

INQUIRY INTO VULNERABLE ROAD USERS

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Date Received: 23/08/2010

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COTA (NSW)

Council on the Ageing (NSW) Inc
Estab. 1956

23 August 2010

Mr Russell Keith
Committee Manager
Staysafe (Joint Standing Committee on Road Safety)
Parliament House
Macquarie Street
Sydney NSW 2000

Staysafe (Road Safety) Committee - Inquiry into Vulnerable Road Users

Dear Mr. Keith,

Thank you for the extension of time in lodging our submission to this Inquiry that is focussed on motorcycle and bicycle safety.

Access and mobility and safety are critical for enabling people to move freely and confidently about their daily business in their communities. We encourage older people to remain physically active, to participate in their communities and by getting out and about by walking and riding bicycles, or using mobility aids such as scooters. Older people also ride motorcycles.

Council on the Ageing NSW (COTA(NSW)) encloses our short submission to this Inquiry on Vulnerable Road Users.

We are pleased more attention is being given to the measures for safety (and access and mobility) of the road system for people, particularly people using the footpaths and road crossings or intersections. We also support attention being given to the use and management of the road system because there is considerable interaction between people riding bicycles (whether on-road or off-road or on shared paths), pedestrians (of all kinds), motorcycles and other motor vehicles.

COTA NSW thanks the Staysafe Committee for undertaking this process. Any queries about this submission can be directed to Chloe Mason, Policy Officer at Chloe.Mason@cotansw.com.au

Sincerely,
(signed by Chloe Mason for Anne-Marie Elias)
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Submission to

**Staysafe (Road Safety) Committee –
Inquiry into Vulnerable Road Users**

August 2010

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About Council on the Ageing NSW (COTA(NSW))

The Council on the Ageing NSW (COTA NSW) is a non government organisation and the peak body representing persons over 50 years of age in NSW.

COTA NSW’s role is to advocate for the needs of older people. Older people are a growing and diverse part of the community. Increasing numbers of older people mean our physical environments will need to be accessible to people with varying degrees of mobility.

Changes in longevity, demographic and social trends means that a growing proportion of people who are physically active, ride bicycles and walk are over 50 years old, and ride motorcycles. In addition, to the value of being physically active for health, older people are acutely aware of the necessity to retain mobility and access as a pedestrian and/or cyclist for as long as possible. Currently, more people spend more time in retirement than in paid work. While much attention is given to be able to ‘age in place’ this includes the “vertical policies” for keeping people upright and as active for as long as possible (Laslett 1996). Older people, such as grandparents, accompany children on bicycles on the footpath; this form of social mobility

has implications for the ‘design envelopes’ used by urban designers and council staff in making many decisions, such as licences for footway dining (without widening the footpath).

Older people have a heightened awareness of the risk of falls particularly in the path of motor vehicles, as well as collisions with cyclists or other pedestrians, and the higher risk on account of age-related impairments such as frailty. According the OECD report *“Ageing and Transport: mobility needs and safety issues”*, 2001 not all older people are frail, and therefore concluding that pedestrian vulnerability correlates with age is not helpful. Understanding that reduced mobility, vision and hearing impairments and frailty can occur at any age and therefore the underlying causes of the age skew will be crucial in developing solutions that are not stereotypical.

Therefore, COTA NSW supports the World Health Organisation’s initiative for the promotion of age-friendly environments over the life course.

It is our belief that providing greater safety for older people will benefit the whole of community including older people who experience a range of abilities as they age. The House of Representatives (1992) reported that:

“...older people themselves clearly articulate a number of common features which they want in their community and which, in their view, will help to maintain their involvement in its daily life. The community they desire is one in which:

- *they can feel safe;*
- *they feel part of a network of friends, neighbours and family, with all the benefits and responsibilities that entails;*
- ***the details of urban design (pavement services, pedestrian crossings, the provision of physical facilities and so on) take account of their needs and limitations;***
- ***the environment is friendly and benign;”***

We recognise that the basic physical conditions for getting about, as pedestrians or as people riding bicycles (mobility), and getting to places (access) are valuable for protecting health and road safety. The utility of motor vehicles dropping off/picking up passengers is a good illustration of the combined value of mobility and access. In response, the performance measures of the different functions of roads within the road system needs to reflect this breadth of social use as well as the conventional approach to (motorist) travel time and travel time reliability of motor vehicle travel.

