



# ***TRANSPORT AND PUBLIC WORKS COMMITTEE***

**Members present:**

Mr SR King MP (Chair)  
Mr CE Boyce MP  
Mr DJ Brown MP  
Mr RI Katter MP  
Mr BJ Mellish MP  
Mr TJ Sorensen MP

**Staff present:**

Ms D Jeffrey (Committee Secretary)  
Ms M Telford (Assistant Committee Secretary)

## **PUBLIC HEARING—INQUIRY INTO THE OPERATION OF TOLL ROADS IN QUEENSLAND**

### **TRANSCRIPT OF PROCEEDINGS**

**MONDAY, 20 AUGUST 2018**

**Brisbane**

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### **The committee met at 8.56 am.**

**CHAIR:** Good morning. I declare open the public hearing for the inquiry into the operations of toll roads in Queensland. Thanks for your interest and your attendance here today. I would like to acknowledge the traditional owners of the land on which our parliament stands. My name is Shane King, he member for Kurwongbah and chair of the committee. The other committee members here with me today are Mr Ted Sorensen, member for Hervey Bay and deputy chair; Mr Colin Boyce, member for Callide; Mr Bart Mellish, member for Aspley; Mr Robbie Katter, member for Traeger; and Mr Don Brown, member for Capalaba, who is replacing the member for Bundamba for today's hearing.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. The proceedings are being recorded by Hansard and broadcast on the parliament's website. You will be provided with a copy of the transcript. To assist with clarity, can you please identify yourself when you first speak and speak clearly and at a reasonable pace. I also ask you to switch your microphone on before speaking and off when you are finished, using the button on your desk.

The purpose of today's hearing is to assist the committee with its inquiry. The committee appreciates your assistance and thanks all of those individuals and organisations who have provided submissions to the inquiry. The media may be present and will be subject to the chair's direction at all times. The media rules endorsed by the committee are available from committee staff if required. I ask everyone present to please turn your mobile phones off or to silent mode. I also ask that if witnesses take a question on notice today they provide the information to the committee by 4 pm on Monday, 27 August 2018.

**ARNOLD, Mr Michael, Tolling Customer Ombudsman**

**CLARKE, Mr Phil, Queensland Ombudsman**

**HENDY, Ms Lisa, General Counsel, Office of Queensland Ombudsman**

**WELKE, Mr Jordan, Acting Assistant Ombudsman, Office of Queensland Ombudsman**

**CHAIR:** I now welcome representatives from the Tolling Customer Ombudsman and the Queensland Ombudsman. Because we have a very tight time frame there will be no opening statements. We will go directly to questions.

**Mr SORENSEN:** If the funding of your services comes from just one operator, do you acknowledge that this could cause people to question the level of your independence in the dispute resolution process?

**Mr Arnold:** My funding Australia-wide, taking into account the three states—New South Wales, Victoria and Queensland—comes from three toll operators, not just one. In addition to Transurban, there is ConnexEast and Interlink Roads in New South Wales. Overall, there are three toll operators that fund the system. Of course, there is only one operator, Transurban, responsible for toll roads in Queensland.

**Mr SORENSEN:** In Queensland you only have one source of funding and your office is based in Melbourne. Do you acknowledge that the request for meetings would be unlikely and do you think toll users with complaints are fully aware of your services and what is on offer?

**Mr Arnold:** In relation to the independence of the Tolling Customer Ombudsman, as an industry ombudsman it always turns really on the integrity of the ombudsman, the contract on which it operates. There must be guaranteed tenure. There must be a fixed rate of remuneration that is not dependent on cases that come in or anything of that nature. I have been an ombudsman in a variety of different industries over the years. The issue of bias has always been raised, but if we are going to provide a free service to consumers at no cost to the state then there is no other way for it to be funded other than by the industry body.

**Mr SORENSEN:** What have been the top three categories of complaint your office has received over the past five years?

**Mr Arnold:** The complaints that we mainly receive vary from period to period, but generally they relate to service related issues, issues in relation to administration costs, and issues in more recent times have come in in respect to hardship. They are the sorts of things that have moved more into focus. Over the period of time it is service related issues, issues in relation to making contact with the toll operator and issues in relation to timeliness of dealing with complaints.

**Mr BOYCE:** What has been the level of direct contact with the toll operator in Queensland in terms of resolving customer complaints and improving the outcomes for customers?

**Mr Arnold:** The system operates on the basis that there is an expectation or a requirement that the customer contact the toll operator initially. If the complaint is not resolved then they come to the Tolling Customer Ombudsman, in theory. What happens in practice is that most people come to the Tolling Customer Ombudsman before seeking to resolve it fully through the toll operator. I have a system that I have recently reintroduced whereby when people make an initial complaint they usually speak to us directly over the phone, I tell them I will refer their telephone number to Resolve, which is the customer relations body for Transurban. Resolve is required to ring the customer back within 24 hours and try to resolve the dispute. If the dispute is not resolved then I advise them to lodge a complaint with me. I will then deal with the process and expect the toll operator to respond to me promptly.

**Mr BOYCE:** What do you do to advertise your service and the process for motorists to make complaints?

**Mr Arnold:** In relation to that we have primarily the website. When there is a complaint that is unresolved by the toll operator, we have a requirement that the toll operator must advise the customer of the existence of the Tolling Customer Ombudsman.

**Mr MELLISH:** You said before that in Queensland you are funded by only one operator.

**Mr Arnold:** Yes.

**Mr MELLISH:** Are there any other ways around that that you can see?

**Mr Arnold:** I must say that I have posed this question over a number of years in my role as an industry ombudsman, whether it was in general insurance or currently as an ombudsman with the Financial Ombudsman Service. I know of no other solution. It is either done through the public purse—the consumer pays—or the industry pays. It seems to me that the industry is the body that is best placed to pay for the system.

**Mr MELLISH:** How would you respond to submitter comments that your own role does not meet a number of standards set out in the benchmarks for industry based customer dispute resolution and related key practices as published by the Commonwealth Treasury?

**Mr Arnold:** I would dispute that because when I established the TCO I was the national panel chair of the Financial Industry Complaints Service, which was one of the inaugural members of ANZOA and certainly complied with the national benchmarks in 1997 in relation to EDR, and I based the TCO model exactly on those benchmarks and I have observed them throughout the period of being the ombudsman.

**CHAIR:** That certainly answers those submitters' questions. I have a couple of questions in relation to the membership of the Australian and New Zealand Ombudsman Association. You stated in your submission that you are currently seeking membership of that body.

**Mr Arnold:** Yes.

**CHAIR:** Could you give us an update on how you are going with that?

**Mr Arnold:** I have supplied all the information up to date. They are meeting in August. I was hopeful they would meet before this hearing. I sent an email on Thursday or Friday. Unfortunately they are meeting later this month. They gave me no inkling, as they shouldn't, about what is happening save to say that they will review all of the material that I have sent in to them.

**CHAIR:** You are pretty confident that you have all the essential criteria?

**Mr Arnold:** I certainly believe so. In effect, the bodies to which I belong are all ANZOA members. ANZOA members are corporate bodies, but I am an ombudsman of those corporate bodies so I would presume an application will be given favourable consideration.

**CHAIR:** One of the principles they seek is accessibility. We have touched on that before. Are you doing anything about accessibility to help meet that criteria?

**Mr Arnold:** In relation to accessibility, from the outset we have always made it clear that people can attend to meet with the ombudsman by way of appointment. As I pointed out in the submission, originally we had a standalone office, which was in Melbourne, with advice to people that if they were interstate we could arrange meetings with them. In fact, when Queensland government representatives met with us there were discussions about whether we would be willing to go regional. I said yes, there is no problem about that. As part of the FOS we went regional if it was necessary. We have made ourselves available for people to attend if they wish, but there has never been any expressed desire. My experience is that people want their matters resolved quickly, promptly. The best way they do it is telephone in or send in their dispute forms online or by email. These days, 97 per cent come in in that manner.

**Mr BROWN:** The Tolling Customer Ombudsman does not have the power to order compensation from Transurban but has the power to recommend it; is that correct?

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

**Mr BROWN:** How many times have you recommended to Transurban to compensate?

**Mr Arnold:** I think there are actually two written decisions, from memory.

**Mr BROWN:** Just two? You have only done it twice?

**Mr Arnold:** Two where I have made written determinations. I follow on by saying that, prior to making written determinations, if I believe that the toll operator should pay some form of compensation I will express an opinion to the toll operator—in Queensland Transurban—and they will pay compensation in the form of credits for travel and things of that nature. That is the form of compensation that is generally payable. There have been two instances in which I have directed that they should pay reasonably considerable compensation, which they have done.

**Mr BROWN:** Do you know if Transurban actually did pay the compensation?

**Mr Arnold:** They are required to.

**Mr BROWN:** It is only a recommendation. They are not required, are they?

**Mr Arnold:** If I make a recommendation they will follow the recommendation.

**Mr BROWN:** They have always followed your recommendations?

**Mr Arnold:** They have always followed the recommendation.

**Mr BROWN:** In the two cases?

**Mr Arnold:** There are more than two cases. What I am saying is that there are two written determinations that can be seen on my website.

**Mr BROWN:** What are the other ones? Is it you ringing them up and saying, 'You better compensate this bloke'?

**Mr Arnold:** I usually send an email.

**Mr BROWN:** An email? Isn't that a written recommendation?

**Mr Arnold:** No. By 'written' I mean written determinations that appear on the website.

**Mr BROWN:** When I was on previous committees I remember the Queensland Ombudsman publishing annual reports about the number of SPER complaints that had arisen in the previous term of parliament. Have you noticed the number of those complaints come down since the changes were made in relation to recommendations about how SPER interacts with Transurban and those tolling companies?

**Mr Clarke:** In my submission we put in information about the most recent year in terms of enforcement agencies, including SPER—BCC, Department of Transport and Main Roads and SPER. The numbers of complaints at the moment, as you see from that detail, particularly the complaints in regard to Brisbane City Council and DTMR, are quite modest. The number of SPER complaints, from my recollection is generally modest in regard to historical complaints in regard to SPER. Separating out SPER complaints that relate to tolling matters and SPER complaints that relate to other matters can sometimes be a little contentious in our office. I might get Mr Welke to make some comment about the historical movement of SPER complaints.

**Mr Welke:** The number of SPER complaints that include some component where the debt relates to tolling we try to ascertain from the information provided by the complainant, and that represents a relatively small proportion where we confirm that it may be the case that their aggregated debt includes some tolling debt. I do not know the answer to whether there has been any significant reduction over time in the proportion that relate to tolls. The information provided by the ombudsman includes just the last financial year, but I am able to provide that information on notice if that would be of assistance.

**Mr BROWN:** I am talking about two years ago, when we had the committee hearing into your report. I think it did give some evidence in regard to the component that you thought was coming from tolling complaints.

**Mr Clarke:** As Mr Welke said, the historical information is not immediately to hand, but I am happy to take that on notice and give perhaps the last three years. Would that be useful? I can try to go further back if you wish.

**Mr BROWN:** Can you go back to 2015?

**Mr Clarke:** I am happy to take that on notice if the committee would find that useful.

**CHAIR:** Brisbane City Council's submission suggested that the government consider the establishment of a new tolling ombudsman with similar administrative operation to that of the Queensland Ombudsman but with jurisdiction over the of concessionaires. Given your previous advice over jurisdiction, do you think it could work? If so, what additional mechanisms do you think could be required for that to work?

**Mr Clarke:** There is no doubt that the option is available to the government to establish a tolling industry ombudsman of its own in Queensland under legislation. My personal view is that the landscape of ombudsmen and other complaints bodies in Queensland is already complex. The need for another industry ombudsman and whether the establishment of an office would enhance the service to toll road users in Queensland would be a complex discussion.

My personal view is that a better option may well be, if the government decides to establish a more rigorous or more legislatively based tolling process, that consideration be given to trying to put better linkages through the enforcement provisions. As I said in my submission to the committee, the mechanism by which tolling offences are referred to enforcement bodies—that is, DTMR, BCC and ultimately SPER—is very automated. The process is largely handled by computers. Humans do not deal with those matters. They go straight into the department's enforcement regime. That regime is the subject already of my oversight in terms of BCC, SPER and the Department of Transport and Main Roads.

My view is that the use of DTMR, BCC and SPER complaints management processes in a more rigorous and, shall I say, joined up way with the complaints management process in the tolling operators would provide a framework which is rigorous and which is oversights by my office ultimately, at the end of the day. It may be a somewhat less complex and less costly version of being able to have a rigorous complaints management process for toll road operators in Queensland, and ultimately it would lead to the same level of oversight that is applicable to the enforcement regime in Queensland at the moment.

