

17 September 2008

AUSLINK (NATIONAL LAND TRANSPORT) AMENDMENT BILL 2008

Second Reading

Mr BRADBURY (Lindsay) (12.05 p.m.) — I am pleased to rise in support of this bill, the AusLink (National Land Transport) Amendment Bill 2008. I listened with great interest to the member for Groom. Through you, Deputy Speaker, I suggest that in future, when negotiating for better outcomes for his electorate, he rely on a little more than his own personal charm, but I think he acknowledged that in his comments.

There are a number of elements to this bill that I wish to support. There are, of course, some elements that go to issues of heavy vehicle safety. I would like to begin by speaking to the allocations that are made under this bill for the Roads to Recovery program. I have to say that, whilst those of us on this side of the House will be the first to acknowledge the weaknesses of the former government, this is perhaps one of the initiatives of the former government that does need some acknowledgment. The efforts of the previous government to introduce the Roads to Recovery program were very widely welcomed throughout local government and local communities right across this country. It is pleasing to see that the new government, the Rudd Labor government, is not only continuing this program but delivering a greater commitment to the program in increasing the money available for expenditure under it. Indeed, this particular bill will extend the funding under the Roads to Recovery program, which was to come to an end in June 2009. It will extend the program from 30 June 2009 through to 30 June 2014, which will provide considerable certainty to local government authorities right across this country.

We should not underestimate the magnitude of the challenge that local government authorities have in trying to confront the infrastructure challenges that they have within their local communities. I know that in my time as a councillor, part of it as mayor, of the City of Penrith those were issues that were very dear to my heart in that capacity. They continue to be matters of great interest and concern to me, but I know that the Roads to Recovery program, in providing funding directly to local government authorities, really does make a significant difference.

Before I look at some of the specifics of what that means, we should acknowledge that the task that faces local government across this country can be understood by having a look at just the sheer size of the road network for which local governments are responsible. Approximately 810,000 kilometres worth of the road network is in the hands of or under the care and responsibility of local government.

In my local area, the Penrith City Council for many years has been doing some great work in identifying the infrastructure needs of the community and developing strategies and robust funding models to address those needs in the medium and longer term. I know that this is something for which the council has developed a lot of resources. Mr David Burns, the director of city operations, has taken the council's approach towards road funding to a much more evidence based and technical level than it had ever been previously in Penrith City.

To acknowledge the scope of the challenge for the Penrith City Council, 1,018 kilometres of roads are within its responsibility. That is a significant size; the figures speak for themselves. The capacity of local government to deliver not only the new works, the reconstruction works, but also the vitally important remediation works is something that would be very difficult for local government to achieve without supplementation of their funding through the Roads to Recovery program.

Indeed, the Penrith City Council in its management plan—the budget document governing the operations of the council—for the financial year 2008-09 has allocated \$10.7 million for road reconstruction and road remediation. I talked to people in the community; they would probably like to see twice as much being spent, but that is a significant amount of money. A significant component of that, almost \$1 million, is provided by way of funding under the Roads to Recovery program. Obviously, the financial assistance grants that the councils receive give them the capacity to undertake their operations more generally, but the specific allocation to Penrith council of almost \$1 million for the purposes of roads under the Roads to Recovery program is a significant contribution that allows the council to address the very significant challenge of keeping its infrastructure up to scratch.

I should say that, importantly, the technical and evidence based approach that the council has applied is based upon a measure of the council's road assets called the pavement condition index, or the PCI. This index gives each road segment a score out of 10, and this is something that the council has done right across the city to undertake an audit of all existing roads and rank them, giving them a score out of 10 under the pavement condition index. The score is reduced for roughness, cracks, potholes, rutting and ravelling. The roughness deduction incorporates the annual average daily traffic volume, so it takes into account the anticipated wear and tear that those roads will endure in the future.