These fine-grained conditions for people as pedestrians or riding bicycles are easily overlooked compared to access to public transport or license conditions for older drivers. The higher incidence of physical access barriers faced by older people may be cast as a form of indirect age

discrimination. Therefore, the challenge we all face is to incorporate the various principles expressed in high-level statements, guidelines or checklists into the processes for funding and application in practice, and to monitor performance.

Format of our submission

We commend the Staysafe (Road Safety) Committee for its current work into Vulnerable Road Users focussing on bicycle safety and motorcycle safety.

As we understand it, the term Vulnerable Road Users used in traditional road safety circles constitutes not only bicycle safety and motorcycle safety but also pedestrian safety. Staysafe's Inquiry into Pedestrian Safety (2009) addressed pedestrian safety and COTA(NSW) made submissions. This approach encourages thinking about modes, whereas in the urban road system much more attention is needed on the use of the available road space for all users.

COTA(NSW)'s submission concentrates on bicycle safety and its interaction with pedestrian safety, rather than on motorcycle safety. Concerns of users – both pedestrians and people riding bicycles combined- should give greater weight to recommendations for change to the road system, e.g. the assessment of 'shared zones'.

In preparing our submission, we have drawn upon the literature, past reports on road safety and consultations with older people, and anecdotal evidence and the expertise of other organizations. It is also influenced by the recent RTA's response to Staysafe's recommendations and Staysafe's report on pedestrian safety.

COTA(NSW) offers to make site visits with members of Staysafe, either on foot or by bicycle, to illustrate points made in this submission. COTA (NSW) would like to participate in any hearings for this Inquiry.

COTA (NSW) thanks the Staysafe Committee for undertaking this Inquiry.

Background to proposals for better road safety

Over the lifetime of the Staysafe Committee, almost 30 years, COTA(NSW) has made representations for improved safety and facilities for road users, particularly pedestrians.

COTA(NSW)'s representations made in 1994 have continuing relevance, especially for the growing use of the road system by more older people walking and riding bicycles today.

For example, in 1994 COTA (NSW) submitted:

- *“...safety includes all their uses of public space and facilities including the road system, whether as users or pedestrians. The road and traffic management system and road safety strategies should be designed around the needs, capabilities and limitations of all road users, from the fittest to the most handicapped.*

Engineering and social planning approaches to reduce risk to older pedestrians be adopted: including, integrated neighbourhood road safety measures to “calm” traffic through physical road/street alteration such as speed humps.

Changes to correct recognised longstanding problems should be implemented without delay. Remedies include extending the walk-time at traffic signals...”

To the 1997 Staysafe inquiry, COTA(NSW) made similar submissions.

COTA (NSW) has represented road safety matters and reiterated the same concerns through other forums, e.g.:

- *reduced speed limits should constantly be considered and prominently notified by signage, particularly in known problem areas (1998, Local Government Road Safety Conference)*
- *discouraging drivers from threatening and restricting the lives of older people [as pedestrians} (2004 Response to Demerit Points for stopping in pedestrian zones, bus zones and double-parking)*
- *retention of the current road rules which prohibit footway parking (2002 Response to RTA Discussion Paper “Footway Parking”).*

In 2004, the NSW Ministerial Advisory Committee on Ageing (2004) reported on consultations with older people, particularly on transport and mobility. That report described concerns:

