

**REPORT OF PROCEEDINGS BEFORE**

**JOINT STANDING COMMITTEE ON ROAD SAFETY**

**INQUIRY INTO VULNERABLE ROAD USERS**

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**At Sydney on Tuesday 12 October 2010**

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**The Committee met at 9.30 a.m.**

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**PRESENT**

Mr G. Corrigan (Chair)

**Legislative Council**

The Hon. R. L. Brown  
The Hon. R. H. Colless  
The Hon. I. W. West

**Legislative Assembly**

Ms D. E. Fardell  
Mr D. R. Harris  
Ms N. Hay  
Mr A. D. McDonald  
Mr D. W. Maguire  
Mr G. Souris

**CHAIR:** The public hearings being held today and tomorrow are exploring issues surrounding the safety of vulnerable road users, in particular motorcycle and pedal cycle riders. The inquiry will examine current patterns of motorcycle and bicycle use in New South Wales and review the operation and effectiveness of current safety measures in reducing injuries and fatalities. Witnesses appearing today will provide the Committee with information from the perspective of regulators, individual riders and relevant road user groups. This will allow the Committee to provide practical advice to the Minister for Roads by way of conclusions and recommendations in its report, which is expected to be tabled before the end of the year. I welcome representatives of the Roads and Traffic Authority and thank them for appearing today to provide evidence to the Staysafe Committee's inquiry into vulnerable road users.

**MICHAEL PHILIP de ROOS**, General Manager, Safe Roads Branch, Roads and Traffic Authority, 101 Miller Street, North Sydney, and

**MARGARET PRENDERGAST**, General Manager, Business Strategy and Strategic Projects, Roads and Traffic Authority, 101 Miller Street, North Sydney, affirmed and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and read by the members of the Committee and authorised for publication as part of your evidence to the Committee. Would you like to make a brief opening statement?

**Ms PRENDERGAST:** The Roads and Traffic Authority [RTA] has a very strong focus on vulnerable road users such as motorcyclists and cyclists. We closely monitor crash trends and have implemented and developed a whole range of initiatives. Some of the most significant initiatives that we have implemented to date have included mandating helmet wearing; for motorcyclists it has been safety treatments on recreational routes; the cornering campaign; the new graduated licensing scheme; and the commencement of testing and rating of safety equipment. For cyclists we have been building cycleways, providing high quality educational resources in our schools with a strong focus on cycling safety, and we have been actively implementing the NSW BikePlan.

However, after six years of declining road toll there was a significant turnaround in 2009, when the toll was up 21 per cent on 2008. A review of motorcycle and cycle issues is very timely as both groups experienced strong increases in 2009. There has been incredibly strong growth in the use of motorcycles, with registrations up 50 per cent in five years. Whilst we acknowledge the decrease in the crash involvement rate per 10,000 motorcycle registrations, there was a 25 per cent increase in motorcycle fatalities last year compared to 2008. In response to this increase in the motorcyclist road toll in 2009 and the strong growth in the number of motorcyclists the Government has asked us to prepare a New South Wales motorcycle safety strategy. This inquiry is very timely for us and will provide incredibly valuable information we can use in that strategy. Fatal crash data for pedal cyclists has been fairly static for ages but there was a 63 per cent increase in 2009 compared to 2008, albeit the numbers are very small.

**Mr DARYL MAGUIRE:** Can you give us the detail of the 63 per cent increase in cyclist and motorcyclist fatalities?

**Ms PRENDERGAST:** In 2008 there were 52 motorcycle rider fatalities and in 2009 there were 66, which represents a 27 per cent increase. There were three motorcycle passenger fatalities in 2008 and three in 2009. There were eight pedal cyclist fatalities in 2008 and 13 in 2009, which is a 63 per cent increase. Interestingly, in 2009 only six of the 13 pedal cyclist fatalities were in the metropolitan area, whereas usually the majority are in the metro area. That is a very interesting trend.

**Mr DARYL MAGUIRE:** Do you have figures for the trend in 2010?

**Ms PRENDERGAST:** Yes. At the moment the numbers are down on 2009. As of midnight last night the road toll for 2010 was 338, compared to 355 in 2009. There have been nine pedal cyclist fatalities to date in 2010 compared to 11 at this time in 2009. In terms of motorcyclists, both passengers and riders, there have been 51 fatalities to date in 2010, compared to 56 for the same period in 2009.

**Mr GEORGE SOURIS:** To enable us to get all the information on the table can you tell us now what information you have such as the percentages for alcohol involvement in fatalities, how many occurred on footpaths and information of that nature?

**Ms PRENDERGAST:** The detailed data is in the submission but I will give you some highlights from our perspective. I will run through some of the key statistics relating to motorcyclists. In the years 2004-09, registrations were up 50 per cent and licences were up 18 per cent, so there is a marked difference there. Motorcyclists are over-represented in the road toll. They account for 15 per cent of fatalities and 11 per cent of injuries and yet they comprise 3.6 per cent of registrations and 0.08 per cent of total travel. That puts it in context. Whilst there have been improvements in overall road toll fatalities since 2002, motorcyclist fatalities have increased and pedal cyclist fatalities have remained fairly static.

**Mr GEORGE SOURIS:** Is there a profile to show that the increase comes from L-plate motorcyclists?

**Ms PRENDERGAST:** I am just coming to that. In terms of causality, speed is the predominant factor in motorcycle crashes. In the years 2005-09, speed was a contributing factor in 55 per cent of motorcycle crashes, compared to 40 per cent for all vehicles. It shows that speed is an issue. We also saw a slightly higher incidence of alcohol in motorcycle fatalities. Interestingly there was quite a high incidence of legal levels of alcohol as well. Another factor with motorcycles is that there was a higher level of unauthorised driving; that is unlicensed driving. Twenty-one per cent of fatalities involved an unlicensed driver, compared to 6 per cent for all vehicles. That is quite a marked statistic.

**Mr GEORGE SOURIS:** Delicensed or not yet licensed?

**Ms PRENDERGAST:** Not yet licensed or delicensed; it could be either. In terms of age, there is a misconception that it is the older age groups, returning riders, but that is not what the statistics show.

**The Hon. ROBERT BROWN:** Do the unlicensed riders include those who are L-plated?

**Ms PRENDERGAST:** No, L-plate riders are a separate category. The interesting thing with the age of riders is that under-30 is still the dominant group in fatalities. They comprise 45 per cent of all motorcycle fatalities. The 30-49 age group comprises 40 per cent of fatalities, and the over-50 group comprises 11 per cent. What we are seeing with motorcyclists, and it is a very hard thing to code in crash data, is that fatigue is an emerging issue. The crashes are occurring on Saturday and Sunday afternoons, particularly Sunday afternoon, so we are looking at those return rides. The other classic statistic in respect of motorcyclists is that with young motorcyclists the crashes occur at intersections in metro areas and the older, middle-aged motorcyclist fatalities occur on country rural roads and involve high speed, largely running off the road and on curves.

There has been really strong growth in cycling in Sydney and there is up to 30 per cent growth on some cycleways, such as the Anzac Bridge. We know there is an increase of up to 20 per cent in recreational riding. As I said, fatalities and serious injuries are usually concentrated in the metro area. That was not the trend we saw in 2009. Cyclist injuries are occurring at intersections and cyclist fatalities are occurring on higher order roads, high speed roads effectively. We also know that in 33 per cent of cycle fatalities and 18 per cent of injuries the person was not wearing a helmet. One in seven bicycle casualties were alcohol affected. Those are the predominant statistics for those two groups. One thing I did not mention is that up to 10 per cent of motorcyclist fatalities were not wearing helmets.

**Mrs DAWN FARDELL:** Two of the submissions we have received argue that compulsory helmets may contribute to increased numbers of head injuries. Obviously there must have been some reason the RTA proposed the wearing of helmets some years ago. Could you elaborate on that?

**Ms PRENDERGAST:** We know that the use of helmets reduces the risk of brain injury and reduces physical injuries. The thing that is hard to quantify is that it reduces brain injury and long-term damage to people. We know that helmets are effective. It has been proven by the reduction in the toll since helmet wearing became compulsory.

**Mr de ROOS:** Head injury forms the greatest risk to cyclists. One-third of cyclists admitted to emergency departments were not wearing helmets, two-thirds of hospital admissions involve cyclists not wearing helmets, and one-third of deaths involve cyclists not wearing helmets. There is research that shows a

helmet will protect the brittle nature of the outside of the head and the soft tissue within the brain. There is some good research that shows that helmets do work. The data shows that the people being injured and admitted to hospital have not been wearing helmets.

**Dr ANDREW McDONALD:** I agree it is important for the individual rider to wear a helmet but there is a view that compulsory wearing of helmets for cyclists reduces the number of entry-level people. Can you reply to that? I refer to the fact that having to wear a helmet discourages people from riding bicycles, not motorcycles.

**Ms PRENDERGAST:** We have strong education resources for kids. If you train kids to wear helmets the acceptance of wearing a helmet will be far greater and that barrier at entry level is removed. The Netherlands has been looking at this issue. Cyclists there do not wear helmets, but they are looking at trials to get schoolchildren to wear helmets so there is an acceptance of that before they roll out a broader program, given the number of cyclists they have.

**Dr ANDREW McDONALD:** But that does not answer the question in that everybody would agree that if you are riding a bicycle it is safer for you to wear a helmet; I could not ride my bicycle without a helmet. The question is that one of the disincentives for people to enter bicycling at any age is the fact that the helmet wearing is compulsory and most of the cyclists who are injured in fact are adults not children. I want you to reply to the entry level for adults for casual riding.

**Mr de ROOS:** I do not feel as though I can answer that confidently. I could not say whether that is a discouragement or not.

**Ms PRENDERGAST:** Potentially it could be a barrier but at the end of the day we know that these protect from serious injuries; we know that these reduce the severity of the injury, therefore we must promote the safe practice and we would hold no other view other than wearing helmets. Even if it is a deterrent, it is an essential safety feature.

**Mr GEORGE SOURIS:** You will have probably said this in the flow of statistics. Can you give an indication in terms of helmets and pedal cyclists of how many deaths of pedal cyclists are attributable to not wearing helmets and what has that done percentage-wise or profile-wise over the last few years?

**Ms PRENDERGAST:** I have the 2009 statistics in front of me. I will have to refer back to the report for the time series, but effectively this year 33 per cent of the 13 killed were not wearing a helmet.

**Mr GEORGE SOURIS:** No, I asked you whether the fact that they did not wear a helmet was the cause. They may have been injured elsewhere.

**Ms PRENDERGAST:** It is often multiple causes. It could be the action in itself in the first impact and their helmet reduces the severity of the injury from the fall from that crash.

**Mr GEORGE SOURIS:** But in the argument about wearing helmets we would need to drill down into that exact profile, otherwise what are we going on?

**Ms PRENDERGAST:** We are going on what we know since we introduced it that there has been a reduced trend in the severity of injuries over time.

**Mr GEORGE SOURIS:** You have not gathered and maybe do not intend to gather statistics that focus on whether the absence of a helmet was indeed the cause?

**Ms PRENDERGAST:** It is not usually the cause—it could be the cause of death, but something else causes the crash itself and then their helmet reduces the severity of the injury is how it works.

**Mr GEORGE SOURIS:** Can you actually demonstrate that somebody died who might not have died if they were wearing a helmet; that is it, that is the bottom line?

**Ms PRENDERGAST:** We have got that analysis. We will take that as a question on notice and come back with the analysis for you.

**Dr ANDREW McDONALD:** I have two questions, the first on cycleways. Much of the dispute in the bicycling fraternity with cycleways has been their poor design and I will give you a concrete example, which is the King Street cycleway where the RTA has designed a red arrow halfway up an enormous hill that effectively is ignored by close to 100 per cent of cyclists because it is impossible to stop and the traffic next to them going through the green has also got a green. How do you respond to criticisms like that?

**Mr de ROOS:** We have a quite in-depth document about guidelines for bicycle facilities. Many of the bicycle facilities we see around us are actually built by councils on council roads.

**Dr ANDREW McDONALD:** Is King Street a council road or has the RTA decided to put a red arrow across a pedestrian crossing?

**Mr de ROOS:** I am not sure about the red arrow. The signals are upgraded by the RTA. Are they signals that you are referring to?

**Dr ANDREW McDONALD:** Yes. It is going up a steep hill, one-way traffic, and what used to happen was that the cyclists would keep going when they were in traffic but now halfway up a steep hill they are confronted by a red arrow, which requires them to dismount, press it and wait, and it is ignored by close to 100 per cent of cyclists, which probably makes it more dangerous rather than less dangerous. It is just a poor design by whoever designed the traffic lights rather than a problem with the cycleway.

**Mr de ROOS:** I can take on notice that particular issue and get an answer back to you on what has happened there. In principle, however, the RTA is responsible for installing, operating and maintaining traffic signals. On-road facilities on council managed roads are installed by councils. They can be built with some RTA funding or they can be built entirely with council funding.

**Ms PRENDERGAST:** I read that in one of the submissions to Staysafe and there were a lot of pedestrian issues in that area and I think the signal phasing has been done to accommodate some pedestrian safety issues but again we will check that out.

**Dr ANDREW McDONALD:** You quote off-road motorcycles as a problem. Currently you lose no points if you are caught riding a motorcycle off road, even though a significant proportion of off-road motorcyclists are licensed drivers. You can lose points for going through a red light on your bicycle but you cannot lose points for riding dangerously off road on a dirt bike. What is the RTA's response to that?

**Ms PRENDERGAST:** We are only responsible for on-road related areas. We actually do not delve into off-road crashes. However, when I talked about the unauthorised motorcycle issue, we understand that many of those are trail bike riders, et cetera, travelling from their home, having to travel on a public road to get to their destination.

**Dr ANDREW McDONALD:** That is why I asked the question.

**Ms PRENDERGAST:** Therefore, we have seen quite a few fatalities and serious injuries relating to those sorts of trail bike riders who are leaving their home, totally unauthorised and should not be riding on a public road, do so in a risky manner to go out to their bush location. That is a trend we are seeing.

**Mrs DAWN FARDELL:** Do you support the city of Sydney in constructing cycleways throughout the city? Are you liaising with them on this project?

**Mr de ROOS:** We have seen the plans. The City of Sydney council bicycle scheme is a council initiative and it is actually paid for by council, so we are not funding that. The plans were forwarded to us for comments and we provided some comments on them and gave them back to the city of Sydney council.

**The Hon. RICK COLLESS:** Are you familiar with the Bourke Road cycleway at Alexandria?

**Ms PRENDERGAST:** From the press, yes.

**Mr de ROOS:** I am familiar with it.

**The Hon. RICK COLLESS:** I use Bourke Road quite regularly to and from the airport from my Sydney residence. Bourke Road, as you know, is an industrial area principally; there are lots of big trucks, semis and heavy vehicles moving through there all the time. We now have a road that was basically an industrial road with this cycleway on it and speed bumps that are approximately 150 millimetres high that small vehicles and large vehicles have trouble riding over. I use that road quite regularly and I have seen one cyclist on that cycleway; not one per day or one per time I go down there; I have seen one solitary cyclist in all of the trips I have had up and down Bourke Road since that cycleway was put in. My question is: Did the RTA approve that work? You said that Sydney city council submitted the plans to you for comment. Did you approve that work, did you make comment on it and what research supports the approval of that particular cycleway?

**Mr de ROOS:** My understanding is that again that is a council initiative paid for by council. We did not approve it. It would probably have gone through the traffic committee. I cannot really comment on that process too much because I was not part of that. I do not believe we approved it; I believe it was a council initiative. We gave some comments on the plans when they came through. One of the concerns that we had is that when you introduce vulnerable road users to a road environment there is the question of vehicle size and speed all mixed in together. I cannot remember the exact comments we made but we would have made some comments about the speed and the mix of traffic on that road and we would have made comments along the lines of speed management through that road, as well as some form of physical separation that I recall. I believe that route has a bit of a median or concrete—

**The Hon. RICK COLLESS:** It has a concrete bund that runs down beside the cycleway.

**Mr de ROOS:** That is part of the proposal that came to us.

**The Hon. RICK COLLESS:** But it has taken up about a third of the road width, I would say—not a third of the lane but a third of the total roadway.

**Mr de ROOS:** I cannot comment on the decision-making process that went into identifying that as a cycle route or why they did it.

**Ms PRENDERGAST:** We could take that question on notice. We are from the Centre for Road Safety. It would be our colleagues in traffic management and the region who mainly deal with those sorts of developments.

**The Hon. RICK COLLESS:** But this is part of a bigger problem with these cycleways that I think you need to be aware of. If there is to be a proper network of cycleways they need to be off the roadway, particularly in heavy vehicle areas. I have seen trucks having trouble getting across the cycleway because there is not enough space between the entry where the truck has to go into the premises and the wheels go over the concrete bunds. It is just the most appalling design of any development within the city area that I think I have ever seen.

**CHAIR:** We might take that up with the City of Sydney tomorrow.

**Dr ANDREW McDONALD:** Did you say that 20 per cent of motorcyclists are riding unlicensed?

**Ms PRENDERGAST:** It is 21 per cent.

**Dr ANDREW McDONALD:** What is the penalty for riding an unlicensed motorcycle with respect to your drivers licence? Are there any points for that?

**Mr de ROOS:** Can we take that on notice.

**Ms PRENDERGAST:** I am not sure.

**Dr ANDREW McDONALD:** The reason I ask is that I do not think there are and I think that is something that it would be simple to do.

**Ms PRENDERGAST:** So to apply the demerits to the drivers licence?

**Dr ANDREW McDONALD:** Yes.

**Ms PRENDERGAST:** Except in the case of trail bikes, we understand a lot of those riders are actually under 20 years old.

**Dr ANDREW McDONALD:** Yes, but they still could have penalties.

**Ms PRENDERGAST:** Absolutely.

**CHAIR:** Tomorrow morning one of our colleagues who had an accident on his motorbike is suggesting that all motorcycles should be fitted with ABS. All cars these days are sold with ABS. I know it is a Federal matter, but would you support that call?

**Ms PRENDERGAST:** We support that and within the strategy that we have just commenced development of, we are looking at a safer vehicle section. We are looking at potentially mandating ABS. We know that it has incredible benefits for motorcyclists. It could be that what electronic stability control has done for light vehicles we believe that ABS can do for motorcyclists. We are also looking at traction control. We will also be looking at an extensive protective clothing and equipment strategy using star ratings, and mandating some elements potentially. They are some of the things we are keen to explore.

**The Hon. ROBERT BROWN:** I seem to recall—I do not know how many years ago it was—riders had to show they were capable of riding a motorcycle. At that stage they had strict engine size limits and I think it was 250cc. I notice now that motorcycles are advertised everywhere as LAM, which I assume is learner approved motor cycle, but there does not seem to be that same 250cc limit. Can you explain why?

**Mr de ROOS:** The learner approved motorcycle scheme was introduced quite some years ago. There was an issue with it with bigger men on smaller 250cc motorcycles. There was also a bit of an issue with some of the 250cc motorcycles being tuned up so that they are actually very powerful, so even though it was a smaller engine it was still quite powerful, so they came back to look at a power-to-weight ratio. There is now a power-to-weight ratio formula so the bikes are a little less powerful but they can be bigger. Likewise some of the more powerful smaller bikes are no longer approved for learners, so it is a fine tuning of the intention of that policy that has made it better and that policy is now adopted nationally across all the States.

**Ms PRENDERGAST:** In graduated licensing there are different power grade ratios for different classes of vehicle.

**The Hon. ROBERT BROWN:** Can I have the RTA's comment on whether you believe that registering pedal bicycles, for adult use obviously, would be a benefit from a safety point of view and from a data collection point of view, putting the revenue issue aside?

**Mr de ROOS:** It would still be a very expensive exercise for the RTA to undertake and it is difficult to measure what the benefits would be. So it would be expensive on one side and uncertain benefits on the other.

**The Hon. ROBERT BROWN:** Given the questions that have been raised here this morning, and in your own submission you talk about the boom in pedal cycles, and given we are now having all these issues with dedicated cycle ways, are you going to alter the way you do your research or put more emphasis on the metropolitan research, specifically in the areas of these bicycle ways, to see whether those bicycle ways have any influence on the safety statistics?

**Mr de ROOS:** I would have to take that on notice and get back to you.

**The Hon. ROBERT BROWN:** Could you please?

**Mr de ROOS:** Yes.

**Ms PRENDERGAST:** We know the exposure is growing for pedal cyclists. The figures - albeit in 2008 versus 2009 there was a stark jump - have been fairly static. There are more and more numbers. We know, for example, the Anzac Bridge and the Epping Road cycle ways are accommodating large numbers very safely.

**The Hon. RICK COLLESS:** Just on bicycle and cyclist safety issues generally, in my experience in Sydney over the last three or four years, it is apparent that bike riders are notorious road rule dissidents. They go through red lights almost all the time. Just coming in this morning there were three or four cyclists who

completely ignored the red light, dodged the traffic and went straight through. What enforcement is undertaken on these dissident cyclists? I have never seen one pulled up or booked by the police.

**Ms PRENDERGAST:** Effectively, we are dependent on police for enforcement, but without a registration or identification, it is actually very hard to enforce them unless they pull them over. What we know from our statistics is that 11 per cent of all bicycle fatalities involve that cyclist disobeying the traffic controls. We are aware of the issue. What we are working towards is more understanding amongst road users that they share the road and we are looking at pursuing some sort of communication targeted at different users about respect and sharing the road.

**The Hon. RICK COLLESS:** Is it an offence to ride a cycle under the influence of drugs and alcohol?

**Dr ANDREW McDONALD:** Yes.

**Mr de ROOS:** I understand it is.

**The Hon. RICK COLLESS:** Is it an offence to ride a cycle in excess of the speed limit?

**Dr ANDREW McDONALD:** Yes, it is.

**Mr de ROOS:** I understand it is.

**Dr ANDREW McDONALD:** It is. It is not as easy as it sounds though, to state the obvious.

**The Hon. RICK COLLESS:** But it is quite easy in areas with 40 kilometre an hour limits and things like that.

**Ms PRENDERGAST:** Yes.

**The Hon. IAN WEST:** Can I just ask a question about the consequences. If the vehicle is unregistered, what would you ever be charged with?

