rather than just having a blanket default 100 kilometres you feel that they should be at 80 or 90 kilometres?

Mr WHELAN — Yes, I believe that.

Mr LANGDON — Could not council have submitted that it wanted the road speed limit to be less?

The CHAIR — But you are not saying just that road, you are saying all roads.

Mr WHELAN — That is right. I believe there are many other roads that are probably in a similar situation and that there needs to be more flexibility in the council’s requests. The advice we were getting back from Vicroads was clearly, in terms of us going to Vicroads, that it is a default. If we change that situation it adds confusion. Vicroads did not support it. That was the general view of Vicroads with regard to those sorts of issues. That was clearly the advice that was given to council officers, and obviously the council officers who have presented today have only acted on the advice to them from Vicroads and the advice they gave us as a council. I do not believe that. I believe the same thinking that can go behind the residential speed limit changes can go behind a rural road situation.

Mr LANGDON — If I can take residential roads, you would like to see the situation where it is defaulted at 60 kilometres and councils could apply for less, but that is a lot of hard work with the difficulties you just outlined. It would change the emphasis totally the other way around so that councils could apply if they wanted 60 in certain streets. You would like to see councils with more say in what the speed limit should be on rural roads without them having to fight the bureaucracy of Vicroads.

Mr WHELAN — Definitely. That clearly needs to apply because the situation will continue in terms of increasing traffic and the increasing possibility of more fatalities or more injuries. Councils should have that flexibility. I know that it is opening a Pandora’s box in terms of a huge variation, and it clearly needs some guidelines, but up until now it has been a rigid no. As you have pointed out, councils did go through a process, and I was part of that, in determining which were clearly the collector roads, the main or arterial roads, on which they maintained their 60-kilometres-an-hour limit and applied it. I think the same concept needs to be applied to our rural roads on that same sort of basis. Without wanting to complicate it further, the engineers have the expertise. The report I would like to quote from states that they know the characteristics or qualities of certain roads hinder road safety, so there are sections of, say, the Bendigo–Sutton Grange Road where reducing the limit probably would not apply, but there are clearly 3 or 5-kilometre sections of it that clearly need reducing.

The committee and others need to consider the results of varying speed limits. Up until the Woodend bypass was opened the Calder Highway had a 90-kilometre speed limit through the Black Forest area. There are other roads in other areas which do have a reduced speed limit. I have not been able to determine how they have come about, but it clearly does happen. The thing that rings home is that I was always the one of the view that you hear about a lot of road accidents and so on, but I was very lucky, it did not happen to me. Unfortunately that day just shattered me. I ask myself the question — and I suppose I think of it in terms of the people for whom I have responsibility as councillor, or as an ex-councillor — can I do something about it? How are we to determine how someone’s life can
randomly be greatly shortened or impacted upon simply because of a road safety issue that could have been improved and is only separated by a white line that goes down the middle?

Mr LANGDON — If I may comment or clarify, the particular road you are talking about had difficulties five years beforehand, obviously, with five fatalities?

Mr WHELAN — Yes.

Mr LANGDON — And you were endeavouring to get black spot funding, but in the interim you could not get the road speed reduced as a first measure to perhaps helping or assisting or stopping any other fatalities before you got the funding?

Mr WHELAN — That is right. Council would not reduce the speed limit.

Mr LANGDON — Vicroads would not reduce it?

Mr WHELAN — Sorry, Vicroads would not advise council to reduce the speed limit, that is correct.

Mr STONEY — Take the southern road as an example, the area where I take it you would like to see the speed limits reduced from 100 km/h: what is the average speed just on a normal day that the traffic flows? Does it do 100 km/h or does it do more?

Mr WHELAN — I would argue that it is varying. There are clearly some who do more and clearly some who do the speed limit or less.

Mr STONEY — So do you think the ones who are doing less have assessed in their own minds that ‘you should not do 100 km/h on this road, therefore I am doing 80 or 90 or something’? Do you think they have worked that out? A lot of drivers drive to the actual conditions, so I am interested if half the traffic is just doing 80 kilometres or something and the rest is doing 100 because they think they can. I am just interested in the driver approach to that road.

Mr WHELAN — I think a significant amount of people drive at that limit because they know they can, because 90 per cent of the time they have not necessarily encountered difficulties or problems.

Mr LANGDON — If I was driving back that way, for example, and I thought it was 100 km/h I would think you could do 100. Not knowing the road you would take it for gospel that 100 km/h is a safe speed.

Mr WHELAN — I think people would do that, and it is, unless you either have had the experience of hitting a kangaroo along that road, for which it is notorious, or of being involved in a minor accident along that road, or are aware of it. If you have a conscious level about the road and how you are driving, you would actually decide to travel slower.

