

## **Brisbane Central Business District Bicycle Users Group (CBD BUG) Draft Policies for the 2009 Queensland State Election**

### **Preamble**

The post-War War Two period has seen urban development and the land transportation of people in Queensland, and particularly South East Queensland (SEQ), overwhelmingly dominated by the concept of car-based travel. This has resulted in Brisbane being "one of the world's most car-dependent cities outside of the US". (Queensland Parliamentary Travelsafe Committee 21 November 2008)

This outcome has been caused through governments at all levels allowing almost unrestricted urban sprawl (in many cases actively encouraging it), in combination with a bias favouring the motor car over the active transport modes of cycling walking and public transport. This means many SEQ residents have been locked into excessive, if not complete, car-dependency.

The negative consequences of SEQ's excessive car dependency include:

- increasing prevalence of obesity and Type 2 diabetes - as people no longer experience the incidental exercise of earlier generations through cycling and walking for transport;
- unnecessary disability and loss of life - due to road crashes;
- additional work for expensive and over-stretched public services - ambulance, hospitals, police and courts;
- excessive land, air, water and noise pollution;
- undue exposure of the economy to the vagaries of the international price of oil;
- economic inefficiency due to traffic congestion;
- community breakdown - caused by the retreat by people from the streets due to the danger from to high volumes of fast moving motor vehicles;
- anti-social behaviour - both by motorists exhibiting road rage and behaviours occurring on streets deserted through the aforementioned retreat of people;
- public amenity loss - through excessive amounts of green space being converted into roads;
- economic inequality - through the disadvantage to people of lower socio-economic status because of the disproportionately high amount of income they are obliged to spend on transport.

Some small steps have been taken by the Queensland Government to address the massive spending imbalance between car infrastructure and sustainable active transport infrastructure e.g. Jack Pesch Bridge (completed 1998), Goodwill Bridge (completed 2001), Ellenor Schonell Bridge (completed 2006), South East Busway and the Inner Northern Busway. However, these investments pale beside the inordinate proportion of the State's transport budget spent on motor car infrastructure.

Not surprisingly, while cycling levels are dramatically increasing across all Australia jurisdictions, Queensland is lagging behind. The CBD BUG's view is that the re-prioritisation of transport planning and expenditure in Queensland is well overdue, to provide residents with a long term, sustainable system.

Unless the State Government takes decisive action the choices of SEQ residents for transport to and from their work, play, educational and shopping destinations will continue to be restricted. Accordingly, the following policies have been developed to support this desperately needed change.

**Policy 1:** The Queensland Government to articulate that it will give priority to cycling (along with walking, public transport and other sustainable transport modes) over private motor vehicles in improving Queensland's traffic system.

### **Background and further detail**

Forward thinking governments around the world give priority in the traffic system to cycling, walking and public transport, with the last priority being for private motor vehicles. Such a commitment is necessary in Queensland to turn this state around from being one of the most car dependant communities in the world, into one of the best for cycling, walking and public transport utilisation.

It can be unequivocally stated that there is no other single policy change that would so simply and simultaneously address many of this State's current problems. This change would inhibit the continued growth in traffic congestion, limit the increasing prevalence of obesity and Type 2 diabetes; and slow the upwardly spiralling generation of greenhouse gas emissions. At the same time it would reduce demand on Queensland's public hospital system and help reduce the state economy's vulnerability to fluctuations in the international price of oil.

Finally, it will reconnect communities isolated by the human unfriendly arterial road network that has resulted in the overuse of personal motor vehicles.

The Queensland Government already has an extensive range of policies, strategies, plans enhancing the community's take-up of cycling and other sustainable transport modes such as walking and public transport that includes -

- Queensland Cycle Strategy (Queensland Transport 2003)
- Cycling on State Controlled Roads (DMR 2004), and
- South East Queensland Principal Cycle Network Plan (Queensland Transport 2007).

However, the implementation of these continues to run a distant second (at best) behind the dominance afforded to infrastructure supporting motor cars. This means cycling and other sustainable transport modes will continue to be under-funded and relegated to sub-standard afterthoughts, or completely omitted unless there is a major refocusing of transport infrastructure priorities.

