

TRANSCRIPT

LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the Increase in Victoria's Road Toll

Melbourne—Tuesday, 7 July 2020

(via videoconference)

MEMBERS

Mr Enver Erdogan—Chair

Mr Bernie Finn—Deputy Chair

Mr Rodney Barton

Mr Mark Gepp

Mrs Bev McArthur

Mr Tim Quilty

Mr Lee Tarlamis

PARTICIPATING MEMBERS

Dr Matthew Bach

Ms Melina Bath

Dr Catherine Cumming

Mr David Davis

Mr David Limbrick

Mr Andy Meddick

Mr Craig Ondarchie

Mr Gordon Rich-Phillips

WITNESS

Mr Peter Anderson, Chief Executive Officer, Victorian Transport Association.

The CHAIR: I declare open the Economy and Infrastructure Committee's public hearing for the Inquiry into the Increase in Victoria's Road Toll. I welcome any members of the public that are watching via the live broadcast.

Before I begin I would like to just read a witness statement. All evidence taken at this hearing is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during this hearing is protected by law. However, any comment repeated outside the hearing may not be protected. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament. All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

We welcome your opening comments, but I ask that they be kept to a maximum of 5 to 10 minutes to allow plenty of time for discussion. Could I please remind members and witnesses to mute their microphones when not speaking to stop any interference. If you have any technical difficulties at any stage, please disconnect and contact committee staff using the contacts you were provided. Could you please give your name for the benefit of our Hansard team and then begin your presentation, Peter. Thank you.

Mr ANDERSON: Very good. Thank you, Enver, and thank you all very much for the opportunity to be able to present today. I think it is a very good initiative to ensure that we maintain our perspective on reducing the road toll in Victoria. And even though we have some positive results at the moment compared to last year, we still cannot sit on our hands and pretend it will all go away; we actually have to do things.

My name is Peter Anderson. I am the Chief Executive Officer of the Victorian Transport Association. This association is an employer-based organisation that has been a structure since 1902, so nearly 118 years. We represent around about 800 transport operators of various sizes, large and small, including the larger operators and many smaller operators. But we are an employer organisation and under another body orchestrated within the VTA we are a representative in the Fair Work Commission for employers in industrial relations.

Personally, I have a background in the industry of over 40 years. My last job before this was CEO of one of the top five transport companies in Australia, and I have been around road freight and road transport all of my life, coming out of a transport family. I have been touched quite often by road deaths in my industry, and it is something that I want to try and contribute to reducing as wholeheartedly as I can.

The heavy vehicle industry represents about 18 per cent of all road users. We have around about 160 000 to 170 000 professional truck drivers in Victoria. There again, with 155 road deaths last year it is difficult to determine exactly how many were—we know how many involved heavy vehicles, but we do not know the reasons why many of those accidents occurred involving heavy vehicles. One of the issues that we have is the fact that, and it is a fact, any road accident involving a heavy vehicle is a large accident just by the physics and the sheer dynamics of the vehicle. Any road accident involving a heavy vehicle is a large accident, and this is one of the major issues that we have. For those that read—I assume of course everybody has read—the submission that we presented through to the committee originally—

The CHAIR: Yes, we have.

Mr ANDERSON: you will notice that it is a little bit different from some of the others. I have read many of the other submissions that have come through that have been on the website. It is a little bit different; it is a bit more practical in its approach. You will notice that we have not talked about speed and we have not talked about drugs and alcohol. We take those as a given, that there are people better placed than us to be able to give facts and information regarding those two elements in reducing the road toll. What we have done is put forward a more practical approach to what we believe are things that can be done today to reduce the road toll in the future. With that, I would rather leave it open to discussion if you would prefer, Enver, rather than me go on and start to just describe things for you.

The CHAIR: Fantastic, Peter. I read your submission. I am sure all members of the committee have, so we are across the broad principles there.

Mr BARTON: Thank you, Peter. Look, I want to just move straight into an area about driver fatigue, and I know you have got some strong views about that and the importance of managing driver fatigue.

Mr ANDERSON: Yes.

Mr BARTON: I am not 100 per cent sure; up until recently, or we are about to, and correct me if I am wrong here, we never counted a death in the trucking industry as a workplace death.

Mr ANDERSON: Correct. That is correct. We do not.

Mr BARTON: And we are moving towards that?

Mr ANDERSON: Trying to.

Mr BARTON: Yes. So 155 accidents last year; they should absolutely be included in all that. I am just curious about—do you want to expand on the driver responsibility in fatigue management? Can you just explain to us about that?