I hold the view that an additional ombudsman office, particularly if it uses the word 'ombudsman', would not be useful inasmuch as it would be more ombudsman services in an already complex and difficult environment which people struggle to understand.

**Mr BOYCE:** What needs to be done to improve the public's lack of understanding, as outlined in your submission, of the difference between tolls payable to the toll road operator and penalties associated with the administrative costs payable to the state?

**Mr Clarke:** It hinges around providing useful and timely information to people. Better cooperation, in my view, between the toll road operators and enforcement agencies would be very helpful. When people receive notices either from the toll road operators as part of their regime or from the enforcement bodies as part of their regime it is exactly the same information, and it is a complete and standardised set of information.

The truth of the matter is that the complaints that we see in large part come from people who were not aware they had a tolling debt. This is discounting those people who were aware and simply chose not to act. I am discounting those people who were aware they had a tolling offence, who had been issued with a notice and who chose to ignore that, because they made an active decision to ignore the fact that they had a tolling debt. For those people who dispute the fact that they have a tolling debt or dispute the fact that they know they have a tolling debt, it is largely around the process of service of the notices. People dispute that they were ever served the notice. That may be true if they do not have a proper record of their address associated with their driver's licence. It may be the fact that they have not been issued a notice in an effective way. It may well be that a better service would be to require the tolling company to exhaust all communication options, to make sure they have used all their communication options. My understanding is that that has improved substantially in recent years. It may well have been the fact, based on opinion of law, that the service of the notice in its legal requirement was somewhat limited but I understand that has been attended to in recent years.

As long as those communication factors are dealt with, the capacity of someone to dispute the fact that they have a tolling debt would largely be matters of fact. In other words, did you use the road on that day? Did you pay the toll or did you not pay the toll? They are matters of fact rather than whether or not the legal process or the administrative process associated with issuing the notice was complied with.

**Mr BOYCE:** Does that require better advertising by Transurban, for example, to identify the difference?

**Mr Clarke:** It is difficult for me to comment on that because, as you know, I do not deal with Transurban—

**CHAIR:** It is asking for an opinion too.

**Mr Clarke:**—on a day-to-day basis. Most of the bodies have information on their websites. I have information on the Ombudsman website. The TCO has information on its website. Transurban has information on its website. All the enforcement bodies have information on their websites. It is, however, a complex regime. The relationship between a commercial operator and a government enforcement body makes it a complex regime, because without enforcement by the public sector entity there would be substantially less incentive for toll road users to be reasonable in the payment of their debts.

There is a complex relationship between a commercial operator and government enforcement bodies. That is what makes tolling a special set of circumstances. It is difficult to conclude that there is a lack of information available to people, but the provision of that information is certainly complex and it does challenge some people in terms of following and complying with that information.

**CHAIR:** Sadly, time has beaten us. We are over time. We do have some further questions as well as a question we have placed on notice. Is it okay to forward those to you in writing? Can you get back to us by 4 pm on Monday the 27th?

**Mr Clarke:** Certainly.

**Mr Arnold:** A couple of matters have come up that I could clarify. Is it okay if I put in an additional submission?

**CHAIR:** Certainly. Sadly, the tight time frames we have today have led to this. Thank you very much for your time.

**BARNES, Ms Laura, Senior Manager Policy, Advocacy and Capacity, Queensland Council of Social Service**

**CLARKE, Ms Yatarla, Senior Lawyer, Human Rights and Civil Practice, Caxton Legal Centre**

**FRASER, Mr Michael, Director, Toll Redress**

**GIBNEY, Mr Jim, Coordinating Lawyer, South West Brisbane Community Legal Centre**

**GRACE, Mr Stephen, Coordinator, LawRight**

**HOLMES, Mr Paul, Senior Lawyer, Civil Justice Services, Legal Aid Queensland**

**HUGHES, Ms Paula, Lawyer, LawRight**

**JOHNSTONE, Ms Maddison, Director, Toll Redress**

**ROACH, Mr Sam, Seconded Lawyer, LawRight**

**ROGERS, Ms Sarah, Barrister-at-Law and Volunteer, South West Brisbane Community Legal Centre**

**CHAIR:** Welcome. I will go to the members on my left to start questioning.

**Mr SORENSEN:** My question is to QCOSS. What has been your experience in dealing with the toll operator in terms of hardship cases? Can this be improved further?

**Ms Barnes:** Thanks for the question. QCOSS has had a number of engagements with Transurban as the toll operator. Our engagements with Transurban have been very positive. We believe Transurban have made a number of very positive steps in supporting customers in financial hardship and are taking an honest look at how they can improve their processes. That is not to say that further work cannot be done in this area. We were involved in the trial at Logan. We support the outcomes of that trial, particularly the dedicated hardship team and the dedicated phone link to that hardship team, particularly for representatives of consumers. We are talking about financial counsellors and other community support personnel, because we know that consumers who are vulnerable in the market have difficulty accessing the support and assistance they need. They are not always forthcoming in taking the initiative to contact people. Having support around them, either financial counsellors or my colleagues here from the legal centres et cetera, can be really valuable in supporting those consumers to navigate the system.

We are very supportive of the aggregation of debt across time periods to reduce complexity for consumers. We would probably say that more needs to be done there and we would support our colleagues in their calls for aggregating across a 30-day period rather than in smaller time blocks. Our engagement with Transurban so far has been positive, and we look forward to continuing to work with them to make further improvements to the system.

**Mr BOYCE:** My question is to Legal Aid. Could you please expand on your recommendations for complaints handling as outlined in your submission, particularly how these might enhance the overall customer experience?

**Mr Holmes:** I think there is scope for improving complaint handling in two respects. One is complaint handling with Transurban. At that initial stage I think there is scope for expanding the hardship pilot that my colleague referred to. Part of what we see is that people are not keen to address this problem early. Obviously the earlier you address it the less likely the debts are to get greater and become so large that people will not engage with them. Unfortunately, we see that a lot.

One of the things I think would help a lot is that, instead of the bills ticking over every three days, toll debts could be treated like any other essential service—like a bank debt, electricity, water or rates—by setting up a 30-day bill scenario with 14 days to pay. People are more likely to factor that into their budget and are more likely to pay it off before any of the admin fees start making it impossible for them to pay off. To do that, Transurban will need to continue to improve their call centre and how people interact with that call centre, because our feedback at the moment is that their call centre is still pretty difficult to deal with. I am encouraged by their hardship pilot addressing that.

On the other side, we think the Tolling Customer Ombudsman needs greater powers to be able to address disputes earlier and have more disputes referred to them. There is a double problem there: one, they probably do not have enough power and, two, awareness of the ombudsman is not as high as I would like it to be.

**Mr SORENSEN:** Would you recommend using email addresses to contact people?

**Mr Holmes:** Email is a vexed question for me, and I have the same view about information being on websites. A lot of our clients either cannot afford the internet or, when they do access it, it is through the local library so their access to that sort of information is not as prompt as we would all like it to be.

In terms of contact, I think there should be both a technological attempt to contact—whether that be email or various things like that—and direct mail. People who have been the victim of domestic violence, for example, move address a lot so the mail will not get to them, and for people on a low income email is hard to access. You need both approaches in order to successfully access people.

**Mr SORENSEN:** I come from Hervey Bay. A lot of people move in and move out all the time. Most of the complaints that I have had is that the mail has not been passed on. If they were contacted by email or even by telephone sometimes, people would know that they have these debts. I can tell you that a lot of people do not know that they have these debts.

**Mr Holmes:** I would certainly support your experience that there are a lot of people who do not know that they have these debts. That is why I am saying that you need a dual approach to contact, because you are more likely to get them if you are trying more than one avenue.

**Mr BOYCE:** My question is to Toll Redress. Can you outline your concerns in relation to customer complaints? Do you consider that they are being adequately addressed?

**Mr Fraser:** When it comes to customer complaints, you will often hear Transurban say that there is only a small percentage of people who fall through the cracks. What we are looking at is how those people get treated, regardless of the numbers. From our experience and what we see of the way Transurban communicates with the customer from the get-go—when a customer rings up and wants to identify how much debt they owe—that is where the problem starts. Someone rings up to find out that they owe \$400. They say, 'I'm going to make a plan to pay that. I will call back tomorrow and pay.' They call back the next day and someone from Transurban says, 'No. You don't owe \$400; you owe \$700.' They say, 'Hang on, what's going on here?'

Then they say, 'There is some other debt coming through the pipeline.' They say, 'Hang on. Haven't I got a payment plan going on with the state?' Then they say, 'That is for another toll. That is elsewhere, but you need to pay this or it might go to a debt collector tomorrow and then you will have to deal with them.' What you find is that the customer gets so confused and Transurban do not stop and help that customer work through the problem. They say, 'It has gone to the debt collector now. It is not our problem,' or, 'It has gone to the state. We have nothing to do with the state.' People get overwhelmed and so they do not do anything about it. It escalates and the next thing you know—and we have seen 688 cases in the last year—Transurban are suing customers for largely administration fees that they put on top of the unpaid tolls.

**Mr BOYCE:** In your experience, then, what would be the top three complaints by category?

**Mr Fraser:** Administration fees would be No. 1. Video-matching fees would be No. 2. Etags not working would be No. 3. In addition to that, really bad customer service on the phone—not being able to translate what your problem is on the phone to address it and getting inconsistent information in relation to that. We did a test, by the way. We called them up over a period of weeks. We called the local call centre and the foreign call centre asking the same 10 questions and we got inconsistent information consistently.

**Mr KATTER:** My question is to QCOSS. You acknowledge that the hardship pilot is a good one. Do you have any other suggestions to improve their service?

**Ms Barnes:** Yes, absolutely. As I say, we have been encouraged by some of the actions already taking place. We would say that we need to make the system fairer, simpler and clearer for consumers. We think that the three-day time period around payment of tolls, as my colleague alluded to, is unfair. It does not provide people who may be in very difficult circumstances with enough time to make that payment. The fact that admin fees start accruing immediately after three days compounds the problems that my colleagues are talking about. Immediately after three days I think \$8.25 is added to your toll debt if it is not paid. That is in three days. Then there is another fee after 14 days and another one after 30 days. These fines and fees are accruing at a very fast rate. As my colleague said, we would support adopting the standard process that exists across all essential



services around 30-day accounts, where tolls are aggregated across that 30-day period and people are given 30 days to pay. That would seem to make sense to us. It provides some certainty and allows for consumers to budget clearly.

Also, in regard to the hardship policies, we are pleased that Transurban has joined the Thriving Communities Partnership initiative that started in Victoria. One of the things that has come through that work that we would encourage Transurban to pick up is not requiring onerous proof of hardship to get access to the hardship policies and procedures that exist within Transurban. I had a look at the hardship policy online yesterday. It is asking people to provide proof of that financial hardship through certified copies of documents et cetera. That is an onerous thing for people to do, particularly if they are in difficult circumstances. We have seen other providers pick up the mantle of taking people's word for it. We know that very few people try to game the system. That is often used as an excuse by essential service providers about why they require such onerous proof, but we know that very few people game this system. When people are in financial hardship, I think it is unfair to ask them to provide reams and reams of proof of that. They might be escaping domestic or family violence. They might have a history of mental illness or drug addiction. All of those sorts of things are only compounded by onerous requirements to provide proof.

**Mr KATTER:** I am interested in country people. The other day I asked Transurban about, say, a mum from Boulia who takes her kids to Brisbane for the first time and is not very tech savvy. They said that they can accommodate that. There is forgiveness for the first time, when they did not know what they were doing. What is your experience with those sorts of issues? Is there much of that? It is of concern to me because it is hard enough when you are driving to the city to navigate and then you have this other layer of complexity with the tolls. I would be interested in your comments on that.

**Ms Barnes:** I do not know that I have extensive experience in that, but what we do know is that, again, Transurban have attempted to improve their processes, as you have touched on. However, again they are relying mostly on electronic modes of communication and engagement, so it is through an app, online et cetera. Again, that is good. I downloaded the app yesterday. For me it is reasonably simple to use, but we know that that is not the case for many people. I think there is a requirement to exhaust all avenues of communication and provide communication through as many channels as possible.

I agree with you. In my personal experience, when my mother came down from Hervey Bay she struggled with the tolls—how do you do it, getting a tag and all of those sorts of things. We know it is difficult, particularly when people have not had constant exposure to that. It is about the provision of information as clearly as possible through as many channels as possible in ways that are as accessible as possible. We support Transurban's approaches to make information accessible for people who speak languages other than English who come from culturally and linguistically diverse backgrounds. Again, it is still quite challenging for people, as we know.