Council's average PCI, or pavement condition index, was falling at an unacceptable rate prior to 2001-02. Of course, that was shortly after the Roads to Recovery program, but this was a matter of concern to the council and had been identified separately. But, certainly, the Roads to Recovery program, through its earlier manifestations, has allowed the council to make some significant inroads on that. Indeed, all of the evidence is indicating that the average pavement condition index of roads throughout the council area has not only stabilised but is now starting to increase. That essentially means that the overall average quality of roads throughout the city of Penrith is increasing. As I said earlier, no doubt many people in our community would suggest that there is still a long way to go, and I think that is a fair comment, but it acknowledges the significant challenge that councils face, particularly in states like New South Wales where the ability of a council to raise its own revenue, to increase its revenue, to meet the increasing costs of governing are not within its control as a result of rate pegging.

In terms of some of the specific projects that have benefited from the Roads to Recovery program, I note that back in the 2007 financial year a number of roads of significance and roads that I know, through my contact with the community over many years, were roads that urgently needed addressing. Camellia Avenue in Glenmore Park was one that I received many inquiries about over the years. That was a project that was funded out of the 2007-08 Roads to Recovery program, along with other upgrades to Kenneth Slessor Drive at Glenmore Park, Grimley Close at Penrith, Kenny Avenue in St Marys and Thompson Avenue in St Marys. Under the 2008-09 program, there are a range of roads to be addressed, but probably the most significant ones, so far as I am concerned, are the intersection of Andromeda Drive and the Northern Road, particularly the area west of Goldmark Crescent, which is located in Cranebrook.

That area will receive an upgrade that is well and truly overdue—but certainly that will be the case under the Roads to Recovery program.

I reiterate my support for the Roads to Recovery program. I note that the bill also contains some provisions that deal with making funding available to state governments where there is no incorporated body within an area, and I think that they are sensible amendments that ensure that there are mechanisms for delivering funding to those areas.

I turn my attention now to the very important issue of heavy vehicle road safety. There are measures currently before the Senate, which the opposition have indicated that they are intending to block. The bill before us foreshadows some changes that would be required in order to implement the legislation that is currently being blocked in the Senate. The extension of the definition of 'road' to include some of these other significant facilities that are of real interest in particular to heavy vehicle users is a fairly common-sense initiative and a change that in its own right should not really be the subject of any controversy. To extend the definition of 'road' to include rest stops, parking bays, decoupling facilities and electronic monitoring systems merely allows funding to be delivered into those areas which are essential components of the overall road network if we examine some of the challenges that face the people involved in the transport industry and in particular the heavy vehicle industry.

My electorate of Lindsay has a very high proportion of truck drivers. In my electorate alone there are over 3,000 truck drivers. Many of them are employed drivers and the others are owner-operators. I know they are all doing it quite tough at the moment. The massive increases we have seen in the price of petrol, driven by the spike in world oil prices, really have had a crippling effect for many people in the transport industry, particularly those in the heavy vehicle transport sector.

I have received delegations from local trucking groups and local drivers. They have taken me through in considerable detail the challenges that they face. In many cases the income that they have been receiving for some years now is either at the same level or in some cases lower. At the same time their costs have blown out considerably, given that fuel costs are such a significant component of the cost of doing business. A statement was provided to the National Transport Commission inquiry into safe rates and conditions for employees and owner drivers by a resident of my local community. Mr Maurice Giroto, who lives in Werrington in the heart of my electorate, set out some of the challenges that he is facing. His statement said:

1. I am an owner driver and have worked in the industry for over twenty years.
2. I drive a specialised truck and tanker trailer, carting bitumen locally, intrastate and interstate. I am paid a rate equivalent to tonnage per kilometre, plus waiting time and other services.
3. The rate of remuneration I currently receive is just enough to cover my fixed and variable costs. I am able to cover these costs only because I am in a financial position where I own my equipment and do not have any finance owing. I am also in a position where I am able to do a lot of my own maintenance and repairs. Compared to a driver who has additional cost I'm in a better position. They have to cut down or cut out wages and vehicle maintenance. If you're in trouble you'll accept lower rates to get the work.