**Ms PRENDERGAST:** Breach of the road rules. The road rules apply to all road users.

**Dr ANDREW McDONALD:** Going through a red light on a cycle is like going through a red light in a car.

**Ms PRENDERGAST:** Like J walking.

**Mr DARYL MAGUIRE:** So the obvious question is: How many cyclists are breath tested?

**Mr GEORGE SOURIS:** None; only the ones that do not look ahead and see it.

**Mr de ROOS:** I could not answer that. Perhaps it could be a question for the police.

**Ms PRENDERGAST:** It is also an issue for us, particularly in regional areas, because we are advocating you do not drive when you are alcohol affected and we feel that there is a strong transfer of alcohol affected patrons to bicycles and walking just to get home.

**Mr DARYL MAGUIRE:** Or there is evidence of them riding a horse intoxicated.

**Dr ANDREW McDONALD:** Transurban argues for a complete ban on pedal cycles on the motorways, similar to in France. What is the view of the RTA?

**Mr de ROOS:** We have looked at this very closely and it is not an ideal situation to have cyclists on high speed motorways. However, the alternative is potentially riskier. The motorways are in many ways our best quality roads. You have at least three and half metre wide lanes, plus you have a two to two and a half metre shoulder, and they are reasonably level. If we push the cyclist off those higher speed roads, they will be forced onto the older type of arterial roads, which is still a reasonable speed. They can do 70-80 kilometres an hour in the outskirts of places like Sydney, where there is much less shoulder, sometimes there is virtually no



shoulder, lanes are often narrower than the ideal three and a half, and then you are mixing them a lot closer with a large mix of traffic. So in terms of speed I think the risk is greater; in terms of road engineering, it is a safer environment for them than the others. It is a trade-off; it is a balance.

**The Hon. ROBERT BROWN:** In its submission the RTA makes reference to increasing public interest in power assisted pedal cycles and describes the process leading up to the proposed amendments to the Australian Design Rules to enable such vehicles to meet road safety requirements. The terms used are:

An increased amount of these two wheeled vehicles, coupled with issues related to the suggested and increasing community interests....

You then go on to describe that there are going to be proposed changes to the Australian Design Rules. Can I ask what safety issues caused this review, any?

**Ms PRENDERGAST:** Yes, absolutely. Effectively, what it was is that we know there is strong community interest. The safety research was based on different models internationally. There is a growing demand and a growing production of these power-assisted cycles. We do not want to model ourselves on the standard which the United States is applying; it was very important that we model on the Japanese and the European standards.

**The Hon. ROBERT BROWN:** Why is that?

**Ms PRENDERGAST:** Because they are far safer. All the research indicates that controlling the speed of the vehicle so that it cuts out after 25 kilometres per hour is a far safer type of vehicle for our road users.

**The Hon. ROBERT BROWN:** Overseas research, not research in Australia?

**Ms PRENDERGAST:** It is overseas research, yes, but when we looked internationally, and we looked at the Japanese and European models versus the United States model, which is allowing more powerful power-assisted pedal cycles, this was a way to satisfy community interest whilst maintaining safety and keeping speeds down.

**The Hon. ROBERT BROWN:** Yet you are recommending an increase from 200 watts to 250 watts. Why is that?

**Ms PRENDERGAST:** That is because it is not based on the actual wattage; it is based on having the ability to cut out at 25 kilometres per hour. The key safety perspective is the speed of that vehicle.

**The Hon. ROBERT BROWN:** So it is an electronic control shall we say?

**Ms PRENDERGAST:** Correct, and you have to pedal.

**The Hon. ROBERT BROWN:** The only reason I raise the question is that I have had a representation from a partially disabled constituent who has one of these vehicles and believes that he is being harassed by the police. It comes under the old rules, the 200 watt rules, but he says there are rules being applied to his particular vehicle for issues such as the weight and shape of the vehicle. Does that sound correct to you?

**Ms PRENDERGAST:** I am not aware of those.

**The Hon. RICK COLLESS:** This is one of these E bikes?

**The Hon. ROBERT BROWN:** Yes, E bikes.

**Ms PRENDERGAST:** What we are doing is we are trying to petition the federals to look at the design so that we will get some consistency and clarify exactly what is allowed.

**The Hon. ROBERT BROWN:** But the RTA has made their position clear to the Australian Design Rules?

**Ms PRENDERGAST:** Yes, that the Japanese and European models are far safer models if those bikes have to be used.

**Mr DARYL MAGUIRE:** With regard to rider safety, what requirements are there for driver/rider identification, meaning requirements on a push bike for safety things such as lights and vests?

**Mr de ROOS:** In terms of bicycles?

**Mr DARYL MAGUIRE:** Yes.

**Ms PRENDERGAST:** Lights on the bike itself and on your body.

**Mr DARYL MAGUIRE:** What are they mandated to wear or have attached to their bike?

**Ms PRENDERGAST:** The mandate is one working brake, bell or horn and a light on the bike, if riding in darkness to my understanding. A light on the helmet is optional.

**Mr de ROOS:** I am not sure. We can get back to you on that.

**Mr DARYL MAGUIRE:** Of a certain standard, for instance some lights are dull, some lights are bright.

**Ms PRENDERGAST:** There is a standard. We would have to get back with the details, but it is about that blue flashing on and off. It is the standard that has been adopted.

**Mr DARYL MAGUIRE:** Who monitors the standards?

**Ms PRENDERGAST:** Again, it is an enforcement issue for police. My understanding is it is the light on the bike. The light on the helmet or reflective clothing is encouraged but not mandated.

**Mr DARYL MAGUIRE:** Is there any evidence that the mandate is being enforced by police? Are there any statistics that are available for rider compliance?

**Ms PRENDERGAST:** I would have to look at the police statistics on that particular issue. What we do know, just in observation terms, is that people are using the lights on the bike.

**Mr DARYL MAGUIRE:** It is the quality of the attachment that I am concerned about from my observations.

**Ms PRENDERGAST:** Yes.

**The Hon. IAN WEST:** This is more, I suppose, a curiosity question. What is the situation where there is a vehicle that is avoiding the enforcement agency? How are vehicles recognised, how are they identified to enable enforcement agencies to pursue or to prosecute?

**Ms PRENDERGAST:** A motor cycle or a light vehicle—

**The Hon. IAN WEST:** Sorry, pedal.

**Ms PRENDERGAST:** Pedal, okay. It is a description of the person riding; and a description of the bike. This is really a question for the police. We do not do enforcement.

**CHAIR:** A group of vulnerable road users that has not been really addressed in my view in anyone's submission is those gofers or little bikes that when you are 100 years old you have to get and ride on the—

**Ms PRENDERGAST:** Mobility scooters.

**CHAIR:** Mobility scooters, yes.

**Ms PRENDERGAST:** Absolutely.

**CHAIR:** Certainly, there is a fellow down my way, I do not know if he cannot see, but he rides as

close as he can to the white line and he has got a verge about three metres wide to drive on. Is the RTA looking at those mobility scooters and whether there is a need for any—

**Ms PRENDERGAST:** The matter is an emerging issue. We know that there are a lot of off-road serious injuries involving mobility scooters. There has also started to emerge in the last few years the odd on-road fatality or crash involving mobility scooters in breakdown lanes being cleaned up, et cetera. It is an emerging issue. It is one that is being put under the national spotlight. As part of the national road safety strategy and national forums, a uniform approach to mobility scooters is being addressed. We know there is something there to deal with. It is not only on public road roads, it is in shopping centres and in many areas that there needs to be some sort of control around mobility scooters.

**CHAIR:** We saw the need for a national approach to heavy vehicle safety. I certainly hope that is going somewhere. Are there some prospects of getting a national approach to these mobility scooters?

**Ms PRENDERGAST:** Absolutely. It is being addressed both in road rules forums and national safety forums, because every State has identified an increase in the numbers and these incidences of injuries and fatalities are starting to populate our road toll figures, so the trend is emerging. You can physically see the increase in the number of mobility scooters around.

**Mrs DAWN FARDELL:** Just following on from that, the investigation you are looking at or proposing we do nationally, when you are looking at injuries, it is not just on the road of the person driving the gofer or mobility scooter, it is also those injured by them as well, and the speed limit they should be doing in certain areas too. For example, we had some in my area riding right alongside the wall of the shops, someone stepping out of the shop, people are getting bowled over by a scooter moving at 12 kilometres an hour down the middle of the footpath. So there need to be some restraints and guidelines put in there. Had you received at all prior to this any information coming through on those injuries before you start working nationally?

**Ms PRENDERGAST:** We have actually analysed each and every mobility scooter crash that has appeared on our books. Some actually do not appear on our books because they are off road, but the ones that are occurring on road, we are analysing the circumstances. Nationally, all the States are doing that and bringing it to a greater pool of information to start building the evidence of what we need to do.

**CHAIR:** I know the State plan has a target of five per cent of bicycle use by 2016. Is it harder in places like Sydney and the outlying suburbs, because of the hilly nature of Sydney, to achieve this? In places like Dubbo and Wagga Wagga it is essentially flat but around Sydney it is very difficult to—

**Ms PRENDERGAST:** I totally agree. You get recreational cyclists on the cycleways at the weekend, et cetera, but your commuter trip is a hard trip. The topography does not lend itself to easy rides.

**Mr de ROOS:** There are at least three types of cyclists at the weekend: recreational cyclists, who quite often are parents and children; training cyclists, who are pelotons of people riding together; and commuter riders. Those three groups do not mix well.

**The Hon. ROBERT BROWN:** And professional riders or couriers?

**Mr de ROOS:** And professional riders, yes. But the strategy at the moment is to complete the missing links in the network of bicycle paths. There is a strategy also to have subregional networks working. So rather than the whole of Sydney we would have connecting areas. There is a strategy also to encourage councils to have bicycle paths within their council areas. They can be relatively small but they will service a local area that might be quite flat. A lot of country towns will have bicycle plans and they will have a strategy based on those plans. There are layers of strategies and requirements for bicycle plans and there are layers of users that all need to be accommodated.

**Ms PRENDERGAST:** But we believe that the topography in Sydney and in New South Wales generally inhibits the take-up of cyclists in comparison to cities that are flatter.

**Dr ANDREW McDONALD:** You referred earlier to missing links. What are the major priorities for missing links over the next few years?

**Mr de ROOS:** I will have to get back to you on that issue. I know that there is a plan but I do not have that sort of detail with me. I will get back to you on that issue.

**Dr ANDREW McDONALD:** The new demographic of the small Vespa is usually younger city workers. What part has that had to play in motorcycle accidents?

**Ms PRENDERGAST:** It is a small percentage. These days about 3.2 per cent of all motorcycle crashes are scooters. I would have to clarify that statistic but we are seeing a proliferation of them. The traditional motorcyclist will err on the side of protective clothing, but traditionally scooter riders do not wear protective clothing. You see high heels, thongs and non-protective clothing. That is something we want to address as part of the motorcycle strategy. We will be addressing scooters and mopeds within our strategy. It is an emerging class and we know that we need to deal with it and, in particular, with the protective clothing issue.

**The Hon. ROBERT BROWN:** I return to the issue of vulnerable road users. In past inquiries this Committee has considered pedestrian safety. This inquiry is examining the vulnerability of bicycle riders in particular and motorcycle riders in metropolitan areas. Because of the increasing use of bicycles and the increasing provision of cycleways we will see an increasing risk or occurrence of pedestrian injuries. I refer to an earlier question that I asked about bicycle and pedestrian interfaces or crashes. Because a bicycle is not registered I guarantee that very few statistics are available to show how many bicycle and pedestrian crashes there are, or do I have that wrong? Are they regularly reported and how are they reported?

**Ms PRENDERGAST:** They are regularly reported. The statistics are low but there are known instances of pedestrian and cycle clashes.

**The Hon. ROBERT BROWN:** If I walked through the city on any day of the week I guarantee that I would see at least one incident. It might not be a fatal crash or anything like that, but often those people who are being injured are the slow, old and frail in our community. We will see an increasing number of incidents because of an increase in the number of bicycles. Could professional cycle riders or the couriers that we see flying around Sydney be registered? Would that be a less costly user-pays type issue at which the Roads and Traffic Authority could look?

**Mr de ROOS:** I must admit it is not something at which we have looked. I will take that question on notice and give the issue a bit more thought.

**The Hon. ROBERT BROWN:** Has the Roads and Traffic Authority considered that issue and, if so, what were the results?

**Ms PRENDERGAST:** One thing about couriers is that they are easily identifiable as opposed to other cyclists. The ageing population, coupled with an increase in cycling, will result in issues on pathways and on footpaths in busy locations. It is an emerging issue that we are looking into.

**The Hon. ROBERT BROWN:** In the city of Sydney, where there is a trend towards taking motor vehicles off the roads, there will be more pedestrian precincts. Bicycles still use those pedestrian precincts so we will have an increasing problem.

**Ms PRENDERGAST:** We know also that there is underreporting of pedestrian and cyclist incidents. They are less likely to report.

**Mr DARYL MAGUIRE:** Have you considered liability in relation to all the issues that have been raised? For example, if a pedestrian is hit by a cyclist, or a cyclist causes an accident, is there liability insurance?

**Ms PRENDERGAST:** That is probably a question for the Motor Accidents Authority. It becomes a question of insurance and the civil pursuit of that case. We are aware of enforcement only as in public enforcement.

**Dr ANDREW McDONALD:** The RTA has maps of cycleways. When I looked at those maps six months ago I found they were so far out of date that they were positively dangerous. Have they been updated over the past few years?

**Ms PRENDERGAST:** A project is going on right now to create better cycling maps on the website, to have some more localised community-based reports and to promote local cycleways.

**Dr ANDREW McDONALD:** The maps are very poor. They show the designated cycleways but they do not show you how to get from point A to point B, which tends to funnel people towards the motorways. If they had a way of getting from one cycleway to another on a recommended and safer route they would not go on the freeways.

**Ms PRENDERGAST:** This mapping initiative is documented in the NSW bicycle plan that is being pursued.

**Mr GEORGE SOURIS:** Are you aware of a court case involving Ms Susan Abbott from Scone?

**Ms PRENDERGAST:** No, I am sorry; I am not aware of that case.

**Mr GEORGE SOURIS:** She was charged on 5 March in the District Court with not wearing a bicycle helmet. The conviction was discharged, not based on her argument about safety and so on but based on an argument that an exemption exists under regulation 256 that applies, for example, to Sikhs who cannot wear the helmet over their religious headdress. That probably had nothing to do with her arguments; nonetheless, it applied on this occasion. Going back to that court case, what is now the state of play? As a result of that precedent is it now open to anybody who has an objection to wearing a helmet on a bicycle to appeal a case and to win in the District Court?

**Ms PRENDERGAST:** I would have to take that question on notice. I know that that issue has been scheduled for the next Australian Road Rules Maintenance Group, so it will be looked at nationally. We adopt national model rules in New South Wales; therefore, we will be looking nationally at this anomaly and we will take a uniform approach to addressing it, if it needs to be addressed.

**Mr GEORGE SOURIS:** Is the anomaly to which you refer the anomaly that the religious headdress provides an exemption?

**Ms PRENDERGAST:** It is the principle of allowing people not to wear a helmet, using a long bow, for example.

**Mr GEORGE SOURIS:** Could people such as Ms Abbott apply for some kind of official registration that could be carried, such as a Roads and Traffic Authority card that permitted them, for whatever reason, to exercise the exemption that exists under rule 256?

**Ms PRENDERGAST:** That is something that would have to be considered nationally.

**Mr de ROOS:** We would have to look at that.

**Ms PRENDERGAST:** I would have to look at that issue, so we will take that question on notice.

**Mr DARYL MAGUIRE:** The State Plan is gearing towards 5 per cent of bicycle riders by the year 2016. How much money has the State Government allocated to bring that about? Have you been informed whether funds have been made available? Do you have access to those funds to develop your work?

**Mr de ROOS:** The bicycle plan speaks generally of \$158 million.

**Ms PRENDERGAST:** In the Metro Plan it is \$158 million over 10 years.

**Mr de ROOS:** It is hard to segregate that all out, as bicycle facilities are provided as part of our major projects. In a major project such as Camden Valley Way a bicycle facility is being built as part of that project.

**CHAIR:** That is a good example.

**Mr de ROOS:** Some of the stuff is bundled up. We can get back to you with the program as it exists.

**CHAIR:** You referred to Camden Valley Way. One of my great fears in relation to the cycleway, as has happened with the M7, is that people will still ride on the carriageway instead of using a perfectly constructed and engineered cycleway.

**Mr de ROOS:** That is one of the problems we have with the different types of cyclists. In the M7 example, recreational cyclists are quite happy to use that facility. The sporting cyclists—

**The Hon. ROBERT BROWN:** The gaily clad lycra brigade.

**Mr de ROOS:** The sporting cyclists want to use a flat and faster route and do not want to mix with slower moving family groups. There is that balance with all the different types of road users we have out there.

**CHAIR:** The International Federation of Bike Messenger Associations, which is appearing later today, suggested that bicycles should be given a higher priority in the road hierarchy; that they should be given greater consideration at crossings; and that they should be able to use footpaths. What is your response to the claim that cyclists who are not given fair access to the road system are at greater personal risk of injury as a result?

**Ms PRENDERGAST:** Currently, under the Australian road rules, it is illegal for anyone older than 12 to ride on a footpath, unless a rider is accompanying someone under 12. That is how I understand it and that is in place. There is a principle of safety that separates different road classes. In some places we have shared paths. We have so many roads to work with and we are trying to cut them up in such a way that we are giving everybody a bit of a go. In some places where we have shared pathways the footpaths are reduced. Epping Road through Lane Cove is probably an example of that type of facility. There is evidence to show that that seems to be working quite well. We need to manage carefully the points at which the different streams of users converge. That is really the challenge in that approach.

**Dr ANDREW McDONALD:** I am glad you referred to shared paths, but there are problems for those riding on footpaths. Who has right of way at an intersection? A cyclist riding on a road has right of way over a car approaching from the left. Cyclists have right of way if they are riding down a hill and a car approaches from the left. Cyclists riding on that road have the right of way. If cyclists are riding in the same direction on a shared path and they are on a footpath the car has right of way, which makes it more dangerous for cyclists. I have seen a few cyclists riding downhill on footpaths crash into cars that have come up to the intersection and that have not seen them. How does the RTA plan to deal with the anomaly that shared paths can be more dangerous to cyclists? That is one of the reasons why people tend to use the roads.

**Mr de ROOS:** I must admit that am not absolutely clear on that issue. In relation to the shared path it is my understanding that the pedestrian has right of way over the cyclist.

**Dr ANDREW McDONALD:** No. If a cyclist rides on the road he or she has right of way over cars approaching on the left. If a cyclist is riding on a shared path he or she loses that right of way. The car approaching from the left has less vision as it travels up to where the road starts and not where the footpath starts. That means that bicycles on the shared pathway will drive into the sides of cars approaching from the left. The cars do not see the cyclists and if the cyclists are doing 40 kilometres an hour they do not have the stopping distance. One of the reasons why bicycles do not use shared paths is that they are more dangerous than riding on the road, so they tend to take their chances in a bus lane. A classic example is cyclists riding down from Rozelle on Victoria Road. It is much safer for cyclists on the road than it is on a shared path. The shared paths are also atrociously engineered, but that is a different issue.

**Mr de ROOS:** The principles of the shared path should be the same in engineering standards as they would be on the road. I know that is not quite answering your question about legal right, but in terms of sight distance and what we call sight triangles—that triangle that you should be able to see—it should be maintained for car and cyclists on the shared path as well.

**Dr ANDREW McDONALD:** Who is responsible for the shared pathway along Victoria Road, which is just—I do not know whether you have seen lately—a maze of bike facilities and grates?

**Mr de ROOS:** I have to admit, I am not absolutely sure who is responsible for that.

**CHAIR:** Take that on notice.

**Ms PRENDERGAST:** We will take that on notice. I mean, there are a lot of works on Victoria Road that may be disrupting.

**Dr ANDREW McDONALD:** No, that was before.

**Ms PRENDERGAST:** That is not in the area of works. Yes, it is the Rozelle location?. Okay.

**CHAIR:** Just quickly, there is some contention about wire barriers down the centre of roads. I was talking to a motorcycle instructor who was quite vehement that they are dangerous to motorcyclists and could kill. But it seems from your evidence or your submission that it has actually improved road safety because they slow down, which is one aspect, and separate them. Would you care to expand on that?

**Mr de ROOS:** Yes. There is a lot of talk about wire rope barriers, but when we look at the research it seems to be quite different. There are two pieces of work which are really important here. One is that we are co-funding the Injury Risk Management Research Centre [IRMRC], which is part of the University of New South Wales is conducting. It is a major piece of research into motorcycle crashes into roadside barriers. They are doing modelling and real world testing of all three of the most popular barrier types—the concrete, the guardrail and the wire.

They are comparing the risk or the safety of each type of barrier to motorcyclists. With the wire rope barrier, a lot of concerns that have been communicated to me are about the wire itself. What appears to be at risk is in fact the posts rather than the wire, but the posts exist on the guardrail as well and they are actually stronger than they are. So it is not clear-cut which is the safer. Certainly the wire is a lot safer for drivers; there is no question about that. The post exists on the guardrail, which is the most commonly used crash barrier out there, so there is an added risk to that.