Achieving the following targets in the Queensland Government's Q2 document would also be enabled -

- Green Queensland Target 1: *Cut Queenslanders' carbon footprint by one third with reduced car and electricity use*
- Healthy Queensland Target 1: *Shortest public hospital waiting times in Australia*
- Healthy Queensland Target 2: *Cut obesity, smoking, heavy drinking and unsafe sun exposure by one third*
- Strong Queensland Target 1: *Queensland is Australia's strongest economy, with infrastructure that anticipates growth.*

**Policy 2:** The Queensland Government to abolish the Queensland Fuel Subsidy of 8.354c/L. The annual savings of over \$500 million to be added to the current budget/s for improving infrastructure across the state for cycling, walking and public transport, to serve as a congestion busting funding source while also providing a major stimulus for the Queensland economy to offset the international economic downturn.

### **Background and further detail**

The principal current Queensland Government funding for cycling infrastructure is the \$556 million (provided over 20 years) for the Cycle Network Program, established in 2006 for developing cycling facilities throughout southeast Queensland. Sixty per cent of these funds require matching by local governments as capital grants for cycling projects, which local governments apply as grants. The remaining 40% funds cycling works associated with state-owned assets.

The CBD BUG views this funding and timeframe as woefully inadequate. It equates on an annual basis to marginally over 1.1% of the total Main Roads capital works budget, and not surprisingly, rolling out of the cycle network in the state's south east corner is progressing at a snails' space.

At the same time, and despite all reputable theoretical and research evidence that it is inefficient and not fully passed on to consumers, the Queensland Government continues to spend over \$500 million per year on the Queensland Fuel Subsidy Scheme (QFSS).

To turn around this waste and misdirection of taxpayer's money the CBD BUG calls for the QFSS to be abolished. The resulting annual savings of over \$500 million to be directed into:

1. building the SEQ Cycle network, and the expansion of regional cycling infrastructure projects such as rail trails (\$175 million per year),
2. improving walking infrastructure across the State (\$25 million per year); and
3. improving public transport services and infrastructure (\$300 million per year).

This additional level of funding for cycling over three years would on an annualised per capita basis bring the State Government's cycling expenditure up to the same level as provided by the Brisbane City Council that was committed by both the Liberal and Labor parties during the 2008 Brisbane City Council Election campaign.

With petrol prices at lows not seen for almost five years there can be no better time for the Queensland Government to act in the long term interests of Queenslanders and abolish the QFSS. The QFSS was revealed by evidence gained through the Queensland Fuel Subsidy Commission of Inquiry as principally benefiting fuel retailers – either through not being fully passed on to consumers via fuel sales, or being completely rorted through a lack of accountability mechanisms.

It is anticipated that an argument against this change will be that regional and remote area residents will be unduly disadvantaged by this proposed change. However, given the lack of competition between fuel retailers in these regions, an even smaller proportion of the subsidy reaches these consumers in comparison to urban area residents.

Research results from 2007 showed that 48 per cent of the SEQ region's car trips are less than five kilometres long, short journeys that can easily be completed by active transport modes if there is appropriate infrastructure enabling people to make a choice away from the unhealthy, polluting and traffic congesting car journeys they are currently making.

Redirecting this funding to cycling, walking and public transport projects will both foster local employment via the construction of desperately needed active transport infrastructure, and through the increased tourism the completed projects can yield.

The refurbishment of Queensland's section of the Bicentennial Nation Trail, which at over 5,300km is the world's longest marked, multi-use trek and which has been allowed to become severely degraded, would be an ideal regional project to start off this process. Overseas visitors are more commonly attracted to visiting Australia and Queensland to enjoy this country's unique natural attractions, rather than the shallow copies of overseas man-made amusements and clichéd events that have been the staple of recent governments.

Another major economic benefit flowing to the Queensland Government through increasing cycling levels will be reduced demand on the this State's public hospital system, thanks to the population's improved physical and mental health.

The following list details only a handful of the most desperately needed cycling infrastructure within just the Brisbane Local Government Area.