**CHAIR:** My question is to LawRight. In your submission you state that the privatisation of roadways impacts more significantly on those who live below the poverty line. Could you explain what could be done to alleviate those impacts and why the use of non-tolled roads may not be an option?

**Ms Hughes:** In our submission we also supported the submissions of QCOS. I would refer to their comments around the privatisation of roads. I support their comments that privatisation of roads is not necessarily a bad thing, but the impact that we have seen through people experiencing severe hardship is that, when there is a system built on the financial capacity to use those services and then there is a fines enforcement system for people who do not promptly pay for those services, that is of course going to have a disproportionate impact on people who do not have a disposable income.

**Mr MELLISH:** My question is to Legal Aid Queensland but potentially it is also to LawRight and to the Caxton Legal Centre. Do you have any further feedback or experiences with the hardship pilot?

**Mr Holmes:** The limited experience we had with the hardship pilot was very positive. We have fairly extensive experience around hardship in the banking and finance area and in terms of other essential services. Obviously in those industries the hardship programs are more developed than this one currently is, but we would say that this is a really good start. We want to see it expanded to other areas, because it is not just the Logan areas that experience hardship issues. We look forward to working with Transurban to see that expanded because we think it is very useful.

A comment was made earlier around enforcement through the Queensland enforcement system being necessary. I would dispute that a little bit. If you set the process up so that it is accessible for people very early on in the process, they are much more likely to engage with it and they are much more likely to find a way of paying it if they feel like their circumstances are being looked at and taken

into account. Hardship pilots, like the one that has been started, are the sorts of things that will start people engaging with Transurban a lot earlier and not see the debts expand to such levels that people will spend potentially 20 or 30 years paying them off through SPER.

**Mr MELLISH:** It might be out of your catchment, Caxton Legal Centre or LawRight, but have you had any experience with it?

**Ms Clarke:** I have not, but I think that clear communication of the availability of the hardship pilot is really important to ensure accessibility.

**Mr Grace:** Similar to Caxton, we have not had any direct engagement with the pilot program itself. I would say that we have seen a significant improvement from our interactions with Transurban over the last 12 to 18 months which, as Paul said, is a really positive thing. That engagement has certainly improved. For many of our clients, by the time we see them through one of our legal clinics the matter has escalated well past Transurban and it has then been transferred to the department of transport or to the Brisbane City Council for enforcement. At that stage, those sorts of hardship programs are no longer something that is a relevant consideration for many particularly vulnerable people. People who are transient, who have had periods of homelessness or who are escaping violence might be facing a really significant debt that is no longer sitting with Transurban but is now part of that enforcement process through the various government bodies.

**Mr BROWN:** My question is to Toll Redress. You are also busy with the wage theft inquiry as Franchise Redress; is that correct? I am more familiar with your submissions on that. Why do you work in these two areas?

**Mr Fraser:** It just happened that way. People came to us with issues and it developed over time. The tolls came about ultimately because of an experience that my girlfriend had at the time. I was doing research and that is how we began looking into the tolling industry. The wage theft started back when Maddison and I were working together with 7-Eleven, and we have done Domino's and the Retail Food Group. It is about fighting for people who cannot fight for themselves and trying to do it in a professional manner.

**Mr BROWN:** Do you see similarities in the types of people who are coming to you in the two drastically different fields?

**Mr Fraser:** Yes and no. Tolls seem to affect everybody. Wage theft affects everybody as well, but in the tolling sector it is a very different experience because it seems to capture people who have no understanding of the law and it also captures people who are lawyers. We have met so many different people who have been affected and who have had to pay egregious fees in the tolling system.

**Mr BROWN:** I suppose you were here to hear the answers to my questions of the ombudsman. They differ from your submission in which you state that you have never come across someone being compensated. That was different from what he said about the two cases. Would you mind clarifying what you see as the difference in the two submissions?

**Mr Fraser:** I think a big part of our research is that we always try to source it from the source. In our submission we reference, from memory, the tolling ombudsman's website. I had it up before. It clearly says that he does not have the power to enforce compensation but he can recommend it. He was saying before that he can enforce it. I am not sure if he wrote the content on his website, but that came from his website.

**CHAIR:** You also recommend appointing a new tolling ombudsman service entirely independent of the commercial toll road operators. Can you flesh out your reasons for that? I understand that these questions have been asked, but I would like to get your view on it as well.

**Ms Johnstone:** I think a number of the problems we have had with the Tolling Customer Ombudsman are that a lot of people are not even aware that he exists. When they go to him they find that they are not really listened to and that he normally defaults to the toll road operator.

As an example, we had a woman whose son was being pursued for toll debt that was actually the other son's. She was trying to make the other son take responsibility for it. He was prepared to, but the toll road operator would not listen and said, 'No, it is this son here who has the debt.' They went to the Tolling Customer Ombudsman and the ombudsman said, 'Just deal with it. The toll company is right. It is this son.' She then came to us. We helped her write an email. The toll road operator eventually listened to her and they went back to the other son, whose debt it was.

Our problem this whole time has been that the Tolling Customer Ombudsman does not appear to listen to the customers and just defaults straight back to what the toll road operator wants him to say. We think a more legitimate process with a board of representatives from industry and consumers is crucial, and that is also according to the Australian and New Zealand Ombudsman Association, Brisbane

which is the peak body of ombudsman services—and also for it to be a not-for-profit service. That is where we have come from in this instance. We want a more regulated ombudsman service in the tolling industry.

**CHAIR:** Would seeking admission to the Australian and New Zealand Ombudsman Association help in some way to alleviate your concerns?

**Ms Johnstone:** As long as they fulfil those requirements, but we think it would be more appropriate to have a completely overhauled service where it was not the toll road operator who chose the ombudsman; it was a state appointed, rather than a state approved, ombudsman.

**CHAIR:** Thank you.

**Mr SORENSEN:** This question is to LawRight. Clearly, you have had extensive experience in dealing with toll road user fees and charges, particularly the impact of the escalating process on vulnerable customers. Could you indicate how you believe that this could be addressed through this inquiry?

**Mr Grace:** I think one of the common themes in our answers today is the idea around improved communication and the timeliness of that communication. What we have seen with our clients' experience and what we have heard through our conversations with other services that work in this area is that many people who are particularly vulnerable are often unaware that they have a toll debt. They are often unaware of the process for enforcing those debts.

As the Queensland Ombudsman said, the system is particularly challenging. It is challenging for people who work in this space and it is even more so for people who have other challenges—those who may be illiterate or who have mental health concerns. For us, we would really like to see an improved communication process, which means that there is a much greater chance that vulnerable people, or the community more broadly, would be made aware of the fact that they have a toll debt and also what the system is.

One of the challenges we have seen across this area is that often the communication from the department of transport or from the Brisbane City Council is confusing, or it does not necessarily provide what we call clients, but members of the community, with a full range of their options. From memory, the Queensland Audit Office report looked at responses that people could raise if they receive an infringement notice. There are legal responses that they can have around reasonable excuse. That option is very rarely raised. In our experience, people are completely unaware of that until they sit down with a lawyer.

We suggest that you should not need to seek our assistance or the assistance of another legal service to be made aware of your rights and responses, particularly when the consequences can be rather significant—when it can be a \$20,000 or \$30,000 debt that is enforceable by the state that is backed by the power that SPER and the state have to enforce that debt. It is important that people are made aware of their rights and are assisted to put their circumstances to the relevant body so that that response can be appropriately considered.

**Mr SORENSEN:** What would be the worst case you have seen where the toll road fee was a small amount compared to what the person was paying?

**Mr Grace:** The first comment I make is that the toll road fee in many ways is unrelated to the fee that has been enforced by the state.

**Mr SORENSEN:** What is the difference between the two?

**Mr Grace:** While I acknowledge that this has changed recently and there is a grouping of some demand notices, that was not the case previously. We saw instances where people had debts to the state in excess of \$20,000 relating to tolls that would be well under \$1,000. Although there is no connection between the toll debt and the fine that is associated, we know it is significantly larger than the costs of the fines.

**Mr BOYCE:** My question is to the Caxton Legal Centre. What area would you consider would have the greatest potential to improve the customer resolution process?

**Ms Clarke:** I think the biggest issue is having two ombudsmen dealing with toll related debt disputes. It is very confusing for customers. At the moment, the Tolling Customer Ombudsman cannot assist in matters once debts are referred to the state or to the Brisbane City Council. It would be much better if there was just one ombudsman service.

Part of the problem is that tolls can be pursued either privately by the tolling operators or referred to SPER. This process is very confusing for a lot of people, especially when you get into the situation where one person may have tolls that have already been referred to the state and then on to SPER at the same time as having debts that are pursued through the civil courts, for example.

**Mr BOYCE:** This question is to the South West Brisbane Community Legal Centre. How could the unpaid toll escalation process and the arrangements between the operator and government agencies be simplified?

**Mr Gibney:** It is a mystery to us how the toll road operator decides whether to pursue a debt through the civil courts or refer to SPER. What we focused on arises from our casework where clients who present to us are being pursued through the state Magistrates Court where the unpaid tolls are not pursued through the SPER system. In our experience—and I should say that we have had nine to 10 clients over the past eight or so months—most often the client presents with a Magistrates Court claim and the process has not gone through to judgement. We have been able to negotiate with the toll operator for an outcome to suit the client to an extent. To illustrate, when one young client who had no work at the time presented, we were able to negotiate time until he was able to obtain employment and then enter into a payment arrangement for a much reduced amount. A claim of about \$20,000 was negotiated down to a settlement of a payment of \$5,000, which related more to the tolls than to the administration charges. Time to pay and an instalment plan was entered into.

In other cases, our clients had no capacity to pay at any time in the foreseeable future. They are the cases that we particularly focus on in our submission. We recommend that the provisions be changed in the civil procedure rules so that a person with no capacity to pay is recognised as judgement-proof. We believe that this would have an impact on the outcome for those clients who have no capacity ever to pay. The toll road operator could have regard to that—that it would be futile to pursue those people who are already in extreme financial hardship. We think that this small change will have a meaningful impact on the outcomes for those particular clients of ours.

**Mr BOYCE:** Given that, could you advise the committee where you consider to be the most prospective opportunity to help address the concerns of your customers?

**Mr Gibney:** We broadly support all of the submissions made by Caxton, LawRight, QCOSS and Legal Aid. Our submission focused narrowly on that point—where we recommend the change to the civil procedure rules so that no instalment order can be made. A prohibition is made on an instalment order being made by a court in a case where the toll road operator has pursued for a civil debt.

Where a prohibition is in the legislation, we believe that Transurban will not pursue clients once they are aware that our clients, for instance, are judgement-proof. When that is explained to the toll operator we believe that they will not pursue it, because it is not in their interests to take meaningless legal action. It is just pointless. Once they understand that—that our clients are, in effect, judgement-proof—those cases will not be brought and will not be wasting the time of the state agencies, the courts, and will not be oppressively hounding our clients.

Even if it is not the toll operator, once a judgement is entered, often debts are sold in the private marketplace—factored out. Our clients are then often subject to years of harassment from debt collectors, whereas if there is never any possibility of the debt being collected—if this legislative backstop is put into the legislation—we believe that civil action in many cases will not be even commenced once the toll operators are aware that these clients are judgement-proof. They will be written off.

**CHAIR:** I have a question for QCOSS. You suggest in your submission that the toll road operators implement positive measures to support people's use of toll roads rather than being punitive. Could you flesh that out a bit?

**Ms Barnes:** Absolutely. We know that where there is a flat fee for toll roads those kinds of flat fees impact more significantly on low-income and vulnerable consumers, given that that fee is a greater proportion of their total income. We have looked at and made suggestions about potential discounts for multiple trip users, for those users who use toll roads a lot. Personally, I go back to this idea of understanding that our travel patterns—indeed our life patterns—have changed. In many ways, toll fees and this idea of a viable alternative route are based on an old-fashioned understanding of travel patterns, which is one trip to work and one trip home from work. That just does not exist anymore. What we have is people making multiple trips every day: picking children up from schools that may be in different areas, particularly if they are going through a change and transition in their life. Potentially, there could be multiple trip concessions for those on low incomes, and that can be simply done. We know that DTMR already apply concessions to health care card holders et cetera. That is information and processes that are easily accessible.

One of the most effective strategies for us is proactive, up-front and easily communicated hardship policies. An effective hardship policy benefits both the consumer and the toll road operator because it means they do not have large amounts of unpaid debt sitting on their books. There could

be an up-front service that supports people that is proactive, enabling people to get access to hardship policies and procedures, waiving administrative fees and administration charges. We know in this instance that they are punitive. I would refer you to Transurban's own submission where they outline exactly what each of those fees is. It shows \$8 for three days and another \$10 after 14 days, so waiving some of those fees for low-income and vulnerable consumers would also be a very positive step, in our opinion.