This piece of research, which is only halfway through—it is a full-year piece of research—and it is being looked at by road safety experts all over the world. This is actually a very big one in terms of world reputation. The second piece of research that I have just referred to is the Swedish study where they have put out what they call two-plus-one roads, which is a road where they run an extra half-lane in the middle with a wire rope and often with wire rope on the side. Sweden has long distances to travel, so it is not actually that dissimilar to us in some ways. They have found a 40 to 50 per cent reduction in motorcycle fatalities on those roads where they have installed two-plus-one configuration, which suggests that there is a benefit of wire rope to motorcyclists as well as car drivers.

**The Hon. RICK COLLESS:** Is that because of the extra width in the middle of the road, or the wire rope, though?

**Mr de ROOS:** We have actually looked at that. One of the things is that the extent of the width of the road varies from place to place. It gets down to about 700 millimetres to the edge of the wire rope, and in some places a little less than that. What we have found is that by actually using white posts and using a bit of the Vibraline, the audio-tactile line marking, adjacent to the wire rope, we are getting far fewer hits. Making the post or the barrier more visible seems to make it a lot safer as well. They are looking at different configurations.

**The Hon. RICK COLLESS:** Is that for cars and motorcycles, or motorcycles only?

**Mr de ROOS:** Specifically, all they are really looking at is in fact the number of hits. We actually do not know who has hit them. It would most probably be a car because the damage is such that they can still drive the car away whereas, when it hits the guardrail, quite often it is unable to be driven. It is quite a bit of damage. Their evidence is that this is actually a very effective barrier, but I would suggest there are slightly better ways we can use it. It is now policy for us to use only white posts, which has made quite a difference.

**Ms PRENDERGAST:** There are other protection measures that could be explored in the future, such as skirts around the base and other collapsible poles and tensioning of the wire. All of these things are being looked at as part of that research study in terms of the impact on motorcyclists.

**The Hon. ROBERT BROWN:** Earlier you referred to \$158 million being put aside for the bicycle extension program. Given that it is a five-year program, we received submissions from pedal cycle organisations that express concerns about the engineering conditions on roads when they are forced to use roads. They refer to such things as the alignment of the grates of stormwater drains adjacent to the kerb, which is where the riders

ride, potholes and ruts, and uneven road surfaces. I know that that on any uneven road surface, they are always signposted, but does the Roads and Traffic Authority [RTA] look at these issues in terms of the engineering? If you are going to upgrade a stretch of road or replace a drain, do you look at these issues?

**Mr de ROOS:** Most certainly. Some years ago we used to use cast-iron grates with slots.

**The Hon. ROBERT BROWN:** That is right.

**Mr de ROOS:** As roads are maintained, those are replaced with a steel bicycle-friendly grate.

**The Hon. ROBERT BROWN:** It is crosshatched.

**Mr de ROOS:** It has a criss-cross pattern on it so that the wheels do not get stuck. So, yes, there are a number of measures like that which just make it a little safer, or a little more convenient but in fact safer for cyclists. There are things like maintenance. Roads are regularly maintained. We do not look at maintenance in terms of selecting it, but that has to be part of the regime of operating that road.

**The Hon. ROBERT BROWN:** My question is more directed to the engineering side. I like the consideration of wire ropes for motorcyclists.

**Mr de ROOS:** Yes.

**The Hon. ROBERT BROWN:** Thank you for answering that.

**Ms PRENDERGAST:** Actually, the same applies to motorcycles. One of the key things we want to pursue in the strategy is adopting Victoria's Making Roads Motorcycle Friendly, which are training kits for road engineers, town planners, and anyone involved in the urban landscape to improve some of the practices in terms of road building and road engineering from the motorcyclist's perspective. The classic we think of is the asphalt join along the lane and the positioning of that join, which can have an incredible impact for motorcycle stability. The engineering applies equally to both motorcyclists and to cyclists.

**The Hon. ROBERT BROWN:** Just as an extension of that question, one of the things that has always been a bugbear with me, when you are continually doing changes to roads, is driving at night-time in wet conditions. You have the tarmac join lines, et cetera, and then you change the lane markings. In most cases, those lane markings appear to be over sprayed with emoleum. At night-time, you cannot see the difference between a white lane marker and what was the lane marker.

The other thing is that those areas of clean emoleum, or the areas that have been spray-painted where there is a lot of paint on the road, they are dangerous for motorcycle riders when they are wet, particularly if you are in a lane and you have to do an S-curve and you hit one of those bits of paint and whoops, the front wheel goes out on you. It does not go far, but it could knock you off. Does the RTA do any research into engineering of materials that might improve road safety for all road users, but particularly for motorcycle riders?

**Mr de ROOS:** Certainly. The problem is long-term and short-term works. For long-term works, the contractors are required to grind off any road markings.

**The Hon. ROBERT BROWN:** They are?

**Mr de ROOS:** I understand that is the case.

**The Hon. ROBERT BROWN:** Okay.

**Mr de ROOS:** In fact, there is a TD, a technical direction, to do that. In short-term works, that is a little difficult because often they have to come back to where those line markings were.

**The Hon. ROBERT BROWN:** A construction project—for example, the Iron Cove Bridge—would that be short term or long term?

**Ms PRENDERGAST:** Short term.



**Mr de ROOS:** Yes. The line marking is part of what we look at. There are requirements to grind them off. We also have some requirements as to skid resistance of paint that we put on the road. There is supposed to be aggregate or small gravel put into the paint to give it skid resistance. That is part of what we do for motorcyclists as well.

Delineation is a really important one. With wet weather delineation, one of the problems we always have is that reflectors disappear because trucks drive over them and they flip them up. It is very hard to maintain that. We are looking at alternative methods at the moment. There is some research going on for alternative methods of delineating the size of the roads, not with reflectors but with reflective blobs of paint, which is the best way to describe it. It is an epoxy; it is a product. There are things we are looking to improve that, but it is hard to always have the road maintained with full delineation because of the amount of traffic running on it all the time.

**The Hon. ROBERT BROWN:** One of the deathtraps of course is going down out of the city down Market Street where there is an S-lane just over the crest of the hill near Sussex Street. That is deadly.

**CHAIR:** As there are no further questions, I thank you for attending this morning. The Committee will resume at precisely 11.15 a.m. with evidence from Associate Professor Chris Rissel. Thank you for your evidence.

**(The witnesses withdrew)**

**(Short adjournment)**

**CHRIS RISSEL**, Associate Professor, Level 9 King George V building, Missenden Road, Camperdown, sworn and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence to the Committee. Would you like to make a brief opening statement before we proceed to questions?

**Associate Professor RISSEL:** Yes, I would. Thank you for the opportunity for my input into this inquiry. I have made a number of recommendations, but I would really just like to focus on the mandatory helmet legislation in my opening remarks. I would particularly like to make a distinction between the effectiveness of helmet legislation versus the efficacy of helmets themselves in protecting the brain, because they are quite different and the evidence for them is different again. I would like to present some additional information in support of my position, and I believe that has been circulated.

**CHAIR:** Yes.

**Associate Professor RISSEL:** Just to explain why I have done this, the top graph is the data that I presented in our published paper, which shows that there was a significant decline in head injuries before the helmet legislation was introduced. Since it has come out there has been, as you would expect I guess, some criticism of the results and questioning of the conclusion, so in support of the conclusion and the fact that there was in fact a reduction in head injuries before the legislation, I present four tables or graphs that show, in the first one at the bottom of the first page, the reduction in cycling deaths over the previous 50 years and you can see quite clearly that there is a continuing trend—a decline—in mortality in cyclists across the country and in 1991, when the legislation was introduced, it is on the bottom end of the table and it continues to decrease afterwards.

On the second page, the top graph again shows the last couple of years before the legislation, consistent with the first graph. On the bottom of the second page there is data from Victoria, which shows a reduction in head injuries, and this is interesting because this is the graph that the Victorian Government used in support of helmet legislation. At the very end of that graph on the right you see a big black bar, which is when the legislation was introduced, but clearly in the preceding 10 years there was a significant decline in head injuries amongst cyclists. They specifically note in their report that this was a function of improvement in general road safety, that that was one of the major factors that contributed to that, and helmets may have contributed a small bit towards the end with helmet legislation, but there was clearly a decline before the legislation was introduced.

Finally, on the last page, I draw your attention to a graph from Western Australia, which shows head injuries amongst all road users in the 20 years before the legislation was introduced consistent with Victoria and with New South Wales. Western Australia shows a clear decline in head injuries amongst all road users before the introduction of bicycle helmet legislation, which suggests to me that it is clearly not helmet legislation that has caused a reduction in head injuries. I would like to add that the evidence of hospital-level injury data and also the physical properties of helmet protection are hotly contested in scientific literature. There is no consensus about the benefits of helmet legislation—or indeed in some cases that helmets may make some brain injuries worse—and, on the basis of this doubt and confusion, the basis for mandatory helmet legislation seems questionable.

**CHAIR:** Do we have your permission to incorporate this information into our report?

**Associate Professor RISSEL:** Yes.

**The Hon. ROBERT BROWN:** Associate Professor, in your submission, specifically on page 3 at dot point 2, you suggest that a trial period in one jurisdiction should be undertaken to carefully monitor and evaluate the effects on head injury rates. Are you suggesting that the trial should involve removing helmets for a period and then checking the rates?

**Associate Professor RISSEL:** Yes, I believe that the prudent thing to do from this point on would be to test what happened if the helmet legislation was repealed. That does not mean that people should not wear helmets. Helmets should be about choice and if the legislation was repealed for a defined time in a defined place we could seriously study what happened. I believe that there would not be a massive increase in head injuries because, looking at the jurisdiction of Darwin where helmet legislation is not particularly enforced and it is legal to ride on bicycle paths without a helmet, the head injury rates in Darwin in the Northern Territory appear to be no different from the rest of the States, so I believe that it would be a safe and prudent step to study what would happen if we did not have the legislation somewhere else.

**The Hon. ROBERT BROWN:** In the documents you have just provided to us, the graph that shows the reduction in cyclist deaths and the five-year moving average—you are quite right—represents a significant fall from 1950 through to 1991, but still shows that there has been an increase since then from a moving average of about 60 down to roughly 30. We received evidence from the previous witness from the Roads and Traffic Authority that we are talking about 8 to 13 bicycle deaths—eight in 2008 and thirteen in 2009—so roughly a third of the Australia-wide deaths were in New South Wales. Do you not think it is a little strange to be asking for a review of the legislation to see whether these statistics change, because we are not talking about inanimate objects, we are talking about the potential to increase—even by one or two—road deaths as a result of head injury? How could you possibly propose that as a methodology of measuring the success or otherwise of this legislation?

**Associate Professor RISSEL:** Because helmets will not protect if you are hit by a truck. Most of the fatalities that occur on Australian or Sydney roads have involved heavy vehicles or motorway collisions, they are generally not the kind of crash where somebody just falls off or bumps into something or hits a pylon. Virtually all of the fatalities that I am aware of—and I take note of these when they occur in Sydney, believe me—are not the kinds of things where a helmet would have made any difference whatsoever. We have invested a lot of faith in how helmets can protect us, but it is severely over-warranted. The standards and design standards for helmets are designed only for a direct impact at up to 19.5 kilometres per hour. If you are going faster than that, they will not help you. If you are run over, internal body injuries will actually kill you, not the crush to the head. So the fatality rate is unlikely to be affected by helmets per se.

**The Hon. ROBERT BROWN:** You are not aware of any non-lethal testing standards or testing protocol that could be used to test your hypothesis other than just taking helmets off people for a period of time?

**Associate Professor RISSEL:** I believe that there is industry testing that can be done on helmets. They do not currently test for angular acceleration, which is the primary cause of brain injury, only just for direct impact, so it is a bit like, if I can use an analogy, a soccer player who hits the ball on their head. They have a firm neck, they hit their head forward and there is no injury. If, for example, you are hit by a boxer on the jaw and there is a twist of the head, rotational injury, that is where diffuse axonal injury to the brain causes brain injury—and remember there is a very clear distinction between brain injury and head injury. Brain injury is the stuff you worry about; brain injury is what nobody wants. A head injury can include some blood loss, a bit of a scrape, a bit of bleeding, but it is not necessarily a severe injury. Brain injury is the problem. The helmet design standards do not address angular acceleration and brain injury. Again, we invest a lot of power in helmets, but it is not always built in.

**Mr DARYL MAGUIRE:** You mentioned Darwin as an example. Have you any raw statistics on the amount of riders injured per capita compared to somewhere like New South Wales?

**Associate Professor RISSEL:** I am looking for that data. I have applied to the National Injury Surveillance Unit to collate that information. I have seen figures, but I am not in a position to table those figures that look at injury rates in Darwin. I cannot give you the figures that compare Darwin with the rest of the States at this point, but the data I have seen suggests that there is not a great difference in the rates, but I really am not in a position to give you all the data.

**Mr DARYL MAGUIRE:** When will you be in a position to give us that information? Can you take it on notice?

**Associate Professor RISSEL:** I cannot do it in the next couple of weeks, but I am certainly pursuing this. It is a question of great interest because clearly, if there are no differences between the States systematically, then it is a strong argument that it is not a problem not to have mandatory legislation, so I am very interested in getting this data.

**Mr DARYL MAGUIRE:** With regard to your hypothesis if we were to dispense with the wearing of helmets, I am concerned that many accidents involving head injury—not brain injury—are not reported, which could be clouding some of the data that people are using. For example, someone has a fall from a pushbike, reports to the hospital and has terrible scrapes on the helmet. I have seen examples where the helmet has disintegrated, yet the person has survived. I think that a lot of those cases are not being reported for you to base your hypothesis on.

**Associate Professor RISSEL:** Yes, that is commonly raised as an example—"My helmet saved me. I hit the ground, my head hit the road and the helmet cracked. If I hadn't had the helmet, I would have been dead." It is an intuitively logical argument, but in fact those helmets are designed to crack, they are not intended to bounce or anything like that. It is different from the hard-shell helmets that motorcycle riders wear, and they are in fact better. Some of the original research on bicycle helmets was done with the old standard, which was a hard-shell helmet, and the advantage of the hard-shell helmet is that if it hits the ground at an angle and at speed it will skip, so it does not actually create the twisting head turn that causes brain injury. What happens with a soft shell can actually make the head injury worse because it is designed to compress.

You can crack them if you drop them, they are not very strong, but the idea is that when it hits the ground at an angle and at speed it compresses and in the action of compressing it increases the friction, the resistance to the road, and it will slow down, so it effectively increases that twist, and the angular acceleration is at risk of causing brain injury. The fact that people fall, hit their head and crack their helmet does not mean that they are going to necessarily increase their head injury because what happens is that people behave differently without a helmet. The helmet is bigger, so it increases the likelihood of impact, and without a helmet people tend to stiffen their neck, hunch their shoulders and fall in a different way that does not necessarily generate the same sort of head impact, so there are some significant questions about whether helmets really do protect in that case just because they crack and I think that is where we do need more research.

**Mr DARYL MAGUIRE:** Are you suggesting that perhaps the helmets that are mandatory for pushbike riders are inferior and that we should be looking at models similar to motorcycle riders, and even in the design of those types of helmets an open-face helmet is far more dangerous than a full-face helmet because of the risk of damage to the mouth and nose should there be a major impact?

**Associate Professor RISSEL:** I am not suggesting that we move to a different style of helmet, I am suggesting that we not have any kind of helmet at all. I believe helmets have a number of other negative aspects, that there is some question about their protective value and therefore there are many more disadvantages to having helmets, particularly heavier helmets, that would be a significant disincentive to cycling. The health benefits of cycling from physical activity, and for mental health, are far greater than the potential risk of injury. With the disincentives that helmets create I would say it is better to not have a helmet at all.

**Mrs DAWN FARDELL:** Why do you think your position is not supported by organisations such as the NRMA and the George Institute for Global Health?

**Associate Professor RISSEL:** I believe there is a convention and a tradition involved here. There are people who believe very strongly in helmets. It is a very emotive issue. People feel intuitively that helmets must protect because that is what they are designed to do and therefore they should work. The evidence for that, as you can see, is not consistent in terms of the protective value helmets offer. As I said, there are a number of significant disadvantages to helmets and the promotion of health that outweigh the benefits there may be from risk. I am not saying there is no potential benefit at all from helmets. There may be some cases where helmets are desirable, but I think people should have a choice about wearing helmets rather than everyone being made to wear a helmet every time they get on a bike, even if it is on a little bike path to go to the shops and get some milk. Why do the NRMA and other groups support helmets? I am not sure. They probably believe in them. Maybe they have not looked at the literature. Maybe they simply believe helmets are designed to protect and therefore they do.

**The Hon. RICK COLLESS:** Do the figures you gave us relate to the total number of deaths rather than deaths per hundred thousand riders or kilometres?

**Associate Professor RISSEL:** They are for total deaths.

**The Hon. RICK COLLESS:** Mr Maguire asked a question I was going to ask as to whether you have any figures per capita or per hundred thousand riders. What is the situation in other jurisdictions around the world, particularly some of the European cities where there are a lot of bicycle riders and helmets are not compulsory? Do you have any comparative figures for the number of deaths in those sorts of cities?

**Associate Professor RISSEL:** You will be dismayed to realise that the injury and fatality rate in Australia, and in America which has a similar riding environment, is one of the worst in the world. Australian cycling safety is appalling compared to many European countries where there is a very clear phenomenon of safety in numbers. They have many more riders, they do not have mandatory helmet legislation and they have far lower injury rates per hundred thousand than we do. It is not only helmets; they clearly have an infrastructure that supports cycling and I think it is far more important to provide that for cyclists than insist that they wear helmets. If all you do is insist that cyclists wear helmets but do not provide the infrastructure where people can ride, and reduce speeds and create a road environment that makes it a safer place to be, then that is very unfair to cyclists. We know that there are many more factors that are important to cycling, such as lower speed for vehicles and in some cases, but not always, separation of vehicles, and these things are significantly more important than helmets.

**The Hon. RICK COLLESS:** What about riders' appreciation of the road rules? We had a discussion with the RTA witnesses earlier about cycle riders being well known as road rule dissidents, as I called them. They go through red lights and disobey the road rules. Are cyclists in European cities more aware of the road rules and do they abide by them more than some bicycle riders in Australia do?

**Associate Professor RISSEL:** I am not 100 per cent certain about that but I would say that in my experience of having ridden in some of those countries—I have cycled in Holland, Denmark, Switzerland, England, Germany and other countries—where infrastructure is provided for cyclists they tend to use it and they tend to follow the rules because they do not have to try to jump a red light to get in front of cars to get around a corner and away from the traffic. There are some circumstances where it might be safer for a cyclist to break the car road rules to make it safer for cycling. I think there is a significant argument that better infrastructure will create a more rule-abiding scenario. I also take your point that there is an image of cycling.

I am the author of a paper to be published tomorrow that looks at the image of cycling and cyclists. Generally people feel very positive about cycling but it is the actions of some cyclists that people do not like. There are examples of people running red lights and that tarnishes the image of all other cyclists. If you are a law-abiding cyclist and you stop at a red light and give way to pedestrians and all those sorts of things you are unfairly treated by motorists because they see all these people who run red lights all the time and it does not necessarily apply to everyone. I think infrastructure will make a difference.

**The Hon. ROBERT BROWN:** In an earlier comment to Mr Maguire you referred to the fact that bicycle helmets may tend to exacerbate twisting, acceleration or deceleration problems. Are you aware of any research in Australia or overseas that supports that argument?

**Associate Professor RISSEL:** Yes, there are a number of publications by a fellow in Canberra, Bill Curnow, who has published in the peer review literature on precisely this issue of diffuse axonal injury and angular acceleration. It has been in the physics literature for many years. It appears to have been ignored by the helmet manufacturers but it has been recognised, for example, in relation to rugby union helmets. The issue of rugby players wearing helmets arose and it was recommended that they not wear them because of the diffuse axonal injury that they may cause.

**The Hon. ROBERT BROWN:** Do you know whether bicycle helmet design and manufacture is governed by the Australian Design Rules or the Australian Standards?

**Associate Professor RISSEL:** There are standards for bicycle helmets, as you know, but to my knowledge they do not take into account angular acceleration.

**The Hon. ROBERT BROWN:** Would your recommendation be that they should take this into account?

**Associate Professor RISSEL:** If we are going to insist that people wear helmets then the helmets should at least do what they are designed to do, but there is a simpler option, which is not to make them mandatory and let people choose to wear them if they want.

**The Hon. ROBERT BROWN:** In relation to provision of better infrastructure for pedal cyclists, are you in favour of the types of cycleways that have been provided in southern Sydney, such as in Bourke Road and College Street, or is it better for cyclists to ride on the road and to provide better education for drivers and cyclists? Do you support cycleways?

**Associate Professor RISSEL:** That is a complex question because there is not one set of infrastructure that will suit all kinds of riders. The Copenhagen-style bike lanes on Bourke Street and others being developed are fantastic, particularly for new riders and people who are not confident riding on the road. As a way of initiating and getting new people to ride it is an excellent and absolutely essential initiative to have that sort of infrastructure. A very confident road rider is able to keep up with the traffic when it is travelling at 30 and 40 kilometres an hour. Those people will probably be a little unhappy riding slowly in a bike lane and would prefer to be in a road environment in a bike lane next to traffic. You have to allow for different kinds of riders because there is no one-size-fits-all. If you want to encourage more people to cycle you have to allow for beginners and accommodate some of the more experienced people as well.

**The Hon. ROBERT BROWN:** It is quite obvious there are different categories of cyclists—casual, recreational, commuter and professional cyclists. I asked the RTA witnesses for their views about requiring some or all of those groups—obviously recreational cyclists never ride on the road so you would not bother about them, so let us concentrate on professional cyclists who are using the CBD, particularly in Sydney, Parramatta and North Sydney. Is there a case for registration of bicycles for identification purposes under those circumstances?

**Associate Professor RISSEL:** In principle I believe registration of cyclists creates yet another barrier to spontaneous cycling. As you point out, for people who are recreational or occasional riders the cost would far outweigh any benefit.

