

**Submission
No 3**

REDUCING TRAUMA ON LOCAL ROADS IN NSW

Organisation: City of Sydney

Date Received: 30 January 2020

30 January 2020

Our Ref: 2020/000485
File No: X025816

The Chair, Joint Committee on Road Safety (the Staysafe Committee)
Parliament House, Macquarie Street, Sydney NSW 2000
By email: staysafe@parliament.nsw.gov.au

Inquiry into reducing trauma on local roads in New South Wales

The City of Sydney would like to make the following points and recommendations for consideration of the Committee for the Inquiry.

The Role of Local roads in Road Safety and Trauma

Local roads, or streets, within the City of Sydney are very diverse in character rather than just residential streets. Our local streets include a number, which have a significant place value, within the *Movement and Place* approach that is NSW Government policy. Examples of these include George and Pitt Streets, Sydney; Redfern Street, Redfern; Glebe Point road, Glebe, and Darlinghurst Road, Potts Point.

Many of our local streets are national icons, which attract visitors during the day and night and present different challenges compared to our residential local streets. Central Sydney has the intense mix of people walking and vehicle traffic of any city in Australia and a significant proportion is on the local street network.

On many of these local streets, the number of people walking significantly exceeds the number of people in vehicles. In our City, local streets accommodate up to 1.2 million people each day, with a predicted 2 million people by 2050. In the City Centre, more than 92 per cent of trips are walking trips.

The *'NSW Road Safety Plan 2021'* prioritises *'liveable and safe urban communities'*. Reducing trauma on local streets will create liveable and safe streets and will enhance our places while continuing to allow for significant people movements.

The Effectiveness of Existing Road Safety Planning

Speed Limits

The City has a target to introduce 40km/h speed limits to all our local streets within the next 5 years. Currently approximately 55% of the City's local streets are 40km/h. The primary challenge to this is the cost of physical treatments to build street conditions that help drivers to drive at these lower speed limits. The City supports many of the findings of the *'Evaluation of 40km/h speed limits'* prepared for the NSW Centre for Road Safety (Martin Small Consulting), particularly more flexibility for councils in implementing 40km/h limits on local streets.

The City would like to see greater consideration to setting speed limits to balance the safety and *movement and place* qualities of an area. This would include speed limits

lower than 40km/h in centres .The Centre for Road Safety is developing new speed zoning guidelines that more fully incorporate place considerations. The recently introduced 20km/h speed limit on George Street has been successfully integrated into the local street network in one of the nation’s most challenging street environments. The City proposes speed limit reductions with a target speed limits of 30km/h in the draft *Local Strategic Planning Statement*.

Recommendations

1. TfNSW to work with councils to respond to the findings of the 40km/h evaluation, and accelerate “movement and place” based speed zoning guidelines.
2. A 30km/h trial is commenced in a major centre in NSW with the view to rolling out at all centres within the coming years

Decision Making and Design Guidelines

The City recommends a review of all NSW design guidelines that impact on local streets to ensure more priority to people walking and cycling. .

The City uses high quality design to plan safe environments for all users of the street, using appropriate and fit for purpose international standards. However, the constraints of working within the current design guidelines and warrants have significant impacts upon urban design concepts. As such, a situation exists where residential and business hubs operate without vital road safety infrastructure, such as pedestrian crossings. The guidelines and warrants can be interpreted as rigid documents, which do not allow flexible high quality design solutions to succeed.

The ‘*Evaluation of 40km/h speed limits*’ prepared for the NSW Centre for Road Safety (Martin Small Consulting) highlights the need to have more flexibility within guidelines and warrants. The evaluation identifies that current guidelines and warrants can be restricting the options available for safe management of local streets.

An example is that currently pedestrian warrants on local streets are strictly adhered to and are traditionally based upon numbers of users rather than levels of risk or unmet walking desire lines.

Pedestrian prioritisation on the local street network is essential to reducing road trauma as population and activity grows. Many local streets favour motor vehicles with significant road space and priority allocation. People walking have a small proportion of road allocation and priority in contrast to motor vehicles, this often does not reflect the balance of road user movements.

An example of greater pedestrian priority is located on Campbell/Bourke Streets, Surry Hills. A new signalised crossing on the local street gives priority to people, with over 10,000 walking and cycling trips through the intersection every week. The green light for motor vehicles is on demand, triggered by sensors when vehicles approach the intersection. The crossings’ pedestrian priority has resulted in fewer instances of people (combined walkers and drivers) illegally crossing on a red compared to crossings with similar usage. Giving vulnerable road users, such as people walking and cycling, priority in urban environments, will reduce t trauma on local streets.

Authority on local streets

Local government is the roads authority on local streets; this function is delegated to councils under the Roads Act 1993. However, a Transport for NSW committee (local

traffic committees) oversees all decisions on local streets including traffic and simple parking matters.