- *some footpaths are in poor condition making “...walking a problem, especially for people with walking frames, as it is difficult to walk head up and head down”.*
- *“Rough pavement edges, footpaths in need of repair, unstable paths ...pavers were reported to be particularly hazardous as their edges often become uneven.”*
- *“Cars parked in bicycle lanes on the side of the road were problematic, making it difficult for older pedestrians, especially those with disabilities, as well as those in wheelchairs, on bicycles or gophers.” (pp.10-11).*

Approach to road safety

By 1997, COTA(NSW) urged that the approach to road safety itself be reformed:

- *The importance of mobility in maintaining independence for older people be recognised in the development of policy relating to road safety.*
- *“An effective and proven way of reducing injuries and fatalities among older road users is to reduce the speed limit....however, any decision made in this area should be made*

with extensive community consultation and marketing of proposed speed limit changes.”

These two issues continue to be of paramount importance for people as pedestrians and as bicycle riders.

Recommendation:

The development of policy relating to road safety recognise the importance of mobility for people in maintaining independence and therefore give greater attention to pedestrian-friendly and bicycle-friendly conditions for use.

This newer approach be conveyed in training and communications with Road Safety Officers at local Councils and Transport Development Workers.

A policy-oriented think-tank needs to be convened to assist the better use of the road system for safe cycling and walking, to improve conditions and remove the deterrence that currently faces too many people. This initiative could contribute to the forthcoming guidelines for growth centres, as part of the Metropolitan Strategy review (incorporating the Metropolitan Transport Plan) and its use in regional centres throughout NSW, and be utilised in processes of local councils for integrated planning.

Shared concerns: revisiting the Pedestrian Inquiry for protecting Vulnerable Road Users

Staysafe’s Executive Summary on Pedestrian Safety referred to “improved engineering solutions” as a consistently highlighted theme during the Inquiry, stating:

There is a persistent view that road designers do not take adequate account of pedestrians, who are not treated as equal partners when accessing the road network. The lack of recognition of pedestrian needs is demonstrated by issues such as: the short crossing times allowed for in metropolitan settings; gaps in pedestrian infrastructure such as lack of adequate ramps, footpaths and road refuges; inadequate street lighting; and inadequate crossing technology options.” (p. xii).

The recommendations on Pedestrian Safety, however, did not address the processes through which governments (State, local, and Commonwealth) could improve engineering solutions to take better account of pedestrians or vulnerable road users. The monitoring of the status of implementing local plans of councils (Pedestrian Access Mobility Plans, Bike Plans, Local Area Traffic Management Plans) could be reviewed as part of local council strategic planning for

informing a ten-year infrastructure asset management plan. Further, the City of Sydney submission gave examples of how its proposals for improved road safety had been overridden by the goals of other sections within the RTA whose responsibilities for pedestrians (and cyclists) are not clear – and opportunities now exist for Staysafe to recommend some better actions.

We would anticipate a similar theme – i.e. for improved engineering solutions - to emerge in relation to bicycle safety, as well as the interaction of pedestrians and cyclists in shared spaces.

There are significant shared concerns for people riding bicycles and people as pedestrians affecting road safety, e.g.:

- the availability of sufficient space for pedestrians and cyclists to have safe, continuous paths-of-travel and with pedestrian priority
- the speed and volume of motor traffic, particularly in CBDs and centres or adjacent to services
- safe road crossings and intersections
- age-friendly pavements in design and maintenance, and retrofitting for urban renewal.

Conversely, poor conditions in the road system, for people riding bicycles or as pedestrians, act as a barrier to physical access and discourage older people from leaving their homes and engaging with others (called ‘social inclusion’).

Recognition of these shared concerns should add to the weight given to recommendations and assessment. COTA(NSW) notes that a number of submissions to the 2009 Staysafe Pedestrian Safety Inquiry addressed the issues jointly for bicycle safety, e.g. the City of Sydney submission. COTA (NSW) suggests that the Staysafe Committee review the response from the Minister for Roads to its 24 recommendations to request the incorporation of bicycle-related actions for further representation.