**CHAIR:** Once again we have gone slightly over time. I thank you all for coming along today. You have raised some other questions with your answers, so we may have some other questions for you. I note that we need them back to us by 4 pm on Monday, 27 August. No-one has any trouble with us getting some extra questions to you? Once again, there will not be a heap. Thank you all very much.

**COLLINS, Ms Julia, Industry Policy Adviser, National Road Transport Association (via teleconference)**

**MAHON, Mr Gary, Chief Executive Officer, Queensland Trucking Association**

**MISZKOWYCZ, Mr Gregory, Principal Traffic and Safety Engineer, RACQ**

**TURNER, Mr Paul, Chief Communication Officer, RACQ**

**CHAIR:** I welcome representatives of the Queensland Trucking Association, the RACQ and the National Road Transport Association.

**Mr MELLISH:** My first question is to the Queensland Trucking Association. You mentioned in your submission the market-led proposal process, specifically for the Logan Enhancement Project. Could you elaborate on that? How do you see that process in terms of getting that new infrastructure and how does it affect your members? Is that a good model going forward?

**Mr Mahon:** With respect to the market-led proposal, we were the first MLP to get underway under the state Labor government. Generally speaking, it was a fairly positive process for our industry. We do not necessarily like paying additional tolls, but in the process of that negotiation certainly what we do understand is commerce. That particular process allowed that investment to come forward in the order of about 15 years. It was a particularly significant issue in terms of congestion around the Logan area.

There were a few elements to it that did encourage some support from our industry. The first was the design of the infrastructure. We had an active and engaged process in the development of the design. In actual fact, due to the input from our members the design variations probably cost an additional \$60 million, but it certainly satisfied our people significantly better in terms of the way it related better for heavy vehicle traffic and the design of bridges, overpasses, off-ramps and the like.

Bringing it forward 15 years was of significant benefit for us in that it reduced trip times in the order of about 40 minutes. They were measurable and quantifiable benefits. Last and certainly by no means least, which is quite different to processes we have experienced in the past with government, the additional toll fee that we are going to pay does not have to be paid until we are actually experiencing driving down the new infrastructure. Until such time as we actually feel the refreshing breeze of change, we will not actually be paying for that investment. On the basis that we pay once the infrastructure is built, secondly that we had an active and constructive part in the design process so we could influence it in a way that suited heavy vehicle traffic that bit better and, last but not least, that we had early warning about what the toll price was going to be and that gave people some opportunity to factor that into their cost—that is my quick summary. It introduced about 15 kilometres of extra lane as well in and around that Logan area. It was quantifiable that we would reduce trip times by around 40 minutes. That was pretty significant for an area that is quite a large-scale distribution centre.

**Mr MELLISH:** More broadly speaking—and I have seen that your submission has a bit of a comparison of toll roads in Australia—how do Brisbane and South-East Queensland compare in terms of prices, new projects and a toll road comparison?

**Mr Mahon:** Firstly, we have been able to negotiate a formula that is very important to us, which is that we are on or about three times car. Might I also say that that is not necessarily a quantifiable amount that relates directly to the wear that we might create, but we are trying to negotiate a price that our people can afford and that is commensurate with the savings they might make in terms of the trip times and, more importantly, consistency of trip times. With time-sensitive freight and working in and around the more congested areas, certainty of trip times is quite valuable to our people.

On a comparable basis across the country, Queensland is probably marginally cheaper than other states. We have also drawn comparisons to places like Canada; our pricing is similar. However, at the same time we are advocating quite hard for what I have dubbed differential tolling. We have had some concession with Brisbane City Council in that time-of-day variations have been introduced. We would like to see more variation in the pricing structure for heavy transport to reflect that heavy transport more often than not does not really have a choice about using a toll road. We pay significant costs in terms of road user charges for the fuel excise and state registration charges, but toll roads are in addition to that cost. With heavy transport, more often than not we do not have a choice about using toll roads. Cars can often deviate around them much more readily than a truck can. Bearing that in mind, we think it is quite reasonable to consider a differential package for heavy transport that

attracts heavy transport to use toll roads a little more, so it is an incentive based pricing, and there are secondary benefits around congestion, safety and a variety of other measures that I think are important in terms of traffic considerations.

**CHAIR:** In your submission, as well as in others, you have commented on heavy vehicles being required to use toll roads. What are the guidelines around which heavy vehicles are required to use the toll roads? Do heavy vehicles receive any compensation because of that requirement?

**Mr Mahon:** At this point in Queensland there is no mandatory use of toll roads, although it is being contemplated, as I understand, for the Toowoomba Second Range Crossing. We certainly would be averse at this point to mandating. The option should at least be there for people to take a variation if necessary. If it is going to be mandated, it should be compensated in some way.

As I pointed out in the submission, we are very concerned about the change in policy by government in terms of tolling regional infrastructure; that is certainly the proposition. Where that might lead is our concern. A second concern is that a reasonable price is struck for what is otherwise an outstanding piece of infrastructure. At the same time, the road transport industry is not a cash cow; it is not an ATM for government. All of those costs that our people have to meet are passed on in some way to other parts of the supply chain and, ultimately, to the customer.

**CHAIR:** We had some submissions—and one was probably yours; we have read a lot—about the location of some of the tolling points. Those submissions talked about the fact that a truck or a delivery driver may have to exit the Logan Motorway after they have paid a toll and then come back on and pay the toll again just for a local delivery. I wonder if you could comment on that.

**Mr Mahon:** That can occur depending on the particular circumstances of your delivery run. I would expect that to be something in the smaller freight category. Certainly those types of circumstances can arise.

**Mr BOYCE:** My question is to the Queensland Trucking Association. Could you please outline to the committee the merits of differential tolling as per recommendation 1 in your submission and advise on the different time-of-day pricing that the heavy vehicle industry has negotiated with the toll operator?

**Mr Mahon:** In the first instance, my comment is about congestion. It is also about a reasonable price for our people to take that alternative. If you want to incentivise movement of heavy vehicle freight it needs to be so that they can see a benefit—and trip times, certainty of trip times and those sorts of things are the types of benefit they would acknowledge or recognise—and, secondly, it has to be at a reasonable price.

As I put in the submission, a lot of people forget how much scale is involved for our people at times. I have fleets in this state where the fleet across the country is doing more than a couple of hundred thousand kilometres a day. I have people who pay toll charges per month in the hundreds of thousands. That is because of the nature of their business. I have other members who would not pay tolls at all. It depends on where they operate and what they do. There is a sort of a mid-range group who have a choice about whether they use it or not.

If you incentive-price that around more certain trip times and better travel arrangements in terms of them not doing as many gear changes, accelerating, decelerating and those sorts of things—if you price that in a way that is attractive to them, you will draw them across. They are frequent flyers, so to speak. You can look at day passes, time of day and whether it is a high-productivity vehicle or not. As an example, if you take a semitrailer doing a fixed freight task and move all of that freight on to B-doubles, you reduce the number of passes by a truck by about 30 per cent. If you then take that freight from a B-double to an A-double, which is only four metres longer, you reduce the trips by another 30 per cent.

Sometimes people are a bit averse to heavy vehicles, but they are extraordinarily safe vehicles. Australia is unique in its use of multi-combinations in the world circumstance. If you compare us to Europe or the US, Australia is unique in terms of its productivity arrangements. Multi-combination vehicles are very much a unique characteristic of the Australian trucking industry. If you incentivise high-productivity vehicles onto your network, not only are you attracting them at a price that can somewhat contribute to the cost of that infrastructure; you are also contributing a significant benefit to congestion, because you are reducing markedly the number of trips that are involved to move a given amount of freight. There are benefits all around.

We have a number ideas about how incentives could be placed. Victoria is now committing to more of that differential tolling, similar to what we have been asking for. If you get the price right, you will incentivise them across. You will incentivise the types of vehicles you want running on the network as well.

**Mr BOYCE:** Could you expand on how you would envisage an independent road transport pricing regulation might be applied, mindful that each toll road concession agreement would currently have different financial arrangements?

**Mr Mahon:** The federal government currently has out for comment a regulatory impact statement which the Australian trucking industry is commenting on. We are looking for an independent price regulator, so that we would feel more comfortable that an appropriate pricing structure is being struck for the true cost of using trucks on the network.

At the moment, we pay through a number of mechanisms. We pay through the fuel excise, we pay through state registration and we pay tolls. There are serious considerations in a couple of other states about congestion pricing. We are also paying quite an escalation in port pricing. At the moment, the only two taken into account for us are state rego and the fuel charge. Tolling is not included in the assessment of our costs. When you consider the growth in toll roads and that there is a policy shift in that governments are starting to look at regional infrastructure for tolling, we are insisting that tolling must be factored into the assessment of costs. If we had an independent price regulator, we are confident that it would be more likely that those sorts of costs would be factored into the overall assessment of heavy vehicle fee structures.

**Mr SORENSEN:** My question is to the RACQ. Can you please advise the committee of the RACQ's assessment of the congestion in South-East Queensland? What are the top three priorities for the RACQ in terms of making toll roads more attractive to motorists?

**Mr Turner:** At the end of the day, we think the traffic volumes are not what we would like to see, particularly in the inner city. We have a different view from Transurban about traffic numbers and growth in congestion. In fact, over the past few years we have seen growth in congestion around the CBD, particularly on the alternative routes to the motorways. While, for example, Transurban have said that in the past decade the traffic on toll roads has grown at a rate of five times faster than the broader road network, they fail to say that the 2014 figures did not include two toll roads. Legacy Way, for example, was not in those numbers. If you go from four toll roads to six toll roads, you are going to get an increase in traffic volumes. Unfortunately, we have also seen an increase in congestion on the alternative routes during that time.

We would say that the outside-city toll network has been extremely successful. The Gateway and Motorway toll roads are successful and valued by motorists. We think that Airport Link is a world-class link between the major airport and the CBD. We are seeing good growth on that network. Unfortunately, that is balanced by some inner-city toll roads that we think are grossly under-utilised, which is adding to congestion on roads such as Milton Road, and that are priced incorrectly to get the best capacity outcome.

I will ask Greg to talk. We have done an independent assessment of the capacity of the current toll road network on a per road basis.

**Mr Miszkowycz:** When you have a look at the capacity of these toll roads, essentially you look at what the toll road could carry over what it is actually carrying. At the moment with some of these toll roads, some people will pay the toll and some people will avoid paying the toll and stick to the surface routes. We work out what the volume would be on a typical day. It might be 1,500 to 1,700 vehicles per lane per hour over about a 12- to 14-hour period of a day. That is how we get what would be referred to as capacity on a well-utilised bit of infrastructure. At the moment, Clem7 is sitting at about 31 per cent, along with the Go Between Bridge. Airport Link is at about 45 per cent and Legacy Way is sitting at just over 22 per cent. They are not very well utilised. They could be delivering a lot more for the network in terms of getting traffic off those surface roads, putting them onto the tunnels and the bridges, and getting them to where they need to go without interacting with everyone else who does have a surface trip to do.

**Mr Turner:** To clarify that point and answer Mr Sorensen's second question, in Queensland what we have seen is unique in the fact that we have one operator. The RACQ was asked its views about this four or five years ago when it was put forward. It is worth remembering that at the time there was a huge degree of confusion by motorists. There were three different toll operators with three different billing systems which caused a great deal of confusion. At the time we advocated that we were comfortable with a monopoly operator, but we were also under the clear impression from the monopoly operators who were bidding at that time that there would be advantages for motorists in that. The one that we spoke about in 2014 and that we understand has been investigated—in fact, reports have been done by Transurban—was around multiple-use discounts, or the coffee-card system as they call it. It was incentives to drive traffic into the roads where we needed it.



The fact of the matter is that Transurban will talk about growth on their network, but that growth has been on a couple of roads. It has not been growth on Legacy Way, Clem7 and the Go Between Bridge. The Go Between Bridge is not even included in Transurban's tollways when it comes to working out the average cost of a toll, because it is the most expensive toll in Australia for a 170-metre tollway. We think Transurban has a responsibility as a monopoly operator, essentially leasing assets that have been built by government and in some cases, such as the Legacy Way, funded by the federal government to the tune of \$500 million. Like the big banks and big insurance companies, they have a responsibility to operate in a way that is good for the network and good for the system overall, and not just shareholder driven.

**Mr BROWN:** My question is to the RACQ. Being from the east side myself, I can remember the promises of the Clem7, for Wynnum Road in particular: 'This is going to fix Wynnum Road. This is going to be fantastic. You will not have to worry about traffic jams anymore.' I want to look at the estimated daily vehicle capacities that were provided in the lead-up to these infrastructures being built, and I refer to the Brisbane City Council ones—that is, Clem7, the Go Between Bridge and Legacy Way. Did the Brisbane City Council overinflate their figures in the beginning or is it Transurban that have caused a disincentive to go onto the infrastructures because of their fee structures, or is it both?

