

Ms Gabby O'Neill
Head of National Office of Road Safety
Department of Infrastructure, Transport, Cities and Regional Development
GPO Box 594
CANBERRA ACT 2601
RoadSafetyStrategy@infrastructure.gov.au
23rd March, 2021

Dear Ms O'Neill,

RE: Road Safety Strategy 2021-30

Thank you for the opportunity to comment on the proposed draft Road Safety Strategy 2021-30. Bicycle NSW has been the peak bicycle advocacy group now in NSW for over forty-four years, and has over 30 affiliated local Bicycle User Groups.

The development of a national road safety strategy provides an opportunity to demonstrate federal leadership on priorities and to direct resources so as to prioritise the safe movement of people in road related environments nationally. This draft raises important issues, but without key changes it will not achieve its 2030 target of reducing fatalities per capita by 50% and serious injuries by 30%.

Furthermore, if the strategic approach to road safety does not shift, State and National plans for emission reductions and increased use of active travel will also fail. People who do not feel safe to walk and cycle in road related environments will continue to travel by motor vehicle. Furthermore, mode-shift targets that are critical to environmental sustainability and human health will not be met.



Sometimes it helps to visualise the data, and each of the issues highlighted graphically represents an opportunity for road safety strategy to help transform Australia for the better. Bicycle NSW recognises the critical impact road safety has on the lives, health and environment of all Australians.

The 2011-2020 National Road Safety Strategy failed to meet its target. Whilst 9% may seem a relatively small shortfall, 123 more Australian families are grieving a loved one, and injuries requiring hospitalisation are increasing.¹ Australians want greater investment in active transport and safer roads. Nobody wants to be hurt, killed or to lose a loved one and our road safety policy, and more importantly actions and expenditure, should reflect this.



Bicycle NSW appreciates the principles espoused in the Movement and Place framework. They are reflected in a range of the policies of Transport for NSW particularly the [Movement and Place Framework](#).

Policy

Other excellent policies have been written that, if followed, would make NSW the best and safest state for bicycle riders. These include:

- RMS 2013 supplements to the Australian Standards including AS1742 Part 9: Bicycle facilities
- Providing for Walking and Cycling in Transport Projects Policy CP21001ⁱⁱⁱ
- Road User Space Allocation Policy CP21000^{iv}

The same can be said of the Austroads Guides and Australian Standards that have been written, but too often are poorly followed, or totally ignored.

- Austroads Guide to Temporary Traffic Management¹
- Austroads Guide to Road Design²
- Austroads Guide to Road Safety³
- Austroads Guide to Road Design – Part 6A Walking & Cycling^v
- Australian Standards:
 - AS2890.3 Parking Facilities: Part 3 – Bicycle Parking Facilities
 - AS1742 Manual of Uniform Traffic Control Devices
 - AS1743 Road Signs - Specifications

The problem is not to be found in policy, but rather investment, implementation and the priority given to motor vehicle users over all other road users. If the target for zero road deaths is pushed out till 2050, the priority given to funding and implementing excellent policies will remain very low.

Bicycle NSW recommends national and state governments and their contractors be required to follow the standards set down, report transparently on compliance and safety issues. A percentage of national funding for roads should be tied to safety performance and policy compliance measures, rewarding the best and incentivising poor performers to do better.

Infrastructure

The first of the strategy's nine priorities is that infrastructure planning and investment has to be linked to safety improvement,^{vi} but no proper standard is set that compels design and expenditure on bike rider safety. The COVID-19 pandemic has seen NSW and Victoria implement pop-up cycleways that offer physical protection to bike riders rather than painted lines, signage or road decals. These have been implemented to connect and improve movement networks for bike riders, and have increased rider usage. They also reflect a safety standard that supports riders of all ages and backgrounds – our policy^{vii} is for a standard that makes bike riding safe for 8-80 year olds to travel independently.

Bicycle NSW recommends allocating 10% of the total transport budget at both national and state level for cycling infrastructure,⁴ and requiring every transport project deliver positive provisioning for bike riders.

