

INQUIRY INTO VULNERABLE ROAD USERS

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Staysafe (Joint Standing Committee on Road Safety)
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To whom it may concern

RE: NSW Joint Standing Committee on Road Safety - inquiry into vulnerable road users, specifically motorcycle and bicycle safety.

On behalf of Transurban, I welcome the opportunity to provide this submission to the NSW Parliamentary Joint Standing Committee on Road Safety's Inquiry into vulnerable road users.

Transurban acknowledges that both bicycle and motorcycle riders fall into the vulnerable road user's category and that continuous improvement to road safety for both is very important. Staysafe's inquiry is timely and welcomed by Transurban.

In this submission, Transurban has focused on bicycle use and safety on motorways as we regard this as the primary safety issue of concern on the Sydney motorway network at present.

Inquiry Terms of Reference

Transurban understands that this inquiry was self-referred by resolution of the Committee on 17 May 2010 as follows:

That the Committee inquire into and report on vulnerable road users, specifically motorcycle and bicycle safety, with particular reference to:

- a) patterns of motorcycle and bicycle usage in New South Wales;*
- b) short and long term trends in motorcycle and bicycle injuries and fatalities across a range of settings, including on-road and off-road uses;*
- c) underlying factors in motorcycle and bicycle injuries and fatalities;*
- d) current measures and future strategies to address motorcycle and bicycle safety, including education, training and assessment programs;*
- e) the integration of motorcyclists and bicyclists in the planning and management of the road system in NSW;*
- f) motorcycle and bicycle safety issues and strategies in other jurisdictions; and*
- g) any other related matters.*

About Transurban

Transurban Group is a toll road owner and operator with interests in Australia and North America. Our focus is on partnering with governments to deliver roads that meet community needs over the long term.

Our business at a glance:

- Top 50 company on the Australian Securities Exchange
- In business since 1996
- Started as single purpose business with one asset - and now have a stake in seven roads
- Around five million customers globally
- Australian offices in Melbourne (headquarters) and Sydney
- US offices in New York, Washington DC and Atlanta
- On the Dow Jones Sustainability Indexes World list each year from 2006 to 2009.

Transurban has been a presence in Sydney's network of tolled roads since June 2005 when it acquired Hills M2 Motorway.

*Transurban assets**

ROAD	INTEREST
Melbourne, Australia	
CityLink	100%
Sydney, Australia	
Hills M2	100%
Westlink M7	50%
Eastern Distributor	75.1%
M5 Motorway	50%
Virginia, USA	
Pocahontas 895	75%**
Capital Beltway HOT lanes (under construction)	67.5%**

* On 10 May 2010 Transurban announced it had reached agreement to acquire the Lane Cove Tunnel in Sydney

** Represents Transurban's proportional share

Customer Safety

Transurban's philosophy has always been to provide an excellent quality of infrastructure and to be a positive contributor to the communities it serves. As part of this, Transurban has long had a strong focus on maintaining the highest standards of public safety for users of the roads it operates. This includes reviewing incidents that occur on a monthly basis within monthly operations reports and undertaking detailed incident reviews of all serious accidents. Safety is reported on each year in our Sustainability Report, which notes that:

Safety is a top priority in Transurban's business management framework. Our workplace has to be safe for our employees and our roads have to be safe for our workers and customers.¹

The 2009 Sustainability Report further noted that we undertake a number of routine safety initiatives on roads where we have management control, including:

- routine road safety inspections to assess the condition of road delineation (signage and pavement markings), safety barriers, lighting and road surface

¹ Transurban Ltd 2009 Sustainability Report <http://www.transurban.com/sr09/4112.htm>

- incident inspections that target damage likely to occur to drainage infrastructure following heavy rain events, or inspection of guard rails after traffic accidents
- routine asset inspections that assess the condition of roadside drainage, road furniture, pavement and bridge structures
- 'desktop' emergency management exercises held every year and field exercises conducted every three years on the roads, and
- an independent road safety audit in Australia every five years as well as site-specific audits any time we change the functionality of the road.