#### East

- Construct cyclist/pedestrian bridge linking Bulimba/Hawthorne and Teneriffe
- Upgrade Lytton Rd at Murarrie – (cycleway west to Bulimba and east to Port of Brisbane) to link with Gateway Bridge Bikeway project
- Install cyclist infrastructure along Wynnum Rd and Old Cleveland Rd

#### West

- Create northwest cycling corridor linking Brisbane CBD to Ferny Grove and Samford
- Construct overpasses at intersections along Centenary Bikeway e.g. Moggill Rd and extend bikeway south of Ipswich Motorway
- Install cyclist infrastructure along Waterworks Rd

#### North

- Create northern cycling corridor (V2) linking Brisbane CBD to Petrie
- Upgrade Kingsford Smith Drive (links to Gateway Bikeway Project - north)
- Extend Gateway Bikeway Project (north) to Redcliffe

#### South

- Complete Southeast Busway Bikeway
- Extend Gateway Bridge Bikeway Project south to link with V1
- Connect Ellenor Schonell Bridge to Southeast Busway Bikeway

**Policy 3:** The Queensland Government to improve driver attitudes towards cyclists and other vulnerable road users via enhanced education of learner drivers, along with introducing a range of new offences and increased penalties for unsafe driving.

### **Background and further detail**

Cyclists and other vulnerable road users e.g. pedestrians, motorcyclists etc. need and deserve special protection from the risks posed to them by careless, selfish and/or aggressive drivers. Unless the government sends a clear and unambiguous message that vulnerable road users are to be valued by the community and that drivers who threaten or harm them will incur a very heavy penalty, then cycling levels cannot realistically be expected to increase.

There is a wealth of evidence indicating that safety is the primary reason why people will not take up cycling. This is because the overwhelming majority of Queensland's roads have been built with little or no consideration for cyclists and the planned cycle network is still far from complete, meaning there is little alternative other than for cyclists to ride on-road.

Sadly, data in the *Queensland Cycle Strategy Implementation Report 2005-2006* indicates safety concerns are growing, with the principal barrier to people cycling being "unsafe environment/ roads not safe" (32% of responses). The growth in this response was up massively from the single digit response levels achieved over the three previous years. Safety concerns for cyclists are reflected in the proportions of people cycling. On average Queensland motorists who owned a bicycle rode 56.69 times per year in 2005, a significant decrease from the average of 68.7 times per year achieved in 2002, while in 2005, 4.1% of Queensland motorists owned a bicycle in working order, a drop from the peak of 4.2% achieved in 2003.

Compounding Queensland's absence of appropriate on and off-road space for cyclists is the poor attitude of many drivers towards safe driving practices in general, but specifically towards cyclists – who are too commonly viewed as not being legitimate road users and/or mere obstacles. Furthermore, there has been a plethora of recent surveys indicating the alarming indifference by drivers, particularly younger drivers, towards what could be expected as responsible driving behaviour. Areas of particular concern for cyclists include driver lack of awareness of vulnerable road users, speeding, using mobile phones while driving and passing cyclists at unsafe speeds / distances. The most obvious and deplorable evidence of this disregard for the wellbeing of vulnerable road users is the increasing number of "hit and runs" on vulnerable road users.

The CBD BUG's position is that to address these issues driver education needs to be improved via a specific component (including testing) covering driver awareness and behaviour towards vulnerable road users. Furthermore, a clearer message must be sent by the Queensland Government to all drivers - that vulnerable road users are "off limits" in terms of threatening behaviour from motorists, and offenders will incur especially heavy penalties.

In relation to the issue of using a mobile phone while driving, recent surveys and anecdotal evidence clearly indicate this dangerous practice continues to be widespread. Additionally, there is a considerable body of evidence that hands-free devices do not mitigate the risk. There can be no balancing out the risk of mobile phone use for the purposes of social interaction or business purposes when it jeopardises the health and well being of other road users. Therefore, all mobile phone use while driving should be banned.

Reinforcing the unacceptability of this practice should occur via the State Government provide police with on-the-spot confiscation powers for mobile phones being used illegally by drivers. This approach would parallel the confiscation of goods from people in other instances of law-breaking e.g consumption of liquor in public places. Examination of phone records will enable people to verify their phones were not being used while driving.