¹ Austroads Guide to Temporary Traffic Management (2019) [Online 1/4/2020]

<https://austroads.com.au/publications/temporary-traffic-management/agtmm-set>

² Austroads Guide to Road Design (2019) [Online 1/4/2020] <https://austroads.com.au/publications/road-design/agrd-set>

³ Austroads Guide to Road Safety (2019) [Online 1/4/2020] <https://austroads.com.au/publications/road-safety/agrs-set>

⁴ A further 10% ought to go to pedestrian infrastructure – but we will leave pedestrian advocates to develop this point

(02) 9704 0800 | info@bicyclensw.org.au | www.bicyclensw.org.au

Bicentennial Drive, Bicentennial Park, Sydney Olympic Park NSW 2127

PO Box 293 Concord West NSW 2138

ABN 26 511 801 801

By contrast, creating infrastructure for movement corridors that neglect the needs of bicycle riders has seen Armco wire barriers installed on high speed and rural roads in NSW in such a way they:

- Remove or narrow the road shoulder so it has become unusable by bicycle riders
- Prevent motor vehicle operators crossing the mid-line of the road, to safely pass bicycle riders and comply with minimum passing laws
- Increase the risk of injury to bicycle riders if they crash or are pushed into these barriers by drivers

Bicycle NSW recommends when infrastructure planning and investment is made in the road related environment, it must be to enhance the safety of all road users. Roads do not become safer by trading the lives of bicycle riders, to make motor vehicle operators safer.

There are rapid, low-cost changes that can be made to road infrastructure within 1-2 years to make cycling safer including:

- Reducing speed limits
- Using audio-tactile line markings and double lines on motorways to deter egress from road lanes into cycling lanes or the road shoulder, as well as to alert fatigued drivers
- Altering the placement of parking so that painted bike lanes are protected by parked cars, rather than bicycle riders being allocated the door zone and protecting parked motor vehicles
- Replacing pedestrian lanterns with dual bike and pedestrian lanterns to enable safe, legal road crossing

Bicycle NSW recommends incentivising the rapid deployment of existing, low-cost, technologies and treatments to improve the road related environment for bike riders.

Bike rider safety

Australia has proven adept at changing health and safety behaviour when it commits to a multi-faceted approach. From seat belt wearing, smoking cessation, HIV & Aids, drink driving and now COVID-19 control measures – Australia is one of the most successful countries at improving human health and safety through multi-faceted approaches to law, policy, enforcement and behaviour change.

To date bike rider safety hasn't been taken seriously. Victim-blaming road safety campaigns, a failure to educate new drivers and those renewing licenses, an emphasis on increasing the speed of motor vehicles, a failure to provide a network of safe separated infrastructure, the introduction of road features and treatments that make bike riding unsafe and a failure to obey policy, regulation and legislation by road users and those delivering projects in or impacting on the road environment all reduce bike rider safety.

Of the 1195 people killed on Australian roads in 2019, 39 or 3% were cyclists,^{viii} however journeys by bike represent far less than 1% of kilometers travelled. Based on 2019 data, 3.43 million Australians rode a bike in the last week,^{ix} or 13% of Australia's 25.36 million people. However 81% of these rode for recreational purposes and only 31% for transport purposes,^x meaning only around 2.7% of Australians ride a bicycle for transport purposes. Given the high proportion of bike riding that takes place in parks and off road environments for recreation, the road toll for bike riders is disproportionately high. Disturbingly, in spite of lockdowns in several states during 2020, and fatality reductions for all other types of road user, bike rider fatalities increased.

Instead of a multi-faceted approach to bike rider safety, campaigns in NSW focus on helmet wearing, hi-vis and messages that bike riders can somehow 'transact' for safer motorist behavior through hyper-

vigilance and perfect observance of road rules. Little to no effort has been applied by the National or NSW Government to educating or campaigning on motorist behaviour change. Personal protective equipment is the least effective measure in the hierarchy of controls for achieving safety, and most deceased bike riders in road crashes were wearing helmets when they died.

The focus of policing and road safety data in NSW is on alcohol, speed and fatigue and more recently mobile phone use. However, law breaking, negligent, and deliberately aggressive driving are a common bike rider experience, cause of crashes and are rarely acted on by NSW Police. Bicycle NSW hoped the introduction of minimum passing legislation in NSW would improve bike rider safety. Unfortunately, as 2019 data reflects, NSW Police are more focused on enforcement activity to penalise bike riders than on enforcement to keep them safe.^{xi} Efforts by bike riders to report close passed to NSW Police or Crime Stoppers are usually unsuccessful, or even met with retaliatory efforts by NSW Police to try to book the rider. At present no incentives or sanctions exist for Transport for NSW, the Centre for Road Safety or NSW Police for improving bike rider safety or reducing fatalities and injuries.

Road configurations such as urban intersections with high traffic volumes, and speed limits up to 100 km/h contribute to 'T-bone' or side impact crashes. Pedestrians, cyclists and motorcyclists are particularly vulnerable at intersections and make up over 45% of the fatalities.^{xii} In countries such as the United Kingdom, advanced stopping lines and cycle super-highways have been retro-fitted into the road environment to make bicycle riding safer.

