

# TRANSCRIPT

## LEGISLATIVE ASSEMBLY ECONOMY AND INFRASTRUCTURE COMMITTEE

### **Inquiry into the impact of road safety behaviours on vulnerable road users**

Melbourne—Tuesday 8 August 2023

#### **MEMBERS**

Alison Marchant—Chair

Kim O’Keeffe—Deputy Chair

Anthony Cianflone

Wayne Farnham

John Mullahy

Dylan Wight

Jess Wilson

#### **WITNESSES**

Leanne Tolra, General Manager, Public Affairs and Communications,

James Garriock, Board President,

Emilie van de Graaff, Board Vice-President, and

Garry Brennan, Senior Policy Adviser, Bicycle Network.

**The CHAIR:** Welcome to the public hearings for the Legislative Assembly Economy and Infrastructure Committee Inquiry into the impact of road safety behaviours on vulnerable road users. All mobile phones should be now turned to silent.

All evidence given today will be recorded by Hansard and broadcast live on the Parliament's website.

While all evidence taken by the Committee is protected by parliamentary privilege, comments repeated outside this hearing, including on social media, may not be protected by this privilege.

Witnesses will be provided with a proof version of the transcript to check. Verified transcripts and other documents provided to the Committee during the hearing will be published on the Committee's website.

We will do a quick introduction, if that is okay, first, and then I will hand over to you for opening statements. I am Alison, the Member for Bellarine.

**Jess WILSON:** Jess Wilson, Member for Kew.

**John MULLAHY:** John Mullahy, Member for Glen Waverley.

**Dylan WIGHT:** Dylan Wight, the Member for Tarneit.

**Wayne FARNHAM:** Wayne Farnham, Member for Narracan.

**Anthony CIANFLONE:** Anthony Cianflone, Member for Pascoe Vale.

**The CHAIR:** Thank you, and I might hand to you for maybe some introductions first. That would be great.

**Emilie van de GRAAFF:** Hi. I am Emilie van de Graaff. I am the Vice-President of Bicycle Network, sitting on the Board.

**James GARRIOCK:** James Garriock is my name. We are elected, honorary, non-executive directors, to clarify.

**Leanne TOLRA:** Hi. I am Leanne Tolra. I am the General Manager of Public Affairs for Bicycle Network.

**Garry BRENNAN:** I am Garry Brennan, Senior Policy Adviser.

**The CHAIR:** Thank you. I might hand to you if you have got opening remarks or statements to make first, and then we will have questions.

**Leanne TOLRA:** James is going to deliver our opening statement for us today, in his dulcet tones.

**The CHAIR:** Wonderful. Thank you so much, James.

**James GARRIOCK:** Yes, thank you. You have had Leanne's company all day, and she has been keeping us apprised of what has been going on. First of all, thank you so much for having us along. It is really nice to have a combination of community members, as we are, and two of our executives to come and talk to you. All difficult questions will be handed in this general direction.

Bicycle Network was Bicycle Victoria until about a decade ago, and we are the peak bike riding body. We have got almost 50,000 financial members and tens of thousands more subscribers and friends et cetera. I think pretty much any bike rider that you see riding anywhere for any purpose is a potential member of ours—we are not for one particular person riding a bike over another one. As our evidence shows, most people who ride a bike do it for a whole range of reasons in a whole range of places and spaces, and that includes the commuters, the ones who are riding for fun, the ones who are riding for fitness and the ones who are riding for family. You will not, though, hear us referring to 'cyclists' very often—they are just people, and they ride bikes. In fact 90% of them drive cars too. It is not a big stretch to say they probably walk and occasionally catch public transport as well. I say that because, by just saying look at our 50,000 members and even more than that our friends, we are very much a mainstream organisation.

Our members ask us to advocate for better and safer riding conditions, and that includes paths, trails and roads, road rules, road conditions and road behaviours right up to transport policy, so this Inquiry is a top priority for us. In my day job I am actually a stakeholder researcher, so I really do like it when everyone gets a voice. I was very happy to see our organisation develop and send a survey to tens of thousands of people from our database specifically for the purpose of informing our submission to this Inquiry. That was a really significant effort on our organisation's part, and I hope that I can honour the time that more than 3,000 people gave us specifically to help you with the task you have at hand.

Riding a bike—it is pretty straightforward, right: it is like riding a bike. But it also addresses some big issues in society. It reduces a whole bunch of stuff: it reduces emissions, it reduces congestion and it reduces rates of heart disease, obesity, diabetes and cancer. It also raises some things: it raises air quality, it raises mental health and it raises wellbeing. We do not expect everyone to ride a bike, but I would also note that recent research suggested that about three-quarters of Victorians would if it was safe and convenient—three-quarters.