Mr ANDERSON: Yes. Well, there are two types of accidents with fatigue. One is with the heavy vehicle driver himself and the other is with the driver of the other vehicle, if there are two vehicles involved. There again, it is difficult to be able to define fatigue as the reason why there was a heavy vehicle accident, so it is difficult to define fatigue as the cause of the accident. We believe that it is a root cause of heavy vehicle accidents and we believe that there are things that we can be doing. Under the heavy vehicle national law at the moment, which is under review nationally, there is a fatigue management process for heavy vehicle drivers in vehicles greater than 12-tonne gross vehicle mass travelling more than 100 kilometres from their point of departure. Any heavy vehicle less than 12 tonne travelling within 100 kilometres is not fatigue managed at the same level. We believe they should be managed at the same level, so in other words any heavy vehicle driver, which is greater than 4.5-tonne gross vehicle mass, should be managed for fatigue to ensure that they maintain a level of alertness et cetera for every job that they do, keeping in mind that 80 per cent of the freight task travels less than 100 kilometres from the point of departure, 15 per cent travels intrastate and only about 5 per cent of the freight task travels interstate. So that 80 per cent of the freight task travelling less than 100 kilometres is not fatigue managed under the current law, under the current system, and we believe there should be an amendment to that. Personally, if I could have my way, if I had a magic wand, I would not let anyone drive more than 4 hours in any vehicle without a registered break and having to prove that they had a break—no longer than 4 hours, including motorcycles, including cyclists, if you like, but including, more importantly, cars and trucks.

Mr BARTON: You would be aware that I am concerned about the commercial passenger sector, where taxidivers are doing 12-hour shifts and then jumping into rideshare cars directly after their taxi shift and driving through the night.

Mr ANDERSON: Well, this is the problem we have with the gig economy—the fact that we can have multiple employers and have no responsibility back towards the previous employer or employers going back within 24 hours. So we can keep working 24 hours a day under the gig economy quite easily and have no accountability to our fatigue and to our personal management on the road. And that is the issue—the fact that we have a responsibility on the road. It is a privilege to drive on the road, and that does not come across in how we educate and train and then enforce.

Mr BARTON: Thank you for that.

Mrs McARTHUR: Thank you for your submission. You state in that submission that there are many regional roads that make driving a heavy vehicle safely difficult, so what are your main concerns in regards to the state of regional roads? I will ask a second question after you have dealt with that.

Mr ANDERSON: There are two parts to that, Bev: the fact that it is great to see the initiative of \$440 million put into regional roads recently and also the fact that we have got Regional Roads Victoria created to deal specifically with that. But it comes down to a lot more technicality. It comes down to the way we design

roads and what we design the roads for. So if we were designing the roads at the lowest level of cost, to the lowest level of use, yet we get the heaviest vehicles travelling along on a regular basis, we then get greater deterioration—and of course that is what we have had. We have not understood the actual nature of the road itself in terms of the usage by the people that need to use it.

I will take south-west Victoria as an example. It is a truck environment down there with the logs et cetera and the woodchips. Of course there are sections of that road that are used more often than others, and the issue that we have is that that is not taken into account. We just make the road exactly the same for as long as we want to, pretending that it is going to get the same amount of usage. So we do not put enough technical knowledge behind what we are doing and how we go about it, and of course the price we pay at the end is that as the road starts to deteriorate, it becomes more difficult to drive.

We have a road between Adelaide and Melbourne, and around about Kaniva it starts to get wavy. When I say wavy, driving it—I have seen movies of this—it is almost like the trucks are floating in the dark as you see the lights go up and down on the front of the truck through the darkness as they go along this wavy section of road for around about 40 kilometres. It is dangerous. It is dangerous for these people to be able to keep steering, and they have to concentrate. They slow down. They do a lot of things to make sure they do not have accidents, but it is a dangerous section of road. We have a number of examples of these all around Victoria where we have not put enough effort into how the road will be used and what we need to do to make a better road for those people that have to use it, because it is when things go wrong that we find things starting to happen.