We also review tunnel safety systems and practices. All recommendations arising from the inspections and reviews are formally recorded and managed through Asset Operational Safety Forums. The forums, which include relevant managers and employees, meet to review operational safety performance and act on recommendations arising from internal and external audits or studies.

Transurban Position

There have been several recent tragic accidents on Sydney's motorways involving cyclists. The Transurban Board and management are extremely concerned that permitting the ongoing use of motorways by cyclists represents a major safety risk to cyclists and motorists alike.

Consequently Transurban has made representations to the NSW Government via the RTA and more recently the Minister for Roads proposing a policy change to prohibit bicycle access on all of Sydney's motorway network. Individual assets, including Westlink M7, have also made direct representations seeking to have access rules reviewed.

The basis of Transurban's position is our belief that motor vehicles travelling at high speed present a significant and unacceptable danger to cyclists using the same carriageway. While cyclists currently using the motorways generally travel in the breakdown lane, we do not consider that slow moving bicycles and fast moving motorway traffic, which includes a high proportion of heavy vehicle traffic, should be permitted to use a common carriageway.

We do not believe motorways safely accommodate cyclist as part of the traffic flow, even when they travel in the breakdown lane. A contributing factor to this is that the breakdown lane has multiple users which in turn create situations where cyclist safety is compromised..

Government Response

To date Transurban's requests to change the policy have not been supported. We understand government's position to be that there is finite road space available for transport in Sydney and that it must balance the right of access of bicycle riders with that of motorised traffic.

While we can appreciate the obligation which government feels it is under to balance the competing needs of different road users, we continue to believe that public safety should be the overriding consideration.

Key Considerations

Below we have prepared some background information which we consider may be relevant to Staysafe's consideration of the motorway access issue:

- **Access rules in relation to bicycles on open road motorways differ from tunnels**

Cyclists' access to Sydney's Motorway Network varies according to concession deed obligations of individual motorways and RTA policy.

The following table represents our understanding of the current access arrangements for cyclists on Sydney's motorways and tunnels.

Motorway	Cyclist Access
Hills M2	Yes (part of the M2 concession deed)
Eastern Distributor	No
Westlink M7	Yes + cycle facility along the route
M4	Yes (except between Silverwater Rd and Church St)
M5	Yes
Sydney Harbour Tunnel	No
Cross City Motorway	No
Lane Cove Tunnel	No

As we understand the position, RTA's view is that tunnel access is not allowed on safety grounds, given that breakdown lanes are not incorporated into the carriageway.

- **Existing motorway design is not adequate for safe dual use by high-speed traffic and cycle training.**

Transurban supports cycling as a healthy activity and important sport in its own right. We have been pleased to work with the community provide cycling facilities such as the popular Westlink M7 shared path (which hosts both an annual marathon and an annual cycling event).

Following the introduction of an interim third lane westbound in March 2007 cyclists were removed from the M2 between Lane Cove Rd and Beecroft Rd. At that time Transurban committed to cycle advocacy groups, local councils and other stakeholders that a permanent widening of this section of the motorway would restore cyclist access to the breakdown lane. This commitment has been recorded by these stakeholder groups. The M2 Upgrade, currently being jointly planned by Transurban and the NSW Government includes the restoration of cyclists' access to the breakdown lane including through the M2's tunnel.

In our discussions with stakeholders in the cycling groups, we have found that there is a clear difference between those recreational riders who use purpose-built facilities such as Westlink M7's shared path and the competitive and training cyclists who want a training track.

Sydney's urban motorways were not built as cycle tracks, they were designed and obligations passed via concession deeds for cyclist to access and use motorways. While we sympathise with the desire of cyclists to ride on motorways either for commuting or for training, as a responsible asset operator, Transurban's first consideration is essentially a practical one: there is an obvious incompatibility in having relatively unprotected cyclists in close proximity to large, fast moving vehicles. Motorways cannot provide this facility in a safe manner unless there is full grade separation undertaken.