**Mr Turner:** That is an excellent question. There are two things in play. Certainly, the commercial listed companies that first floated particularly Airport Link and Clem7, we believe, overinflated the traffic volumes that could be anticipated on each of those roads by a lot. One of them would have been the equal of a toll road in Hong Kong with the traffic volumes that they anticipated. That was definitely the case with certain of the private sector operators. As we often say, it is far better to be the second owner of a toll road in Queensland than the first. Many Queenslanders lost money on those roads. It is not often talked about, but the fact is that those roads were funded by shareholders who lost a lot of money.

In the BCC's case, I think Clem7 and the Go Between Bridge have been underwhelming in their traffic volumes compared to predictions. The BCC possibly learned from that and moderated Legacy Way down. We are now seeing numbers that are around what we expected for Legacy Way. That is not to say that Legacy Way is at capacity. What we have seen is government and operators getting better at underquoting on what the traffic volumes might be so that they hit them, rather than looking at the capacity, which is really what we have done.

We have not referred to those original traffic numbers. We think they are bogus and they were bogus at the time. We have done our own investigation on what we think the capacity of those roads is. Those are the numbers that we are using.

**Mr BROWN:** The Upgrade to Wynnum Road is happening now. Is Transurban coughing up a cent for that Wynnum Road upgrade? They will get a benefit, a bit like with the Logan Enhancement Project. You would get a benefit if you are priced right and you can come along Wynnum Road at a quicker rate and then onto the Clem7. Are they contributing to that infrastructure?

**Mr Turner:** No, I do not believe so. The RACQ takes a network view, I think it is fair to say. We want to see the best outcome for the motorist and for the city. That means the best possible utilisation of the entire network, which is why we are disappointed with what is happening with the inner-city networks. In some cases, like the Gateway North and Wynnum Road, they will definitely benefit from traffic volumes on toll roads because they will help traffic flow better to those roads.

We supported the Logan Enhancement Project for all the reasons that Gary outlined. It was a bit of a no-brainer. It brought forward by many years a project that is going to help the network. We supported the ICB upgrade for much the same reason. However, we need to be careful about how we look at this, because we do have only one operator in Queensland and there is no competition on the network. Therefore, we need to understand that every time we hand a project to that one operator we are only strengthening their market position.

**Mr BROWN:** Thank you for that. I note the RACQ's commitment to the overall network with your support for Cross River Rail. Even though it is not a road project, you are fully supportive of it. Finally, if Transurban take on a recommendation of incentivising and that works for them and their profits go up, should the Queensland taxpayer have to compensate if that comes to fruition?

**Mr Turner:** Absolutely not. We do not agree with the proposal that has been put forward in Sydney, for example, where the state government is essentially subsidising private toll roads. Transurban is a listed company and we understand that. They have responsibilities to their shareholders. However, they have had a significant increase in profit in the last year in Australia. As we are seeing through the inquiry into financial services, we think that all listed companies and all

organisations have a responsibility to put back into the communities. The best outcome for Queensland, and for Brisbane in particular, is to have more traffic on Clem7, the Go Between Bridge and Legacy Way in particular. We think that an incentivised program of multiuse discounts or something similar would help drive that outcome and benefit the entire city.

**Mr MELLISH:** I have a couple of questions for the National Road Transport Association and Ms Collins, who is on the phone. My question is in relation to your submission. I like a numbered submission, as it makes it easier to point to what I am talking about. At point 9 you talk about Transurban's preferred approach whereby the Logan Enhancement Project and the Inner City Bypass upgrade were paid for by an increase in the heavy vehicle multiplier. Given that the Queensland Trucking Association said that the Logan Enhancement Project was brought forward by 15 years essentially by that increase in the multiplier, do you have any views on the Inner City Bypass project, given that that did not actually bring forward the project at all?

**Ms Collins:** Can you repeat the last part of your question?

**Mr MELLISH:** It is a question around the Inner City Bypass upgrade and the increase to the heavy vehicle multiplier on that.

**Ms Collins:** Our concern was that tolls are being increased for heavy vehicles using toll roads to actually fund upgrades to the Inner City Bypass. It is about being charged for benefits that they are not actually receiving, because the money is being used for an upgrade to another road. We have concerns that that does not appear to be fair.

**Mr MELLISH:** Thank you.

**CHAIR:** Thank you all very much for your time, including being patient on the phone. We did get one question in. No questions were taken on notice. We will take a 10-minute break and resume at 10.40 am.

Proceedings suspended from 10.30 am to 10.41 am.

**GALES, Ms Marie, Manager, Transport Planning Strategy, and Manager, Congestion Reduction Unit, Brisbane City Council**

**GILLAM, Ms Linda, Business Improvement and Strategy Manager, Brisbane City Council**

**STEWART, Mr Scott, Divisional Manager, Brisbane Infrastructure, Brisbane City Council**

**CHAIR:** I now welcome representatives from the Brisbane City Council. We will go straight to questions.

**Mr MELLISH:** In relation to some of the comments from the earlier session about the Logan Enhancement Project and Inner City Bypass, when did Transurban and Brisbane City Council first start discussing the Inner City Bypass and how that would be funded?

**Mr Stewart:** If I remember correctly, council's budget in 2015 announced the budget for the upgrade of the Inner City Bypass and it was around that time—soon thereafter—that Brisbane City Council was approached by Transurban with the concept of funding the upgrade or contributing to the upgrade and delivering the upgrade of the Inner City Bypass.

**Mr MELLISH:** So 2015?

**Mr Stewart:** That is my recollection, yes.

**Mr MELLISH:** Then the agreement was signed in 2017?

**Mr Stewart:** Yes. There was a period of working out the scope of the project as well, because the announcement then enabled the design and scoping of the project to proceed. There were also then detailed negotiations through that period.

**Mr MELLISH:** My question is around the fact that Brisbane City Council—not yourselves but at a councillor and Lord Mayor level—was still, in 2016 and in the lead-up to the 2016 council election, promoting it as a council project and not discussing it as a Transurban project funded by toll increases. You are probably limited in how far you can go here, but why did it take until 2017 for it to be publicly discussed as being funded the way it ended up being funded?

**Mr Stewart:** The process was run in accordance with council's policy, at that time known as Innovative Proposals but now called Better Brisbane Proposal. There was a structured process whereby the proposal was developed and considered, and through that time the details were worked out. It obviously had not been arrived at until that time. Those policy arrangements are in a commercial-in-confidence process, so that was the way they were conducted.

**Mr MELLISH:** You are probably limited as to how far you can go in answering this, but are you able to take on notice why it was not disclosed in 2016 and why it took until 2017 for that to be put out there in the public?

**Mr Stewart:** I do not have any particular reason other than that I just answered in terms of the process and the commercial process in accordance with council's policy.

**Mr BROWN:** It is a bit difficult to ask you questions, particularly around political policymaking, as noted by the member for Aspley. However, I am still interested in the political policy aspect of not announcing that before the council election. If you could take that on notice and please get Councillor Quirk to respond, that would be appreciated.

**Mr Stewart:** We can take the question on notice and council will consider it.

**Mr BROWN:** Does Councillor Quirk have something to hide with regard to this?

**CHAIR:** Member—

**Mr BROWN:** Next question. Again, this might relate to a policy position. We have heard plenty of evidence this morning. Why has the LNP council built such dud internal toll roads?

**Mr Stewart:** In terms of toll roads, over the last 10 years council has delivered the Clem7, developed the TransApex scheme and Airport Link delivered, the Go Between Bridge and Legacy Way. In today's terms, those roads take 120,000 vehicles off the Brisbane road network on an average weekday. From council's perspective, the toll road network is offering considerable advantages to the network, to the amenity of local streets, to road users and also to people who choose to use the toll roads.

**Mr BROWN:** Do you think the shareholders who lost so much money in the first rounds of those toll roads would agree with the sentiment you have just shared?

**CHAIR:** You are seeking an opinion. Can you rephrase that question.

**Mr BROWN:** It is more of a comment. I will hand over to you, Chair.

**CHAIR:** Thank you. We will move to the member for Callide.

**Mr BOYCE:** Could you please outline the preferred position of the BCC on the best way for customers to avail themselves of the ombudsman service should the need arise?

**Mr Stewart:** The best way to engage with the ombudsman is driven by the customers themselves. In terms of the method in which they contact the ombudsman or make contact with the ombudsman, council does not have a preferred position. It comes down to the variety of methods that are available to them. Whether it is phone, email or another form of contact, they can choose what suits them.

**Mr BOYCE:** Do you consider there is further scope to increase the usage of the toll road network? Where do you think the best opportunities exist?

**Mr Stewart:** The toll road network was designed to have capacity for a number of decades. It has a capacity for now but also was designed for capacity in the future. The council and government in general look to operate the network as a whole. When we look at how the road network is operating we are looking at a combination of things, not just maximising traffic on the toll roads themselves. We will look to get the best overall overcome for the city—in our case Brisbane city.

We are always looking for opportunities to increase, where applicable, traffic on the toll roads—whether that is through how the toll roads are operated, customer service or whatever else is relevant. Wherever there are opportunities Brisbane City Council has always been interested and has worked closely with the Department of Transport of Main Roads and Transurban in current times to make use of toll roads where applicable.

**CHAIR:** Could you please provide or let us know where we could find a copy of the road franchise or concession—whatever the agreement is called—for your toll roads?

**Mr Stewart:** The road franchise agreement or concession deeds are all publicly available. They were tabled in council when they were approved. We have a requirement that they are available in hard copy through our customer service areas. On contact we can make them available. They are very large documents. There are a multitude of volumes. They are made available as requested.

**CHAIR:** For the purpose of our inquiry, would it be possible to even get a large PDF copy so we can have a look at that?

**Mr Stewart:** We can make a copy available in whatever way is convenient.

**CHAIR:** That is much appreciated. A number of submissions have commented, whether correctly or not, that it was always the intention that tolls would be removed once the roads were paid for. Can you make comment on that and advise whether it was council's intention that the tolls be removed?

**Mr Stewart:** The concessions we have for the council's toll roads varied in length. They were generally 50 years from the start of construction. Some were sold as brownfield sites so they have different arrangements. We are a long way from the end of that process. When the toll roads were put to the market in a competitive process, the time frame was set and the particular arrangements for the duration of the concession were set. It is hard for me to comment about what is going to happen in 2040-odd. At the moment we are a long way from that with our toll roads, which have not been established for too long. I saw one comment in that regard in the submissions. I do not think that would have been referring to a council toll road, given the more recent nature of them.

**CHAIR:** Pre Transurban—if we can go back that far—how were toll charges determined?

**Mr Stewart:** Our toll levels, like others in Queensland, are determined by ministerial declaration. The declarations were made. They set the maximum toll levels. The tolls always need to remain within those. The concessionaires do have the ability to offer a discount below those. That is common practice at the start of a project in terms of building it into the network. In our case, the toll road declaration set the maximum toll road tolling prices. It also set a mechanism whereby they are reviewed annually in terms of inflation.

**CHAIR:** It was a ministerial decision? Did BCC have any input into those prices?

**Mr Stewart:** The Minister For Main Roads made those declarations at the time. Obviously council was involved in the discussions in terms of developing those, but really they were set by matching existing precedents that were set locally and also interstate. There were a lot of factors that would have been involved in developing an appropriate toll price.

**Mr MELLISH:** I want to turn to the Inner City Bypass for a moment. In the 2015 budget it was budgeted at \$80 million; is that correct?

**Mr Stewart:** It was \$80 million, yes.

**Mr MELLISH:** That included \$41 million in 2015-16; is that correct?

**Mr Stewart:** I do not have the numbers in front of me so I cannot confirm whether that is correct or not. I will take it on notice.

**Mr MELLISH:** You can take that on notice. My question is around where that money has gone. If \$80 million was already budgeted for in 2015-16 and then council ended up not building the project itself, what was that money spent on?

**Mr Stewart:** Council has a well defined budget that is published every year. You are correct that it was budgeted at \$80 million. Through a construction tendering process there were some savings that brought that down to about \$60 million—that is actual prices from a competitive market. The price to council reduced through the process with Transurban.

What council does when it makes any form of savings on projects is that it reinvests those savings. They would be reinvested in infrastructure. Council continues to have a very high level of investment particularly in terms of transport infrastructure in Brisbane. While I will not hypothecate or council did not hypothecate exactly where those dollars were reallocated, I think it is fair to say that the high-level of investment in infrastructure in Brisbane was the target for council's available budget.

