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Dear Dr Gribbin

Inquiry into the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015

Yarra Council wishes to make a submission on the Inquiry into the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015. Our passion and interest comes from being Australia's most cycle-friendly municipality, with a commitment to road safety for vulnerable road users and a strong history of encouraging and increasing cycling as a transport mode through improved infrastructure and reduced speed limits in local streets.

Our intent in this submission is to highlight challenges of enforcement and education of the proposed a rule in the inner-Melbourne road environment which features:

- an extensive network of bike lanes;
- a tram network;
- extensive on-street parking with regular turnover; and
- extensive congestion.

Yarra has an especially deep interest in improving safety outcomes for cyclists, and has a great interest in how this can be practically achieved. We have advocated over many years for measures which involve not only cyclists, but also other road users, and in particular drivers. We have followed with interest discussions around responsible road use in Europe (where there is a much heavier bias towards motorised vehicle users being responsible for collisions which involve more vulnerable road users), and the introduction of the 1.0m rule in other states.

But we do not believe there is a simple solution, and what works in one context may not be effective in another. At one end of the spectrum there are wide roads with ample carrying capacity for many vehicles at a safe speed. At the other end of the spectrum are narrow, busy, highly contested road spaces with many cross-overs, street trees planted in the road area, kerb outstands, road narrowings, quick turn-over parking spaces and many other distractions.

While it is agreed that there may be many places where the proposed 1.0 metre overtaking rule will add considerably to the safety of cyclists, it is not considered that

this would be a universal benefit, and may not be so helpful in areas where there is already a high number of cyclists.

Some issues of particular concern in inner-Melbourne and not likely to have been encountered or documented in other jurisdictions:

- How can this rule be enforced and explained when there is already separation in the form of a 1.2 m+ bike lane? In particular, if a rider is riding to the right side of the bike lane to avoid car doors, how can the driver be more than one metre away?
- How can a driver provide a one-metre clearance if the road includes a tramway?
- If a rider is passing to the left of a queue of stationary or slow-moving vehicles how can the motorist be expected to keep a one-metre passing distance when the queue moves?

It is considered that if exemptions were made under the above scenarios, it would significantly weaken the proposed road rule; this would greatly undermine its enforceability, and effectiveness as a road safety measure.

Nonetheless, there is no doubt that it is vital that where there is ample passing room, the onus should be on the driver to give a wide berth to cyclists, which is where this proposed rule could indeed contribute to a reduction in road injury and fatalities.

However Yarra believes that the following alternatives, which can be more universally applied could result in better outcomes for all road users:

- Allow Councils to set 30kph speed limits on local roads, (without requiring approval from VicRoads)
- Greater inclusion of questions about existing cyclist-related road rules in all driver tests, including licences for heavy vehicles, taxi drivers, etc
- Increased enforcement of road rules including car-dooring rules and speed limits on key cyclist commuting routes
- Greatly increased investment by State government in cycle corridors along inner and middle ring transport routes

Thank you for the opportunity to contribute to the Inquiry. Whatever the outcome, this discussion about the potential benefits of the proposed overtaking rule will contribute enormously to improved awareness of all road users to the greater exposure and vulnerability of cyclists.

Should you wish to discuss the matter above, please contact Jane Waldock, Assistant Director Planning and Place Making, on [REDACTED] or email [REDACTED]

Yours sincerely

[REDACTED]

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