The pandemic was pretty amazing, wasn't it, for a number of reasons. One of them was it was pretty amazing for riding a bike in Victoria, but what the evidence from our members suggests is it that momentum has not really been maintained. According to them, there has been a slight decrease in riding, actually, and more people feel unsafe than feel safe on our roads. As for driver behaviour, only one in 16 said that it had improved since the pandemic, going straight to your terms of reference, and as for drivers giving riders more space when overtaking, we had one in nine agree with that. So I think it is fair to say that conditions have not improved. To go straight to the heart of the terms of reference, or to put it another way, we have got a major opportunity.

The recommendations in our submission are aimed at making riding a bike safer and more convenient for all Victorians, not just for our members, and I would note that that includes people who are prevented from full social and economic participation in society, because you have probably noticed that cars and fuel are pretty expensive. There are a lot of people out there who could participate more fully in society if they could get around more easily on a bike. It is not just good for the people who ride; it is also good for drivers. If it is not convenient for you to ride, if the person who is in front of you in a car swapped over to a bike, you would get where you wanted to go faster. There are positive externalities created in a range of different directions when people ride a bike. We would really like to and we have the capacity and capability to partner with you to cost the implementation of our recommendations and to identify barriers to the implementation of our recommendations as well.

I am sure that you have been made aware already that the cost of death and injury to our vulnerable road users is definitely in the hundreds of millions of dollars, and that is before we put a value on the trauma caused to the victims, their families, their friends and their communities. There are enough of you here to suggest that one of you has probably been close to someone who has been affected by that. It is very real, and it is all over our State. Our members think that that money would be far better spent making bike riding easier and safer for everyone. That would be a more humane and more effective approach rather than dealing with the debris.

A lot of our submission was developed from that survey, with a lot of empirical evidence from everyday Victorians, and it has been augmented by academic and policy research that we have done through decades of work on the topic. But to cut through the complexity, I actually think that what a lot of Victorian families would appreciate is the ability to take a ride around the block or down to the shops with their kids, without screens, because to have full attention on the family is something that I think is being a bit stressed in our society. The simple pleasure of going for a bike ride with your family is something that makes connections that a lot of people remember for a very long time, and I dare say some of you remember that too, possibly more than you remember the extra hour you spent on screens.

There are a lot of wicked policy areas. I do not envy lawmakers. There are a lot of wicked policy areas, but getting people to ride a bike is pretty well researched and in some cases quite straightforward. I am really pleased to be able to present you with a set of practical, achievable and affordable ideas, so I look forward to a good conversation. Thanks for having us.

**The CHAIR:** Thank you very much, James. Wonderful. We will open up to questions. We will stick to one per Committee member for the moment, and then we will open it up. Wayne, we might start with you.

**Wayne FARNHAM:** Thanks. Thank you for your submission, firstly. It is very well done. My question is: in regional Victoria we know the road verges are not very good and that vehicles have to be a metre away from bicycles—and the conditions. What would you think is the most important thing that government can do for bike riders in regional Victoria?

**James GARRIOCK:** Distracted driving is a killer, and there are a lot of distracted drivers out there. Until we have, you know, an ideal situation, having good road shoulders is probably the single thing—in terms of hard surfaces. There are always legal, behavioural and enforcement dimensions to those questions, but harder surfaces is probably the right one. If there is a white edge for traffic, creating a shoulder where the width between the line and the edge of the road is wide enough, then people choose that. DTP has got some design principles for that, and I think people really appreciate those.

**The CHAIR:** Anthony.

**Anthony CIANFLONE:** Thank you. Thanks for your submission and your presentation. It is a great submission. I have had a read of it also. Thank you for your efforts. As you may know, my community has a lot of very active cyclists and walkers and other active transport users, which is great. My community is also home to Merri-bek BUG, which is another one of your members which does work advocating on behalf of bike riders. I was also pleased to help launch the Ride2School Day at Coburg North Primary School a couple of months ago, which was very pleasing as well. Thank you.

I have sort of got three questions in one that I will try and ask in the one go. One is, I guess: what is your experience and advice around working with relevant authorities, including Victoria Police, to help enforce the 1-metre/1.5-metre rule? We had evidence earlier from the Assistant Commissioner in that respect. I would really like to hear your views in terms of how that can potentially be further pursued.