**Mr MELLISH:** I am keen to find out how much, if any, of that \$41.4 million—and you have taken that on notice to confirm whether that is the correct figure—in the first year, 2015-16, was actually spent and whether council had to recoup any of that money or change that process going forward as the project changed. You can take that on notice.

**Mr Stewart:** We can take that question on notice. That is no problem.

**CHAIR:** I remind members that you cannot seek an opinion of a public service employee around, say, council policy. I put that out there.

**Mr BROWN:** Thank you for your guidance, Mr Chair. I do note that I am a visitor to this committee today.

**CHAIR:** And a very welcome one.

**Mr BROWN:** I am bringing myself up to speed with the rules. Mr Stewart, I think in terms of toll roads you said that they were allowed decades of relief? I do not want to put words in your mouth. What were you saying in that regard?

**Mr Stewart:** The question was in relation to maximising volumes on toll roads, if I remember correctly. What I was saying is that the toll roads were designed to have capacity for decades into the future in terms of future road capacity. It is seen as a major road network spine to bypass the city. It was important at the time that we build enough capacity so that they stood the test of time in terms of the future growth of the city.

**Mr BROWN:** Have you already failed that test of time? I note that the opening of the Clem7 entry to Wynnum Road was in 2010. You have already started an upgrade to Wynnum Road and it is 2018 now. It is due to be completed by 2020. You did not even get to the decade mark on that one. Have you already failed in that regard?

**CHAIR:** There is a bit of an imputation in that question. You can answer the question ignoring the imputation.

**Mr Stewart:** Clem7 did not seek to replace any need for capacity on Wynnum Road. Wynnum Road is quite a separate network to Clem7. I do not see any connection between the planned upgrade of Wynnum Road and Clem7.

**Mr BROWN:** You do realise where the entry to Clem7 is in comparison to Wynnum Road? Wynnum Road leads directly into Clem7.

**Mr Stewart:** With the fact that Wynnum Road does lead into Clem7, an increase in traffic in Clem7 would bring forward the need to upgrade Wynnum Road. If anything, lower volumes in Clem7 would have delayed the need to upgrade Wynnum Road.

**Mr BROWN:** If more vehicle users were able to afford to access or did access Clem7 from Wynnum Road—the traffic numbers that Brisbane City Council predicted when it first constructed it—would those people on Wynnum Road still have their houses today?

**Mr SORENSEN:** Point of order, Mr Chair.

**CHAIR:** I take the point of order. Can you rephrase that question.

**Mr BROWN:** It is a fact that the Wynnum Road upgrade has meant that houses have been resumed. Mr Stewart has said that that infrastructure was supposed to handle capacity for decades to come. We have upgrades on those roads already and people are losing their houses. I think it is pertinent that people understand why their houses have to be resumed for these upgrades.

**Mr SORENSEN:** Point of order: that is a hypothetical. At the end of the day, there would be no difference—

**CHAIR:** I take your point of order. I ask the member to just remember what I said about seeking an opinion—

**Mr BROWN:** If you want to take it on notice and have the political decision-makers respond, I am happy for that to happen.

**Mr Stewart:** I can answer the question now. There is no relation between the need to upgrade Wynnum Road and the toll road inquiry questions that we have at the moment. The design of Wynnum Road and any impacts of Wynnum Road were well considered. In some cases it was unfortunate. Really, there is no connection between the decision-making on the Wynnum Road upgrade and the need for it and timing for it and Clem7.

**CHAIR:** There were some questions taken on notice. Obviously there may have to be further questions as we mull over the answers from other submitters. Are you happy to take a few more questions on notice?

**Mr Stewart:** I am very happy to take questions on notice. Thank you for your time today.

**CHAIR:** We will have to get those answers back by 4 pm on Monday, 27 August.

**Mr Stewart:** We can certainly do that.

**CHAIR:** Thank you for your time.

**BYRNE, Mr Henry, Group Executive, Corporate Affairs, Transurban Queensland**

**JOHNSON, Ms Sue, Group Executive, Queensland, Transurban Queensland**

**CHAIR:** Welcome. The member for Hervey Bay has a question.

**Mr SORENSEN:** Following on from a question that was asked earlier today, where do you draw a distinction between pursuing a civil debt and referring it to SPER?

**Ms Johnson:** To put it in context, we really have three groups of motorists who use our roads. The vast majority of people pay within three days, so that is a huge volume of our customers. I think earlier today there was a discussion about hardship as well. There are a group of people who are in genuine hardship, and in those instances we will work with those people to help them come up with a mutually agreeable outcome to the situation. There are also some motorists who choose to use toll roads who have no intention of paying, so in those instances we would look at civil recovery. It is a very small number of people, but when we consider fairness for everybody who uses toll roads on some occasions it is a path that—and again there are very few and it is very much a last resort for us—we would consider.

**Mr BOYCE:** In terms of toll prices, is it correct that the government sets the maximum charge permissible but as the operator you have the discretion to charge lesser amounts to attract customers?

**Ms Johnson:** As far as toll prices go, the government absolutely sets the toll prices. I think in the last hearing we discussed the fact that in 2014 toll prices were set by the then LNP government and there was an option process for people to buy the toll roads of South-East Queensland. At that time we paid \$7 billion for the toll roads, and with that came obligations. We borrowed and raised that money. One of the main factors for determining the price that we would pay for the roads was the toll price. If the toll price was lowered in 2014, which is when it could have been lowered, we would have just paid less than the \$7 billion.

**Mr BOYCE:** In fact, you do have discretion to lower the price if you want to. That is the maximum price that is set by the government; is that correct?

**Ms Johnson:** I think it is more complex than that. As much as the contract or the deed has the maximum price with obligations to lenders and shareholders who provided that \$7 billion, there is not a discretion to change those elements that are at the core of their decision to lend money or invest, so it is more complex than that.

**Mr BOYCE:** Obviously, being a publicly listed company you have obligations to your shareholders and therefore you would be looking for the maximum benefit. It is my understanding that you do have the discretion to lower prices to attract more customers.

**Ms Johnson:** I also think it is important to think about it as a listed company, as you say we are. When we look at Transurban Queensland there are actually three shareholders: Transurban, which is an Australian listed company; AustralianSuper; and ADIA, which is Abu Dhabi Investment Corporation. It is not just Transurban when we look at that. From a shareholder's perspective, the view is really that we are a sustainable business. We came into South-East Queensland four years ago really wanting to be here for the long term. What that means for us is that we are seen as a good employer. We employ 300 people directly and thousands indirectly at the moment. We are helping the communities in which we operate. At the moment through the Logan Enhancement Project we are putting \$2 million into that community. We have community grants programs and a whole lot of other things. We really want to be seen as a long-term partner both for the state government and Brisbane City Council and, more importantly, for our customers.

We have 1.6 million customers, and since we came here in 2014 we have been focused on improving the experience for our customers. From discussions earlier this morning, we are obviously very pleased that we are getting that recognition for really focusing on improving things for customers. We have spent \$70 million in that time to change our systems. We have focused on hardship cases. We have been moving with technology as well and providing touch points that customers like and appreciate. We have been listening to our customers. We had 100,000 pieces of feedback last year from our customers. We are here for the long term, trying to add value to keep South-East Queensland as one of the most livable places in the world. We really see it as our responsibility to contribute to that, so it is a broader contribution.

**Mr BOYCE:** What measures could you undertake to provide a more compelling value-for-money proposition to motorists which would make paying a toll more attractive?

**Ms Johnson:** I think, again, some of the things that have been lost in the dialogue are that actually more people than ever are using the toll roads. We saw the highest growth of any toll road in the country on Airport Link last year, so more people are making the decision to use toll roads. We have had overall growth in South-East Queensland on the toll roads, and that is where there has been significant construction activity around the toll roads as well. I mentioned the Inner City Bypass. We have the Logan Enhancement Project and the Gateway Upgrade North as well. They are all impacting people's decisions to access and use toll roads, but in spite of that we have seen growth.

The area that we are really focused on is showing the travel time savings and travel time reliability. We have talked about how we can make that information more available, because people do have a choice. As is outlined in TMR's submission, government policy is that people will have the choice of a toll road or a free road. Now, with all of the public transport options there will be more choice. With that choice, how do we provide information to say, 'For this toll price, this is the travel time saving you will realise'? I think the way forward is to strengthen communication around making that choice and what you are getting for that choice.

**Mr BOYCE:** Can you please expand on that and inform the committee what would be the capacity of existing toll road assets in percentage terms and what would be considered spare capacity?

**Ms Johnson:** It was interesting to see the submission. We have probably the largest traffic forecasting team in Australia. The submissions I have seen referencing that have not taken into consideration a number of important factors. There needs to be consideration around freight. Freight is considered three times a car. Thinking of capacity, there is no freight element in that. The other point is that I think the calculations are done on full capacity 24 hours a day, seven days a week. We are the first to say that that is not what will happen. Obviously, peak periods need to be looked at and there needs to be a focus on workdays, not every day. Obviously if there are events on weekends and things like that it will drive demand, but not seven days a week. Those things need to be taken into consideration.

There is also the question of effective capacity and what else is happening around the network. We know that with the Go Between Bridge there are traffic signals linking Coronation Drive. That gets priority—and it is right that it should, with the larger volume. Looking at that capacity, there needs to be a lot more sophistication when you consider it. We are not at capacity, but is utilisation higher than the numbers that were quoted? Categorically, yes, if you consider all of those elements. At 2 am I do not think I can give you a travel time saving unless there is something happening on the free roads. In those instances we would recommend that people use toll roads for the safety element because we monitor the roads 24 hours a day, seven days a week. All of the elements of our roads have cameras on them. The teams are looking at what is happening on the roads, so they are a safer proposition. The value exchange would be different, but it would not be for travel time savings. I think we need to do some of those pieces of work to understand where we are. We have also talked about the fact that some of the roads are built for the future, and that is a good thing. Obviously we know that we are growing considerably here in South-East Queensland, so these are set up for the future.

**Mr BOYCE:** I appreciate that. In terms of percentage and capacity, where are we running?

**Ms Johnson:** I do not have those numbers with me. I am happy to take that on notice and provide some information. We would have our traffic teams look at those. What we did put in our submission is certainly from a forecast perspective when we purchased the roads where we thought the roads' performance or usage would be. It is pretty well spot-on, and that is in the submission.

**Mr BOYCE:** I would be happy to place those numbers on notice.

**CHAIR:** Yes, certainly.

**Mr KATTER:** The RACQ disputes some of the volumes and increases in the tolls, which I thought was really interesting. I suppose that would really play around with the metrics from a planning perspective. Do you have any comments in response to that? I am not sure if you heard that. The RACQ did some figures on usage—and I think it is 22 per cent for Legacy Way and 30 per cent on Clem7—which would seem to conflict with yours. I think the assertion was that the numbers you reported to Transurban excluded the Go Between Bridge which would have distorted the numbers. I have done a clumsy job of recalling what they said, but can you respond to that?

**Ms Johnson:** Our traffic volumes are publicly available every quarter. We publish them for everyone to see. Our percentage growth is included in that. Again, we provide that every quarter.

**Mr KATTER:** I suspect they would say that if they compare that to total volumes of traffic they get 20 per cent. You say that your increases are reported numbers through the tunnel?



**Ms Johnson:** Yes. We report our expected growth. We have a traffic forecasting team who are experts in Australia that look through this. When we bought the toll roads they estimated what that growth would be. They consider that there are a lot of factors that come into play when you forecast traffic. We know that TMR also works with that. There is forecast growth, and you need to take into consideration a whole lot of factors when you are looking at those.

**Mr KATTER:** I imagine you would. I would like to explore that a bit more, as I have tried to recall what was said earlier. My second question concerns light vehicles. My understanding is if I have a Hilux ute that is registered for personal use but I then put stickers on the side and register it for commercial use—there is no material difference and it still has the same towing capacity—I will incur different charges.

**Ms Johnson:** There are different classes for vehicles, and that is part of the contract or the legislation. Purpose of use in Queensland does attract, as you suggest, different tolls. If it is for commercial purposes then that is a higher toll. Again, 2014 is when all of those rules were determined and then we apply those.

**Mr KATTER:** Yes, but that to me seems like it would be worth challenging for some categories if, say, you perhaps have something registered commercially that you use a lot of the time for your family or whatever else and, like I said, if there is no material difference for a two-wheel-drive ute or one with one-tonne capacity.

**Ms Johnson:** Yes, but my understanding is that it is linked to—and TMR would be more expert on it as they come through—wear and tear on the road assets themselves. Obviously heavy commercial vehicles will have the highest impact and then, as you suggest, if there is tonnage or you are carrying loads then that would have an impact compared to a car. The rules, if you like, around all of that are absolutely clear in the contracts and then we work to those.