The local traffic committee is focused on traffic related matters; as such, the issues of *place* are not adequately represented. The result is that while the City is the local road owner, even simple decisions, aligned with NSW Government policy, still require TfNSW's approval.

Recommendations

3. TfNSW should review all road design guidelines and technical directions, which inform the design of roads and traffic treatments to ensure local streets are not being over designed or engineered. There should be strong consideration to linking all design requirements to *Movement and Place*.

4. Decision making on local streets within the City of Sydney be fully delegated to the City of Sydney. Delegations should include setting speed limits and signal management, such as phasing and the introduction of countdown timers.

Opportunities for improving road safety planning and management

Major Project Interface

There are a number of State Significant projects occurring in within the City. These projects are in various stages of development and include State Significant Infrastructure, State Significant Development and State Significant Precincts.

As State Government led projects these should consider their full impact on the local street network. Such impacts could be an increase in pedestrian or vehicle activity on the local street network, and not just those adjacent to the projects. The impacts of State Significant projects on local streets need mitigation within the project scopes, rather than falling to the local government upon completion.

Recommendations

5. All state government projects should consider their safety impact on local streets by their project and take steps to mitigate these issues.

NSW Road Rules, compliance and education

The City believes that there will be fundamental changes planned to national and NSW Road Rules and safety legislation, as safety agencies seek to address driver distraction, fatigue, and emerging technology. When this process is underway, agencies should also look to:

- maximise the deterrent for unsafe behaviour on local streets, and the ongoing serious injury pattern e.g. driver on driver crashes from turning manoeuvres
- determine whether the different movement and place conditions justify any different rules on local streets, especially residential streets.

- investigate the benefits for adopting a ‘burden of care’ approach to local urban street crashes, with the ‘risk liability’ legislation.

One of the major risks for vulnerable road users on the local street network is drivers speeding. Enforcement programs such as the ‘Enhanced Enforcement Program’ should be targeted so that all road users have accountability. In the City of Sydney operations such as Pedro and Franklin targeting cyclists and pedestrians, seem disproportionate when compared to the risk to vulnerable road users on local roads by general road rule offences. There should therefore be additional emphasis in “Safer People” programs (behavioural change, education, enforcement and marketing) to reinforce the risks of even low level in these environments.

Any campaign could also focus on “the most frequently breached” Rules, such as drivers failing to give way to pedestrians when turning.

An adoption of ‘risk liability’ legislation may have a significant impact on local urban street trauma. In the Netherlands, ‘Article 185 of the Road Traffic Act’, states that a driver of a motor vehicle is liable for a crash with a pedestrian or cyclist unless they can prove *force majeure*. The aim of the legislation is to increase a driver’s responsibility for the safety of vulnerable road users, with an emphasis on urban environments where risk is substantially elevated.

The Western Australian Government’s 2019 review of Road Traffic Code 2000, also recommends a form of ‘risk liability’. It recommends that the severity of the penalties should reflect the road safety risk associated with the offence (i.e. the relative risk of a crash occurring and relative risk of injury in a crash). This could see much greater penalties for motorists in high-risk urban environments.

The emphasis of ‘risk liability’ is that ultimately a motor vehicle driver should be held to greater account, both in terms of legal penalties and liability for crashes with vulnerable road users in risk areas where *force majeure* cannot be proved.

The City is working to increase the use of bicycles consistent with Future Transport. The local street network contains significant parts of the regional and local cycle network. The Minimum Passing Distance rule is supported, but needs more diligent enforcement and promotion to drivers.

Recommendations

6. The City strongly supports an increase in driver education particularly driver interaction with vulnerable road users on local streets.
7. NSW Government should review the current process of targeted enforcement programs, such as the Enhanced Enforcement Program to ensure they are maximising trauma reduction on local roads.
8. NSW Government investigate the introduction of ‘burden of care’ and ‘risk liability’ legislation to greater protect vulnerable road users in urban areas.

Local Government Road Safety Program

The City is a long-term partner of the Local Government Road Safety Program and continues to support the Program with by employing Road Safety Officers continually since 1994.

While the Program is an effective local education mechanism in terms of reducing trauma on local streets, the following improvements should be considered:

- The Program needs to be maintained and funding opportunities increased to reflect the road safety challenges and the complexity and importance of the road user interactions within the City. Additional programs such as behaviour change need to be initiated.
- Funding the LGRSP beyond the current 3 year cycles, so that councils can continue working with local communities to address safety on local streets is required.

Recommendations

9. The City recommends an increase in local government road safety funding and a long-term commitment to the Local Government Road Safety Program.

Should you wish to speak with a Council officer about the above, please contact [REDACTED]

Yours sincerely,

[REDACTED]

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