The fatality rates for bike based workers has further highlighted the unsafe infrastructure, road user behaviour and workplace practices.^{xiii} Bicycle NSW has had to work hard and for too long to have the deaths of these riders taken seriously. Unfortunately, the safety issues faced by food delivery riders have become emblematic of poor community attitudes towards bike riders. Too often media, police and government discourse has portrayed bike riders as not belonging on the road, law breaking, erratic and annoying. Social media feeds and commentary on news, government and police sites contain abundant evidence of the poor and aggressive attitudes towards bike riders. Community attitudes and culture need changing urgently,^{xiv} if Australian road safety is to be improved and targets for mode shift to bike riding achieved.

Bicycle NSW recommends the National and State Governments seek the advice of non-government forum of Cycling and Walking Australia and New Zealand. Representatives from every state already have a clear picture of road rules, infrastructure and enforcement issues that are hazardous for bike riders, and in many issues a set of sensible approaches and solutions ready for government to trial or implement.

Bicycle NSW recommends providing financial support to states and jurisdictions to trial new measures aimed at improving bike rider safety, as well as tying funding allocation to road safety performance, including reducing bike rider fatalities and injuries.

Bicycle NSW recommends all states and the Federal Government learn from the efforts of SafeWork, MP's and advocates in NSW and mandate safer work practices for the food delivery sector and bike based workers.

Bicycle NSW recommends high impact national and state road safety education campaigns to promote safe driving around bicycle riders, and that ongoing measurement be undertaken to determine the impact, and adjust messages to improve road safety culture and attitudes towards bike riders.

Heavy Vehicles

Around 18% of all road crash deaths – about 210 in 2019^{xv} – involved a heavy vehicle. Whilst heavy vehicle crashes are lower relative to other road users, they are more likely to result in a death or serious injury. Bicycle NSW^{xvi} and this draft strategy^{xvii} call for regulation and heavy vehicle safety technologies including:

- Side (to protect pedestrians and cyclists from going under heavy vehicles) and rear (to reduce the intrusion into a car's passenger compartment) underrun protection systems
- Autonomous Emergency Braking
- Fatigue Monitoring systems
- Lane Departure Warning systems
- Enhanced vehicle visibility markings
- Enhanced driver's field of view through the introduction of blind spot information system
- Anti-lock braking/Electronic braking systems
- Electronic Stability and anti-rollover
- Cabin rollover protection^{xviii}

In spite of the fact governments know what needs to be done, the Heavy Vehicle National Law Review^{xix} largely agrees, and similar international standards have been in place for years, Australians are still waiting for the legislation and enforcement they need to keep them safe- even as construction booms and heavy vehicle movements increase.

Bicycle NSW recommends national legislation be implemented requiring all heavy vehicles to conform with the safety standards set out by the National Office of Road Safety within two years. We recommend providing fund for small operators to retro-fit sensors and safety equipment if cost is a barrier to compliance, and providing a tax rebate to larger operators incurring costs to comply. This investment is likely to be popular and implementation will improve the safety of all road users, including truck drivers.

Road Safety Responsibility

There are around 877,651km of roads in Australia and 662,000km- or 75% of the national road network is controlled by councils.^{xx} The Australian Local Government Association says 50% of road crashes are on local roads, accounting for 52% of all casualties and 40% of all road deaths.^{xxi}

This strategy appears to seek to increase the responsibility of local government for the road design, safety and maintenance. Whilst Councils are often best placed to understand their road safety issues, they frequently have low levels of funding for roads compared with State Governments. State Governments set the road rules, policing resources and priorities, and have the lion's share of resources for road safety education, campaigning and implementation.

The danger is that this strategy may fail if it places too great a responsibility on local government for things beyond its control, authority or budget. However, if the strategy is implemented to improve the way the State Government and NSW Police work with, and listen to, Local Government, it has potential to greatly improve road safety outcomes. For too long ‘shared responsibility’^{xxii} has become a form of excuse for people with the most power and authority to shift the responsibility for crashes and deaths onto the most vulnerable road users, or those with the smallest budgets and the least power.

Bicycle NSW recommends that the clear governance arrangements, transparency and strong accountability mechanisms from the strategy^{xxiii} be implemented, and the greatest responsibility for road safety rests with those holding the greatest power and introducing the greatest hazards into the road related environment.