**Mr KATTER:** This is not really a question, but I would suggest that there would be some anomalies if, say, you had a two-wheel-drive ute which only has a capacity of 500 kilograms. Whether it is used for private or commercial, there is no material difference to the impact on the pavement or the infrastructure. I think the government probably has different rationale for charging different things for commercial, but in terms of pure infrastructure, just looking at impact, I would say there would be a fair argument from users about that—but not all, of course, as you say. If there are heavy impacts, there is good argument that they pay more. In those areas where there is no material difference, I would have thought that that is challengeable.

**Ms Johnson:** Yes. If you think about roads in general, certainly pavement and maintaining pavement is our largest maintenance expense, as it is with the Gateway bridges et cetera. Maintaining them to the highest standard is one of our biggest cost areas. Again, if you are travelling on a toll road, there are very strict rules around maintaining those to a certain level. That is the biggest expense and, really, it does come from that wear and tear, so my understanding is that the logic around pricing is linked to those two things.

**Mr KATTER:** Yes. Thanks.

**CHAIR:** I will just add to that. I do not know if you were listening earlier when the Queensland Trucking Association was here, but they said that the difference between the B-double and the multi-combination is that it is not all the same weight in the same spot at the same time. It is a longer vehicle, but they can transport a third more just by going to that combination but the toll would increase dramatically. Because of the wear and tear, if you have three 20-tonne trailers it is not 60 tonne in the one spot at the one time and wear on the pavement. That is just to note, but that is not my question. The member for Traeger had a question earlier and you talked about usage that you publish. Is that per road or is that total usage?

**Ms Johnson:** Per road.

**CHAIR:** It is per road?

**Ms Johnson:** That is right. It is on the Transurban website and updated.

**CHAIR:** I just did not know if it was a total or per road.

**Ms Johnson:** Both, actually.

**CHAIR:** Thank you. We have had some submissions regarding the funds that account holders must have in their accounts, and I know because I am an account holder. How are the amounts determined? You will get a message to say that you need to top up because you are down to a certain level. How are they determined and what are the reasons behind the minimum?

**Ms Johnson:** It is similar to public transport and other prepaid activities. There is a minimum. It is \$25 of toll credit, if you like, as soon as you sign up and get the tag for free. After that it is up to a customer to determine how much they would like to top up by. We changed that quite a few years ago now I think, but certainly we changed that. It used to be a set amount, I believe, but now it is very much up to a customer. Certainly with the new account apps that we have, there is a manual top-up option which has made it easier for people to put whatever number they would like on there. We are trying to work with customers as much as possible to provide information about usage so that you can logically think, 'Okay, I use it five days a week or I use it three days a week. What's a logical amount to top up?', and those sorts of things. We have been trying to make it easier and more convenient for customers.

**CHAIR:** With regard to the money that you do hold there—a couple of people have been asking—is there any interest accrued on that?

**Ms Johnson:** No.

**CHAIR:** That sort of answers my next question about charging for the use of credit cards. You charge for the use of credit cards and the submission was that if you earned interest you could offset that by charging for the use of the credit card. Do you think it damages the goodwill of the company? Is there a goodwill cost to charging for the use of a credit card?

**Ms Johnson:** With the payment card surcharge, that is a direct pass-through from the bank. It is a direct pass-through, so it is what the bank charges. What we have been doing is proactively going out to customers and saying, 'Here's a fee-free option,' and making it really easy to move to that. We have been really promoting that fee-free option. As we said before, our goal would be that nobody pays a fee. We are trying to communicate with customers to say, 'Here's an option,' really trying to promote that set-and-go, set-and-forget experience for customers and one that is fee free. I think the system works best for all if that is the way that accounts are managed. The vast majority of people are in that situation who just have an account set and forget, so we are really trying to promote that as much as possible and how they can avoid that. Again, it is not our fee as such. The banks have that fee.

**Mr MELLISH:** I have a question around electronic tags. How long do you see them being used for as a primary use of payment and are there future plans? What is the next thing that comes after them?

**Ms Johnson:** Yes and, again, I think this goes to our social licence or working with communities. We are looking to the future. Tags are currently the most effective technology, so we are looking at what other options are out there and if we can move away from them. We are not there today. Before the Commonwealth Games we introduced that GPS tolling option for customers, and that is really for people who are here for occasional toll road use. As that gets better and better, that might be the way of the future. We are looking at things with the freight community. We know that they have telematics in their vehicles—I think they have lots of them actually with all of the regulations—so we have a trial at the moment looking at whether that is something we could use in the future. As all cars become smarter with the technology that is in a car, can we do something there? We are absolutely looking at what we can do. Right here, right now it is still the tag, but do I think that will go in the future? I do. I do not know when that is, but we will definitely keep working on that.

**Mr MELLISH:** You would be involved in all discussions with COAG and what have you with heavy vehicle charging reform going forward and the future of that. In terms of the heavy vehicle industry, I suppose that affects you pretty heavily.

**Ms Johnson:** Yes. We talk to the QTA particularly. I talk to them a lot about what is going on. I think it is a government policy situation to lead what it will look like in the future as we all move to electric vehicles, so fuel excise and all of those things are impacted. We are definitely interested in that discussion. We did run a pilot program or a study, if you like, in Victoria a year and a half ago to have a look at customer sentiment and behaviours and thinking around it, but I think it has a long way to go. I think it has to be part of the discussion because everything is changing so rapidly. We do not set the policy, but definitely we are interested in where that is going.

**Mr BROWN:** Just following on from your social licence comments, do you intend on moving the overseas call centre to Redland city and establishing a call centre there?

**Ms Johnson:** I talked before that as an employer in South-East Queensland we have close to 300 direct employees and thousands who are working on the Logan Enhancement Project and the like, so we are absolutely all about bringing jobs into this region. I think it is all about what is the best service that we can give, so we are very focused on that.

**Mr BROWN:** With the Logan renewal project, did Transurban do modelling around the improvement of numbers onto those tollways from that project?

**Ms Johnson:** Yes. When we were determining the business case and looking at the need and the investment around all of that, all of the modelling did absolutely take place.

**Mr BROWN:** Have you done any modelling on the improvements and the upgrades to Wynnum Road onto the Clem7? Will there be an increase of patronage onto that Clem7 road?

**Ms Johnson:** I do not have detail of that, but we are always looking at all of the construction and works that are happening around the city and anything that is close to the toll roads. Absolutely, that is always a consideration. I am not an expert on that one in particular, but if you look at Kingsford Smith Drive and the Gateway Upgrade North, all of them are things that we consider when we are looking at what we think the traffic growth will be and we really do think there will be growth and changes in toll road usage in the years to come. A lot of that is really around this growing population that we are seeing as well in South-East Queensland.

**Mr BROWN:** Are you able to differentiate what is growth of numbers that come from growth of infrastructure? Is that able to be provided to the committee on notice?

**Ms Johnson:** Again, we are pretty proud of the capability of our traffic team. They are very good at what they do. As far as releasing traffic forecasts and things like that, I do not think I am allowed to because, again, part of Transurban Queensland is Transurban, which is listed. I can see what information we could talk to you about, or I am happy to bring the traffic team in to have a conversation if you would like.

**Mr BROWN:** Thank you.

**CHAIR:** A number of submitters—and we have been through this before—identified issues in relation to being pursued by debt collectors. We have seen a flow chart as to where you go before it goes to SPER. There appears to be a bit of a grey area, we are hearing from submitters, before it goes to SPER. Some people go to court; some people go to SPER. Can you go a bit further into what process you go through to determine which one goes to court and which ones go to SPER?

**Ms Johnson:** Earlier I started a discussion saying that the vast majority of people pay for their toll road usage. Again, I would really like to highlight that, for anyone in hardship—as soon as we know that that is a hardship situation—we will work with that customer, so we would encourage anyone to talk to us as quickly as possible. That is why we are running the pilots and so on, to make sure that we are in the community and helping those who need it the most. There is the small group of people who are using toll roads regularly—hundreds and hundreds of times—without paying. In those situations there may be a time where we will go through that process.

**CHAIR:** Thank you. I note that we are going to run out of time, but I think the member for Hervey Bay has a quick question.

**Mr SORENSEN:** All infrastructure is built to meet peak demand, and that is the major thing about building infrastructure. Have you met capacity in peak demand or is there any capacity left in that peak demand area or time frame?

**Ms Johnson:** Again, it would be good if I had the traffic team here, but certainly there are instances when you will see capacity and usage such as the Gateway, Logan and all of those sorts of things. Particularly if you look at Logan with the Logan Enhancement Project, part of that is to make sure that we are ready for the future and are able to give the best travel experience for anyone who is in that part of Brisbane. We are always looking at where perhaps there are congestion spots to see what we can do to improve travel experiences. Capacity for some of Brisbane is in the future, and I think that has been discussed about really building for that growth. Again, if I look at capacity at 2 am, we do not anticipate a lot of people to be using it—only for safety reasons and things like that.

**Mr SORENSEN:** The capacity time frame is really between, say, half past five and seven o'clock or something like that where you have peak demand on the roads—no matter whether it is roads, water or whatever you are talking about. At the end of the day, the infrastructure has to be built to meet that peak demand and that is for four hours a day. The rest of it you would not have to worry about—most of it.

**Ms Johnson:** What I would say is that 146 million times last year people made a choice to use the toll roads. Again, for us it comes back to people seeing the value and making a decision to use a toll road. That is 146 million trips that would have been taken on other roads and in a lot of instances may have taken people through the CBD. We also talked about the fact that the toll road network takes people around the city and also at the moment helps them cross the river. I think there are benefits, and people are seeing the value of toll roads and making a decision to use them.

**Mr SORENSEN:** You have met peak demand in peak times?

**Ms Johnson:** Again, it would be weekdays we would have to look at and specific times of day for me to come back and answer that specifically. Definitely we see some of the toll roads being used at a very high level—absolutely. Overall, if you look at the numbers in the city, it is substantial and it is helping people get home quicker—all those things that are really important to the livability of a city.

**CHAIR:** We asked similar questions in the previous briefing. We have reached the end of our time. There were some questions taken on notice and also there are some that we would like to ask. Are you happy to take further questions on notice? We have a couple.

**Ms Johnson:** Absolutely.

**CHAIR:** If you could get those answers back to the committee by 4 pm on Monday, 27 August.

**Ms Johnson:** Happy to.

**CHAIR:** Thank you very much for your time today.

**ELLIS, Mr Nigel, Executive Director, Transport Access and Use, Department of Transport and Main Roads**

**MAGOFFIN, Mr Geoffrey, General Manager, Department of Transport and Main Roads**

**MITCHELL, Ms Julie, Deputy Director-General, Policy, Planning and Investment, Department of Transport and Main Roads**

**POOLE, Ms Kirsty, Principal Manager, Central Operations and Support, Department of Transport and Main Roads**

**TAYLOR, Ms Ann, Manager, Transport System Governance, Department of Transport and Main Roads**

**TRACEY, Ms Anna, Manager, Transport System Governance, Department of Transport and Main Roads**

**TUBB, Mr Brad, Director, Transport System Governance, Department of Transport and Main Roads**

**CHAIR:** Member for Callide, do you have a question for the department?

**Mr BOYCE:** In light of the level of complaints generated about toll roads, have you reviewed the KPIs that apply to customer service complaints over the past 12 months? Are these treated as a demerit calculation and involve key concession deed obligations?

**Ms Mitchell:** KPIs were reviewed in 2015-16 following the acquisition of the Gateway and Logan motorways in 2014. Specifically, the KPIs with regard to customer service were reviewed at that time. There are a number of aspects of KPIs measuring different aspects of customer service to provide a comprehensive picture of the service. As a result of the review in 2015-16 they were changed to include call wait times, Tolling Customer Ombudsman referrals and first-call resolution. These have been reported since that time and they are meeting the benchmarks that were agreed at the time. They have not been reviewed in the past 12 months, but the actual number of complaints has reduced during the last 12 months.

**Mr BOYCE:** What customer community engagement has been undertaken to fully explore the nature of complaints and identify ways to improve customer experience with toll operators across the network?

**Mr Tubb:** The department has not done any direct engagement. We monitor the number of complaints that come through ministerial channels and also what is reported to us by TQ in the regular reports.

**Mr MELLISH:** Earlier the Queensland Trucking Association were talking about the Logan Enhancement Project, how it brought forward investment by around 15 years or so. Are there any other examples of other toll roads in recent years that have brought forward investment that otherwise would have taken quite a while for the department and the state itself to fund of their own accord?