4. The rate I receive is enough to cover my labour costs as long as I don't pay myself more than \$50 000 per year. If I paid myself accurately for all hours worked I could double this salary. By keeping my wages low I am able to keep the business running in a sustainable fashion. But with cost of living increasing it is becoming more difficult.
5. I have previously been offered work at rates that would not cover my fixed, variable and labour costs. I rejected this work because I am financially not in a position where I am forced to accept this work.
6. I agree there is a need to introduce enforceable safe rates and conditions for owner drivers. People need to earn a living, if they are going to go into business they need to come out at the end in a decent position. If not it goes from being about earning a decent living to keeping your home.

These concerns and issues raised by Mr Giroto are frequently raised with me by members of my local community. The safety of those in the heavy vehicle transport sector not only is a concern for those individuals, the suppliers they work for and the contractors or the companies they are employed by but is an issue which affects every single one of us as fellow users of the road. The implications and consequences of having truck drivers on the road who are really struggling to make ends meet, to run their business and make a decent living, and who are forcing themselves to go to work and carry out their duties in conditions that would not be acceptable in any other sector of our community is creating more and more of a safety threat and more and more risk for other road users.

It is imperative that we address these issues. This bill goes a very small way towards doing that by at least allowing the inclusion of some truck stop and rest stop areas, but there are some massive issues that are much broader than those contemplated within this bill. I certainly hope that we can continue to develop strategies to ensure that not only are truck drivers given the opportunity to earn a decent living for the many hard hours of work that they contribute but they are also able to do that in a way that ensures safety on our roads.

There are a range of other considerations that impact on our truck drivers. Mr Robert Ireland recently gave sworn evidence in proceedings. When I was provided with a copy of this document I was horrified to see some of the detail of his experience as a truck driver. In his statement Mr Ireland said:

When I was at home I spent all the time I could sleeping or trying to sleep. Initially, my wife Sam, not understanding what I was going through, would always try to wake me up so that I could spend time with my children. One day I said,

"You're coming with me. I'm going to show you what it's like on the road."

I wanted her to understand that it wasn't that I didn't want to spend time with our family but that I was so exhausted that I didn't have a choice. So I took her on a trip up to North Goonyella mines. As we set out I said,

"You are not to sleep unless I'm sleeping. You are going to stand out in the heat while I'm loading."

When we got to the mines however it was 55 degrees, so I let her stay inside the truck with the air conditioning on while I loaded. Also, I stopped the night at a motel rather than sleeping in the heat of the truck. I was loading salt the next morning and looked over at Sam. She was nodding off while standing up. From the salt mines I would usually drive 15 hours straight home however I could not do it to her and pulled up for a couple of hours for a rest. Sam never woke me when I said I was

tired again.

When I started driving, I was 6 foot 1 inch tall. When I stopped, I was 5 foot 10. One day, I stood up from playing with my daughter on the couch and collapsed from the sudden agony. I could not move the bottom half of my body. It turned out that all the joints in my spine had compressed. My doctors informed me that this was most likely caused by me spending so much time in a seated position. I was required to lie flat on my back to allow my spine to slowly return to normal. It took many weeks before I got any feeling back in my legs and I was not able to walk for many months. I had to go on anti-depressants to reverse the chemical imbalance that drugs had caused in my body

Before the back injury I had to have an operation to remove one of my testicles. This was because of bad circulation from sitting down in the vehicle for long periods at a time in the vehicle.

It took me almost 2 years to return to normal from those physical traumas. I have only just started to get close to my children over the past 18 months.

I think all members would share in my horror at the details of that gentleman's story, but Mr Ireland's statement that I have just read out is representative of the challenges and consequences that end up flowing from working in the heavy vehicle industry.

Whilst this initiative does contribute in a very small way to some of those issues, there is a much bigger agenda that this government needs to take up. The Deputy Prime Minister has announced a review to investigate issues such as safe rates of pay. I am hopeful that these huge challenges that people in the trucking industry face will be given a voice through that review. Hopefully, there will be responses that come forward that allow this government to give those involved in the heavy vehicle transport sector a fair go.