Mrs McARTHUR: Thank you for that. I am hoping to take the committee on a bit of a tour of these roads, and I think we have got a problem because when we look at road usage, as we have heard from previous presenters, the investment goes to where the number of vehicles are on a road but, as you say, not for the use of the road by vehicles. Since we are in the south-west and across the region of western Victoria trying to transport everything into the city and to ports and railheads, the roads are critical for us to ensure that our commerce is operating smoothly and efficiently and safely. But I would also go in the next question to: do you think there has been adequate research regarding the impact of flexible road barriers on heavy vehicles, and would you be concerned that half a billion dollars has been spent on these things? A recent report from the Auditor-General was scathing about this expenditure and the outcomes. Would you like to comment on that?

Mr ANDERSON: I did not put anything on that inside the report. I get a lot of negative feedback from operators, of course, because what they are afraid of is being able to tend to their truck safely should it break down. They believe that a lot of the barriers are in places where they do not need to be, so in other words there has been a blanket application rather than a specific application. There is no doubt that the road barriers do save lives, and it has been a great initiative to be able to see this extension of what used to be—I am trying to think of the wavy steel barrier that used to be there. But, anyway, it still comes up in certain spots. This is a much cheaper way to be able to ensure people stay on the road, but I think we could have gone about it a little bit differently and not had such a broad display of this type of road control. There again, I travel up the Melba Highway, I travel into regional roads a lot, and there are places where there are no barriers where there should be. So the anomaly there is the fact that we have done a good job on one hand but on the other hand we have not been able to cover off adequately on what we need to do in other places. There are some good elements. Should we have spent this much money? Well, that has not been my decision. I think there are lots of ways that we could be spending money, and we should probably pull back on it and spend money in other areas to reduce the road toll.

Mrs McARTHUR: Just to finish up: do you think the shutting down of the Transport Industry Safety Group was a good initiative or do you think it should be reinstated because of the concern towards the road safety of operators of heavy vehicles?

Mr ANDERSON: The Transport Industry Safety Group was originally a government-appointed committee, and it had all the major stakeholders that had direct decision-making on being able to do something about the road toll. It was a fantastic group of individuals and they worked really hard. It was underpinned by the coroner, and there again deaths on the road. That was its original major reason for being—to reduce the road deaths—and it did some great work. It initiated some tremendous programs. But more than anything it got all those groups together. It got the police, TAC, NTC, WorkSafe, the industry—everybody—sitting around the table and talking about the same issue and looking to find practical solutions to reducing the road toll. We do not

have that now. We still have those bodies all working independently, individually, and not in harmony. I believe the TISG did exactly that. It brought these bodies together and produced some fantastic work in the past.

Mrs McARTHUR: So would you recommend that this committee make that as a recommendation from this inquiry—that it be reinstated?

Mr ANDERSON: I would be absolutely ecstatic if did, yes. It would be a real plus for the community and for the people of Victoria.

The CHAIR: Andy, do you have a question?

Mr MEDDICK: I do. Thank you, Chair. I have a few. The first one is one for the very immediate situation we find ourselves in, Peter, with COVID and the border closures. I would like to know if you have heard whether our truck drivers in Victoria who are still transporting goods interstate and coming back are being allowed to use truck stops and things like that, because this, to me, is also part of this safer workplace for truckies: if they cannot find somewhere safe to pull over when they have been transporting a load to New South Wales, for instance, once they have crossed the border; if they are not allowed to pull over to use the rest rooms; if they are not allowed to buy a meal; if they are not allowed to stop and have a sleep in those places. Have you heard anything? Have you had confirmation from New South Wales or SA government as to what is going to happen to those drivers?

Mr ANDERSON: Andy, Queensland, South Australia, Tasmania, Western Australia and the Northern Territory all locked down their borders some six to eight weeks ago—a long time ago. We worked through the issues of access to facilities for drivers through the federal government as well as the state government at the time, and we were able to get some action done, which is fantastic. Travelling into those areas, into those states, from Victoria has meant that the drivers have been looked after. Of course coming into Victoria, we have not put any restrictions on anybody in that regard. However, we have made a decision with New South Wales very quickly, and we have not necessarily put in all the stops and all the steps that we need to to ensure that that happens smoothly and efficiently.

To answer your question quickly: it has not been announced exactly whether they will be banned from truck stops. They cannot stop people having to go to the toilet and buy food and fuel. You will just have people stopped everywhere. But then again, I am worried about the border process; that has not been defined yet. It is a minute by minute thing. I have had a couple of emails come up about it just in the last couple of minutes, but we are waiting for direct instructions as to when we can get a permit or when we will be able to access New South Wales, keeping in mind that every truck that is going to New South Wales any time after 6.00 pm tonight will not be able to get over the border from Melbourne without a permit. So we need to know ASAP how to get a permit, let alone what happens when we get over there. I would think that we have to keep the contact down as low as we can. We have got to ensure we do not come into contact with people at the receiving end and we do not come into contact along the way with people in truck stops, but we still have to access the truck stop.