**The Hon. ROBERT BROWN:** Putting that aside, because I agree with you that you do not want to buy a bike for your kid who is learning to ride and have to register it, what about the concept of requiring commercial or professional riders to register their bicycles?

**Associate Professor RISSEL:** Racing riders?

**The Hon. ROBERT BROWN:** No, I am talking specifically about the problems that occur in cities like Sydney where the greatest number of kilometres by far are covered by couriers, not commuters. Commuters ride into the city in the morning and ride out at night.

**Associate Professor RISSEL:** You are talking about professional riders. It is their profession and I can see a case for that.

**The Hon. ROBERT BROWN:** It is commercial, shall we say.

**Associate Professor RISSEL:** Yes, commercial. I can see a case for that.

**CHAIR:** I appreciate your putting in a list of recommendations and I support a couple of them, particularly in relation to education and a mandatory system of driver rule knowledge. It is hard enough to get councils to introduce 40 kilometres an hour zones, let alone 30 kilometres an hour. As someone who lives in the suburbs 70 kilometres from here, I know it is very difficult to get people to stick to 40 kilometres an hour. They just go whizzing around. I do not think there is any chance realistically of getting a 30 kilometres an hour limit. Mr Brown has alluded to the Committee recommending a trial be conducted in Newcastle allowing cyclists not to wear helmets. I point out that Camden Hospital had a maternity unit for two years and there 889 successful deliveries and one death.

The maternity unit was closed after that death because the matter came to State Parliament and was politicised. In my view the same thing would happen if we said helmets need not be worn in Newcastle. If one person got knocked over and killed it would be the end of that trial. It is very hard for a Committee such as this to recommend something that could lead to someone being killed. I appreciate all you have said about helmets but the harsh reality is that although we want to encourage cycling it is very difficult for this Committee to make a recommendation such as the one you have suggested. Do you have any response to that?

**Associate Professor RISSEL:** What about a suggestion that we adopt consistent rules with other States such as the Northern Territory, or even Queensland where it is legal to ride on footpaths, for example? Not all the States have consistent road rules related to cyclists and there is an opportunity to try to standardise them and potentially the Northern Territory model would be the preferred one.

**CHAIR:** In other inquiries, particularly the inquiry into heavy vehicle safety, this Committee has called for uniform national laws relating to heavy vehicles and I can certainly see a lot of benefit in having uniform laws relating to cycling. We are out of time. Thank you for attending this morning and for your thought-provoking submission.

**(The witness withdrew)**

**ANNE LESLEY DEANS**, Chief Executive, Youthsafe, Post Office Box 3023 Putney, New South Wales 2112, and

**MAUREEN ELLEN OWEN**, Assistant Chief Executive, Youthsafe, 600 Victoria Road, Ryde 2112, sworn and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence to the Committee. Would you like to make a brief opening statement before we proceed to questions?

**Ms DEANS:** Just to thank the Committee for the opportunity to contribute to this inquiry. Youthsafe is obviously an organisation involved in injury prevention in young people. The risk of serious injury and the over-representation of young people in the injury data is what our interest is in.

**Mrs DAWN FARDELL:** Ms Deans, just a little bit of history about yourself, how long have you been established and how you are funded, how do you exist?

**Ms DEANS:** Youthsafe is a not for profit organisation. Initially, it was established in 1982. We started out as a wheelchair preventive program, raising awareness about spinal injury amongst school children, from kindergarten to high school. In the late 1990s there was an organisational review, a review of the preventive program, and it was identified that while there was a lot of emotional appeal, that something more had to be done in terms of trying to impact on behaviours of young people, understanding those better. So that is when there was a shift to Youthsafe in 2003. We since then have taken a more strategic approach. In large part we are working with community based professionals, road safety officers, police liaison officers, educators, road safety, also employers, sports coaches and so forth, anyone that is involved directly with young people and in a position to influence them that is decision makers. That is where a large part of our work lies. Although we do have programs that directly go to young people as well.

**The Hon. ROBERT BROWN:** Ms Deans, as part of your submission you make particular reference to off-road motor cycle riding and you say you have concerns about the unregulated nature of such activities. You are probably aware that this Committee has considered previously the disproportion, if you like, of young people in general road deaths. So we have taken quite a bit of evidence about some of the reasons why that occurs. You are of the view that off-road riding crashes are caused by different risk factors than on road crashes (on page 3). Could you perhaps expand on those comments and tell us which particular high risk factors for young people do you see involved in that activity and what age group are we talking about here?

**Ms DEANS:** We would say it is primarily involved with the 15 to 25 age group. However, risk taking behaviour does tend to start developing in that 12 to 14 age group, so some of our programs take that into account. In terms of the data that is cited, we are not a research body, so obviously we are reliant on literature from elsewhere. We certainly endeavour to ensure that we are kept up-to-date with the current research. All of our work generally does involve literature reviews in the first instance. However, having said that, there are factors, characteristics of young people that generally increase the level of risk. It is certainly their inexperience, their experimentation. There has been a lot of research in recent years about adolescent brain development, particularly in relation to ability to perceive risk and working out how to manage that most effectively. It is important for young people to be out there living a normal life, getting experience, learning how to be independent and take responsibility, but what we advocate is that they need to be supported and assisted with those decision making processes.

**The Hon. ROBERT BROWN:** Through education?

**Ms DEANS:** Through a range of strategies. The approach we take with education with young people is a life skills approach. So it is about understanding what is normal activity for them, how to communicate with them effectively, what is going to work with them and giving them strategies that they can use in the sort of situations that they are involved with, so making it real for them. We also advocate supporting parents to understand boundary setting and so forth for adolescents. As one of the resources we have a number of fact



sheets, one in particular about helmet use in adolescents, but also, as I say, other decision makers and the community at large.

**The Hon. ROBERT BROWN:** Chair, perhaps you could ask if the document Ms Deans is referring to could be tabled.

**CHAIR:** I am happy to do that.

**Ms DEANS:** Yes, we have copies here. One of the issues with adolescents is that there tends to be a drop off in use of helmets in young adolescents, even if they have worn helmets as children, and particularly when they are occasional riders and learning how to master bicycles and so forth. The literature certainly indicates that helmets are effective in helping prevent the sorts of injuries that this population may experience. This is the fact sheet for parents to try and set the background, let them know what the legislative requirements are or that there are legislative requirements and some tips on how they can support their young people.

**The Hon. ROBERT BROWN:** This seems to be specifically aimed at pedal bicycles.

**Ms DEANS:** That is right, yes.

**The Hon. ROBERT BROWN:** During our previous inquiries where we were looking at youth safety, vehicle safety, we came across probably half a dozen non-profit organisations that had some level of engagement with schools running programs. Does Youthsafe have any particular programs they run in schools?

**Ms DEANS:** Yes. We have a program that goes into high schools. We have three main sessions that we take into high schools. One deals with every day risk, another one with safer celebrating and another one with young drivers. The research that we have undertaken to set up these programs means that we are looking at class size groups rather than large audiences, that they are very interactive. As I said beforehand, a life skills approach is taken with it. Of course, the other thing is that we have qualified educators on our staff who design sessions to be curriculum based. So they support the curriculum and it is an alternative for teachers to bring into school to use with their classes.

**The Hon. ROBERT BROWN:** I have one final question. Is your organisation metropolitan based or do you have State-wide coverage? In other words, do you take these sorts of messages into rural communities?

**Ms DEANS:** Yes, it is a State-wide organisation. Our presenters are limited. Obviously we are not for profit, we have limited resources. Our presenters go to schools in Sydney and the surrounding areas, the Central Coast, Blue Mountains, Illawarra. However, what we have done to extend the reach, into rural areas in particular, is to develop some of the sessions into educator kits with DVD resources, with session plans and support materials all on DVD and CD and we promote those mostly to the regional areas.

**The Hon. ROBERT BROWN:** Within the limits of your nongovernment funding?

**Ms DEANS:** Absolutely.

**The Hon. RICK COLLESS:** Miss Deans, did you hear the evidence given by Professor Chris Rissel immediately prior to this session?

**Ms DEANS:** We heard some of the evidence towards the end.

**The Hon. RICK COLLESS:** You no doubt picked up then that he is opposed to the use of helmets, or I think he was saying that the safety injury protection that is claimed is not quite right. On the document that you have just given us it says that a cyclist can reduce the risk of head injury by more than 50 per cent by wearing an approved bike helmet. Who is right and who is wrong?

**Ms DEANS:** We are not an academic researcher. The literature that we have accessed, and certainly not just one article but a range of literature, indicates that bicycle helmets do have an effect in helping reduce injury. I think the previous speaker was tending to focus on fatalities. Our focus is very much on preventing injury, and I think particularly with adolescents, the sort of trauma that they may experience in using bicycles is likely to be more amenable to bicycle helmets playing a role in reducing the injuries.

**Mr DARYL MAGUIRE:** Ms Deans, you mentioned that your service is provided in New South Wales, Newcastle, Sydney, Wollongong, Illawarra area and you made packs available for regional and rural New South Wales, and I suggest those places would include cities like Dubbo, Tamworth, Wagga Wagga, Albury, et cetera. Can you tell us what the take-up rate is of those packages, who presents them, what actually happens to get the message to the youth of those regional areas, considering you apparently do not have resources enough to be able to support the distribution or the servicing of that package?

**Ms DEANS:** I do not have the figures but I am happy to take it on notice and get you some more information about that. We do regular mail outs to all secondary schools around the State. I can get you the exact figures on that and those that respond. The kits that we developed are mostly taken up by PD/H/PE teachers, but they may also well be taken up by welfare type programs in the schools as well.

**Mr DARYL MAGUIRE:** It hardly seems fair that most of the regions only get a package sent to them and it is basically at the behest of whoever receives it to take up that initiative to deliver it, whereas other areas get people to support it from the office.

**Ms DEANS:** The presenters are also in response to requests as well. We send mail outs to all of the schools in the areas where we do not have the capacity to send people, that is also on request booking from the school. So it is not obligatory in all of those areas. We do try to also support rural areas by having some regional support sessions on occasion. When the original program was in place, presenters were sent all over the State, and the organisation was almost bankrupted. It was just not affordable. So we had to cut the cloth and develop a whole range of other strategies to provide support and include equity access as far as possible. So the presenter program is really only a very small part of what we do.

The majority of what we do is working with community based professionals, working with educators and the packs are very comprehensive. They have got the session plans, they have got the resources that they can print off. They have got audio visual clips that the teachers can use as stimulus for the sessions. They are available equally in metropolitan areas as they are in rural areas. It is the teacher's choice as to how he or she wants to deliver that information. Teachers have the choice of using the kits, if they prefer to do that, in the metropolitan areas. Obviously there are larger numbers of schools and it means that the teachers have the choice of presenters going out to their schools.

**Mr DARYL MAGUIRE:** What about delivering the message through other organisations such as cycle clubs? I suggest that even the skate park would be a good avenue to promote this safety message.

**Ms DEANS:** Yes. That is very consistent with the way in which we operate. As I said earlier, we work with road safety officers, police youth liaison officers and a range of people involved with young people in a number of arenas. That is consistent with the way in which we work.

**Dr OWEN:** I wish to add to that earlier point. We provide presentations also to personal development, health and physical education [PDHPE] teachers so they are up-skilled in all the strategies we are promoting and they know about our resources before they go out to schools. That would certainly help in the delivery of information.

**Mr DARYL MAGUIRE:** Do all those presenters or people who have taken delivery of a package report back and state that it has been successful and that they have done it? Is that included in your annual report?

**Ms DEANS:** Not on an ongoing basis. However, when we develop kits or packages such as this—or any of our resources for that matter—we always pilot test them with target audiences. The kits that we make available have been pilot tested with teachers in the schools as well as with our presenters. The final product incorporates feedback from those professionals.

**The Hon. ROBERT BROWN:** Do you have any relationship with organisations such as WorkCover? You referred in your submission to the propensity of accidents on farms where young boys or girls ride quad bikes, motorcycles or motorbikes. Obviously there are rules relating to the wearing of helmets, et cetera. Have you had any correspondence with WorkCover or organisations such as that? Have you considered talking to regional and rural-based organisations that have safety programs, such as the New South Wales Farmers Association? As you have limited resources you have to make the best use of those resources. If you are going only through schools you might not necessarily be targeting all the people that you need to target.

**Ms DEANS:** The schools are only a small part of what we are doing. We are doing a lot with other organisations.

**The Hon. ROBERT BROWN:** Are those the council and road safety officers that you mentioned earlier?

**Ms DEANS:** Yes. We sit also on a committee with our own local council, so we have first-hand experience about the sorts of issues that come up at a council level. We have a good working relationship with WorkCover and over the past few years we have received a number of grants from it, but not specifically in this area. The work we are doing with WorkCover is more about apprentices and students in casual work as they enter the workforce. We have had a lot to do with WorkCover, likewise with the Roads and Traffic Authority and, to a lesser extent, with the Motor Accidents Authority.

In relation to off-road motorcycle use, our main involvement has been with the Commission for Children and Young People and its Injury Prevention Reference Group, which also involved NSW Health and a number of other government departments. Farmsafe is a part of that. We have extensive networks and relationships with the Government and with other not-for-profit organisations. We certainly cannot do it all. Collaboration and working in partnership with others are essential.

**The Hon. ROBERT BROWN:** I stated earlier that this Committee has conducted a number of inquiries, one of which related to youth road safety. That inquiry involved a number of organisations and we took evidence from half a dozen or so witnesses from those organisations. At that inquiry Mr Maguire asked this pertinent question: Those organisations that ask for government assistance need to be able to demonstrate the efficacy of their programs. Apart from your annual report and your pilot trialling program, does your organisation use any other methodology to get feedback about the uptake of programs in schools, or are you responding only to requests from particular schools? Do you push the market or are you waiting for it to come to you?

**Ms DEANS:** We actively do a mail out to all secondary schools.

**The Hon. ROBERT BROWN:** Throughout the State?

**Ms DEANS:** Throughout the State. We send a mail out to every secondary school—government, Catholic and independent. They all receive mail outs from us. We have had discussions with the Department of Education and Training, the Catholic Education Commission, and through the Federation of Parents and Citizens Associations. We do not do the same things all the time. We have a phase during which we use a certain strategy, we roll that over, and we use different strategies to try to get the message out. We certainly send the mail out to everyone. We work also with people such as road safety education consultants who support teachers in schools, and we try to get the message out to schools. With our presenter program we do evaluations on a sample population basis, that is, with students, teachers and presenters.

**The Hon. ROBERT BROWN:** You do a sample of the receiving audiences—the teachers and the students—to see whether or not the message is effective?

**Ms DEANS:** Yes. Obviously that has some limitations.

**The Hon. ROBERT BROWN:** I understand that.

**Ms DEANS:** We conduct evaluations. The students who are participating, the teachers who are there to present to the students, and the presenters themselves do evaluations on a sample population basis. We hold accreditation also through Quality Management Services.

**The Hon. ROBERT BROWN:** Accreditation of your presenters?

**Ms DEANS:** Accreditation of the whole organisation. We have been assessed as meeting all the Australian Quality Improvement Council standards for community organisations.

**The Hon. ROBERT BROWN:** Congratulations.

**Ms DEANS:** We are up for review again next month.

**CHAIR:** I congratulate you on your quad bike and farm safety work. I would have reached the same conclusions without having done the research. However, it is good to have the research to back up what you think. One of the problems identified in the driver safety program is young males. Are there any other strategies that could be used, other than going to schools and talking to WorkCover, to try to target that group? Is there anything you could suggest to the Committee that could be included in its recommendations?

**Ms DEANS:** Because we are looking at injury as a whole we tend to mix and match it a little. We try to look specifically at the things in which young people are interested. For instance, we are looking at refugee migrant communities with a view to road safety activities. When we spoke to the migrant resource centres they said they were not interested in road safety. However, they are mad keen on sport so we approached them and we have been working with them on sports safety programs. We were able to ask them also how they were getting to their sports activities, how they were getting home and what they were doing afterwards. Our approach focuses on what is normal for young people. We try also to understand their communication styles.

The WorkCover projects that we have been doing with apprentices are not just about preaching to young people; they are about assisting supervisors to understand adolescent brain development and their communication styles. One size does not fit all. It is a matter of trying to assist supervisors and those who are involved with young people to understand the sorts of strategies that are more effective for them. It is about focusing on them, on what is normal, and giving them the strategies. It is no use telling them to be careful if they do not know what that means; it is a matter of saying, "What would you do in this situation?" We get them involved, we give them some strategies and we draw on the things that other young people with whom we have worked have come up with. That is why some of the kits we have—vox pop type resources—are from young people talking about the situations in which they have found themselves and how they have managed.

**The Hon. ROBERT BROWN:** Have you thought about putting your resources into things such as YouTube, Facebook, Twitter and that sort of stuff? The people who were pushing that sort of technology claimed that nine million Australians used Facebook or Twitter every day.

**Ms DEANS:** The social media is something that is on our radar. Because a lot of our direct service consumers are community-based professionals and, to a certain extent, parents, we can effectively reach the community-based professionals. We send out network bulletins to a number of professional networks, website, professional conferences and so forth. We are keeping our eyes on the opportunities.

**The Hon. ROBERT BROWN:** For an organisation with limited resources it seems to me to be a cheap way of doing things. You said that you had a DVD or some sort of audiovisual stuff.

**Ms DEANS:** Yes.

**The Hon. ROBERT BROWN:** Those are the sorts of things that you could put on YouTube and you might get some coverage.

**Ms DEANS:** We used some YouTube clips in some of our programs.

**CHAIR:** I thank Ms Deans and Dr Owen for appearing before the Committee today. Keep up the good work.

**(The witnesses withdrew)**

**(Luncheon adjournment)**

**WARREN ROSS SALOMON**, Adviser, Bicycle NSW, 3/125 Old South Head Road, Bondi Junction, 2022,

**OMAR KHALIFA**, Chief Executive Officer, Bicycle NSW, 1 Herb Elliott Avenue, Sydney Olympic Park, Homebush Bay, 2127, and

**CHLOE MASON**, Adviser, Bicycle NSW, P.O. Box A973, Sydney South, 1235, affirmed and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I also point out that any deliberate misleading of the Committee may constitute contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence to the Committee. Would you like to make a brief opening statement before we proceed to questions?

**Dr ANDREW McDONALD:** Before we commence, I declare a potential conflict of interest in that I am a member of Bicycle NSW.

**Mr KHALIFA:** Thank you for our invitation to appear and for having the chance to discuss further our submission to the Staysafe inquiry. I would like to introduce my two colleagues, Chloe Mason and Warren Salomon, who are both advisers and who have done a lot of the work that went into the submission. We represent the totality of the submission and there are issues where each of us will have a different expertise and background to hopefully fill in any of the gaps that may come up. I want to briefly introduce what Bicycle NSW is to give a bit of the background. Bicycle NSW is a membership-based organisation. We support and advocate on behalf of the membership. We have a very diverse group of members. About 25 per cent of our membership resides outside the metropolitan area. Over 30 per cent are female. We have ages basically from 1 to 85 among our members.

We run a number of programs, including a schools program to educate young people as to how to cycle safely. We also run a Commuter Challenge to encourage people to commute to work, and to keep track of that we give awards based on that. We run a series of rides to encourage participation, including Gear up Girl, which is for women and young girls to learn how to bicycle in safety and at a different pace than some of the other members of our organisation. We run the Spring Cycle and with the Amy Gillett Foundation we are running their cycling event next year. We also are about to reintroduce Bicycle NSW to the regional parts of New South Wales with regional rides beginning sometime early next year. The first one will likely be down in Goulburn. We are going to reintroduce our ability to get bicyclists to enjoy different regions of New South Wales. We also conduct rider leader training. We help people who are going to ride with others to understand the rules of the road and for them to pass that on.

We run a helmet competition every year to help normalise helmet use by young people. It is one of our most popular programs, believe it or not, with over 6,000 entries of designs to be put on helmets. We then reward the winners with a bicycle and also the leading two designs get to be put on helmets that we then sell within our bicycling shop. We also offer cycling insurance for both liability and the bicycles themselves. It is an important aspect of membership for many of our members. Finally, we work with bicycle user groups, about 30 of them across New South Wales, regional and metro. We work with them for our position on a wide variety of issues. With that, I will conclude my remarks and turn it over to you.

**The Hon. ROBERT BROWN:** Mr Khalifa, your submission stresses the importance of incorporating cycling and walking into transport strategies to reduce reliance on motor vehicles. It further recommends combining support for pedestrians and cyclists as part of the New South Wales road system. I will ask you two questions. Firstly, do you think the needs and goals of pedestrians and cyclists are complementary or is there potential for areas of conflict? Secondly, a suggestion has been made by the International Federation of Bicycle Messenger Associations, that is, the couriers, that cyclists should be allowed to utilise footpaths in New South Wales. Could you answer those questions or give us your thoughts on those issues?

**Mr KHALIFA:** Sure, and I will have my colleagues join in. First of all, for the most part there is complementation between pedestrians and cyclists but not in all situations and not without the correct infrastructure to support that as well. I note that I was recently in Washington DC talking to a coalition group that represents both at the same time, which is an interesting aspect. They balance out the needs of cyclists and

pedestrians. We often try to ensure that we do the same but we know with the little infrastructure that is available many times that we compress pedestrians, cyclists and road users into spaces that are too small to be adequate to their needs. We know amongst cyclists, just like amongst drivers, there are those who like to go fast and there are those who are happy to go slower. We know that if we separate out appropriate parts of the transport system for those who like to go fast and get to places more quickly that we may have less reason to have conflict among them. That is the first part. Does that answer your first question?