**Ms Mitchell:** One example of that would be the Gateway Bridge duplication, which was in 2011. That was a considerable cost—\$2 billion the works cost, including upgrading of the motorway. Without the QML at the time providing the funding to do those works they would not have been done at that time.

**Mr MELLISH:** I have a couple of very quick local questions that I get hit with a little bit in Aspley. In terms of corridors preserved that DTMR have, I get questions around the future use of the north-west transport corridor. I know that it is a preserved corridor and, as I understand it, it is not determined whether it will be a toll road, rail or bus infrastructure or what have you. Can one of you elaborate on that and indicate where the planning is up to or where the thoughts are on that at the moment?

**Ms Mitchell:** I think we would have to take that on notice. We are not trying to hide anything. There are demands on the north side of Brisbane for extra capacity north-south. The exact form that corridor would take could be a public transport corridor, a road corridor or a light rail corridor. I am not completely au fait with the current thinking, but there has not, to my knowledge, been any recent planning done. About five years ago there was a fair bit of planning. We would have to take that on notice to get you a formal reply on what the current thinking is.

**Mr MELLISH:** I thought that would be the case. Finally, with the northern transitway project that is underway, which will fix a bit of a problem after Airport Link finishes—between the end of Airport Link in Kedron and Chermside shopping centre, I suppose—would you expect to see any improvements to that part of Gympie Road that would benefit the entire network, including the lead-up to the Airport Link tunnel, from that project?

**Ms Mitchell:** Similarly, the corridors have to be looked at together. The north-west transport corridor, the Gympie Road corridor and the Gateway corridor all need to be looked at concurrently because they are all about north-south capacity. I would expect that once the Gateway arterial works are completed on the north side of the river there will be some traffic that will move over to the Gateway and free up some capacity on Gympie Road. It has been looked at as well, or has been in the past, concurrently with the other corridor to see the best use of those two corridors and how public transport local trips and longer term trips are dealt with. There are no dramatic changes in planning proposed right at the moment in those corridors that I am aware of.

**Mr BROWN:** I will take the opportunity to talk about some local infrastructure.

**CHAIR:** As long as it is to do with toll roads.

**Mr BROWN:** It is an entryway onto the Gateway from Old Cleveland Road. The design work for that has been completed. Can you give me any detail about that design work and how it would improve entry onto the Gateway Motorway?

**Ms Mitchell:** I am not able to give you that detail. I am happy to take a question on notice. Our metropolitan region would have that information. I am sure that they could make themselves available for a detailed briefing if you are interested.

**CHAIR:** I asked the Trucking Association this question but it was more for lighter vehicles. We have had some submissions about delivery drivers on the Logan Motorway in that they have to pay a toll, come off, do their delivery, come back on and have to pay another toll because of the location of the tolling points. I am just wondering if you could provide any comment on that. I am not asking for opinion, but is there any proposal to change that or to see if that can be helped?

**Mr Tubb:** I am aware of those sorts of issues. It is in reasonably isolated circumstances. The reason there are toll points there is that you can actually get onto the Logan Motorway at that point, so it is not as though you can exclusively duck off, do a delivery and come back on with no other input to the network. It is an open access, and that is why there is a toll point there. I am aware in some cases it does mean that people may pay a toll to exit and then re-enter the tollway, but the toll point is there for people who would be entering the tollway for the first time.

**Ms Mitchell:** Unlike the Gateway Motorway, which has a single toll point at the bridge and virtually you can hop on and off the ramps at any point in between and pay no tolls, the Logan Motorway has a number of tolling points. The toll is obviously lower at each of those. On average, though, my understanding is that the cost per kilometre is about the same as in other states—about 20 cents a kilometre or thereabouts—so they do relate to the distance travelled. If you do get on, you use a short section and you hop off, you pay for the use of that section.

**CHAIR:** I was thinking more if there was an ability, but it obviously would be costly, for a time period: this particular rego has paid and then five or 10 minutes later—that is a very quick delivery turnaround, I suppose. Anyway, thank you for that. I agree there are a lot of tolling points.

**Mr BOYCE:** In regard to some new infrastructure, in particular the Toowoomba Second Range Crossing, has the operator for this been selected? Has there been a determination on toll fees et cetera? What lessons learned from the tolling experience here have been applied there?

**Mr Tubb:** Can I get direction from the chair, please? My understanding is that the inquiry is looking at existing toll roads.

**CHAIR:** It is on existing toll roads. Sorry, I missed that question.

**Mr Tubb:** The question is in relation to the Toowoomba Second Range Crossing.

**Mr SORENSEN:** Has the department determined what needs to change to strengthen toll compliance and reduce the level of outstanding debts in the SPER system?

**Mr Tubb:** There was work done a number of years ago to change the compliance and enforcement system. The main thrust of that was to give Transurban Queensland more ability to collect its unpaid tolls and reduce the number of people entering into the enforcement system. With the enforcement system, that is where a PIN may be issued by either Transport and Main Roads or Brisbane City Council and if those PINs are not paid they then get referred to SPER. I think it is probably fair to say that there was an historical increase in PINs issued a number of years ago and

they may still be working their way through the SPER system. Certainly more recently the number of PIN requests that are coming to the Department of Transport and Main Roads has reduced significantly, and I would expect that that significant reduction then will eventually flow through to a similar reduction in what gets referred to SPER for SPER enforcement action.

**Mr SORENSEN:** In terms of the administration of fees and charges, what are the levels of charges set by the department? Are they based on cost recovery?

**Mr Tubb:** By fees and charges I assume you do not mean toll levels. Fees and charges are set in relation to a range of things. For state toll roads they are set in the declaration within the tolling concession deeds. For council toll roads they are set separately. There is a requirement under the legislation that those fees reflect no more than the reasonable cost of collecting an unpaid toll.

**Mr SORENSEN:** What scope has the department identified for the better alignment of demand with existing toll road capacity to help bust congestion?

**Ms Mitchell:** As several witnesses have said, when a toll road is planned and designed, it is a delicate balance between enough capacity for some point in the future and the initial capital costs of construction. When we are building a road on the surface, like the Gateway Arterial or the Logan Motorway, it is relatively cheap and easy to expand their capacity, just as we are doing on both of those roads currently. When we are talking about tunnels, it is very expensive to change the capacity of a tunnel once you have constructed it, so you try to build capacity for the future. That is why the Airport Link tunnel has three lanes in each direction. We would not expect it to be full at day one; we would expect that it would be starting to get considerable use during the peak periods within a few years of opening.

What generally happens on any road is that initially we get peak periods of one hour and two hours; then three hours on each end of the day; then ultimately, when a road is fully congested, those peak periods join together or approximately join together. That is fully congested. It is an incredibly uncomfortable situation. It is not one that toll roads would ever want to get toward. It was the forecast of that situation that made them determine that they had to duplicate the Gateway Bridge, because that would be an intolerable level of travel reliability for toll-paying customers.

We would expect that the capacity and reliability in a toll road situation, whether that be a tunnel or on the surface, should always be better than that on the surface street, because people are paying for that privilege and that level of service and travel reliability. It is a very hard to answer the question: 'How full are the tunnels?' It will always be relative to the congestion on the outside. If the peaks were joining together on the surface roads, as a government we would be trying to push much more traffic into the tunnels. We have not got to that situation on the surface streets at the moment and we do not anticipate it for the traffic.

Although there are periods of congestion in the am and pm peak, that period of congestion is not something that a government can construct itself out of. We have a desire to improve our proportion of trips by public transport. If we continually supply capacity on roads—many countries around the world have found that they cannot build their way out of congestion by putting in more and more lanes, because there is always more and more demand—we will not get those more sustainable trip types with lower carbon emissions, such as public transport. Some level of congestion is not necessarily a bad thing on roads. It actually makes people think about their travel choices. In Brisbane, they have choices that include using toll roads if they cannot tolerate, for that particular day or trip, the congestion that they may get on the surface roads.

**Mr SORENSEN:** How often does the department meet with Transurban to review compliance with the Road Franchise Agreement?

**Mr Tubb:** We have regular meetings with Transurban Queensland, generally at least once a month, to talk about a range of issues.

**Mr SORENSEN:** How often does the department brief the minister on the performance of the toll operator and any other issues that may arise?

**Mr Tubb:** We tend to do that at six-monthly intervals, when half-year and full-year reports come out, or if there is anything unusual that may be happening, in which case he would get a briefing on that. For routine matters, generally it is every six months or so.

**CHAIR:** Some submitters have questioned the relationship between the size of a commercial vehicle and a private vehicle in relation to tolling. Can you explain to the committee the reasons behind the differentiation based on usage and size?

**Ms Mitchell:** I will start and then hand over to my colleagues who can give you more detail. Generally, a truck will take the place of three cars at least, so from a congestion perspective they will create three times as much congestion on the road. The actual asset of the pavement is a very expensive part of that. All damage to pavement is done by heavy vehicles. That is with regard to the larger trucks. Is that enough information?

**CHAIR:** The Queensland Trucking Association spoke about the difference between a B-double and a larger multi-combination. They were reflecting on the difference between what they can carry and the damage to the pavement and that the cost does not offset the benefits.

**Ms Mitchell:** Do you know what the toll regime is on those?

**Mr Tubb:** Yes. Currently all heavy vehicles are charged a flat rate. Everything over 4½ tonnes pays the same. Whether you are in a semitrailer or a B-double, you pay the same currently. If you are in a more freight-efficient vehicle, you are probably deriving a greater benefit in terms of tonne kilometres you are carrying per toll. The tolling regime does not distinguish between different classes or types of heavy vehicle.

**Ms Mitchell:** I think Gary's point was that he was trying to promote the use of B-doubles over semitrailers as a more freight-efficient vehicle, and then A-doubles, which are actually a road train, over B-doubles. That is something he takes up with the department regularly. We assess appropriate access for appropriate roads on a number of factors, including people driving with these vehicles, whether they are used to driving with these vehicles or not and whether they are appropriate or the infrastructure is appropriate for the particular vehicles.

**CHAIR:** I have a question about the commercial use of a certain vehicle over the private use of a certain vehicle. Although they are the same weight, one is charged more.

**Mr Tubb:** That is the class 2 and class 3. Class 2 is a car and class 3 is what is referred to as a light commercial vehicle. Class 3 is a load-carrying van or ute that is registered for commercial purposes. As the member for Traeger was saying, for all intents and purposes they are identical vehicles. The decision to introduce a class 3 was a decision of government a number of years ago. I probably cannot add much more to it than that.

**Mr KATTER:** Could you expand on your answer to the chair's last question? You said that the government introduced a class 3. What does that mean?

**Mr Tubb:** A class 3 vehicle for tolling is a load-carrying van or utility that is registered for commercial purposes. The example you gave was a Hilux ute. For example, if it is registered privately it is classified as a class 2 vehicle and pays a car toll. If it is registered for commercial purposes it is classified as class 3 and pays a toll that is 1½ times the car toll.

**Mr KATTER:** Where you have the overlap with half-tonne utes or two-wheel-drive utes that are registered commercially, I asked the question because there is likely to be no material difference to the pavement but the charge is different. What is the rationale behind that vehicle incurring a different toll?

**Mr Tubb:** It existed before I came in. Tolling was a decision of the government at the time, sometime before 2010 is my understanding.

**CHAIR:** That is a policy question, so I would not ask you to comment on that. In his submission, a motor dealer commented on dealer-to-dealer transactions where the delay in registering cars to new purchasers, which is on the onus of the purchaser, has led to the seller being charged the tolls incurred after purchase. It was identified as an issue for private sellers as well. What could be done to alleviate this?

**Mr Ellis:** I have a couple of comments to make. The government has a responsibility to maintain a vehicle register and the responsibility sits with the registered operator at the time. They are the ones who are largely responsible for doing things. A transfer situation is a unique situation, of course, because ownership of the vehicle is moving. In that case, there is no obligation on the disposer, the seller, but there is an obligation on the acquirer to within 14 days register the vehicle. That is the standard rule.

To assist the disposer, there has been a recent change. Previously there had to be a lapse of 14 days before the seller could do anything about it, if it was still in his or her name. We have removed that time requirement. Whilst the obligation is on the acquirer to register the vehicle in their name, if the acquirer does not do that then the seller can actually do it as well. We do not want to put the obligation on two parties—the obligation always sits on one—but at the end of the day either party can come forward and put it in their name. In addition, we have information on the website that flags updating your tolling details and your tag details, because that is a separate matter.



**CHAIR:** Our time has expired. If we have any further questions for you to take on notice, I ask you to get the answers back to us by 4 pm on Monday, 27 August. Thank you, everybody, for your attendance at today's hearing. A transcript will be available on the committee's parliamentary web page in due course. I declare the hearing closed.

**The committee adjourned at 11.56 am.**