

# TCO REVIEW

**1 SEPTEMBER 2006 – 28 FEBRUARY 2007**

**Michael Arnold  
Transurban Customer Ombudsman**

# TRANSURBAN CUSTOMER OMBUDSMAN REVIEW

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## Introduction

This is the first review in my capacity as the Transurban Customer Ombudsman. I have previously produced four reviews as the CityLink Customer Ombudsman in relation to the operation of CityLink. As the Transurban Ombudsman I now also deal with complaints in relation to customers of Hills M2, Roam and Roam Express in New South Wales.

## The Review

### Complaints

#### *Fees and Signage*

Issues have been raised by irregular road users in relation to the administration fees and signage information. This particularly applies to roadway users travelling from the country or interstate who are not used to paying tolls. They are aggrieved to find that they have to pay an administration fee following the delay in the payment of the toll. One example encapsulates a number of the problems in which it said:

*“Transurban is a multi million dollar company sitting, what I am lead to believe, at the head of the toll roads and pulling the strings as it were, I find it difficult to fathom that there is no single group that one can register with for the issuance of a temporary visitors toll pass to cover a journey from the M7 to the M2 and back.*

*As the company proudly boasts in its website banner, it obviously has something to do with the M7 and M2. Indeed, there may be separate companies that deal with the monetary issues of all the different toll roads, though I can't help but notice the Transurban logo on the Toll Notice forms which are sent out, hence this email to yourself.*

*Indeed, I am only a small fish in the scheme of things, having a whinge that I have had to pay \$24.40 for a trip that I could have paid \$4.40 for, and although I am grateful for the fact that it saves me endless frustration in bypassing Sydney traffic, I would like to comment on the fact that there is no indication on the highway at all to indicate that the M2 is a separate*

*organisation to the M7. Having set up a temporary account with the M7, and with the highways flowing into each other seamlessly, the normal motorist is therefore lulled, what I would call, into a false sense of accomplishment for the purposes of catching out the uninformed motorist and charging them exorbitant additional charges.*

*As I am only a very infrequent traveller on the road North, I have no real need for an Etag. I am happy to have an additional setup fee of \$3.30 for a temporary pass, but paying \$10.00 administration fee per trip for a computer generated letter is scalping the uninformed.”*

Leaving aside the individual cases which are usually satisfactorily resolved with the road user, it is my view that steps should be taken to limit these problems the subject of this complaint. This could be done by the provision of additional explanatory information and signage that will facilitate a better understanding of the toll payment obligations for potential road users. The limiting of these complaints would obviously provide cost benefits for Transurban and the road operators. I would recommend a study be done on ways that better information could be provided in this regard.

#### *Hazards*

There have been a number of complaints about damage done to vehicles whilst travelling on roadways subject to tolls in which Transurban has an interest. I have previously made a Decision in relation to vehicular damage on roadways such as those controlled by CityLink. In that Decision I explored the history of the law in relation to liability for damage sustained by vehicles on such public roadways. This history included a discussion of the impact of the most recent legislation (Road Management Act 2004) on CityLink. In that Decision, made in August 2005, I determined that at that time CityLink was not liable for the damage done to the vehicle the subject of the complaint.

I noted, in particular, that CityLink had an obligation to develop and maintain a road management plan that met reasonable requirements to ensure that sections of CityLink were not dangerous to traffic. I was satisfied that it had in that instance acted in accordance with its duty of care and obligations under the Road Management Act 2004.

I am satisfied that the law in both Victoria and New South Wales is to the effect that it is not reasonable for any body responsible for the management of a public roadway to guarantee an accident free situation at all times or to have a video coverage system that captures the identity of every vehicle involved in all incidents.

However, road operators shall take all steps reasonably possible to reduce the likelihood of an accident. This includes timely and regular inspection of the roadways for the removal of hazards together with a rapid response system to an

accident or report of a hazard on the roadway. Failure to have such a strategy in place could render the road operator liable for damage done to a vehicle on the roadway.

**Conclusion**

The expansion of my role to cover disputes between Transurban and its customers in New South Wales is a positive one. The indications are that Transurban, through its operators, directly resolves virtually all the complaints received and makes a genuine attempt to deal with the matters referred to me.

Below is a table of complaints and outcomes for the reporting period.



**Michael Arnold**  
**CityLink Customer Ombudsman**

**February 2007**

	Sept 06	Oct 06	Nov 06	Dec 06	Jan 07	Feb 07
Billing/Tolling	1	1		2	2	2
		1	3		4	1
				2	1	
Infringement/ Late toll invoice	2	2		1		2
			1			1
Damage to Vehicle		1	1		2	1
Other Damage						
Vehicle Classification			1		1	

	Sept 06	Oct 06	Nov 06	Dec 06	Jan 07	Feb 07
Service levels						
Traffic Management		1				
			1			
Account Management	1	3	3	4	4	1
	11	1	2	2	3	5
		1				
Website						
Pricing		1				
Enquiry only		1	1			1
			1			1
<b>TOTAL</b>	<b>4</b>	<b>10</b>	<b>6</b>	<b>7</b>	<b>9</b>	<b>7</b>
	<b>11</b>	<b>2</b>	<b>7</b>	<b>2</b>	<b>7</b>	<b>8</b>
		<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	
Answered by CCO		1	1			1
						1
			1			
Resolved by ICR	4	9	5	6	6	
	11	3	7	2	7	1
				2	1	
Pending				1	3	6
						6
Determinations By TCO						

**Key:**

CityLink
Roam
Roam Express