**The Hon. ROBERT BROWN:** Yes, that answers my question.

**Mr KHALIFA:** The second one about the courier Chloe may take that on.

**Dr MASON:** I refer to the Bicycle Messengers submission itself, which is No. 22. I read through that. I understand that the key issue is about the use of the space, which my colleague Omar has referred to. I notice that they have a five-point plan. The last four points are all extremely appropriate to consider for reform to the road rules but, most importantly, that the allocation of space in urban centres, in particular, is sufficient and adequate for both pedestrians and cyclists to use. I also note that it is important nowadays to appreciate, from what I can understand, the three-part categorisation of spaces—the use of the footpath, the shared paths and the shared zones. They each have a separate definition, which the City Of Sydney submission is particularly instructive and clear about. A lot of the submission from the Bicycle Messengers is appropriate to adopt in large part and it would overcome a lot of the problems that people might experience.

**The Hon. ROBERT BROWN:** Given that the largest concentration of bicyclist/pedestrian interaction is probably in areas such as the Sydney CBD and therefore there is likely to be a number of interactions, what do you think about the concept in regard to professional or commercial cyclists of having the machines registered for identification purposes? Is there any benefit in that?

**Dr MASON:** If I could take that in two parts, it might be useful for the Committee to be aware that it is my recollection that the Council of the City Of Sydney has had a program directly with the Bicycle Messengers, or the couriers as they are often known, or a code of conduct. Over the years the conflict and the grief that was experienced by people has declined quite considerably. They probably would be able to fill you in better on that than I can. Coming back to the registration of the bicycles, I heard this morning the RTA explain the expense issue but, above all, the actual merit and benefit. The consequence of spending money in registering cyclists is not a good return on investment and that there are other ways, which again the City Of Sydney is currently working with, about managing the conflicts between pedestrians and cyclists as our society moves through a transition to a greater share of trips being made by walking and cycling by people of all ages. Because of the importance of urban centres and their growing density, we have to work out a different way of living and a different way of using the space and also cycling graciously and being more respectful of each other in the shared public domain. Does that assist you?

**The Hon. ROBERT BROWN:** Yes, it does answer the question.

**Dr ANDREW McDONALD:** We heard a great deal this morning about the bike lanes in Bourke Street and King Street. What is Bicycle NSW's view on them?

**Mr KHALIFA:** I have been riding in Sydney since 1988 when I first came here. I think I was one of the few cyclists who braved the roads back then, with very little infrastructure to support me and not many drivers particularly interested in my being there. We have come a long way but we are still just coming out of the other side of the dark ages for cycling in Sydney and the greater part of New South Wales and maybe for many parts of Australia overall. That is a real shame because there are great cycling opportunities across all of the country, as well as the State and the city. Taking bold moves sometimes is the only way to get people's attention and to begin to create new opportunities for people to rethink the overall mapping of the role of transport and to break the dependence on one way of thinking and the dominance of the car culture that has grown.

I applaud overall the bravery, if you will, of the city to take on some of these issues and to provide some great examples of what could be. Not every one of them will be right. Let's face it, a lot of roadways that have been built are not all right. Some of them do not do the right job. I think cycleways will go through the same sort of transition of seeing the ones that work and which ones are more adaptable to the way people will use them. I used to live in Palo Alto, California. There they had a very sprawling campus. Before they put in any of the sidewalks, they could not figure out where people would come from their dormitories to the classrooms

and so forth. They finally did something that I think was very intelligent. They basically said, "Do nothing at first and then see where the paths are worn in the grass and pave over them." In some ways we are having to learn the same lessons but, unfortunately, what we are working with has already been congested. There will be trial and error but some examples of showing how people could use it through a transitional period is the only way to deal with this issue.

I just listened to a gentleman from the transport department in Portland, Oregon. He said they went through a very similar transition where there was a lot of heated debate against any cycleways being put in. Yet they have gone from having just a few percentage of people taking bicycle trips to now within 10 to 15 years having 18 per cent of their local traffic on bicycles. They have transformed lanes in the city itself, taken away a full lane and put it as a full bicycle lane. Now they have retailers asking them to take away parking places and put a cycle station in front of their shops. They have gone through a huge transformation, but it took bold moves. They say our experience here is at the front end of what they have already gone through. We need to encourage opportunities to create capabilities for people to begin to cycle and to see where that takes us.

**The Hon. IAN WEST:** While I am mindful of the need to encourage as many people as possible to use bicycles, I am also mindful of the cost of infrastructure, the need to identify the user, and the need to be accountable. I am trying to come to grips with how we can object to some form of identification of either the human user or the mode of transport that would enable appropriate enforcement by the authorities to be able to identify, and for people who are involved in an incident or an accident to be able to identify, the parties involved in an incident or an event. Can you give me some thoughts?

**Mr KHALIFA:** Sure. First of all, we are not blanket against registration of the bicycle and the bicyclist. It is to what end and at what cost. If we are trying to increase the take-up of cycling, we also do not want to put barriers in place that will make people think that maybe they should not. What about if they have two bicycles or three bicycles? What if they sell their bicycle? Does the registration go with the bicycle, or with the individual? For under 18s and over 85s, do we want to have different rules and regulations? All of those issues are on the table.

What does strike me is that we are spending only approximately \$2 on cyclists today in this State, or less than \$2, and that about 0.2 per cent of the Transport budget goes to cycling infrastructure. It is hard to also tally up what registration will do to give us benefit for less than \$2 of actual expenditure by the State. I think a lot of cyclists would tell you that if they knew the money was going to go back into real infrastructure development and real change, they would have less of an issue with it. The concern is that the cost will go up and nothing will change on the ground.

If it is really a matter of policing, then I think there may be different ways of policing. Today you can have your driver's licence taken for the same infractions and you would if you were a car road user. Enforcement is still possible today, but the issue is whether or not the enforcement should change, or whatever. We believe that enforcement is the right way of doing it. We think that cyclists should obey the same laws and regulations as do cars, when that is appropriate. We have no problem with any of that. It really is to what end and how would it be done to not discourage cycling. That would be the concern of our organisation.

**Dr MASON:** I would add to that, however, that I think it is really important to appreciate something said earlier this morning. The road rules that we have, just like the allocation of road space, are designed with the needs of motoring in mind. What is really needed—and this has been put time and again and is in this RTA document, which is a superb resource with lots of good diagrams—is the road rules themselves to be revised. That is why recommendations numbered 14 and 19 of our submission deal directly with that.

We also say that, given the fact that road rules and the provision of road pavement need to be changed to make it safer for people, what we also need to do is to be careful before using just narrow technical enforcement. I have actually worked as an enforcement officer, not on road rules but in other enforcement areas. Recommendation 6 is absolutely critical. That is saying that before we have remedial enforcement, we need a coordinated public awareness campaign to understand the use of bicycle facilities. That also relates to driver education.

There is a superb submission from the driver training people that points out the need for incorporation of cycling and awareness of cycling in motor driver education, and similarly in professional development of local traffic engineers. What I am saying really—and, please, I wish to be understood on this—is that it would be premature to bang the table on enforcement without having a major reform agenda to recognise we are

entering a new world here. We have a golden opportunity to make things both safe as well as healthy for the new generations as well as the older people who also cycle. Please look at a major reform agenda rather than just thinking that strict enforcement is the way to go. I do not believe it is for a moment.

**Mrs DAWN FARDELL:** I have been to Switzerland where cyclists certainly are not allowed on freeways or expressways, but have the right of way. They are given right of way by motorists. I would like to expand on your support for the Dutch sustainability safety policy to which you refer in your submission. Given there are significant differences between road infrastructure in those countries and Australia, do you think the Dutch model is appropriate for our local conditions in New South Wales?

**Mr KHALIFA:** I lived in Geneva for two years as well. I understand there that a lot of the responsibility goes back to the users of the infrastructure, including the cyclists, and people take it very seriously. I was amazed when I found out that someone who had had an accident on a roadway and damaged a sign or something on the road had to pay for the repairing of the sign as well as for their own car. The Europeans take a different philosophy to cycling. The starting point is also completely different. The attitudes are that cycling is an integrated part of the infrastructure as well as the responsibility of all drivers and all users of the roadway to accommodate.

But in many European countries, unlike in Australia, when someone is seen cycling people realise that they could be your mother, your father, your gran, or it could be your son or daughter. It makes the whole responsibility aspect on both sides a completely different equation. Here cyclists are still looked at as being the other people, the lycra-clad people, or some different species. What we are doing is normalising. I think we expect the normalisation of this. I think that is what the Portland example also showed. Once you begin to normalise who is riding, then the whole aspect and conditions also apply.

I do not consider cycling to be a risk-free activity. I think that is what the Dutch example also shows. Like anything else, whether it is driving a car or you are on a construction site, there are risks involved with the activity. I think that, first, the starting point would have to be that there is a risk inherent in the activity. Therefore it is really the Government that has to take on the responsibility, as it does elsewhere, to try to define how to minimise those risks. That takes on improvement in the roadways and the actual ability for the infrastructure to help to support, rather than to hinder, the progress of a cyclist across a roadway safely. I will invite my colleagues to expand on that.

**Mr SALOMON:** I would add that one of the important things about the Dutch policy is that it recognises that the road environment is inherently risky, and we have to approach it from the point of view of how we are going to reduce those risks. One of the ways they do it is to tie the whole risk minimisation to the design of infrastructure. They are very big on making their roads appear to be what they really are. In other words, one of the problems I guess we have with the current trend, particularly with local government, of painting lines on the roads for cyclists is that to some extent there are a lot of lines on the road and it tends to make it look like it is the kind of environment that often it is not. In other words, often speeds go up. It is not the intention, but that often happens.

I think we are designing facilities without a real idea of what we are trying to achieve in designing those facilities. In other words, if we want to design for lesser speeds, maybe we should be doing different things from what we are currently doing here at the moment. What the Dutch have done is the categorisation of roads. It is not what we would call the road hierarchy. We might hear the RTA and councils talk about hierarchy, but they are all about the use of the roads for people. It is not about moving vehicles. It is not about this obsession that the RTA has with moving vehicles. It is about moving people, and it is: What do people do?

Roads are the most important public space we have, in a sense. Roads are all about the way our economy and our society exist. We could not exist without roads and it is how we use those roads. It is almost what are the people or the human aspects of using the roads. A good example is Bourke Street. Let us separate Bourke Street from Bourke Road because they are two different facilities. The Council of the City of Sydney built the Bourke Street facility and they are, in a sense, distributing the risk. They are giving the cyclists separated space and they are designing the road space very much as a kind of naked street concept where there are few road markings. That is very much designed as a low-speed street. The look, the feel and the design of the street is that you cannot drive through here at 80 kilometres an hour and get away with it because this is a low-speed environment.



The cyclists have their own space, but on the intersections the design treatments are put in to make the cyclists very much aware that they must give way, if they have to, or that there are pedestrians crossing here. Everybody is made very aware of the risks that are inherent in those little bits of the road environment. It is a very carefully thought-out system. I think the basis of it all is all about making people aware of the risks that are inherent in the system and recognise that it is often impossible to reduce or remove those risks. In fact, it is probably dangerous to give people the impression that you can remove risks from any environment because then they switch off and you have people acting in a very irresponsible way whereas they should be really reacting in a very risk-aware way.

**CHAIR:** Just before we go any further, we will conclude your session at two o'clock. I will extend it to five past two because I have four members who wish to ask questions. Can you be brief with your answers? I am sorry to have to ask because it is all very interesting, but I am very strict on time, unfortunately. This morning you listened to the talk about mobility scooters and cyclists and so on, and I notice your recommendation that the Government provide an update on the status of national regulatory reform. Do you wish to make comment on what the RTA said about the need for a national regulatory reform about mobility scooters and pedestrians and cycles?

**Dr MASON:** Thank you for that opportunity. These issues are also part of the pedestrian safety question.

**CHAIR:** Yes.

**Dr MASON:** That is one of the reasons why both Bicycle NSW and the Council on the Ageing in their written submissions have requested that what we call appendix 1, which is the recommendations from the pedestrian safety report, be considered jointly with all these other users. We say that because the physical space is actually the same thing in different places. It makes a lot more sense to consider the use of the space. It does not matter whether you are actually on your feet, on a mobility scooter, on a paracycle, on a bicycle or whatever. That is why we asked for that. Is that clear?

**CHAIR:** Yes. That is fine.

**Dr ANDREW McDONALD:** If you look at the number of fatalities since 1993 on the roads, it has reduced by approximately a third—from approximately 600 to approximately 400—but the number of injuries for bicyclist has not changed in 15 years. What would Bicycle NSW recommend we do, realistically, to improve bicycle safety? It seems to me that a significant barrier to entry for everybody now is the concerns about safety and about injury rather than death?

**Mr KHALIFA:** I think it is multipronged. I think some of it is addressed in specific points about actual roadway design. But I have to be honest as the chief executive officer of this organisation and as having come from the commercial sector: you cannot make significant progress without significant investment. To deal with some of these issues, which are completely related to the kind of infrastructure that cyclists have to share or are being put on, you have to realise that they are going to be there in greater numbers. We can only anticipate more conflict if we do not also better design the roadways as they stand, or provide better cycleways.

I emphasise the point that between the bicycle plan and the RTA's own funding for it in cycling infrastructure, this year it will total only approximately \$12.7 million, which is 0.2 per cent of the overall Transport budget. It is barely a breath of capability to put in. Meanwhile as an organisation we know that we are having to comment on minor intersection upgrades, two of which are on the Pacific Highway, to increase the ability for road users or cars to turn onto two intersections. We are told that each of those will cost approximately \$4 million. That is \$8 million for two intersections just to provide some additional turn-lane capability, yet that is two-thirds of entire bicycling for the whole State for the whole year. Not only that, these two particular ones will decrease the ability for cyclists to safely traverse them.

The RTA has told us that they think about cyclists when they do these designs, but I can tell you and assure you that we have bicycle user groups who now spend nights writing up submissions to let the RTA know that what they are doing is an absolute disaster for cyclists in these areas. In some ways we think that as the minimum investment is being made, we are actually in some ways slipping backwards as the integration of these areas has gone in the other direction. The point is that if we want to make the impact not only on cycling uptake but also on a safer use of these roads we have to fundamentally change the ability for the roadways to be designed properly to begin with, as well to have sufficient resources available to actually implement them.

**The Hon. RICK COLLESS:** I raise Bourke Road because it is probably the cycleway that I am most familiar with in Sydney. As I was saying this morning, I travel that road quite regularly and I have only ever seen one cyclist in that bike lane since it was put in, and I go up there probably three or four times a month. How do you plan where you put cycleways? I suggest that Bourke Road is a good example of where you would not put a cycleway because there are no cyclists there. Would it not be better to look at putting cycleways that come from essentially residential areas into business areas and vice versa, rather than an area which is essentially an industrial area with lots of big trucks and heavy machinery and stuff going in and out of there every day? It seems incongruous that Bourke Road would have a cycleway on it.

**Mr KHALIFA:** I am not an expert on Bourke Road. I do cycle in that vicinity. There are two points I would like to make. One is the important example that you build them and they will come. People also ride to work in industrial areas, and I think we also have to accommodate the sense that if you provide a facility you will increase over time the ability of people to remap the way they get places. We need to traverse across the city in a reasonable way so that people can actually get across in a safe way. It may not be the optimum route each time. If you look at the RTA bicycle map that we also give out to our members, it is a bowl of spaghetti that has a lot of missing links and people have to make up the difference between them but they are happy sometimes to go out of their way to join a route and then get off it again at the other end. We do not connect them very well.

To your point, I think if we had better connected bicycleways and we optimised around how we get people across the city properly, then we have a chance of actually getting usage up much higher. But I would say let us wait a few months and see if we do not see a lot more cyclists using those particular cycleways as they become familiar with them and see how that helps them get across the city. I think they will come.

**The Hon. ROBERT BROWN:** You may have already answered this in your opening address. The Committee received two submissions this morning, one from an advocate of getting rid of bicycle helmets and the other from a group that is involved in trying to protect younger people from head injuries. What is the formal position of Bicycles NSW on the compulsory wearing of helmets?

**Mr KHALIFA:** First of all, I have a written submission I would like to offer you at the end of my short talk about it. Basically, we believe if you are riding a bicycle you are better off riding with a helmet than without. Interestingly, again from the example this morning, the question was asked of this public transport expert from Portland and they do not have compulsory helmet law legislation there. They said from the 1980s to now, in the 1980s the adoption of helmets without mandatory was 40 per cent. Guess what? Now it is 80 per cent, also without mandatory. I think this is an issue that distracts us from the main game, which is to get the better infrastructure, build the capability, get the attitudes of road users to better cooperate. That is the main game.

The helmet issue, yes, may bring some people off their couches but we do not even know how many that would be. The issue, I think, that is conclusive for us is if you are going to fall—and many of us who cycle a lot know that sooner or later you will fall or you will hit a door or something will happen—it is better to have had that helmet on than not. But I believe there is a policy issue which is beyond us, which is how one balances all the take-up issues and all the other issues. But we also know that our cycle cover people say that if you had an accident and you were not wearing your helmet today they could question whether or not they would actually pay for injury to yourself.

**The Hon. ROBERT BROWN:** Sorry, when you say "cycle cover" you mean insurance?

**Mr KHALIFA:** Yes, our insurance organisation. We do not know for workers compensation whether or not that would also be an issue if workers were to cycle around without their helmets and whether they would also have an opinion as to whether or not they would also extend coverage in those issues.

**Mr GEORGE SOURIS:** My question is generated by the point that was made about one lane on one side and one lane on the other, and it was better to have the two because you create a barrier and so on. In the psychology of a cyclist, it never suits both directions. I point, for example, to College Street. A cyclist heading up College Street towards Whitlam Square, perhaps intending to go up Oxford Street into Paddington and whatever, will definitely not use the cycleway on that side of the road because it is on the wrong side of the road and they would have to cross Whitlam Square. They will definitely cycle up the left-hand side on the footpath or on the roadway. I use that as the example. These people are freewheeling spirits.

**Mr SALOMON:** One of the important things about the city of Sydney policy is that it is backed by research with the residents. An overwhelming number have said, "I would like to cycle but I am not going to cycle in traffic. I want some protection." All the world over this kind of keeps coming up. We have a situation where most people—I think we have all been part of cars and buses our lives. For example, the baby boomers are getting into the area where they have grandkids and the grandkids are riding. They want to go riding with them and they think, "Get out in the traffic. This is not for me." People getting back into cycling even want a bit of protection. The City of Sydney, the response as I understand it—and I have been involved in a little bit of the design—is a response to the fact that we have these 12.8 million roads and they are just a bit too narrow to put lanes on either side. Importantly, in our submission we point out that the road rules make it difficult for practitioners in this country to design the type of facilities. If you go to all the northern European countries you see the bike tracks on either side of the road.

It is difficult for us to design those facilities here because the road rules do not give you right of way at the side streets. So it is better to put the lanes on the roads, which most people will not use if they are new to it, because you get the same priority as the road itself. But once you get onto the footpath then you do not have priority anymore. You lose priority at every single little intersection. I think that College Street example is probably your regular commuter cyclist is out there on the road lanes at the moment and perhaps they will not use it but it is a particularly important option for the bulk of the community that might say, "Well, I think I might ride my bike now instead of taking a car". We talk about congestion. We have just come out of school holidays. That is only 10 per cent of the traffic that is removed from the road system at that point of the year and that 10 per cent makes a big difference. So if we can just get 10 per cent of our motoring population giving cycling a go for a bit, then we have a big way of reducing congestion in the city, which is probably one of the major concerns at the moment.

**Mr KHALIFA:** I think we recognise the population estimate I just saw that was released with a 60 per cent increase in population for Sydney in the next 25 years. It is the tsunami that says—I do not know where we will find 60 per cent more road surface for cars and get more cars on these roads. Especially on short trips and so forth, I think this is where these lanes come into their own, when people want to have their shorter trips. It also addresses some of the recreational and health issues. People have said, "Look, I can take my children out on this and be safe." But we have to recognise that some cyclists will continue to use the road because they want to go faster, but it is not one-size-fits-all for cyclists, no more than it is for road users.

**(The witnesses withdrew)**

**ELAENA GARDNER**, President, BIKESydney, PO Box M59, Missenden Road, Camperdown, 2050, and

**DAVID BORELLA**, Vice President, BIKESydney, PO Box M59, Missenden Road, Camperdown, 2050, affirmed and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and protected from legal administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading in the Committee may constitute contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received, read and authorised for publication as part of the evidence of the Committee. Would you like to make a brief opening statement before we proceed to questions?

**Ms GARDNER:** BIKESydney represents the interests of people who ride bikes for transport in the city of Sydney. We are about trying to make the city a place where riding a bike is both safe and comfortable and a part of everyday life. Our submission is quite long so we thought we could boil it down into six key ideas. The first of those is that creating a safe cycle-friendly environment is not rocket science but it is a matter of political will. The crux of the safety problem for bike riders centres on the fact that there is a lack of planning for them and that the road system is predominantly designed for the movement of motor vehicles and not people. We feel that we need programs that legitimise cycling as an essential form of transport and one that is deserving of infrastructure, investment and promotion.

The second idea is that reporting dangers and incidents needs improvement. We are seeing more bicycle riders being injured and we feel that those injuries are probably under-reported. We do not seem to be including road rage assaults in the road injury figures, and for Sydney riders that is a particular issue. We feel that we need a more thorough reporting system, and that includes the ability to report near misses, conflict points, road maintenance issues and dangerous driving. Our third point is that the legal system needs to recognise bike riders as legitimate road users. We see constant examples of police inaction in response to complaints about dangerous driving and we also see inconsistency by the courts. Those sorts of messages send a message to the general public that bike riders are not equal citizens on the road, and that situation needs to be reversed.

The fourth area is that cycling gets safer the more people ride. So we need to be actively encouraging people to be getting on their bikes. There is good evidence from around the world that the more people ride the safer it gets. We think this can be done by the Government adopting a long-term goal to eliminate death and serious injury to bicyclists by improving driver behaviour, enforcing the road rules, particularly around the issue of mobile use and speed, amending the Australian road rules, and that is particularly in relation to looking at the use of pedestrian crossings for bicyclists, and reviewing the mandatory helmet legislation.