Recommendation:

That the Staysafe Committee review its 24 Recommendations and RTA’s Actions for Pedestrian Safety in order to incorporate bicycle safety, for greater efficiency and effectiveness in road system management. Such incorporation is relevant to Actions in response to Staysafe’s Recommendations 1-4, 5, 10 and 11, 13, 14, 16, 18, 22.

With Reference to the RTA’s Action from Recommendation 1 we note the merit of recognising “life-changing” injuries.

The COTA (NSW) submission to Staysafe’s 1994 Pedestrian Safety Inquiry also raised concerns about conflicts between older pedestrians and people using skates, skate boards and bicycles; that submission recommended the prohibition. This issue is discussed below in Section C.

Section A – Patterns and trends in bicycle usage, injury factors

There is a trend toward increased bicycle riding by the community, including older riders. In Sydney, a weekly ride is conducted by people who are over 50 years and advertised through *Push On*, a publication of Bicycle NSW. Bicycle NSW membership statistics by age show numbers in the 51-59 year and 60+ year age groups.

Bicycle riding is encouraged as a means of efficient transport and as an efficient use of limited road space. In addition, bicycle riding is beneficial for health and is cost-effective and can be used to promote social inclusion.

Since Staysafe commenced, the encouragement of safe cycling and walking have become part of government policy – at all levels of government. For example, the inclusion of bicycling as a target in the *NSW State Plan*. In addition, the State Plan has strategic priorities for prevention and early intervention across the life course to ensure better quality of life and decreased demand for health services that support ‘healthy urban design’ (NSW Government 2009). Both walking and cycling are promoted for health (Brown & others 2005; SSWAHS 2008). Increased walking and cycling by the community would prevent the onset of many chronic illnesses and reduce health care costs.

Yet it seems that the governance of the road system – the allocation and treatment of the space for pedestrians and cyclists – has yet to become more supportive. In other words, there is a mismatch between the policy-drivers, trends in use and measures, funding and administration and performance outcomes.

Recommendation:

That the target for bicycling in the *NSW State Plan*, and a package of measures for improving safe cycling and pedestrian mobility (e.g. footpath maintenance, road crossings, speed control) be incorporated into the strategic planning of local councils, particularly the asset management plans; and that such measures be included in consultations with Councils’ Access Committees and the local community about the ‘level of service’ for these road users.

One older person wrote:

I live in Inner West. I am 72 years old, and semi-retired. I adopted cycling as my preferred mode of transport about 5 years ago, on doctor's advice regarding the need for more exercise. My second choice for transport is public transport. I also own a motor vehicle, but rarely use it.

I regularly cycle to work at Redfern (7 km each way) about 3 days per week. I also cycle locally on most days. Longer trips are usually done by combining cycling with rail travel. In inclement weather, I revert to public transport.

Out of my interest in road safety, I am a keen observer of the behaviour of other road users. My assessment of their competence is so low, I consciously minimise placing myself, at any time, in a position where it is possible for a motor vehicle to collide with me. This requires the adoption of a number of tactics, including riding on the footpath and riding counter-flow in one-way streets. Contrary to the rhetoric from the police, the Roads & Traffic Authority, politicians, and other commentators, the current road regulations do not protect me from injury or death. On the contrary, as a cyclist, I need to repeatedly ignore the regulations, just to ensure my own survival.

Section B - Measures to address safety for safe cycling

It is a widely held view that the current management of the road system is not sufficiently supportive of people riding bicycles or pedestrians.