My second question is around the retrofitting of existing infrastructure—roads and arterial roads—and your experience and advice around how communities as a whole can be engaged and brought along as part of that journey. Of course I draw your attention to the level crossing project in my area, for example, which was basically a greenfield project, which allowed for the installation and provision of infrastructure for various users, including bike riders. But in terms of retrofitting, I guess that is really the emerging challenge now in this space, I would suggest.

The third question is: if you can just further elaborate on your advice around improving technology in the transport industry and freight industry to better detect and protect the safety of cyclists and bike riders and other vulnerable road users. Thank you.

**The CHAIR:** Anthony, you are pushing the question.

**Anthony CIANFLONE:** Sorry. I am very interested.

**James GARRIOCK:** Very clearly, a single question with three dimensions to it—but Garry, do you want to kick off?

**Garry BRENNAN:** Yes, okay. Let us take the last point first: the use of technology in heavy vehicles. I think that is well underway. That is a federal government responsibility. That has all been changed now with this system called ‘CLOCS-A’—it is a new model for vehicle design for heavy vehicles in Australia, basing them much more on the European model, with a lot more safety features than they ever had before, and in particular better vision. But part of that is the use of sensors. We have got technology now which can detect bikes and pedestrians coming up from behind or from the side and that can alert drivers, or drivers can see with camera technology. So I think that we are on the cusp of the introduction of much safer vehicles that have got a lot more technology in them, and that will be significantly beneficial as they roll out into the fleet over the coming years.

In terms of this issue with community engagement, out in the suburbs, where we have contention for road space, I think that is a critical issue. I suppose one thing I would say is that when we have a contentious argument and bikes and pedestrians win and the changes are made against community opposition, it is only a few years before no-one in that community will ever go back to the way it was. This is kind of like a rolling problem. Every new proposal to give bike riders or pedestrians more space will attract opposition initially. Over

time, once people see it in place and they begin to use it, that opposition fades away, and after a number of years the people who opposed its introduction would oppose its removal. I think that is an interesting problem for politicians at every level to grapple with, but we are here to help you. I think that community engagement is the key. We have got to engage with people, hear their concerns, understand their fears and explain completely and fully what we are doing and what the benefits are, and then take a deep breath and go ahead.

The other point about the 1-metre law in Victoria—I think that we know from data that enforcement is not regular. The problem for the prosecutorial authorities, including the police, is the old legal one of benefit of the doubt. It is not something that is easy to prove in a court, and they would much rather use other tools at their disposal than the 1-metre law itself because they believe they have a difficulty of getting a prosecution.

**Anthony CIANFLONE:** Thank you.

**James GARRIOCK:** Emilie wanted to add something on engagement.

**Emilie van de GRAAFF:** Yes. I think one of the interesting things about engagement is that we often get the naysayers and also—I recently talked about this—the yimbys on one side, the yeses and the noes very strongly, and it becomes very oppositional very quickly. But we do not really hear from probably 95% of the population about what they want, because they either think it is going to go ahead, so they do not say anything, or maybe they do not know about it—they not able to come along to the public engagement. So I think it is on all of us really in how we engage the wider community to come forward. But also: what are we telling them? What are we saying that we want to do? We were listening before around the walking submission. A lot of these schemes are benefiting a really wide section of the community. I think if we can better communicate that broad benefit, so it is not just about, ‘We’re providing a cycling route for those lycra-clad cyclists’, it is really benefiting the wider community—if we can better message that and better reach that silent majority, we will get some different outcomes than what Garry said, that oppositional sort of outcome where we think, ‘Oh, we can’t go ahead with this because 15 people wrote in and said no.’ Just as an example, Canberra light rail phase 2 is a rail project—65 submissions from across all of Canberra. You would think, ‘Really? Only 65 people care about this?’ Well, surely there are more, but that is sort of pretty typical of the numbers that you get for it.

**The CHAIR:** Thank you. Jess.

**Jess WILSON:** Thank you, Chair. Thank you very much for your submission, and we appreciate the recommendations and the outcomes-focused delivery of the presentation today. You spoke about in the submission updating the five-year cycling strategy, or updating it every five years. How do you see that could work better with local councils that also put together cycling strategies? I work with BBUG, the Boroondara BUG, and we worked on the Walmer Street bridge, for example, and Boroondara’s bicycle strategy, and looking at how we can improve the network in our own local area. How can that be built into the Victoria-wide strategy to make sure we are not just looking at pockets here and there but looking at the entire system as a whole?