We would like to see more welcoming and cycle-friendly streets, more training of people to cycle confidently, and that includes kids, and implementing well-designed, well-connected and well-maintained infrastructure. So safe cycling infrastructure is not always visible and it is not always cycle specific, and speed is absolutely crucial in our opinion. We believe that the general urban speed limit of 50 to 60 kilometres is no longer acceptable, and we should be looking at lower speed limits, probably around 30 kilometres an hour. Our fifth point is that adequate funding is absolutely essential. The current Bike Plan has a total allocation of \$208 million over the next 10 years. Ten years ago that figure was \$250 million over 10 years, so we are actually stepping backwards in terms of funding available for bike projects. We would recommend that the Government looks at, as a matter of urgency, the funding for bike projects.

Our sixth and last point is that we truly must embrace a safe system approach for road safety policy. That approach puts people at its heart and aims to ensure the safe mobility of all citizens. It makes all road users responsible not only for their own safety but for the safety of all other road users. We believe that the current state of road planning in New South Wales reflects a widespread lack of understanding of the safe system approach and we would like to see the Government recommit to that approach and enshrine it in its new road safety strategic planning documents for the next decade. In summary, we feel that we need to tackle the issue of road safety for bicycle riders boldly and with confidence that we can really make a difference. We need to find a better way of reporting dangerous incidents. We need to have the legal system recognise us as legitimate road users. We need to encourage more people to ride. We need to make sure that funding is adequate and we must embrace the safe system approach. Thank you very much for this opportunity to appear before you and to put our point of view.

**The Hon. ROBERT BROWN:** In your opening statement you include a review of mandatory helmet requirements. Does BIKESydney support the use of mandatory helmets or not?

**Ms GARDNER:** We actually feel that it is a complex question and we are not quite ready ourselves to say yea or nay, we are definitely supportive of the helmet legislation or we are definitely not, but we do think that it is an issue that requires investigation and consideration. There does seem to be evidence that when the helmet legislation was brought in it reduced the number of people who were riding, and to us that is really critical. I think too that we like to think of it in two ways, so there are two points to make. There is the mandatory helmet legislation and there is the support of helmets, so we will say yes, we support helmets, but on the mandatory helmet legislation we are not so sure, so at the moment we are in the process of surveying all our members to ask what our members think of this issue and we will be reporting that in public at the end of the year.

**The Hon. ROBERT BROWN:** In your submission you cite figures suggesting that Sydney has the lowest cycling fatality rate in New South Wales. Then you go on to say that 34 per cent of your survey respondents, who I take it are your members, reported involvement in an accident with 85 per cent of those sustaining an injury. Do you have any comment on these figures? Further, what is your best estimate of the degree of under-reported cycling injuries?

**Ms GARDNER:** To be honest, we are not experts on the stats. We are bike riders. We are a volunteer organisation of bike riders, so the best we have is access to the stats that everybody else has.

**The Hon. ROBERT BROWN:** Could you tell me how many members you have?

**Ms GARDNER:** We have about 500 supporters, and the survey involved about 300 people. There is a big difference obviously between fatalities and injuries, and there are obviously far more injuries to cyclists than there are fatalities. Fatality figures are quite low, but injuries happen in all sorts of different ways. You can be injured by having a collision with a car—

**The Hon. ROBERT BROWN:** Slipping off the pedals?

**Ms GARDNER:** Yes, slipping off the pedals or by your brakes failing, by slipping on a slippery manhole cover—there is a whole range of exciting risks involved in riding on the road.

**The Hon. ROBERT BROWN:** Your submission recommends reducing the overall speed limit to 30 kilometres an hour. Over what geographical area—the whole of Sydney?

**Ms GARDNER:** No, really we would be looking at residential areas and shopping districts, so we would not say to put a 30 kilometre an hour limit on the M2 or anything like that, but for local areas where people could take short trips on their bikes, with a 30 kilometre an hour limit the speed differential for people who are on the roads in those areas would be very comfortable and very safe.

**The Hon. ROBERT BROWN:** You feel that that would be a better result or outcome than trying to push for totally separated bike paths?

**Ms GARDNER:** I would say that it would be both, so you are looking at speed infrastructure to manage local areas and also separated infrastructure in those areas, like with some of the larger roads where you need to put people on roads where there are higher speeds.

**The Hon. RICK COLLESS:** Ms Gardner, you said in your opening statement that we have to look at enforcing the road rules more efficiently. I gathered that you were implying that that would also apply to bike riders?

**Ms GARDNER:** Yes, sure. I think it needs to be a two-way street. I think that generally there is a lack of understanding of the road rules by all road users. There are specific rules that apply to bike riders that do not apply necessarily to car drivers, and those are not necessarily understood well by bike riders and by car drivers. I think some of that misunderstanding means that people break the law because they are trying to keep themselves safe. That particularly happens when people are trying to turn right across an intersection, so there is a road rule which allows a cyclist to do a hook turn, which keeps them safely out of the traffic and sits them in front—it

allows you to swing around to the left basically, position yourself at the head of the traffic and then travel through the intersection straight rather than doing a right hand turn. A lot of cyclists do not know that that is a legal manoeuvre and a lot of car drivers do not know that that is a legal manoeuvre, so if you are sitting in an intersection waiting to turn right you feel quite vulnerable sometimes sitting in that intersection with cars whizzing by you or coming up behind you, so people will run the red light simply to make themselves feel safe. I think that some of the illegal behaviour we are seeing on the roads by cyclists is actually a response to try to make themselves feel safe.

**The Hon. RICK COLLESS:** I cannot accept that, I am sorry. I have seen some bike riders do some crazy things going through red lights, and I will give you an example. Yesterday afternoon in peak hour, at about 6 o'clock, I was heading south along College Street. I was pulled up and was in the front row of a grid. A cyclist came between the cars, as many of them do, but did not stop at the red light. The green arrow was on, so there were cars turning right into William Street and into Park Street. The cyclist rode his bike out and stopped in the middle of the intersection. He did not dismount, but sat there trying to maintain balance on his bike while he was stopped, and there were cars going around him on both sides. I cannot accept that he felt more safe being out there doing that. He was clearly breaking the law.

**Ms GARDNER:** Yes, sure.

**The Hon. RICK COLLESS:** When those people do those sorts of stupid things they should be charged. I cannot accept that that is commonsense behaviour. And I can give you 100 similar examples where I have seen bicycle riders do similarly stupid things at red lights, in particular running red lights.

**Ms GARDNER:** And I can give you 100 examples where I have seen motorists do the same thing.

**The Hon. RICK COLLESS:** Indeed, I am not denying that.

**Mr BORELLA:** So it is reflective of society; it is a phenomenon of society.

**The Hon. RICK COLLESS:** I think we see a lot more cyclists going through red lights than motorists. Every time I drive on Sydney roads I see at least one or two cyclists every day going through a red light. It is unusual to see a motorist going through a red light, unless he is running an orange light, but these guys go through the red light.

**Ms GARDNER:** I suppose what we would say is that we see—and the evidence is—that there is a general breaking of the law on the road by all road users, and that happens in relation to pedestrians, cyclists and people in motor vehicles. I think there is a need for better education for all road users, and particularly enforcement around things like speeding and mobile phone use in cars because that is really dangerous to all road users. I think the other point to make is that when a cyclist breaks the law the person that they are putting at risk is generally themselves. When a car driver breaks the law, the person that they are putting at risk is a whole lot of other vulnerable road users.

**CHAIR:** There are a few cyclists in the audience. I wonder how many of them rode today, and how many rode through red lights? Dr McDonald, did you know about the hook rule?

**Dr ANDREW McDONALD:** I would not use a hook turn because they are far too dangerous. I would ride through a red light, and they do it for precisely that reason, because when you are waiting to turn right and there is a bunch of cars behind you it feels very dangerous. People do it because it is safer than waiting there feeling all the cars behind you. Road rage tends to be significantly under-reported and it often turns into a "You said" and "He said" argument anyway because there is usually no witness other than the person making the allegation. What does your group recommend about road rage?

**Ms GARDNER:** We are really interested in the New Zealand system. There is a New Zealand system that is an on-line reporting system, which allows you to report bad driver behaviour, so not just road rage but speeding and any sort of bad driver behaviour, and the police then write to that person and explain that they have been seen to behave in this sort of way. We think that some sort of system like that would be really great. What we are seeing at the moment is that, even when you have independent witnesses or extra witnesses to those sorts of road rage incidents, the police are still not interested in taking the details of that interchange, so we would also like to see that the police take those road rage incidences much more seriously.

**Dr ANDREW McDONALD:** Do you mean give an e-number to the person making the allegation?

**Ms GARDNER:** Sorry, what was that?

**Dr ANDREW McDONALD:** Giving an e-number when the police log an incident?

**Ms GARDNER:** Yes. At least taking a response and logging the complaint, so at least there is a record of that person, and if there are multiple instances of reporting then it is on record.

**Dr ANDREW McDONALD:** For the record, I think the Ben Mikic Foundation also recommends a similar system.

**CHAIR:** In New Zealand, once you get four you receive a visit by a police officer.

**Ms GARDNER:** Yes.

**CHAIR:** How do they deal with vexatious complaints? I mean there are people who do not like one another. If you do not like your neighbour—

**Ms GARDNER:** Yes, that is a good point, isn't it? I suppose that is something to keep in mind, but at the moment the situation is that there is actually very little interest in road rage, and when it happens to you on the road it is a very serious experience. It can be incredibly threatening; it can be a really daunting experience, particularly for people on bikes.

**Mrs DAWN FARDELL:** I have two daughters who have trained in the Dubbo area for triathlons and, in relation to road rage, they have also been victims of instances with hoons winding down the windows of a car and one leaning out and holding on to their bike seat or water bombing. I should have asked Bicycle NSW as well, but do you have members report those incidents back to you and take them further? I know you are a volunteer organisation, but do you have any sway or help them if they take a particular case further?

**Ms GARDNER:** We have not in the past, but it is a really good point in fact, and quite a number of the bicycle user groups overseas have a legal representative who can help their members with those sorts of complaints. We do not have the resources to do that, but it is a really good point. I know that that sort of behaviour is definitely reported to us by our members, so it is something that people do experience here in Sydney and it is of concern.

**Mr DARYL MAGUIRE:** Do you have any statistical information regarding the average commute of a cyclist in your organisation? I note that there are a number of cyclists that pedalled here today. How many kilometres would they have pedalled and what is the average commute for your membership?

**Ms GARDNER:** That is interesting. I do not know the average commute, but most of our members come from the inner area of Sydney, so inner west and inner east. Most of them would be Balmain, Leichhardt, heading out to the Summer Hill area, out to Botany, Randwick and the eastern suburbs. That is sort of the catchment of our membership.

**Mr DARYL MAGUIRE:** Would you say that your membership is more a commuter-based membership or a recreational activity?

**Ms GARDNER:** Definitely commuter. We are very much focused on riding for transport, whether that is commuting or taking the kids to school or doing the shopping, we are very much about utility cycling rather than recreational cycling.

**Mr DARYL MAGUIRE:** But you have not got any raw data on the kilometres commuted?

**Ms GARDNER:** No, but the city of Sydney may have that for you tomorrow.

**Mr DARYL MAGUIRE:** Do you have affiliations with any other organisations, such as Bicycle NSW?

**Ms GARDNER:** Yes, we are affiliated with Bicycle NSW and we work quite closely with our surrounding bicycle user groups in Leichhardt, the eastern suburbs and Marrickville on different projects.

**Mr DARYL MAGUIRE:** You have 500 members and Bicycle NSW has 30,000 members, I understand. How many members do those other groups have?

**Ms GARDNER:** You would need to ask them but they would be in the hundreds rather than the thousands.

**Mr DARYL MAGUIRE:** Small community groups that you are affiliated with?

**Ms GARDNER:** Yes.

**CHAIR:** Bicycle NSW made an excellent point, which I am sure the Committee will agree with, so I had better say this while members are still here to hear it. This Committee would certainly not be recommending regulatory enforcement ahead of infrastructure and education, and I assume that that is your approach as well, that we need education and infrastructure before moving to the regulatory side.

**Ms GARDNER:** Yes, definitely. Until we get both infrastructure and education programs any regulatory enforcement will act as a deterrent to people to ride. We would say that you need to look at that aspect before you introduce anything and assess whether it will encourage people to ride bikes or whether it will deter them from riding.

**The Hon. ROBERT BROWN:** Can you give me a rough idea of the average investment your members would make in a commuter bicycle?

**Ms GARDNER:** It is probably between \$1,500 and \$3,000, depending on the bike.

**The Hon. ROBERT BROWN:** I asked a question previously about compulsory use of helmets and one of the witnesses attempted to make the correlation between the compulsory wearing of helmets and it being a barrier to entry to bicycling. Do you agree with that conjecture?

**Ms GARDNER:** There certainly seems to be evidence that when the mandatory helmet legislation was introduced there was a significant drop in the number of people who were riding. I stopped riding in my very early twenties when the helmet legislation came in. It impacted on my choice to stop riding because I was pretty lazy and I decided I could not be bothered getting a helmet and I stopped riding. It took me out of that pool of people who were regular riders and I think that was a common experience for quite a few people. I am not sure whether that is still the case today.

**The Hon. ROBERT BROWN:** How long has your organisation been going?

**Ms GARDNER:** We have been going since 2000.

**Mr GEORGE SOURIS:** The overwhelming component being commuters raises one question in relation to public policy, public financing, budgeting and providing infrastructure and public transport. On a really wet or cold day I presume cyclists expect the capacity of the public transport system to be capable of taking that extra load during peak times even though most of the time it will not be used. Do you have a comment about society's allocation of resources in that way?

**Ms GARDNER:** Our experience is that over winter we are not really seeing a drop in the number of people riding. It does not get so cold in Sydney that it is a real barrier for people. On really wet days you might find that people prefer to take public transport. We used to see a drop over winter when people stopped cycling, but cycling is so popular now that the numbers are staying solid over winter and are ramping up again when it gets warmer. We are seeing a steep increase in the numbers of people cycling. Obviously public transport is absolutely essential and having access to good public transport is essential.

**Mr GEORGE SOURIS:** I think society is entitled to ask you whether you want us to invest in your infrastructure as well as public transport infrastructure for your occasional use.

**Mr BORELLA:** The answer is yes. What we need to do at the bigger level is planning integration.



**The Hon. RICK COLLESS:** Who pays?

**Mr BORELLA:** Society pays—the State pays. The inference of your question is that it is unreasonable that we might accommodate this. Underpinning all of this is adopting the philosophy of considering, as Omar Khalifa has mentioned, that we are moving people, not vehicles. When we properly allocate the incredibly precious resource that is our roadways—in fact, the road corridors is the way we should think, not just the roads or the platform that carries the vehicles—we should do so according to the potential usage, not the current usage, because Sydney at the moment has 1 per cent cycling uptake, but it could easily have 10 per cent. You will find that out in the years to come in the City of Sydney area if not Sydney-wide and, less so of course, statewide. Rationally we should have integrated public transport; that is the key.

The point being made here is the absorption and adoption of the idea of integrating these different modes of transport and, secondly and more importantly to me, recognising cycling as a meaningful, legitimate mode of transport, not just some bit of fun that happens on the weekend. The changes can come. We have just typically come from a talk by Roger Geller, hosted by the City of Sydney, who referred to Portland having of the order of 15 per cent mode share cyclists in all trips and they are aiming for 25 per cent. Copenhagen now has 37 per cent and is aiming for 50 per cent. We are at 1 per cent and aiming for 10 per cent. The point is it is not rocket science. It can be done and it is being done by a great many other cities. The key to it, and the focus here is safety not trying to carry the cause for cycling per se, is integration of public transport. It should absolutely be integrated.

**Mr DARYL MAGUIRE:** You mentioned that cycling numbers were increasing. What method did you use to ascertain that and by how many has it increased? What are the numbers, the raw data?

**Ms GARDNER:** There is a combination of data available. The RTA has counters on, I think, eight of their regional cycle routes and those are all showing increases. Some of the figures are in our report. The City of Sydney recently started a counting program and I am sure they will be able to give you some data tomorrow on what is happening in their area. There is also the Super Tuesday count, which happens once a year and is coordinated by Bicycle Victoria, but also happens in a number of areas across Sydney. That is a physical count that is done across a number of locations in the city on that one day.

**CHAIR:** Thank you for coming in today.

**(The witnesses withdrew)**

**(Short adjournment)**

**CHLOE MASON**, Policy Officer, Council on the Ageing (NSW), Level 6, 280 Pitt Street, Sydney, on former affirmation:

**CHAIR:** You have been affirmed, you have been read the information about parliamentary privilege and so on and you are here representing the Council on the Ageing. Would you like to make an opening statement before we move to questions?

**Dr MASON:** Yes, just briefly. Council on the Ageing is a federated organisation. I am the policy officer at the Council on the Ageing (NSW). It is a non-government organisation. It receives money from the State Government for a number of the programs that it runs for its members and also a wider constituency, which is people over the age of 50.

The Council on the Ageing (NSW) also made a submission to the pedestrian safety inquiry last year and one of the things that we picked up on was that a lot of the action items from the Committee's report that the RTA commented on are relevant to the consideration of bicycle safety. I should say it is almost counter intuitive when people say: Why is the Council on the Ageing (NSW) making a submission to the vulnerable road users inquiry? The answer to that is quite simple and that is that in fact older people, over 50, are everything, they are all people, so they include motor cyclists, they include bicyclists and they include pedestrians, and motorists of course, and all of the in between categories as well as the other small user groups, like users of gofers or mobility scooters and all the other things.

That is why we thought it was essentially important to be participating in this process, and above all else to highlight that maybe it is time for a serious deep look at the old style way of thinking about road safety and whether it is adequate to the task. We submit that it is not and we submit that urban centres where people congregate should be people based places and we say that sadly the road authorities, both State and local, have largely not been sufficiently responsive to the needs of people moving about, crossing roads and moving around. We also say that new evidence has come out from the very fact that the New South Wales Government has published the memorandum of understanding with the City of Sydney. We say that is a very creative move and we like it. We think a lot of the items in there are relevant to many urban centres and would be the fastest way of improving the safety of the people of New South Wales. So we encourage the Committee to have a look at that.

**The Hon. ROBERT BROWN:** In your submission you say that most research data indicates that increasing age predisposes pedal and motor cycle riders to more severe injuries and longer recovery from crashes. We heard from the RTA earlier that in fact motor cycle fatalities, once you get beyond the 50 plus age group, in fact are a fairly small component of the total. That would seem to counteract that sort of research data. From your organisation's point of view, do you believe that say, for example, motor cycle and pedal cycle riders in the seniors area are more prevalent in the injury and death risk area?

**Dr MASON:** This is a good illustration of why road safety as a method is actually dealing with some pretty primitive concepts compared, for example, to occupational health and safety, where we always consider exposure to risk. One of the reasons why older people probably, and no-one really knows, have much higher levels of pedestrian injury and fatalities is because their exposure level is very much higher. If you stop and think about pre-retirement or early retirement, a lot of older people are moving into part-time employment before total retirement and they are also volunteering. That means that they are out and about very much more than other adults in what is called the second stage of life, or pre-retirement. So the third stage of life, between 50 and 70, you have a lot of very active people that spend a lot more time in the public domain, who walk more often and are more exposed to risk.

The Royal Prince Alfred Hospital submission is a very interesting one. They actually raise the issue about exposure data, but what we also know is that as the levels of cycling and walking increase, you do not get corresponding increase in the level of injury and fatalities. That is partly to do with the frequency and the presence of people in the same shared space.

**The Hon. ROBERT BROWN:** Can I just ask for clarification?

**Dr MASON:** Yes.

**The Hon. ROBERT BROWN:** Are you saying that the aged are at greater risk as pedestrians in a

bicycle environment or as bicycle riders?

**Dr MASON:** First off I have to say that "the aged" generally is a very wide category of people, anywhere from 50 to 90.

**The Hon. ROBERT BROWN:** I could have said 70 I suppose.

**Dr MASON:** But in terms of who is most at risk, speed is usually the key factor, so that is why in footways and on shared paths, bicycles have to give way to pedestrians for that reason. That is why mobility scooters are restricted to 10 kilometres per hour, because of the level of risk. Is that clearer?

**The Hon. ROBERT BROWN:** Yes, it is.

**Mrs DAWN FARDELL:** Do you have figures on the incidents with the mobility scooters or gofers, as we call them, the number of people that are reported to you, the figures of incidents?

**Dr MASON:** The Council on the Ageing really is not a research organisation. On the issue of mobility scooters, I would be looking to both the RTA and the Transport Data Centre for information about their use. That is where I would go but I do not have the data. We can make some comments on that topic if you would like.

**The Hon. ROBERT BROWN:** I am just trying to get my head around what the Council on the Ageing's position actually is. The terms of reference say at (d):

Current measures and future studies to address motor cycle and bicycle safety, including education, training and assessment programs, there is a view that the current road regulations do not effectively protect bicycles from the risk of injury or death.

How is that more critical to the Council on the Ageing's area of interest than to the whole of the population? Is there a specific thing you are trying to get at there?

**Dr MASON:** What I said previously about older people, what do older people do, a lot of older people are no longer in full-time employment, which means that rather than being at a desk or a workplace, they are moving around a lot more, so they are exposed more. What we do not have in this whole road safety area are relative risks based on exposure. My proposition is that older people by the nature of not being in full-time employment are more exposed than people who are in a workplace.

