ROAD SAFETY COMMITTEE
INQUIRY INTO PEDESTRIAN SAFETY IN CAR PARKS
Melbourne — 14 September 2009

Members

Mr J. Eren
Mr D. Koch
Mr C. Langdon
Mr S. Leane

Mr B. Tilley
Mr I. Trezise
Mr P. Weller

Chair: Mr J. Eren
Deputy Chair: Mr D. Koch

Staff

Executive Officer: Ms A. Douglas
Research Officer: Mr N. Bunt

Witness

Mr R. Pilkington, director, manufacturing, logistics and agriculture industry program, WorkSafe Victoria.
The CHAIR — Thank you very much for being here this afternoon to assist the committee in its inquiry into pedestrian safety in car parks. The evidence taken today is being recorded and you will get a copy of the transcript, which you can correct as you see appropriate. You are afforded parliamentary privilege, but that privilege is not afforded to you if you say anything outside this building. Could you please introduce yourself and proceed with your presentation.

Mr PILKINGTON — Thank you. My name is Ross Pilkington; I am the director of manufacturing, logistics and agriculture for WorkSafe, which is the law enforcement arm of our insurance. I have been asked to come today to have a chat about pedestrian safety in car parks. First, I thank the committee for asking me to come; I appreciate the privilege.

The CHAIR — Thank you for being here.

Mr PILKINGTON — We have already made a submission, so I will say that that has been read. I will just reinforce the three things that we really think are of importance. There is a duty, for both the employer and employee relationship, and also our duty to the public at large as an occupier and/or a controller of the workplace. We would agree with the previous group, that design and designing out hazards at the earliest stage of the process is an absolute. There is a duty in the OHS act 2004 that requires that to be done as part of that process, and that it should take into account not only the building and the plant that is being used in there, but anything that it could affect in relation to the design.

Once you do have a building, unfortunately, you then have to systematically manage that process to ensure that you can eliminate it as far as practicable. We see that the best way to do that is vehicle control and flow of vehicles, the physical separation of pedestrians and vehicles, and the control of the pedestrians once they are in that space — and all contractors, for that matter, because often this is a workplace. If you consider these bulbs, tubes, that they have been talking about changing, it then becomes a workplace of changing the tubes. There is the process of marking the lines. Often they hit sprinkler heads, so they have a sprinkler fitter in there, and so on. We really do believe that the systematic approach to safety is what has to happen. The systematic approach to safety includes the last line of defence, which is the monitoring of and response to incidents in these manned or unpersoned car parks.

There are two types of car parks that we see out there: the traditional multistorey and the fly-by-nighters. There is probably a third and that is the supermarkets — the Woolworths, the Coles — that own the large sites out in the suburbs where there is an interface between the two. When you are designing these car parks, you need to consider the interface with other things that are going on — for example, the loading and unloading of trucks and the loading and unloading of storage facilities. I heard in one of the other presentations that a lot of the newer facilities have what they call lock-up garages where people store things. You have to consider what they are to going to do in that regard.

From our point of view, it is important incidents are reported as they occur. Unfortunately we believe there is a level of underreporting and it is not easy for us to capture the data within our system because it can be reported under a variety of other names and guises — for example, Wilson might have a trading name or they might have 71 different trading names. So when we go to our data to check whether there was an incident in a workplace, it is difficult to retrieve that data. Whereas if it happened in the ABCD Manufacturing site, I would just type that name in and would get information on all the incidents that had occurred. This is more fragile and is unable to be seen. But they have an obligation to report where they meet the criteria of the incident notification portion of the act, which is that there was a serious injury or fatality — God forbid! — or an injury that required medical treatment and a one-night stay in hospital. There is a set of forms on our website which can be downloaded.

That said, we would see the management of a car park as no different from the management of a supermarket or any other workplace in Victoria. You need a systematic approach to eliminate hazards and to provide a safe place of work for the employees, contractors and visitors to that site. I understand there were some questions that you had and I have prepared answers to them. I am happy to go through those.