Yours faithfully,

Bastien Wallace – BA LLB
General Manager of Public Affairs, Bicycle NSW

ⁱInfrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy 2021-30 [online as at 22/3/2021] <https://www.officeofroadsafety.gov.au/sites/default/files/documents/draft-national-road-safety-strategy.pdf> Page 5

ⁱⁱInfrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy 2021-30 [online as at 22/3/2021] <https://www.officeofroadsafety.gov.au/sites/default/files/documents/draft-national-road-safety-strategy.pdf> Page 7

ⁱⁱⁱ NSW Government, Providing for Walking and Cycling in Transport Projects Policy CP21001, [Online as at 19/2/2021] www.transport.nsw.gov.au/system/files/media/documents/2021/providing-for-walking-and-cycling-in-transport-projects-policy.pdf

^{iv} NSW Government, Road User Space Allocation Policy CP21000, [Online as at 19/2/2021] www.transport.nsw.gov.au/system/files/media/documents/2021/road-user-space-allocation-policy.pdf

^v Austroads Guide to Road Design – Part 6A Walking & Cycling (2017) [Online 1/4/2020] <https://austroads.com.au/publications/road-design/agrd06a>

^{vi} Infrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy 2021-30 [online as at 22/3/2021] <https://www.officeofroadsafety.gov.au/sites/default/files/documents/draft-national-road-safety-strategy.pdf> Page 15

^{vii} Bicycle NSW, Our Policy [online as at 22/3/2021] <https://bicyclensw.org.au/our-policy/>

^{viii} Infrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy, Road Safety Performance [online as at 23/3/2021] <https://www.roadsafety.gov.au/performance/road-deaths-road-user>

^{ix} National Cycling Participation Survey, Austroads, [Online as at 2/3/2021] https://austroads.com.au/publications/active-travel/ap-c91-19/media/AP-C91-19_NCPS-AUS-Summary.pdf

^x National Cycling Participation Survey, Austroads, [Online as at 2/3/2021] https://austroads.com.au/publications/active-travel/ap-c91-19/media/AP-C91-19_NCPS-AUS-Summary.pdf

^{xi} Bicycle NSW, Money Talks [online as at 23/3/2019] <https://bicyclensw.org.au/money-talks/>

^{xii} Australian Government Office of Road Safety, Fact sheet: Evidence supporting the priority focus areas, Infrastructure planning and investment [Online as at 23/3/2021] <https://www.officeofroadsafety.gov.au/nrss/resources-fact-sheets/evidence-supporting-the-priority-focus-areas>

^{xiii} Bicycle NSW, Food Delivery [Online as at 23/3/2021] https://bicyclensw.org.au/post_grid/news-grid-copy-copy-2-2-2-2-copy/

^{xiv} Infrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy, Road Safety Performance [online as at 23/3/2021] <https://www.roadsafety.gov.au/performance/road-deaths-road-user> P19

-
- ^{xv} Australian Government, Office of Road Safety Fact sheet: Heavy vehicle safety [Online as at 23/3/2021] https://www.officeofroadsafety.gov.au/nrss/resources-fact-sheets/heavy-vehicle-safety#_ftn1
- ^{xvi} Bicycle NSW, Heavy Vehicles, [online as at 23/3/2021] https://bicyclensw.org.au/post_grid/news-grid-copy-copy-2-2-2-copy-2/
- ^{xvii} Infrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy 2021-30 [online as at 22/3/2021] <https://www.officeofroadsafety.gov.au/sites/default/files/documents/draft-national-road-safety-strategy.pdf> Page 20
- ^{xviii} Australian Government, Office of Road Safety Fact sheet: Heavy vehicle safety [Online as at 23/3/2021] https://www.officeofroadsafety.gov.au/nrss/resources-fact-sheets/heavy-vehicle-safety#_ftn1
- ^{xix} National Transport Commission, Heavy Vehicle National Law Review, [Online as at 23/3/2021] <https://www.ntc.gov.au/transport-reform/HVNL-review>
- ^{xx} Government News, Strategy would hand councils more ownership of road safety [online as at 23/3.2021] https://www.governmentnews.com.au/strategy-says-councils-must-take-ownership-of-road-safety/?utm_medium=email&utm_campaign=Newsletter%2016321&utm_content=Newsletter%2016321+CID_2b5bcd30f89bc_b8a9827988119636ebc&utm_source=Campaign%20Monitor
- ^{xxi} Government News, Strategy would hand councils more ownership of road safety [online as at 23/3.2021] https://www.governmentnews.com.au/strategy-says-councils-must-take-ownership-of-road-safety/?utm_medium=email&utm_campaign=Newsletter%2016321&utm_content=Newsletter%2016321+CID_2b5bcd30f89bc_b8a9827988119636ebc&utm_source=Campaign%20Monitor
- ^{xxii} Infrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy 2021-30 [online as at 22/3/2021] <https://www.officeofroadsafety.gov.au/sites/default/files/documents/draft-national-road-safety-strategy.pdf> Page 11
- ^{xxiii} Infrastructure and Transport Ministers, Commonwealth of Australia, National Road Safety Strategy 2021-30 [online as at 22/3/2021] <https://www.officeofroadsafety.gov.au/sites/default/files/documents/draft-national-road-safety-strategy.pdf> Page 11