**The Hon. ROBERT BROWN:** How do you propose to correct that?

**Dr MASON:** One of the reasons why we supported a number of the recommendations on the preventative reform of the Australian road rules to make them more suitable to people movement, whether that is walking, mobility scooters and bicycles, is because technically mobility scooters are part of what is called "pedestrian" as defined by the RTA in their pedestrian access and mobility plans. We would like to see councils with plans that they are implementing. Our concern is that the provision for people moving around, rather than motorised vehicles moving round, is not getting the attention that it warrants. We know how essential it is for people to move around for their physical, mental and social health and for the prevention of dementia, which is another reason. There are very good reasons. I am saying that there are concentrated reasons why this is an interest of the Council on the Ageing as opposed to the population at large. It has a real interest in ensuring that their exposure is not increased by the lack of safety. For example, on Tuesday every week in Sydney there is a social bicycle ride for people over the age of 50. This is an opportunity for people to get out with others, and this is a desirable activity that we would like to promote more.

**The Hon. ROBERT BROWN:** But you would not say that that was a desirable activity on main commuter routes, would you?

**Dr MASON:** No. That is why we want to see safe cycling routes. A lot of older people who are going to volunteering activities and to appointments need to be able to get around just like other people get around.

**Dr ANDREW McDONALD:** Recommendation 5 states that close attention should be given by Staysafe—which is this Committee—to obstacles such as the reduction of speed limits. Could you enlarge on that? Previously we have had debates in this Committee about the speed limit in the City of Sydney.

**Dr MASON:** That was why I was so pleased to see the memorandum of understanding that came out from the State Government, and that is why it is a valuable document. That transformation and the city-State partnership allow certain streets that have a use other than the throughput for the mobility for vehicles to have a reduced speed and greatly improved crossing facilities.

**Dr ANDREW McDONALD:** In local communities very few of the people we are talking about—those aged from 50 to 70—go to the central business district. They are in Campbelltown, Macquarie Fields and Ingleburn and that is where they spend most of their time; they do not come into the CBD.

**Dr MASON:** If you look at a map of New South Wales and at the percentage of people over the age of 50, for example, in the area at which I looked recently for seven councils—the northern part of Sydney—you will find that the lowest one was 19 per cent. In seven councils on the northern side of Sydney more than 20 per cent of the population is aged 65 and over.

**Dr ANDREW McDONALD:** That is not what I was saying. I was saying that they tend to be in their local suburbs most of the time rather than in the central business district.

**Dr MASON:** Yes, in the Sydney central business district. I appreciate that.

**Dr ANDREW McDONALD:** The memorandum of understanding relates to the Sydney central business district and you are talking about the speed limit in local councils areas.

**Dr MASON:** In the Metro Strategy for New South Wales and for Sydney there is a notion of major centres and smaller regional urban centres. Think about Penrith and Liverpool and going even smaller still, such as Prairiewood and St Marys. In those urban centres it would be valuable to apply to St Marys principles similar to the MOU for the Sydney central business district.

**Dr ANDREW McDONALD:** Are you saying that the Government needs to expand that MOU out of the Sydney central business district?

**Dr MASON:** Yes. I have recommended that certain action items in that memorandum of understanding are applicable directly to medium-size centres, including Dubbo, Wagga Wagga and all regional towns and cities in New South Wales. That would be a superb initiative as it would do an awful lot very quickly to increase the vitality of those places and make them safe and pleasant areas in which people can move around other than by motor vehicle.

**CHAIR:** Earlier today someone referred to the hierarchy of roads. In my view there is logic to it. State roads and main roads have a speed limit in local areas of mainly 80 kilometres. Feeder roads off the main roads have speed limits of 60 kilometres an hour, 50 kilometres an hour and 40 kilometres an hour. In my suburb, once I get off the main road, the speed limit is 40 kilometres an hour. Most councils are adopting that 40 kilometre an hour speed limit for feeder roads. I note your comments about the need to think not only about cars as a means of moving people. It has been suggested that 30 kilometres an hour is a lower limit for the safety of cyclists. In my suburb the roads are so narrow that one cannot travel much above 30 kilometres an hour anyway. Two weeks ago Dr Job gave us a talk and he said that for every 10 kilometres an hour faster that one travels the greater the injury rate. After that longwinded introduction my question is: Do you agree with that hierarchy, or do you think we are looking at it in the wrong way?

**Dr MASON:** I think that hierarchy served a purpose up to a point in time. I think we well and truly should be moving beyond that. That is why a difference in wording is very meaningful. The Dutch refer to the categorisation of the functions of the road. I was impressed by the British approach entitled "Link and Place." Late last year, Professor Peter Jones from the Centre for Transport Studies in London addressed Engineers Australia on this concept to better appreciate that the concept of hierarchy and the language of hierarchy refer only to the movement on the network. You have different types of roads from motorways down to local roads. That is a network model.

New style thinking in the Netherlands, in the United Kingdom and in other places is that we should be looking at roads in a different way. Depending on their context and on where they are located, they are performing multiple functions, not only for mobility and throughput but also for access for people. That approach is embedded in the whole underpinning of the memorandum of understanding. It is recognition of the

fact that the road space or place has a different role to play other than how many motor vehicles you can get through an intersection every minute. It is doing something else.

That is why we are recommending not only a shift in language but also a shift in the understanding about how roads are functioning in our urban environment. I would suggest that it would be useful for this Committee to look at the "Link and Place" document, which I discovered only after making my submission. I can supply that document to you.

**CHAIR:** Thank you.

**The Hon. RICK COLLESS:** Dr Mason, a few minutes ago you were talking about the need to have reduced speed limits in streets that carry both bicycles and motor vehicles. I think you referred to them as shared streets or shared zones. Do you think it is also appropriate that some streets may need to ban bicycles from travelling on them in order to maintain high speed limits, in particular, when there are a number of heavy vehicles and things such as that?

**Dr MASON:** I am always a bit nervous about the notion of banning. We have to look at what we are trying to do with a road. Earlier today we heard good evidence about whether or not bicycles should be banned from motorways. I think what was said earlier today on that matter was pretty prudent advice from the Roads and Traffic Authority. Reference was made to older people issues, but I do not believe that that is a central issue for us. What is more important for us is how these topics are managed. Drawing on the analogy of occupational health and safety the complexity of what we are dealing with needs a package of measures. We have to get the infrastructure right, for example, a safe system of work.

We have to get the speed down in the right places, but only in the right places. We have to educate professionals and users. We have to look also at personal protective equipment. We have to have the whole package—the whole kit and caboodle—and nothing less. That is how we will make real changes. This is an exciting or golden opportunity. We can do something rather different from how road safety has been thought of before, which was only the safety part of the equation and not the health part of the equation. We have to get more people moving physically by walking, cycling and on gofers.

**Mr GEORGE SOURIS:** From your perspective does the council that you represent have a view on pedestrian crossing time counters, or countdown timers? Would that be of assistance to your constituency?

**Dr MASON:** Most definitely. We were so pleased to see that as one of the action items in the memorandum of understanding. That will be introduced in the City of Sydney CBD and it will be interesting to see how it works out. In addition, the City of Sydney is doing pedestrian, cycling and traffic calming measures. That often involves putting roads on diets, narrowing the road space at intersections for motor vehicles, which means that the space to cross is shorter. Referring to a hierarchy of control measures, we can put management of the road space right up there. Issues about signalling and speed are secondary to the management of the space. I think that would help to get these things in the right order.

There is no single magic bullet. It is not speed alone or countdown timers alone; it is a matter of the right combination and the right mix in the right places. I am pleased that the Roads and Traffic Authority will put some of the funding for road safety officers into traffic calming measures. That is probably a good move. It is about getting the physicality right and then a lot of the behavioural stuff will drop into place.

**Dr ANDREW McDONALD:** On page 8 of your submission is a contribution by an older person who wrote, "I live in Inner West." Do you recollect that quote on the bottom of page 8?

**Dr MASON:** Yes.

**Dr ANDREW McDONALD:** Could you comment on that submission?

**Dr MASON:** As a consumer organisation we are always keen to reflect the views of consumers. Obviously we cannot possibly say that all of them are right all the time, but we think it is useful for the Committee to be aware of the views that were expressed.

**Dr ANDREW McDONALD:** Are you saying that COTA does not have a view about that submission?

**Dr MASON:** We thought it was sufficiently resonant. It is not as though it is a rare story as I have heard that story before. He states that he is following his doctor's advice in taking up cycling as a way of being more active more frequently, which is good. He then states that he rides regularly to Redfern and that he cycles on most days, et cetera. He then lists what he would like to see as better options for road safety, and he includes what we call contra flow lanes on two-lane roads. Parramatta is a difficult place in which to ride around because it has a lot of one-way streets. A document entitled "NSW Bicycle Guidelines" has a number of good design measures for what we call contra flow and advanced stop lines. However, it is sad that they are rarely introduced.

The traffic committees of councils and the Roads and Traffic Authority do not support or recommend these good measures that can make a huge difference. We have a big gap in their implementation. At the end of his contribution he states, "I need to repeatedly ignore the regulations." I spoke here today emphatically about the need to reform Australian road rules to make them come into line with general practice so that all road users can use the road system safely. At the moment they are stacked against both pedestrians and cyclists.

**CHAIR:** Thank you very much, Dr Mason. I have one final question for you. I must say I agree with something in your submission, but I do not think there is any simple solution to it. Your submission refers to a campaign on bullbars to prevent their use on vehicles that are used mainly in urban areas. I agree, but how do you say you can have bullbars only if you live outside the metropolitan area? How do you go about that?

**Dr MASON:** I think it would be a really good question to ask the RTA about, how to get this to happen, because they know that it is a really damaging thing to have. Also the police are often really good at ideas. They are often undervalued in terms of how much they can come up with good solutions to problems. I would welcome their input on it.

**CHAIR:** Thank you for your dual contribution today.

**(The witness withdrew)**

**JACK HALEY**, Senior Policy Adviser, Vehicles and Environment, NRMA Motoring and Services, Level 1, 9A York Street, Sydney New South Wales 2000, affirmed and examined:

**DIMITRA VLAHOMITROS**, Senior Policy Adviser, Road Safety, NRMA Motoring and Services, Level 1, 9A York Street, Sydney New South Wales 2000, and

**MARK WOLSTENHOLME**, Senior Policy Adviser—Traffic and Roads, NRMA Motoring and Services, Post Office Box 1026 Strathfield, New South Wales 2135, sworn and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to information you provide. I should also point out that any deliberate misleading of the Committee may constitute contempt of Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence given to the Committee. Would you like to make a brief opening statement before proceeding to questions?

**Ms VLAHOMITROS:** First of all, let me thank you for the opportunity to present to the Committee. We have appeared before the Committee several times and we are pleased to be able to do so again for this inquiry. As you know, we prepared a written submission and of course we are very happy to take questions. Before we take questions, I just briefly mention that NRMA Motoring and Services comprises more than two million members in New South Wales and the Australian Capital Territory. For more than 90 years we have represented the interests of motorists in relation to road safety. The NRMA is concerned for the safety of all road users, not just one particular group. We recognise that our members ride bikes, ride motorcycles, walk and use other forms of transport as well as drive.

**The Hon. ROBERT BROWN:** Gold member, 43 years membership!

**The Hon. IAN WEST:** Are you declaring an interest?

**The Hon. ROBERT BROWN:** I am declaring an interest. Generally, some of the other witnesses are arguing for a more concentrated effort on behalf of government in terms of expenditure and engineering being considered in policy. I note under the terms of reference that you have addressed that there is a 23 per cent increase in licensed motorcyclists. The second point is that there was a recent NRMA 2010 survey. Could you tell me whether that survey was among your own members only, or was it a broader community survey? You say that only 2 per cent are regular users of bicycles.

**Ms VLAHOMITROS:** Yes, I think that was a survey of our members, bearing in mind that we have approximately two million members and that our surveys tend to be representative of the New South Wales population.

**The Hon. ROBERT BROWN:** Okay. Your recommendations include targeted education campaigns to increase bicycle helmet use. You state that you support the increased use of helmets. Are you aware of the current debate surrounding the compulsory wearing of helmets for bicycle riders? Differing views have been given to the Committee by different witnesses this morning. What is the NRMA's official position? Do you support the compulsory wearing bicycle helmets, or otherwise?

**Ms VLAHOMITROS:** The NRMA supports the compulsory wearing of helmets. We recognise that helmets substantially reduce the risk of death or brain injury for cyclists. I think we have to be mindful that the statistics that we see in terms of the road toll are based on New South Wales Police statistics that are crashes reported to the police. Although the figure for fatalities is quite high, injuries are actually under-reported. We see a lot of people fall off a bike.

**The Hon. ROBERT BROWN:** We heard that in other evidence this morning.

**Ms VLAHOMITROS:** Yes. What we are finding is that helmets are effective and we do support the use of them.

**Mr HALEY:** I mention also that we are supporting the University of New South Wales study into the effectiveness of bicycle and motorcycle helmets currently.

**The Hon. RICK COLLESS:** I wish to ask you about the issue of guardrails. There has been quite a bit of debate about the wire rope guardrails and how they are not good for motorcyclists who come in contact with them. Do you have any ideas on what sort of guardrails should be used that meet that common ground between motorcyclists and car drivers or car users?

**Mr WOLSTENHOLME:** You will note in our submission that we have suggested that the RTA should carry out a motorcycle demonstration project. We have picked a section of the Pacific Highway simply because it is a particular section that has a large number of motorcyclists that use it. That sort of project would be an ideal opportunity to identify what sort of products could be used that could be more beneficial to the safety of motorcyclists.

In relation to the issue of wire rope barriers, I heard the RTA this morning talk about the benefits for all road users. When you look at the actual statistics, there have not been that many motorcyclists that have hit wire rope. Therefore it is quite difficult to determine whether wire ropes work or what the actual effect is. There are a whole load of issues around: if the wire rope was not there, would the motorcyclist have hit an oncoming vehicle instead as well as the barrier itself? I have heard that the chairman of the Victorian motorcycle council collided with a wire rope barrier, and he thinks it is great—which is a bit different to some of the other stories that you hear.

**The Hon. RICK COLLESS:** I gather he did not do it by choice, though.

**Mr WOLSTENHOLME:** No, definitely not. He did not do that on purpose, but he reckons that stopped him having a head-on crash. But, obviously, the whole issue is when a motorcyclist comes into contact with any sort of barrier. Wire is supposed to be more forgiving than a solid barrier, but to a motorcyclist, it is still fairly solid stuff. Obviously, if they come into contact with anything, it is going to have more severe consequences for a motorcyclist than it will for another vehicle.

**The Hon. RICK COLLESS:** Can you give us a bit more information on the motorcycle demonstration project, what it is actually doing, and what it is looking at?

**Mr WOLSTENHOLME:** Yes. Victoria has done something similar. They looked at a section of road where they were having a high number of motorcycle crashes. They have basically gone in and said, "What can we actually do to improve the road?" They have looked at signposting and they have looked at widening corners and doing a whole range of measures just as a demonstration that these are some of the things that we could roll out across the rest of the road network. Obviously, it is quite an expensive process. But I guess part of it is educating people as to what products are on the market and what could be done so that when the traffic engineers go and look at other sections of the road, they are mindful of the implications for motorcyclists.

**The Hon. RICK COLLESS:** I notice from your submission that you do not support the narrowing of roadways to accommodate cycleways. There has been quite a bit of debate about that issue here today. Can you expand on your views regarding the currently proposed cycleway network in the city of Sydney and tell us your concerns?

**Mr WOLSTENHOLME:** Yes. Our preference is that cyclists should be encouraged to use lower-speed streets just because of the speed differential between motor vehicles travelling along arterial roads or motorways and obviously very slow speeds at which cyclists travel. We have put comments in our submission about the M2 motorway on which I would like to elaborate later, if I may.

In regards to the actual evidence you have alluded to about Bourke Street, Bourke Road and King Street, which was mentioned this morning, our preference at the time that we spoke to the Council of the City of Sydney was not so much to have a segregated bicycle lane because we thought that Bourke Street was a relatively low-speed street anyway and we thought we could just change the form of the street. You could have kerb build-outs with coffee shops and all those sorts of things that actually slow down the whole speed of the traffic through there, so then cyclists would be able to mix with the other traffic.

Obviously the Council of the City of Sydney has taken the view that they want a segregated bicycle lane. The issue that also has been raised here today is: Who are we designing the bicycle lanes for? There is a whole market of different people out there. Obviously, if you are a commuting cyclist, you are less inclined to



want to be delayed at intersections where you can see that the traffic is already travelling through and you have to wait for pedestrians. But if you are a recreational cyclist, then you may be more inclined to stop.

Really the issue is: Has it been designed with the cyclist in mind? If we are going to put in cycling infrastructure, does it accommodate all cyclists? The answer to that is, "No, it does not." We have heard other comments as well that cyclists are choosing not to use the cycle lane in Bourke Street and on Bourke Road. Then the question as well is: Has it been designed with the right cyclist in mind? I think that sort of opens the question to the M7 cycleway, for instance, which is a completely grade-separated shared path idea so that pedestrians and cyclists can use it, but cyclists are still using the motorway shoulder.

The NRMA made comments recently about the M2 upgrade in regards to the safety of cyclists using the breakdown lane on the M2. I guess our concern there is, obviously, that the traffic is travelling at very high speed. The New South Wales Government has taken the decision that cyclists should be allowed to use motorways in New South Wales. Whatever you think, from a risk perspective, we think there are things that could be done to improve the safety of cyclists and other users of the road shoulders, such as road workers or someone who has pulled over when they have broken down. Currently all that separates the cyclists or anyone else from the shoulder and the lanes is just a white line that is not even a profiled, audible tactile line. We think that a lot more could be done to improve safety. We have put forward some suggestions which so far have not met with too much success, but we will keep pushing.

**Mr HALEY:** Before we leave the topic of barriers, I think we should recognise that most of the impacts that motorcycles will have with barriers are going to be shallow angle. It is rare for it to be a 90-degree impact. Therefore, the issue is: What is the impact of that? It becomes a rubbing action rather than a collision action. As Mark mentioned, a demonstration project is probably needed to clarify that. But I think you are hearing from Professor Grzebieta tomorrow. He has done a preliminary study on motorcycle impacts with barriers, so I am sure he will add to the sum of knowledge.

**CHAIR:** Mr Haley, I am sure this is a question for you. Tomorrow morning we will be hearing from one of our colleagues Michael Richardson, who had an accident on his motorbike. One of his submissions is that motorbikes sold in Australia compulsorily should have an antilock braking system [ABS]. As that is compulsory for new cars now, do you think it is a valid argument that motorcycles should have the same treatment?

**Mr HALEY:** Well, it is not compulsory on new cars. You can certainly buy vehicles without ABS, although not many of them, and increasingly also with stability control, partly due to the programs we are involved in. But, yes, we support the compulsory fitting of ABS to motorcycles. Being single-track vehicles, they are more susceptible to instability from loss of traction. We also advocate the requirement for traction control, at least on high-powered vehicles anyway or high-powered motorcycles, because again it is easy for even an experienced rider to be caught out by the sudden application of too much power, which can lead to loss of traction and a subsequent crash.

**CHAIR:** One of my colleagues this morning asked a question about the change from not being able to ride a bike above 250cc when you are on an L plate—the change to LAM. Does the NRMA support those changes?

**Mr HALEY:** Yes. The power-to-weight ratio approach is a sensible initiative that I think we supported at the time that it was changed. Some of the smaller bikes, particularly for larger people, are difficult to ride because they have a different power characteristic, they have a difficult power characteristic. So broadening the range of motorcycles available without allowing high-powered bikes was a good move.

**CHAIR:** Should scooters, which are becoming increasingly popular for inner-city commuting, be subject to the same rules so far as protective clothing is concerned? If this Committee were to make a recommendation in relation to protective clothing for motorcycle riders should we make the same recommendation in relation to scooter riders?

**Mr HALEY:** Absolutely. I think the temptation for scooter riders is to think that they are not as susceptible to injury as motorcycle riders due to the conditions under which they operate. But our view is that the situations are very similar, and certainly when you see some of the examples of people riding to work in office clothing it is not really adequate in terms of protection on the road.

**CHAIR:** From memory, Mr Richardson recommended full-face helmets rather than open-face helmets. Do you have a view on that?

**Mr HALEY:** I think that one of the reasons why we are supporting the New South Wales study is to see what the differences are between the types of helmets. At the moment we do not support a compulsory application of clothing rules. We also joined the group that is proposing to look at standards for protective clothing, because there is no recognised standard or independent testing authority currently in Australia to evaluate the different types of motorcycle clothing. When that rating system is in place we would advocate an educational approach to that and perhaps when we get further down the track we will review that.

**The Hon. ROBERT BROWN:** The New South Wales Government for a lot of years now has had awareness programs—rider awareness, be aware of a cycle. Do you think there is perhaps a need for a similar awareness program for bicycle riders? The difference, of course, is that generally speaking the awareness program is that motorcycle riders are behind you in your blind spot whereas most interactions with bicycle riders is that you are coming up behind them trying to share the same lane. Do you think the Government does enough to promote awareness of the limitations that cycle riders have?

**Ms VLAHOMITROS:** We do agree that there should be awareness programs for cyclists and any other road users just generally. It is important that they do awareness programs in terms of sharing the road and making other drivers aware that there are cyclists out there. In terms of the specifics of what that campaign needs to address, we would have to look more into it to see what exactly are the issues before we recommend a particular type of campaign. But we agree that there should be education programs.

**The Hon. ROBERT BROWN:** Coming back to earlier questions about the NRMA's view on the best way to integrate bicycle transport and motor transport, you have said primarily that you think the biggest single factor is separation of speed, in other words try to keep differential speeds apart. It is quite often, I guess, a question of dollars but it would seem to me that the best separation of speed is separation of pavement. In newer areas, for example, we see that bicycleways are constructed separate to the motorway—the M7 for example. What is your actual recommendation for the upgrade of the M2? What are you actually recommending? A fully separated—

**Mr WOLSTENHOLME:** No, we are not. We are saying that cyclists should be allowed to use the breakdown lane. They were and then because the M2 was widened to three lanes westbound cyclists are now using the local streets westbound. So the current proposal for cyclists when the M2 was widened permanently is that cyclists be allowed to use the shoulder again. What we are saying is that just painting a couple of bicycle logos on the shoulder is not doing anything to address the actual safety issue about the different speeds.