While it is recognised that in 2006 the Queensland Government introduced new hit-and-run penalties via amendments to the Criminal Code, there is still room for improvement via recognising the special nature of vulnerable road users through introducing offences particular to cases involving such this group.

Additionally, members of the judiciary appear to be out of step with government and community attitudes towards irresponsible driving, based on the lenient sentences handed down in many cases involving drivers causing serious injury and death to others. The most recent evidence of this is the one year of jail time given to the truck driver, who by talking on his phone while driving caused a multi-vehicle accident in July 2006 on the M1 at Yatala, resulting in young woman's death and injuries to eight other people. That a person can so recklessly kill and maim other people through their total disregard of safe driving and then only spend one year in jail sends a clear message about the limited value of a human life if they are killed in a vehicular collision and that unsafe driving is not a serious offence.

The government's increasing of the penalties for these offences and the introduction of new offences are seen as a means through which the appropriate messages can be communicated to the judiciary and the wider community.

- Policy 4:** The Queensland Government to amend the Queensland Road Rules and Queensland's at-fault based motor accident insurance system to:
1. remove cyclists and other vulnerable road users from being found to have in any way contributed to a crash if their actions were within the Queensland Road Rules; and
  2. reverse the current onus of proof in the case of cyclists and other vulnerable road users injured in crashes with motorists, so it is up to the defendant i.e. the motorist to show that the plaintiff i.e. a vulnerable road user failed to take reasonable care.

### **Background and further detail**

Queensland operates a common law 'fault' based Compulsory Third Party insurance / compensation scheme. This means cyclists and other vulnerable road users who are injured or killed in crashes with motor vehicles can have their compensation reduced by their "contributory negligence", even if they are acting competely within the Queensland Road Rules at the time of the crash. Injured parties are only able to make a claim if they are able to prove the other party was at fault. In the case of hit and runs, to which vulnerable road users are much more exposed than motor vehicles drivers, there may not be another party to be held responsible.

The important feature of the proposed change is that it will place a greater onus on motor vehicle drivers to maintain appropriate driving behaviour and operate their vehicles safely in the proximity of vulnerable road users. As the operator of potentially lethal machines the primary reponsibility for safety must lie with motor vehicle drivers.

Such amendments would undermine the current "might is right" approach of an unacceptably large proportion of motor vehicle drivers, while cyclists and other vulnerable road users would be encouraged by the inherent message, that motorists must take care around cyclists. These amendments are part of the necessary transition that must occur if Queensland is to successfully adopt a change from its excessive car dependency.

Similar laws have long been in place in overseas jurisdictions that prioritise cycling and walking over driving personal motor vehicles e.g. The Netherlands, Belgium, France.

**Policy 5:** The Queensland Government to establish a committee of CEOs from key portfolios i.e. Health, Environment, Education, Transport, Sport, Tourism, Treasury, Premier and Cabinet, Local Government and Planning to oversight the accelerated rollout of infrastructure for cycling and other active transport modes across Queensland.

### **Background and further detail**

Decision making on implementing active transport modes in Queensland has been uncoordinated, with an increasingly long list of decisions in relation to improving one mode having negative consequences for another. Prime examples are the temporary and permanent negative impacts busways construction has on cyclists. Even where integrating multiple modes has been successful, initial bureaucratic resistance has been significant.

A key factor in this has been the lack of achievement by the Queensland State Cycle Committee (SCC), which can at best be described as limited. Through having no decision-making ability or budget it is widely viewed by the members of the cycling community (who actually know of its existence), as little more than talk-fest. The high numbers of apologies received from meeting non-attendees clearly indicates it is a low priority even for its members. The most that can be said of the SCC is that it provides a fig leaf for the State Government through enabling it to say that it has conducted stakeholder consultation on cycling issues.

The new CEOs committee replacing the SCC will by contrast have decision-making ability and a sizable budget, to be sourced from the savings derived from abolishing the wasteful and inefficient Queensland Fuel Subsidy Scheme. The primary task of this committee is to accelerate the rollout of infrastructure and other changes e.g. regulatory, to increase cycling and the use of other sustainable active transport modes.