**James GARRIOCK:** Thanks, Jess. That is a real weeds question. I am thrilled that I have got our people here with us.

**Garry BRENNAN:** Thank you for that question—very perceptive. I think that the first thing we need to do with the state strategy is sort that out, because since 2013–14 there has not been an action plan. We have had the strategic document, but we have not followed up with the year-by-year actions which would drop out of that plan. So that makes it very hard to assess its success, because we do not actually know what outcomes were proposed and whether they have been done, when they were scheduled and so on. I think that is one thing we need: a systematic approach to a whole range of the recommendations in a strategy, the projects and the programs. They need to be scheduled; they need to be put into a pipeline that looks ahead for a number of years. Then that gives councils and other agencies the ability to look at what is going on at the higher level with things like the strategic cycling corridors and major bridges—and the projects that are dropping out of level crossings and so on—and work out where their connections can slot in and benefit from the network effects that occur when you join parts of the network up. Then I think the next step is for the councils to get together and actually link across their borders with their projects, because it is not just a council and state government relationship on an individual basis. Often with the major state projects there are multiple councils involved and those councils have borders with each other. So I think one of the things I would like to see made a priority—

Bicycle Network has long advocated for all of these council proposals, their proposed networks, to be geomapped so that everybody knows you can go to one place and look up and see what all of the councils across the state are proposing, and then we can see how they interlock with the proposals of the state.

**Jess WILSON:** Thank you.

**The CHAIR:** Thank you. John.

**John MULLAHY:** Thanks for your submission and thanks for being here today. I am going to shout out to my local Metro East Bicycle User Group. They are an excellent group that have been engaged with me from day dot on all local projects throughout my area. But what I was interested in getting some information on is: your submission lists the risks building works pose for the safety of bike riders. What should be the key components of a risk management plan for construction sites to protect the vulnerable road users?

**James GARRIOCK:** Yes, thanks, and MEBUG is great. Emilie I think is the expert on that.

**Emilie van de GRAAFF:** Well, probably not just the expert—but look, yes, we have done quite a lot of work around this, and I think there is an overarching policy area that could be helping to address some of these issues particularly around construction sites. So obviously, once you are in construction you have got an additional risk to the vulnerable road users, a lot because—we have talked already about—the heavy vehicles do not have great vision and sometimes the alternative routes are not necessarily clear for people to use. But we think there is a way to take a policy lead from the state that then could be also fed out through councils that would require those construction companies to really take into consideration the impacts on not just the road traffic, the cars, but all of the traffic and make that a requirement for actually getting in there and building. That policy could also have some requirements around, for instance, peak-hour access—similar to, for instance, retail stores only having certain times when they can have a truck accessing, for instance, Bourke Street—those types of things too. You take the wider traffic impacts and—at the moment I think it is very focused on what the congestion impact is that we are going to have—take a wider approach to it, look at all the people that will be impacted and look at how we are going to provide for those people in a safe way so that we provide a safe cycling route and a safe walking route for the people getting past the construction site. So that, I think, would be a starting point, and if that is mandated, then all of the companies will have to comply with that, and I think it would make it easier for councils to also enforce it.

**The CHAIR:** Thank you. Dylan.

**Dylan WIGHT:** Thank you. Thank you so much for your submission. As the Member for Tarneit, I am responsible for, I think, the fastest growing area in Australia. New state government infrastructure like train stations et cetera out there include significant facilities for people who wish to ride their bike to the station in the morning to store, yet through pretty poor planning decisions from councils and developers over a period of time, there is a significant lack of cycling infrastructure through that area. Particularly there is a real lack of connectivity; so even if you would like to ride your bike in the morning from Tarneit North to the station, it is very difficult to do so. So what are the key points in that, and what are the main things that we have to do going forward in those situations to make it easier for people to ride their bike in growing suburbs?

**James GARRIOCK:** Yes, thanks. Look, before I hand over to the team to answer that question, I know it would be universally popular to have a few more spaces in our station car parks, and one of the ways to do that is there are some people who are driving literally 500 metres to those station car parks, so it would be great to be able to offset that. Leanne, Garry, do you want to –

**Garry BRENNAN:** I think that the interesting thing about, say, Tarneit, as a good example, is that the town planning was often done more than a decade ago. Twenty years ago, in some cases, the planning schemes, the PSPs, were published. Now, for all of this time the Melbourne planning authority, now the Victorian Planning Authority, and the other authorities involved, including the councils, tried to engage with us and produce plans that provided for bicycle trips just about everywhere locally in those communities. We are doing the same thing now—20 years later we are doing exactly the same thing, producing plans for new suburbs. What we produce now is a lot different from what we produced then, and I think it is vastly better. So the more recent the planning is for a suburb, a new suburb in the growth areas, the better the outcome for bikes is. But even in the early ones there was basic provision.