The Victorian Parliamentary Inquiry into Pedestrian Safety (2003) recommended that:

- *Rec 41 That municipalities take greater account of the needs of an ageing population by providing suitable paths and ramps for pedestrians, cyclists and users of motorised mobility aids.*

COTA(NSW) recommends that Staysafe endorse this recommendation (or similar intent) and communicate this view to the Council of Australian Governments to aid its review of capital cities strategic planning systems against national criteria will be submitted to COAG in December 2011. <http://www.coagreformcouncil.gov.au/agenda/cities.cfm>

Other measures that need be taken include:

- Audits of progress by local government with their various instruments for improving conditions for pedestrians, cycling and access e.g. Bike Plans, Pedestrian Access Mobility Plans, Local Area Traffic Management Plans – to understand what funding gaps exist
- the greater use of back-streets for safer cycling (Ashley)
- the greater use of ‘shared zones’, ‘advanced stop lines’/”bicycle storage boxes”, contra-flow lanes for bicycles (e.g. Wilson Street, Newtown)
- a campaign on bullbars to prevent their use of vehicles used mainly in urban areas
- reviews of footpath maintenance particularly on heavily used routes to improve the continuous path-of-travel, including road crossings, (and without obliging cyclists to dismount).

It has been a long-standing request that ‘treatments’ be made to the road system for users and yet improvements still seem too slow, especially for road crossings e.g. pedestrian refuges, painted median strips and kerb extensions (to narrow the road way). It would be helpful to have an account for this disappointing result.

State Plan targets & responses by local councils

COTA (NSDW) supports the NSW Government to achieve the bicycling target for all centres and sub-regions and LGAs in Sydney. This should entail some accountability of investment in upgrading bicycle facilities in each LGA, reflected in the Integrated Planning process.

Section C – Planning and Management of the road system

The starting point for age-friendly design is here in the planning, management, funding and reporting of performance on the management of the road system by State and local government, with involvement of the Commonwealth government (e.g. through the COAG Reform Council, the National Transport Commission, the Major Cities Unit of Infrastructure Australia).

Motorcycles and bicycles: separation

We are not informed about the high risk associated with riding motorcycles. However, it would be inappropriate, as implied to integrate motorcycles onto bicycle routes owing to the difference in speed, acceleration and amenity in use of shared space.

Bicycle-pedestrian interactions and managing conflicts

The NSW Ministerial Advisory Committee on Ageing (2004, p.11) addressed the issue of users of footpaths and shared paths – whether as pedestrians, bicycle riders, or gopher/motorised scooter users. For example, their report noted:

- *the fact that cyclists are relatively silent is particularly problematic for older pedestrians, as they may not hear them coming. In addition, loss of hearing in the high frequency range is a common hearing impairment among older people and as a result many older people cannot hear high frequency cycle bells;*
- *Consequently...better provision for cyclists so that they could have an area separate from pedestrians.*
- *Gopher users complained of being forced onto the road at times because of lack of space on the footpath or because of obstacles on the footpath....the real world of bumpy and congested footpaths and occasionally having to drive on the road.*

Publication of the Austroads (2006) information note on minimising pedestrian-cyclist conflict is welcome, and needs to inform local councils asset management strategies.

COTA (NSW) is working with the City of Sydney to address issues of bicycle and pedestrian interactions and behaviours. This relationship is particularly valuable owing to the forward-thinking initiative the City has taken not only with its Cycling Strategy, as part of Sustainable Sydney 2030, but as part of the place-based planning and management for Pedestrians, Cycling and Traffic Calming (PCTC) in each of its villages (similar to Local Area Traffic Management schemes). It has implications for the urban renewal plans by the NSW Metropolitan

Development Authority, described in the recent discussion paper on the review of the NSW Metropolitan Strategy.

Managing utilities' repairs

Local councils report difficulty in controlling the utilities that open up and thence close the footpath and roads, resulting in bumpy surfaces with uneven edges that can cause trips and falls. Local councils advise that the utilities, operating under Commonwealth legislation, are not subject to their regulation or responsibility for returning the footpath or roadway to its original or better condition.

The closures generally incur delays in rectifying the condition to its original state, typically pavement markings are erased and the legibility of the road pavement for all users diminishes.

Local governments bear these costs.