The committee's chair should be independent from the bureaucracy, with an ideal person working in academia. Meetings of this committee to consider funding allocations would need to be scheduled around the annual State Budget cycle. To enable accountability for its progress report its decisions and achievements would be directly to the Premier of Queensland under whose portfolio the committee's activities would be reported on for scrutiny via processes such as the Estimates Committee hearings.

An advisory committee comprising of lower level bureaucrats from the same portfolios, and representatives of cycle advocacy groups (including BUG representatives), would support its work.

**Policy 6:** The Queensland Government to include safe cycling and general road safety as a component of the Queensland upper-primary school curriculum.

### **Background and further detail**

Including a structured road and cycling safety program in the upper-primary school curriculum is a key component of future-proofing our children, by protecting them from the obesity and Type 2 diabetes sentences they are being given by parents who insist on driving their children everywhere.

It is a damning indictment for a society if it does not seek to ensure their children have a higher quality of life than their own. Yet, given the current trends of these two conditions, this generation of children will be the first in history to live for a shorter time than their parents.

Prior to the ludicrously high levels of private motor car travel that currently occur in SEQ, incidental exercise was the way people contributed to their own weight control and general health, through simply walking and cycling around as they conducted their daily lives. For children this routinely meant walking or cycling to school. Instead, SEQ residents drive everywhere, resulting in sport and games having to be inserted into the education curriculum to address children's lack of regular exercise.

A major cause of the current problem is that because of traffic conditions children are seen to be at risk by cycling or walking to school. However, by ensuring children are properly aware of road and cycle safety they can again be allowed to make their own way to and from school.

Other Australian States such as South Australia provide students in this age group with programmes that comprehensively address safe roads and crossings and safer road user behaviours.

Importantly, such a programme can also serve the longer term issue of addressing this state's unsafe driver culture by introducing the proper standard of road behaviour at an early age.

Another element of the safety concerns for parents is apprehension about paedophiles preying on children. While ignoring the fact that this is a grossly overstated risk, it too would be addressed by more people getting out of their cars to walk or cycle, as people moving about via these modes are more aware of their surrounds and can observe a child on the street under such a threat.

**Policy 7:** The Queensland Government to amend the Queensland Road Rules to allow cyclists to ride on crossings.

### **Background and further detail**

The current Queensland Road rules make it illegal for cyclists to ride on crossings - both lights-controlled and painted (zebra) crossings.

Many cyclists ignore this rule, as its observance would make travel by bike impractical due to the required number of dismounts and remounts. Police Bike Squad members are assumed to share this view as they have been observed ignoring this rule, as well as ignoring cyclists who break this rule right in front of them.

The current rule is viewed by the CBD BUG as derived from a car-centric view of policy making, and as such, is regarded as cyclist-unfriendly.

The minutes of the Queensland State Cycle Committee meeting of 1 August 2007 indicate a *Cyclists On Crossings* draft policy statement had been developed to allow cyclists to ride on crossings in Queensland. However, the CBD BUG understands this policy has not progressed beyond the draft stage due to opposition from a small number of member portfolios, because of perceived "safety issues".

The CBD BUG's view on such objections is that they are spurious and derived from a car-centric view of transport/ traffic planning. Additionally, the introduction of lights controlled crossing signals for cyclists, at which signals for pedestrians allow them to cross simultaneously with cyclists, demonstrates cyclists can ride across crossings in safety at the same time as pedestrians.

It is understood that some of the alleged safety issues raised in opposition to the draft policy are based on the potential collisions that could occur between cyclists and pedestrians if cyclists were to ride on crossings in instances of a pedestrian "scramble" i.e. all car traffic stopped and pedestrians are allowed to diagonally cross a four way intersection. Given the very limited number of such intersections it is unreasonable to use these exceptions to guide the rule, plus it would be easy to exclude these intersections from the rule change by installing signs requiring cyclists to dismount if crossing with pedestrians.

Accordingly, the arguments against this change are rejected and the CBD BUG calls on the Queensland Government to immediately implement this long overdue rule change.