The CHAIR — Have you raised the issues you raised today with government departments or government itself?

Mr WHELAN — I have not directly. I have, obviously, in one or two public forums. I was intent on writing a number of times to put that forward, but I decided to wait until the coroner’s report was handed down just in due respect of the court obviously determining something. I have read the coroner’s finding and it makes no recommendations, or it does not tell me anything different. I made that decision to wait, although I had the urge many times to write, and I did once or twice I think. I know other people have written to local members, certainly at the time leading up as part of the planning application, but also at the time of the accident.

Mr LANGDON — Some councils have recommended to this inquiry so far — some have not — that the speed limit on gravel roads be reduced to 80 kilometres. Have you an opinion on that at all?

Mr WHELAN — I do. During my role as a councillor for six years on the municipality here my ward was a rural ward and I travelled on a lot of gravel roads. I heard a lot of complaints from people about why we cannot get speed limits on gravel roads. I certainly felt that their arguments were legitimate, and I would certainly support the fact that a gravel road is a very different situation to a sealed road and therefore that speed limit would be
appropriate. There are too many unknowns and too many unidentifiable variables that come into it, and to me there is too much at stake. What is the problem with having an application of a default of 80 km/h on a gravel road, say, or 90 on a given rural road, because clearly there is a variation in how people respond to the driving conditions? Unfortunately it does require more control to ensure people do drive at a safer speed because it is in the interests of the whole community. It is in the interests of those people who have experienced the sort of tragedy that my family has and for the fact that you do not wish that upon anyone.

Can I quote part of the Vicroads evidence at the hearing — and you may be aware of it? It states that reducing speed limits can have a significant impact on crash rates and that it is estimated that a reduction from 100 kilometres to 80 kilometres on an open road could reduce the frequency of casualty crashes by around 30 per cent. It goes on to state that it is obviously a point of some discussion and it obviously requires effective police enforcement. I feel it is a really important issue.

The CHAIR — Absolutely. One thing I have learnt on this committee over three or four years is that there are a number of significant issues we need to confront as a community. One of them is speed, and those stats you just gave backed that up nicely. I have seen that time and again through this committee. People do not realise it.

Mr WHELAN — I have thought many things, but I suppose to some extent we have a culture of speeding ingrained in us. I think that is obviously just through our busyness, our determination to get somewhere quickly, our impatience and a whole range of reasons; but I think we need to reassess that and we need to place a greater value on our safety, on everyone’s safety.

The CHAIR — It is reinforced, probably glamorised every night through TV ads for cars. If you look at the TV ads for cars, a lot of them are based around speed.

Mr WHELAN — Yes. To conclude, the other issue was objects on the side of the road. There is no doubt that in my time on council it dealt with many applications to upgrade the road and therefore the impact that had on roadside vegetation. Even after the accident I participated as an objector in regard to this panel hearing on the basis that I felt strongly that if we reduce the speed limit then it does have less impact in regard to those people who do experience running off the road where the road shoulder is not widened or a whole range of different factors.

The reality is that in terms of our native vegetation, a significant proportion of it is remaining on our roadsides, so the more we continue to widen our road — and there are good reasons for that — the more flexible we need to be in using other treatments like the road crash barriers and other designs as well as a reduction in speed limits to protect that vegetation as part of trying to accommodate improved road quality and safety while also accommodating our natural environment.

Mr LANGDON — You would obviously support the emphasis of the TAC and the government at the moment in trying to reduce that Australian culture of going 5 kilometres plus or 10 per cent plus 3 kilometres?

Mr WHELAN — I strongly support it. When you asked me the question, had I written, I think I did write a letter to the Age — I am not sure whether or not it was published — about the use of speed cameras and the use of those sorts of things. I strongly support it. I will admit that obviously in the past I never understood the seriousness of what that meant. If anyone can learn from my situation or learn from other situations and reduce their speed limit by 5 kilometres an hour at least, that is a very small measure.

The other thought that has come into my mind from talking about rural roads was that it was my daughter Kellie who was on her learner’s permit driving to school on that morning. I have thought so many times in terms of how else could I have prepared her and how much more driving experience or training could she have undertaken. It is a question I do not have many answers to apart from probably just that we were doing what we were trying to do, and that is obviously why Julie got in the car that morning, to allow her to drive to school as part of gaining that experience. We can only encourage that to happen and just try to encourage our young people to gain as much experience under that supervision as is possible, and for them to learn to be better drivers.

The CHAIR — Laurie, thank you.

Mr WHELAN — Thank you for giving me the opportunity to speak to you.

The CHAIR — Thank you for your time and input; it is appreciated.

Committee adjourned.