The CHAIR — You are right. Some people take exception to the shared zone because they believe that car versus pedestrian is not a very fair contest.

Mr PILKINGTON — It is absolutely not a fair contest.
The CHAIR — And in an ideal world they should be separated from each other. The reality is that the commercial world is obviously finding it very hard, and to a certain extent it is very hard because they are working with some buildings that were designed back in the 1930s or 1920s or farther back. There is a limited number of things that they can do to improve safety. However, I know that in workplaces — for example, where workers are clearly separated from forklifts — those sorts of practices are working very well. You can, to a certain extent, implement some of those things in car parks as well.

I take your point about the Occupational Health and Safety Act 2004, and I think it is incumbent upon everybody to make sure that some of the practices are in place.

Mr PILKINGTON — We should say that when we started the journey around pedestrian and forklift separation, there was a disbelief that we could do something about that. It was not until the industry, in particular the TWU and the Victorian Transport Association, started to say to their members, ‘No, you can do this’, and the industry started to own that concept, that we saw a difference. So we see greater strides forward in industry when industry owns the solution, and rather than having a negative view of it and saying, ‘This is something we cannot do’, it turns it around to, ‘What can we do to achieve the most optimum safety outcome?’. It is then that you see a significant step forward.

You can see that in the transport industry in particular today, although today is quite tragic because a chap rolled a forklift earlier today and was seriously injured. During the course of that investigation we will find out what are the contributing factors. Often in the past when we found out the contributing factors, it would not just have been the forklift and the person involved in that, it would have been a pedestrian who was very close to the scene. We do not see that as much today.

The biggest lesson for us from the segregation of the two is that it is sometimes perceived to be a negative influence on productivity. But what we have seen is that it forces people to think of other solutions which are better. You see the loading of product now where they design the load so that it is more easily pushed onto the truck, and so people do not actually have to get there to guide it onto the truck. You see the segregation has improved. We particularly see that people start to see the layout and design of factories and workplaces so they consider where the plant should be, where the pedestrians should be and separate them in both time and distance. The closer they get, the larger the physical barrier has to be to prevent a forklift or a large piece of machinery, including a car, from transitioning into this space where it should be just pedestrians.

I think one of the biggest things here is about supervising and convincing people to walk where they have to walk. In a public car park it is very difficult because they say, ‘The trolley is just over there’ and human nature is, ‘I will just push it straight across there’. You have to have a fairly strict regime of linemarking on the floors whether it is bollards or a solid barrier — and obviously from my point of view it should be a solid barrier — and a flow of traffic so you enhance the way they do things.

If you are going to do something, you make it easier to do the right thing rather than the negative. We have found that if you look at what they call the ABC of behaviour — the antecedent, the behaviour and the consequence — the antecedent in designing a car park is that you make it more difficult to do the wrong thing, and easier to do the right thing. The benefit is, ‘I will just follow that track, and I will get over there and get it done’, and the consequence is, ‘I am not going to get injured’. The negative of all of that is, ‘I will just run across the car park, get run over by a car and I end up in hospital’. It is a cultural change as we work through that process, but it is quite clear that the person who has all of those requirements is the person who manages that car park, even if they do it from a video camera in another state. I know that when I leave my workplace, if I press the button, I get Sydney.

Mr KOCH — Ross, there is no duty of care from that point of view; that there should be a member of management on site? We heard from their presentation that Wilson Parking has become very much automated right across its business. From WorkCover’s point of view there is no necessity for any onsite personnel?

Mr PILKINGTON — They have to have a system that allows them to respond to incidents and to provide a safe place of work. For example, they showed us a photo of people walking down a ramp with traffic following them down. From a design point of view we were taught very early in life that you should be facing the car at least so you can see that it is going to run you over. Our legislation is not prescriptive to say you have to have a person on the site if they can provide a safe system of work within the bounds that are reasonable practicable.

