



The Hon Michael McCormack MP

Deputy Prime Minister
Minister for Infrastructure, Transport and Regional Development
Leader of The Nationals
Federal Member for Riverina

Ref: MC18-007667

31 OCT 2018

Ms Kate Sanderson
Coroner's Registrar
Coroner's Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006



Dear Ms Sanderson

Coroner's Investigation into the Death of Brooke Smith COR 2017 006378

Thank you for your letter of 16 October 2018 regarding Coroner Mr Peter White's finding and recommendation following the death of Ms Brooke Smith.

As set out in the Coroner's report, the recommendation relates to Ms Smith being struck at low speed by a tipper truck as she attempted to cross a road in heavy traffic. The recommendation is that the Australian Design Rules (ADRs) be amended to require sensor systems to be fitted to new models of the type of vehicle involved in the collision.

I can advise that the Coroner's recommendation is under consideration by the Australian Government. The Government administers the *Motor Vehicle Standards Act 1989*, which requires that all new road vehicles comply with the national vehicle standards, the ADRs, before they can be offered to the market for use in transport in Australia. The ADRs are mostly performance-based standards for vehicle safety, emission control (noxious gases and external noise) and anti-theft protection.

The National Road Safety Strategy 2011-2020 and its associated action plans set out a nationally agreed set of road safety goals, objectives and action priorities to reduce road trauma in Australia, including through changes to the ADRs. Under the National Road Safety Action Plan 2018-2020 (NRSAP), which was agreed by Commonwealth and state and territory ministers in May 2018, a number of safety initiatives have been prioritised that are applicable to heavy vehicles. These include increasing the deployment of advanced vehicle safety systems such as automatic braking systems, through both regulatory and voluntary means. They also include the education of heavy vehicle operators and the community to minimise the risk posed by heavy vehicles working near pedestrians and other vulnerable road users in city environments.

Advice from the Department of Infrastructure, Regional Development and Cities is that it is unlikely the particular sensor systems proposed by the Coroner would have been able to avoid a similar outcome in this type of incident. Nevertheless, I would like to assure the Coroner that modern heavy vehicles are increasingly being fitted with improved safety systems, including better mirrors and in many cases cameras to ensure better front and side vision for the driver. In this respect, the Government is currently consulting with state and territory agencies, manufacturers and operators to minimise any regulatory barriers to manufacturers fitting these improved vision systems. The Government will explore options to encourage the use of these systems where practicable.

Monitoring initiatives under the NRSAP and the effectiveness of available safety technologies is ongoing. Progress against the NRSAP will be reported to ministers at the end of each calendar year and released publically on the Transport and Infrastructure Council website. The current NRSAP runs until 2020, at which time all actions will need to be complete.

If you require further information, please contact Ms Sharon Nyakuengama, General Manager of the Department's Vehicle Safety Standards Branch, which is the area responsible for developing the ADRs. Ms Nyakuengama can be contacted by email at sharon.nyakuengama@infrastructure.gov.au, or by telephone on 02 6274 7266.

Thank you for the opportunity to respond to the Coroner's investigation.

Yours sincerely



Michael McCormack