It may be argued that road space in a tunnel (where bicycles are prohibited) is tighter compared with the shoulders or breakdown lane of a surface motorway. However, recent incidents in Sydney tend to suggest that the spaces at the side of surface motorways have not been wide enough to prevent accidents occurring. Within the past two years there have been fatal accidents on Westlink M7 and the M4 involving cyclists who were using the shoulders or breakdown lane as a training track.

- **Anecdotal accident data supports the conclusion that bicycles and cars and trucks are a poor mix.**

Transurban is not in a position to provide detailed comparative statistical data on bicycle accidents on high-speed motorways. Anecdotally, however, we can provide some general comments on some recent accidents on our assets in Sydney that may provide insight for the Committee.

As a snapshot, we provide the following information regarding Hills M2:

- Between 1 July 2007 and 31 June 2010 there were 15 accidents involving bicycles.
- In 86% of accidents where a cyclist was involved, the cyclist required medical treatment as a result of an injury.
- In 60% of these accidents another vehicle was reported as being involved either by having struck a cyclist, struck by the cyclist or the cyclist trying to avoid a collision with the vehicle.

Analysis by the M2's management team suggests that the accidents involved the following scenarios:

- Cyclist falls from bicycle after hitting or trying to avoid a stationary vehicle in or near breakdown lane.
- A motor vehicle strikes a cyclist.
- Cyclists failing to use the correct cross over point and then coming into contact with a motor vehicle.
- Cyclists falling from the bicycle without coming into contact with other motor vehicles.

As a further snapshot, from 1 July 2007 till 30 June 2009 there were three bicycle accidents on the Westlink M7 Motorway including a fatality in 2009 when a cyclist group was struck by a vehicle. Out of the three bicycle accidents that have occurred on Westlink M7, two resulted from vehicle collisions and one resulted from mechanical failure.

While we acknowledge this information is only a snapshot, we consider it provides an indication of the risk to safety and the incompatibility of bicycle and vehicles on urban motorways at high speed. We have no doubt that most cyclists adopt appropriate precautions when near traffic; however, this data does suggest there is some risk taking behaviour at crossover points and this is of concern.

- **Other jurisdictions do not allow bicycle access on safety grounds.**

We note that other jurisdictions in Australia, including Victoria, and overseas, such as the United Kingdom, do not allow access by bicycles to fast moving motorway traffic.

Bicycle riders in Victoria must not ride on freeways or other road that are signposted to exclude bicycles. In metropolitan Melbourne bicycle riders are not allowed to ride on the Monash, Eastern, Frankston, West Gate, Princess and Tullamarine Freeway's or the Western and Northern Ring Roads. This includes the Transurban owned and managed CityLink roads.

Next Steps

Transurban will continue to engage with government on this issue as we foresee more incidents are inevitable.

In the event that policy reform cannot be achieved we will consider other options including the resourcing of education campaigns to encourage safe behaviour by cyclists on motorways and what other practical steps we may be able to undertake as asset managers to reduce risk.

One option which we will explore is the development of a joint working group between the RTA and motorway operators to develop strategies to try to risk-manage the presence of bicycles on high-speed motorways. Transurban would welcome any views Staysafe may have on this proposal.

Conclusion

Sydney's motorways are the most efficient, safe and convenient network for private commuter, interstate freight and commercial vehicle use. Transurban's considered position remains that the safest option for cyclists is away from high speed motorway environments.

Staysafe's interest in this matter is welcomed and we hope that it will yield a renewal of discussion within government about bicycle access to motorways.

If I can assist you in any way in regard to this issue, please do not hesitate to contact me on (02) 9254 4964.

Yours sincerely



DARREN MOY
General Manager – NSW Assets