Mr MEDDICK: Absolutely.

Mr ANDERSON: We still have to wash our hands and still have to keep social distancing. What that declaration says if we have travelled through a hotspot or out of a hotspot—whether it identifies that in the application—we do not know yet, but we need to know before 6.00 pm tonight. A B-double is 30 metres long and we get about 3000 trucks a night going one way up the Hume Highway every night; if you had a thousand 30-metre B-doubles, you have got 30 kilometres of road blocked.

Mr MEDDICK: And we have about a bit over 6 hours to solve this problem. I note that the crisis cabinet in Victoria is currently meeting, and I would hope that this is one of the things that is on the agenda to solve with our New South Wales counterpart.

Mr ANDERSON: Just on that, Andy, this has all been done before. In other words, 6 to 8 weeks ago, every other state has been through this. We should be just copying what whatever state we want to copy is doing. That is all we should be doing. Copy their form, copy their internet connection—copy everything and just put it out there. There you go.

Mr MEDDICK: No need to reinvent the wheel.

Mr ANDERSON: Exactly right.

The CHAIR: Rod, I know that you might have had one more question. If you like, you can ask one last question, but that is all, because I am acutely aware of the time.

Mr BARTON: Peter, I just want to ask you the question: there have been things raised about the appropriate training or lack of training when they are stepping from a heavy goods truck and getting into a B-double. Could you tell us what the situation is there?

Mr ANDERSON: We have been up in arms over recent years in regard to the training of heavy-vehicle drivers. The current system we have is that you can get a heavy-vehicle licence within 5 hours and with \$1000. You have to wait a year—have to wait 12 months—and you could be delivering pizzas on a bike for those 12 months, but after that year you become eligible to then sit for the next level of licence, which costs you \$1000 and 5 hours of your time. And then you can wait another year to get the next level. So within three years you could be driving a B-double having driven a truck probably three times in your life. We do not think that that system is adequate, and we have been campaigning very strongly over the past three years. We have had some support from the government, which has been tremendous because we have been able to prove that the system that we want to implement actually does work. We have put over 120 drivers into the industry that have been trained, taken up by the industry, because that is one of the issues that we have: industry will not take up new drivers because they are not trained adequately enough. We have a training program of eight days, supported by the government, that actually puts trained drivers behind the wheel of a truck.

Any accident with a heavy vehicle is a big accident, so we want the driver trained before he goes and hops in the truck on his first day, not five or 10 years later when he has got a bit of experience. We want him to have the experience from day one, and so does the industry, and we do not think there is enough education for heavy vehicle drivers, let alone other drivers as well. We have put a plan forward. We are trying to work through that at the moment. We are looking for a champion to help us in Parliament, so please, if anybody wants to put their hand up, let me know, because we need someone speaking for us because we are just not getting enough traction. This is the sort of thing that will change people's behaviour on the roads. This is the sort of thing that will change the decision-making in times of stress to ensure that we do not have the sorts of accidents that we have had, and this is how we try to reduce them—to educate people.

It is interesting, if I can just say that: we are looking for more supporters in the industry sector as well. If you go to the TAC website, you will not see very much information about heavy vehicle drivers. You will see education programs for car drivers, for motorcyclists, for cyclists and even pedestrians and children, but you will not see anything there supporting the education of heavy vehicle drivers. That is one of the issues that we have—that we are being pushed off to one side.

Mr BARTON: No, there is no doubt about that. Peter, I think the public would be incredibly surprised that you do not have to have X amount of experience driving a truck before you make those leaps to get yourself into a B-double—

Mr ANDERSON: Correct.

Mr BARTON: because when something goes wrong with a B-double, it is not going to be good.

Mr ANDERSON: No, it is not.

The CHAIR: Thank you. I notice that Mr Quilty is back. Mr Quilty, do you have one short question? Otherwise, I would like to thank Peter. Peter, on behalf of the committee we would like to thank you and the Victorian Transport Association for your presentation and contribution to this committee's inquiry. It has been very interesting and fascinating hearing the discussion as well. Thank you for allowing time for discussion.

Mr ANDERSON: Thank you all very much, and I really appreciate the work you are doing because I know you will do some good work. Thank you very much.

The CHAIR: Thank you.

Witness withdrew.