They have to be able to demonstrate to us that they have somebody who can turn out in a reasonable time frame and that they can go down that path. It is similar to lifts. Lifts run through all these buildings, and
they need a system they can monitor and turn out to if there is an issue with a lift. It might fail and they need to fix it up in time.

**The CHAIR** — But I would imagine that with those car parks, even if they are automated, there would need to be a certain amount of maintenance in terms of painting the lines. A bingle may occur and there may be some broken glass. Somebody has to clean that up. There are a number of different reasons why employees would be on that premise.

**Mr PILKINGTON** — Yes.

**The CHAIR** — I just want to know whether currently WorkSafe investigates any injuries as a result of accidents in car parks involving pedestrians?

**Mr PILKINGTON** — Unfortunately, we currently have a case under investigation which happened in December 2008. But technically that did not happen in a car park; it happened in the loading dock of a supermarket. We are investigating that at the moment. We get called in occasionally to incidents involving pedestrians, but normally it is only at the other end of the continuum. Somebody is injured; they are taken to hospital. We hear nothing of it, they do not report it, but suddenly when the claim comes up or something like that then we are pulled in as what we call a service request, and we go in and investigate in that regard.

Traditionally, we do not see that many injuries in car parks because they are not reported, or they do not hit the threshold for incident notification.

**Mr KOCH** — Or they do not happen.

**Mr PILKINGTON** — Or they do not happen. One or the other, yes. That could be one of the categories.

**Mr KOCH** — Yes, for sure. Ross, from WorkCover’s point of view are there any relevant workplace training guidelines that could be used in education for drivers and pedestrians within car parks?

**Mr PILKINGTON** — We do not have a particular guidance on it. I have brought a variety of guidance with me that demonstrates what we would think would be good basic principles to follow in that regard. The forklift document is probably one of the better ones which sorts out segregation of pedestrians and forklifts and gives you the criteria. It also brings into account what would be a good traffic management process, which talks about, ‘What are the volume of cars? Which way are they going? What is the frequency? Are there peak times?’. These chaps tell us that you find in multistorey car parks that morning and afternoon are peak, so they might have to have a higher level of monitoring as a safety system in that regard. But we do not particularly have a document which talks about that.

**Mr KOCH** — And the evidence is not there to encourage you to produce it?

**Mr PILKINGTON** — On an annual basis we look at all of our criteria, and currently we would not be producing guidance on pedestrians in car parks, but I am sure we will produce guidance soon around safety in loading docks because of the incident that occurred last year. We are working our way through that investigation and the outcome of that, and I am sure the coronial findings will require some level of documentation in that regard.

**The CHAIR** — Do you think WorkSafe should play a bigger role in accidents that occur in car parks, even if it does not involve employees but just pedestrians — the general public?

**Mr PILKINGTON** — It is like everything in life, we have a limited resource. If it meets the criteria for incident notification we would go and work in that regard, do an investigation, make a determination on control measures and work through that process. But if you look at the overall statistics to see if there was a case for us working there at any great level then probably not.

When you consider that last year we had a record low of injuries in Victoria — 27 000 injuries in Victoria — where they reached the threshold at 10 days of $600 and something is the threshold cost, and the vast majority of those were manual handing or musculoskeletal disorders, and of the ones that you look on the other side of it we are probably talking a very, very small percentage related to car parks, although tragically a person died in one of them.
Mr KOCH — Through-traffic in car parks would obviously indicate the incidence is very low for the opportunity for some of these injuries to occur?

Mr PILKINGTON — Yes. A car park should be a car park for the purposes of parking cars and not for through-traffic. You see some car parks that are designed so you can take a shortcut from one side of the building to the other side of the building. We would seriously discourage that. You see car parks that are sometimes used as rat runs. I know if I go down here and run down the stairs you can go that way — —

The CHAIR — A shortcut.

Mr PILKINGTON — Shortcuts and things like that; we discourage that.

The CHAIR — Thank you very much.

Mr PILKINGTON — Thank you.

Committee adjourned.