The closure of footways and roadways by utilities represents a considerable problem for people riding bicycles. Well-made closures usually result in joins and uneven surfaces and a reduction in quality of the level of service of the 'road' pavement. Sometimes the closures are badly made creating uneven, unsafe surfaces for people walking/using gophers and riding bicycles.

COTA (NSW) recommends

Recommendation

That the issue of utilities' repair of the footpath and roads be examined with input from community consultations to identify how this significant problem can be better managed and funded.

Conclusions and summary of recommendations

COTA (NSW) emphasises the concerns about road safety for pedestrians and people riding bicycles expressed by older people are very long-standing.

With the added values of being more active for health and reducing reliance on car travel (for traffic congestion, health and sustainability reasons, COTA (NSW) now stresses that unsafe conditions on roads deters people from walking and cycling. Therefore, the approach to road safety and its priority within the management of the road system, relative to claims by the road network and signalling sections, needs attention. The 2009 submission by the City of Sydney gives examples relevant to a joint consideration of pedestrian and cycling safety.

The variability of commitment and financing by councils to improving conditions for safe cycling and walking/pedestrians across the Sydney metropolitan area and NSW as a whole is very wide.

Therefore, the governance of improving conditions for walking and cycling need be managed in a different way.

Nonetheless, the same issues remain to be addressed for vulnerable road users as people riding bicycles or as pedestrians. COTA (NSW) recommend therefore:

That closer attention be given by Staysafe to understanding (and removing) obstacles to road safety in centres, raised by local councils, particularly the reduction of speed limits, improved road crossings for pedestrians and cyclists, and changes to shared paths such as kerb extensions and widening.

Recommendations:

1a) The development of NSW policy relating to road safety recognise the importance of mobility for people in maintaining independence and therefore give greater attention to pedestrian-friendly and bicycle-friendly conditions for use of the road system.

1b) This newer approach be conveyed in training and communications with Road Safety Officers at local Councils and Transport Development Workers.

1c) A policy-oriented think-tank needs to be convened to assist the better use of the road system for safe cycling and walking, to improve conditions and remove the deterrence that currently faces too many people (and institutions). This initiative could contribute to the forthcoming guidelines for growth centres, as part of the Metropolitan Strategy review (incorporating the Metropolitan Transport Plan) and its use in regional centres throughout NSW, and be utilised in processes of local councils for integrated planning, and achieving State Plan targets.

2a) That the Staysafe Committee review its 24 Recommendations and RTA's Actions for Pedestrian Safety (2010) in order to incorporate bicycle safety, for greater efficiency and effectiveness in road system management. Such incorporation is relevant to Actions in response to Staysafe's Recommendations 1-4, 5, 10 and 11, 13, 14, 16, 18, 22.

2b) With Reference to the RTA's Action from Recommendation 1 we note the merit of recognising "life-changing" injuries.

3) That the target for bicycling in the *NSW State Plan*, and a package of measures for improving safe cycling and pedestrian mobility (e.g. footpath maintenance, road crossings, speed control) be incorporated into the strategic planning of local councils, particularly the asset management plans; and that such measures be included in consultations with Councils' Access Committees and the local community about the 'level of service' for these road users.

4) That the issue of utilities' repair of the footpath and roads be examined with input from community consultations to identify how this significant problem can be better managed and funded.

5) That closer attention be given by Staysafe to understanding (and removing) obstacles to road safety in centres, raised by local councils, particularly the reduction of speed limits, improved road crossings for pedestrians and cyclists, and changes to shared paths such as kerb extensions and widening.

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- *Mobility Scooters.*

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Age Discrimination 2004 (Commonwealth)

- **Getting or using services** – at shops, restaurants, banks, theatres, sports and social clubs, public transport, dentists, doctors, superannuation, insurance, credit and government services.
- **Access to premises** – going to public places like entertainment venues, shopping centres, libraries and parks.

http://www.humanrights.gov.au/age/info_age.html