**The Hon. ROBERT BROWN:** So what do you do to address the safety issue?

**Mr WOLSTENHOLME:** Our suggestion was, as I mentioned before, to change the white line to a vibra line, which is a—

**The Hon. ROBERT BROWN:** A bump-proof one.

**Mr WOLSTENHOLME:** We called for a bit more and said let us have a one-metre buffer strip and the RTA's response was that that would reduce the road shoulder from 2½ metres to 1½ metres and you could not fit a car in 1½ metres if it has broken down. My view on that would be it is still 2½ metres; it has just got some paint on it. But there are other ways it can be done. You could have a different chip seal for that one metre so that you get a different audible feel as you drive over it if someone was to veer over the lane onto it. There are ways of looking at this and at this point in time it just appears as if nothing of any real significance is going to happen on the M2, but it is something that we are still pushing.

**CHAIR:** I would think there is a strong argument for those rumble strips on the edge of every road, given that there have been cyclists and motorists killed by trucks coming off—I do not know whether they go to sleep or whatever. Those rumble strips certainly wake you up.

**Mr WOLSTENHOLME:** Yes.

**Dr ANDREW McDONALD:** Does the NRMA have a position on bicycles on motorways, in support or against?

**Mr WOLSTENHOLME:** We have taken the view that the New South Wales Government has allowed cyclists to use motorways. We did put in our submission that there should be a risk assessment undertaken, and we are well aware that in other States and in countries in Europe, for example in the UK, cyclists are allowed to use motorways. If we did undertake that risk assessment then it would identify some of the safety issues that I have alluded to and then it is a question of what to do to make it as safe as possible for the road users. I guess that would then raise the issue about should cyclists be allowed to use motorways. But at this point in time we are saying that the New South Wales Government has taken the decision that cyclists should be allowed to use motorways so we have just got to make it as safe as possible.

**Dr ANDREW McDONALD:** The airport tunnel, do you have any slightly more realistic suggestions than the one on page 11?

**Mr WOLSTENHOLME:** I did run that past the local St George bicycle club. Just for the Committee's benefit, it identified that when the M5 East was built an extra lane was squeezed in the airport tunnel and cyclists are still using the airport tunnel; a lot of the training cyclists in particular are using it. Apart from some generic messages on some of those variable message signs, the RTA really has not done anything particularly to improve the safety of cyclists. So our suggestion was that we could have some sort of dynamic detection device which could then flash messages on the variable message signs as a cyclist approaches the tunnel so that people knew in real time that there was a cyclist ahead of them.

How you would do that—and that is where I spoke to the local bicycle group and they indicated that they would not be prepared to stop and push a button—they are in a peloton and they would not be prepared to stop and push a button. But there is video detection these days; there are various other detection devices that we could use just to warn people. It is a very dangerous situation through there; there is a lot of weaving and merging going on, high-speed traffic, trucks. It is not an ideal situation for cyclists to be in. At this point in time we are saying it is a problem but no one is really doing anything to address it.

**Mr GEORGE SOURIS:** Why are they using that lane, the inside lane? Why would they not be using the outside lane, which is therefore in the other tunnel?

**Mr WOLSTENHOLME:** They are coming up General Holmes Drive past Brighton. They are staying over in the left lane but a lot of cyclists are heading over towards Foreshore Drive or they are going up Southern Cross Drive. There is quite a lot of weaving and merging going on. But it is more the fact that there is the traffic behind them doing all this sort of thing and the last thing you expect to see is cyclists.

**Mr GEORGE SOURIS:** Can they do that after they have gone through the tunnel? In other words, if they stay on the left can they then do what you just said their intended journey is? Which means, therefore, consider approaching cyclists with a sign with a diagonal or whatever on that dangerous lane?

**Mr WOLSTENHOLME:** They are in a peloton—not all cyclists, some individual cyclists travel there as well, but training cyclists are in a pack and they feel safe in numbers. That is their training route. It is one of those roads that is a high-speed road and we are saying it is far from ideal that cyclists would be in there but they are travelling all the way from Sutherland shire and that is the route that they are taking. They have previously had a small breakdown lane that they could use, that was taken away when the M5 was built and really we have not done anything to try and improve the safety for all road users through there.

**The Hon. ROBERT BROWN:** Just coming back to the NRMA's position on the additional safety requirements for motorways, the M2 is not quite so bad because it does not have as many high-speed off-ramps and on-ramps, but you take the M7, on the on-ramps coming on to the M7 you are doing 105 by the time you hit the division where cyclists would be. What sort of provision could be made other than getting right off the M7 at all to protect cyclists under those conditions?

**Mr WOLSTENHOLME:** The current way that the motorways operate is that the cyclists should cross the on-ramp or the off-ramp.

**The Hon. ROBERT BROWN:** At 90 degrees?

**Mr WOLSTENHOLME:** At 90 degrees, yes. In Canberra they have taken a slightly different view and they have painted a green bicycle lane across the guts of the off-ramp and the on-ramp. The issue that we

have with that is that it gives cyclists the view that they have the right of way and they are not aware of what is going on behind them. So, again, people are trying to merge over to use the off-ramp. I think, given the speed differential, we are talking here about 100 kilometres an hour.

**The Hon. ROBERT BROWN:** And the visible mass. If you have got bicyclists coming up on your right and you are on an on-ramp and they are over in that shoulder they are not really visible to you, generally speaking. You are looking for trucks and cars?

**Mr WOLSTENHOLME:** That is exactly right. If you look at the facilities that have been provided, though, if you are a cyclist and you stop there to cross that lane there is no crash barrier around there to protect you in that lane either so you probably feel a bit vulnerable. Again, there is more that could be done to make people feel a bit safer.

**The Hon. IAN WEST:** Your submission indicates that in the last five years there have been 58 bicycle fatalities and 5,736 injuries and that in 2008 there were eight cyclists killed and 1,090 injured. From those stats—and I assume those stats have been gathered for a purpose—what is the insurance status of those people that have been injured?

**Ms VLAHOMITROS:** What do you mean the insurance status?

**The Hon. IAN WEST:** In what way, shape or form have they been insured, or have they had any insurance at all in terms of their accident on the road?

**Ms VLAHOMITROS:** Those stats were just used off the RTA data that is available on the Internet. It is purely to make an overall picture of the fatalities. We do not actually have any insurance stats on that. We are not the insurance arm of the business, we are not NRMA Insurance, so we do not know whether those cyclists were insured or not. We do not have that data at all.

**CHAIR:** Thank you for your evidence today. We appreciate your submission.

**(The witnesses withdrew)**



**MICHAEL DODD**, Council member, International Federation of Bicycle Messenger Associations, 10/146-152 Cleveland Street, Chippendale, affirmed and examined:

**CHAIR:** I draw your attention to the fact that your evidence is given under parliamentary privilege and you are protected from legal or administrative action that might otherwise result in relation to the information you provide. I should also point out that any deliberate misleading of the Committee may constitute a contempt of the Parliament and an offence under the Parliamentary Evidence Act 1901. Your submission has been received and authorised for publication as part of the evidence to this Committee. Do you want to make a brief opening statement before we proceed to questions?

**Mr DODD:** I am basically a bicycle courier. I have been doing it for 12 years in many different cities. I am a council member of the International Federation of Bicycle Messenger Associations, and I am here to promote pedal power for commercial purposes and give you a bit of understanding as to why "delinquents" ride the way they do.

**CHAIR:** Assuming that there are no delinquents amongst your members, would you like to expand on why delinquents ride the way they do?

**Mr DODD:** It is a pretty hostile environment in Sydney. I started as a bike courier during 1998 in Adelaide. Back then I did my best to obey all road rules, and I found out pretty quick that the more I obeyed the road rules the more my life was put at risk, and from then on my riding style tended to change to avoid as much danger as possible as I could in a working day.

**CHAIR:** Did anything change when you came to Sydney or it got worse?

**Mr DODD:** It got worse. I am sure you're planning on asking me if I run red lights, and yes, I do run red lights.

**CHAIR:** Dr McDonald is in the same boat.

**Mr DODD:** There are two forms of running red lights. One form is riding through intersections, and I did not do that until I came to Sydney. The other form of running red lights is joining in with pedestrian crossings, and I did that in Adelaide. It took me a couple of years to get into the feel of doing it because I did not like breaking road rules. If I was in a situation where I was going to get stuck in the middle of a road to turn right I would never wait in the middle of a road for a green light; I joined in with the pedestrian crossing and moved to the corner, then wait for a light signal to change and then proceed out of the way of oncoming traffic. If I was to legitimately wait for a green light in the middle of an intersection without a green arrow, I would be stuck with multiple lanes of busy traffic moving around me. The same thing for left hand turns at red lights. I suppose you could say that I realised it was a bit more convenient than for safety reasons, but it worked. In Adelaide I used to base my routes around doing zig-zags or the "waggle". Getting a red light whenever I had to turn right was a good thing.

**CHAIR:** Just out of idle curiosity, I think you have been sitting here for two hours, so that is two hours of work you have missed to appear before us today, at least?

**Mr DODD:** Yes, it is.

**CHAIR:** We thank you for that. Dr McDonald, do you have a question?

**Dr ANDREW McDONALD:** I was going to ask how much he gets paid an hour. It is relevant because the major driver for bike couriers is the fact that their remuneration is not brilliant. So how much do they get paid an hour?

**Mr DODD:** There are some courier companies that pay their couriers per hour. Transport companies pay their bike couriers per hour; some do not. Crisis Couriers is a big offender, I believe. I believe there was a case in the 1990s where a pedestrian was hit and they ruled that the courier company was partly responsible for putting his career under pressure and ruled that he was supposed to be classified as an employee but he was not, and they still to this day pay their couriers per delivery. They have no regulation as to how many couriers they

can have on the road at any one time. They still expect their couriers to wear a uniform. They still expect their couriers to not have other clients and to work solely for that company, which is Crisis Couriers.

**Mr GEORGE SOURIS:** Is the international association that you are representing here today like an agency for placement or something like that?

**Mr DODD:** No. We have a global community and we hold events called the Cycle Messenger World Championships. Basically, the IFBMA is responsible to facilitate the open forums that ensure the world championships happen and there is a host city each year. We also have sanctioned events which simulate the working day of a bicycle courier without motorised traffic, so it is kind of cordoned off. It's not a race from A to B as such; it is giving couriers a bunch of different destinations to go. Basically it is a live traffic race but with no automobiles, just bicycles.

**Mr GEORGE SOURIS:** Would it be a suitable association to disseminate information about good practice, safety, those sorts of things?

**Mr DODD:** That job? The event—

**Mr GEORGE SOURIS:** No, not the event, the association. I do not know how it communicates with its members; I assume by some kind of email.

**Mr DODD:** Yes, we have a worldwide mailing list. We are very concerned about safety. More often than not it has a lot to do with—we do not want couriers to get run over by automobiles. That is most of it. We believe in positive publicity. We like respect. Lack of respect on the roads is a big safety issue amongst couriers.

**Mr GEORGE SOURIS:** Do you think that couriers generally are unfairly criticised by some media commentators?

**Mr DODD:** Yes and no. The problem is the nature of the job is that it is a very low paying job. There are a lot of street kids, a lot of people who have had hard upbringings who are trying to—it is a halfway house for a lot of people. You find that the better the working conditions the more skilled riders you can have on the streets. The more they can get paid the longer they will hang around for, but it is the rookies who are a bit of a problem. Companies such as Crisis do not look after their rookies. The highest earning bike couriers travel the least distance, and they have a lot of envelopes going to the same building. They are crossing roads, they are doing local deliveries, whereas the lowest paid bike couriers are sprinting all over town for \$3.80 or \$2 at a time or whatever it is with no pay guarantee. In my mind I think it is a good thing that they are not driving automobiles. I think the van drivers are in the same situation. They are a much bigger safety concern.

**Mr GEORGE SOURIS:** Are they all contractors, or are they employees of particular courier companies?

**Mr DODD:** Many courier companies have legitimate employees; many courier companies do not.

**Mr GEORGE SOURIS:** Do they get paid cash or do they get paid PAYG?

**Mr DODD:** Yes, per delivery.

**Mr GEORGE SOURIS:** There is tax taken out. Are they employees in the tax system, or are they just freelance couriers—

**Mr DODD:** Crisis Couriers pays their couriers gross. I believe every other courier company in Sydney takes out tax, pays superannuation. Messenger Post, which is owned by Australia Post—

**Mr GEORGE SOURIS:** Therefore they are covered as employees for workers compensation?

**Mr DODD:** Yes.

**Mr GEORGE SOURIS:** Do you believe that the ones who, as you say, pay gross, which sounds like it is not put in the tax system or the workers compensation system or any other system at all, are avoiding those obligations?

**Mr DODD:** No. I believe Crisis couriers are covered by WorkCover, from what I know of injuries. I have chased it up and made sure that people are getting paid. Some internationals who have come over to work with working permits have been in small accidents and I have followed it up to make sure they were getting paid for their time off injured, and they were.

**Mr GEORGE SOURIS:** Are they issued with a taxation gross payment statement at least at some point?

**Mr DODD:** Yes, I would say they would be. I have never worked for Crisis so I cannot—

**Mr GEORGE SOURIS:** It sounds like that is the only company that pays in this way.

**Mr DODD:** Yes.

**Mr GEORGE SOURIS:** Is that right?

**Mr DODD:** Yes.

**Dr ANDREW McDONALD:** Who regulates the industry?

**Mr DODD:** I have no idea.

**CHAIR:** Self-regulation.

**Dr ANDREW McDONALD:** Are any of the couriers unionised? Are they eligible to join a union?

**Mr DODD:** They are eligible to join a union. I think the problem with per delivery is there were a lot of couriers who made a lot of money. It does not really happen so much anymore though. We all seem to get paid hourly except for one company, but there is a high turnover of couriers and it is hard. You have two or three couriers who are making a lot of money and 20 couriers who are making not very much, because the people who make the most money are the people who have hung around the longest. They would be the ones who need to create the union movement that would get changes for the better. It would be them taking a pay cut in order for the bottom rungs to get a pay rise.

**Dr ANDREW McDONALD:** You talk about the fact that it is illegal to ride on footpaths. What is your response to the suggestion that cycling on footpaths is dangerous for pedestrians?

**Mr DODD:** Cycling on the footpaths quickly is dangerous for pedestrians. I would say that for sure, but cycling on the footpath slowly can be very safe. It works well in Japan. Cycling on the footpaths is legal in Japan. I would say it is more dangerous to expect a cyclist to cross multiple lanes of busy traffic just to avoid cycling on a footpath. Also, when I am not riding my bicycle, instead walking it on the footpath I notice that I take up more space, people "tut" me more often and whatever. When I ride slowly on the footpath on my bicycle, if you do it cautiously, smile, and give way, you are good. But it is one of those things. I do it in front of police. If I was going quickly I would expect to get a ticket. If I see another cyclist on the footpath riding very quickly I want the police to tell them off and write them a ticket for riding irresponsibly on the footpath.

**Dr ANDREW McDONALD:** So you are looking at less than 10 kilometres an hour or something?

**Mr DODD:** Yes.

**The Hon. RICK COLLESS:** What sort of relationship do the messengers have with the police generally?

**Mr DODD:** We are very good with inner-city police. They all seem to have an understanding of what we go through. I think they see a lot of accidents on the road. I think they get called out when there is a fatality; they tell relatives that their loved one has died. It is not very often that a bicycle kills a motorist. In fact, I do not think it happens at all. They seem to have a very good understanding of us.



**The Hon. RICK COLLESS:** You have explained the riding on the footpaths. What about going through red lights and things like that? Do they stop you and warn you or book you ever for doing that?

**Mr DODD:** Not normally, no. It is one of those things, if I join in with a pedestrian crossing and I do it for safety reasons I will do it in front of the police as a point because I like to stand up for what I believe in. More often than not I will not get told off for doing it. I have noticed country police seem to be a bit tougher on cyclists. They spend a lot of time on the highway and they like driving their cars fast. I do not think they are so used to dealing with cyclists. We seem to get along pretty well. I definitely want to see them booking irresponsible cyclists who fail to yield to pedestrians, who expect motorists to brake for them if they are breaking the road rules. But the way Sydney is at the moment it is unfair to crack down on cyclists. It is the motorists who are aggressive and incompetent.

Motorists do not even know how to change lanes here. People swing their car doors open. They will not say sorry; they will tell you to get stuffed if you say something. I have a link here to a report. I cannot remember which report it is but the link is on my submission. According to hospital data, 40.7 per cent of Sydney CBD cycling accidents are caused by car doors. A lot of the time it is deliberate. I had someone open their door deliberately on me on Friday. I have been doing the job for that long I do not even care. I just say "thank you" and keep going. He was looking for a fight or something, I do not know. It is just the way it is. People think they have more right to use public space than cyclists in Sydney.

**CHAIR:** You make many of the same points that have been made by Bicycle NSW and BIKESydney about the need for infrastructure, education and so on. Do you wear reflective vests when you are riding around? Is that your work outfit on at the moment?

**Mr DODD:** This is my work outfit. I think my bag has reflective strips. I do not expect people to see me. It is tied in with homeostasis—the safer you feel the more risks you take.

**CHAIR:** Do you think recreational cyclists should have light coloured clothing or safety vests?

**Mr DODD:** No. It could be encouraged, but it's more dangerous to expect to be seen than it is not to wear bright clothes.

**Mrs DAWN FARDELL:** Do you support the proposal for a 30-kilometre-an-hour speed limit in the CBD? Would that affect you?

**Mr DODD:** I support that proposal.

**Mrs DAWN FARDELL:** Do you foresee a potential conflict and safety issues with making bus lanes accessible to cyclists?

**Mr DODD:** Bus lanes are accessible to cyclists. I would like to see most bus lanes in the Sydney CBD made available to cyclists 24 hours a day seven days a week. I understand that Sydney Buses rejected painting bike symbols in bus lanes. I did not deal with that personally, but that is what I heard. There should be bike symbols on all bus lanes and they should be available to cyclists 24/7. Increasing motor vehicle amenity outside peak times is counterproductive toward decreasing congestion and thus increasing road safety.

**Mr DARYL MAGUIRE:** You mentioned that it was more dangerous to expect to be seen. What is wrong with cyclists having something like day running lights? I drive and walk the streets like everybody else and I have had cyclists ride behind me and I could not hear them. It would be useful to have the ability to identify a cyclist like we do motorcyclists—they are required to have running lights of some kind and most modern cars have them. They are simple measures that would help pedestrians and motorists to identify cyclists. Would you support that kind of action?

**Mr DODD:** No, I would not. The good thing about cycling is accessibility. The harder you make it for people to get on their bike and zip to the shop or go to the park the fewer cyclists you will have.

**Mr DARYL MAGUIRE:** Surely having a day running light to help with identification when crossing streets would be positive for cyclists?

**Mr DODD:** Not necessarily. It is one extra thing you have to do before jumping on your bike. The great thing about cycling is that it is accessible; you jump on your bike and kick around. It is not as easy to use a bike now with the mandatory helmet laws.

**Mr DARYL MAGUIRE:** But if you ride a bike at night you have to have lights. What is the difference in the day?

**Mr DODD:** It is one extra thing to do.

**Mr DARYL MAGUIRE:** If it keeps you safe at night—

**Mr DODD:** But it does not.

**Mr DARYL MAGUIRE:** —and the lights are engineered to a quality standard, why not have at least a running light?

**Mr DODD:** It is not going to stop motorists. Unnecessary motor vehicle use is the problem with safety on our roads. People are scared to ride their bicycles on our roads.

**Mr DARYL MAGUIRE:** Because motorists do not see them.

**Mr DODD:** No, because motorists think they have more right to use public space than other people.

**Mr DARYL MAGUIRE:** I think you and I could have a discussion about that.

**The Hon. ROBERT BROWN:** I take it that you do not support the compulsory wearing of bicycle helmets.

**Mr DODD:** I did not support its introduction. It could be the worst thing to happen to cycling in Australia.

**The Hon. ROBERT BROWN:** Why?

**Mr DODD:** I was a young child when the law was introduced. From memory, every person's house had bicycles in the shed. We would go to friends' houses and sit around playing Nintendo and having a good time. We would watch too much TV and would need to go to the park. There would be half a dozen bicycles and the whole family could cruise around the block to the park and kick a footy. Those days ended with that law. Kids used to play in the street, but that does not happen anymore.

**The Hon. ROBERT BROWN:** I used to be able to hunt rabbits 30 metres from where lived, but I cannot do that anymore. Some of your comments have resonance with me. There are far too many restrictions on citizens in this State, but they are there for a reason—to protect life. Every death, whether it is the death of a cyclist or a pedestrian, not only creates human tragedy but also costs a lot of money. It is argued that we could save money by building bikeways rather than dealing with 20 deaths a year, apart from the human element. I take it that you do not support the separation of cars and bikes; in other words, the construction of bikeways?

**Mr DODD:** I do support bikeways. They are an important part of cycle integration, but they are not the be-all and end-all.

**The Hon. ROBERT BROWN:** Obviously they cannot be installed in the CBD for couriers. You need access to buildings and to be able to get around the streets. Does your recommendation with regard to a 30-kilometre-an-hour limit apply to only the CBD or all residential areas?

**Mr DODD:** It should at least apply in the CBD, city centres and also on residential back streets.

**The Hon. ROBERT BROWN:** Of course, 90 per cent of Sydney is residential. Are you saying that apart from major arterial roads, all other streets should have a 30-kilometre-an-hour limit?

**Mr DODD:** Yes.

**CHAIR:** Thank you for taking your valuable time to talk to the Committee. We will consider your views.

**Mr DODD:** Thank you.

**(The witness withdrew)**

**The Committee adjourned at 4.08 p.m.**