But it is not just about bike lanes. I mean, crossings are a critical issue, and in these new suburbs we have got massive roads, often huge, wide arterials, massive intersections. We have got problems with traffic speed and the time to get across a road once that green man goes. So we have got a lot of legacy issues to solve, and I think crossings are perhaps one of the bigger ones, but they can be solved. Not all is lost if you have got suburbs that have been built already without the latest thinking and planning and so on; they can be retrofitted, and there are many improvements that can be made. But I think in the work that we do today, looking forward at suburbs we are going to be building in the next 10 and 20 years, I am very confident that we are doing a reasonable job. In most cases there is really good provision in the local areas: all of the schools are connected up, the sporting facilities, the medical facilities, the town centres. They should all be relatively comfortable to ride to on a bike. So I do not know whether that is a completely satisfying answer. But I think you would be surprised—I mean, we know from our own figures how many people are riding in that area, Melbourne's west. It is a considerable number, and I think it will only go up. I think in all of these new suburbs, when we look at them in the years ahead, we will see a considerable number of people riding bikes.

**Dylan WIGHT:** That is great. Yes, fantastic.

**The CHAIR:** Thank you. We are nearly at time, but I am going to squeeze in my last question for you—and I thank the membership that responded to your survey to contribute to this Inquiry; there were an incredible amount of respondents, so thank you for all that work that you have done. I am really concerned, I suppose, about what you have highlighted with this driver behaviour and through COVID maybe. We have not talked really this morning about aggression in driver behaviours yet, and I would like to get your thoughts on that. You indicated here about not feeling so safe and drivers' attitudes towards cyclists. I see it myself in rural Victoria, and I see it on social media in people's perception of cyclists—my family cycle; we love bike riding—but that is a really worrying concern. Can you just maybe unpick that a little bit more, and what could we do to improve that?

**James GARRIOCK:** I do not know where we want to start. But everyone will start –

**The CHAIR:** No, I probably just opened up a—sorry, it is a big one.

**Leanne TOLRA:** I have got a big –

**James GARRIOCK:** Sorry, Leanne, just one second. While Leanne gets her thoughts in mind, I just would like to remind everyone—I think you know this, but it is worth reminding you—that it is a really democratic thing, cycling. When you get out on a bike, you are not barred by virtue of being too young or too poor. It is also worth considering the intersectionality of gender and CALD status with riding a bike. It is worth thinking about how we get more women feeling comfortable riding a bike and being out, because when you do ride a bike, you are in charge of where you are going. That is the fundamentals of it. I have pattered long enough for her to go.

**Leanne TOLRA:** My thoughts were fine—but that was great; thank you so much. Look, I had a bigger answer prepared for this, and I know you are short on time. Can I just bring together one little thought that I think is fundamental to that question and to a lot of the things I have heard here all morning and heard a lot of today. One of the earlier points that James made was that we are talking about cyclists; we are dehumanising bike riders. They are people who ride bikes, and I think this needs to be a changed focus of the conversation. I heard somebody earlier talk about going to cycling clubs and telling them to teach cyclists how to use the road properly. Now, do we teach a pedestrian how to walk across the road properly? Do we ask a pedestrian to wear a fluoro vest? I do not think so, and I think that the whole attitude around this is that we need to see cyclists as people. They are just people taking their kids to school, they are people riding their bikes to work, they are going for a ride with their friends or their family, and the whole thing is about humanising this conversation. I think that is where we need to pull back the social media comments.

One last thought—and I was thinking about this this morning as I was listening to those beautiful dulcet tones on the ABC radio about the traffic report—one day I hope that I will hear Brad on the ABC give me a report on what the bike lane traffic is like in the morning: 'The road from Rathdowne Street into the city is clear, and all the kids have gotten to Carlton North Primary School safely'. Then I think we will know we have got somewhere.

**The CHAIR:** Wonderful. Thank you, Leanne, for ending on that—a nice way to wrap that up.

**Leanne TOLRA:** I had a lot more!

**The CHAIR:** Thank you very much. We appreciate all your time and energy into contributing to this Inquiry, so thank you very much for today.

**Leanne TOLRA:** Thank you very much. We really appreciate all your work.

**Witnesses withdrew.**