

**Submission  
No 114**

**INQUIRY INTO USE OF E-SCOOTERS, E-BIKES AND  
RELATED MOBILITY OPTIONS**

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Honourable Members,

I make this submission to you as a resident of the City of Sydney of over 20 years, as someone who has worked in the Sydney CBD for even longer than that, and as someone who has completely fallen out of love with walking around Sydney.

I love this city and I promote it whenever I have the opportunity. I enjoy showing visitors the sights of our incredible town. I love Sydney's diversity and amenity. I live in Redfern and work very close to the Town Hall. I walk to and from the office every day – an activity which not only has obvious health benefits, but also used to bring simple joy.

Over a period of several years, my daily walking commute to and from the office has transformed from being a pleasurable experience to becoming the single biggest source of stress, anxiety and aggravation of my working day – and I work in a field which is not short on challenges. Walking in Sydney has become such an unpleasant, unsafe and anxiety-inducing experience that I am very seriously considering purchasing or taking a long-term lease on a car space in the CBD and driving to work every day.

What has changed? The proliferation of bicycles and the total disregard of their riders for the law, public safety, common decency and common sense. My comments are based solely on my experiences within the City of Sydney – being the place where I live and work, but also being a local government area whose council has actively sought to promote the use of bicycles and constructed substantial infrastructure to accommodate them – frequently to the significant detriment of pedestrians and drivers.

Riders of conventionally powered bicycles are, in my observation, less likely to engage in problematic behaviours, but that may simply be a symptom of the fact that in recent years they have become dramatically outnumbered by electrically driven bicycles, the vast majority of which are operated either by food delivery companies or share-bike hire companies. Although I appreciate that your committee is looking specifically at e-bikes, e-scooters and similar modes of transport, the comments I make are largely related to bicycles in a general sense, although e-bikes appear to be in the majority these days in any event.

Infrastructure problems

One of the greatest challenges facing cyclists (and pedestrians, for that matter) in the City of Sydney is working out where bicycles can actually be ridden legally. Signage and line-marking is frequently confusing and often entirely absent. Often riders face an abrupt end to a shared path or a dedicated bicycle path and find themselves with nowhere to go. One of the most obvious examples of this is the cycleway running east on Liverpool Street, which ends (in its easterly direction) at Castlereagh Street. Riders here routinely ride up the footpath to Elizabeth Street, which is incredibly dangerous to pedestrians using the path. I gather that the extension of the Castlereagh Street cycleway – which has been underway for an eternity and shows no sign of opening in the near future – may address this to some extent.



Fig. 1: Regent Street, Redfern (near the corner of Cleveland Street)

Although faded, this is an example of relatively good, clear line-marking which leaves no doubt that bicycles can be used on this path. The 'thin blue line' is a very useful indicator of a shared path, but it is unclear whether it is used universally.

It would be enormously beneficial if the blue lines were applied to all shared pedestrian and bicycle paths. This would avoid any confusion, and also serve as an obvious warning to pedestrians to take more care and keep a vigilant lookout for potentially conflicting bicycle traffic.



Fig. 2: Regent Street, Chippendale

This is another example of clear line-marking (which, again, could use repainting), but also illustrates a number of significant problems:

- (i) The footpath here on Regent Street is far too narrow to accommodate pedestrians and cyclists, particularly if there are examples of both proceeding in opposite directions – and at the end of the stretch of pathway depicted, there is an almost ‘blind’ corner, which ties in to the second problem;
- (ii) Speed: In the City of Sydney, all shared paths appear to be subject to a 10km/h speed limit for cyclists – a little faster than a very brisk walking pace. This is clearly a fantasy – I don’t believe I have ever seen a cyclists going as slowly as 10km/h, and on a stretch of pathway such as this, anything faster is simply dangerous;
- (iii) According to the City of Sydney’s cycling map, this particular shared path comes to an abrupt end on Lee Street, just opposite Little Regent Street. The line-marking appears

to suggest something different, but it is a good example of the absent 'interface' between areas where bicycles can and can't be ridden.



**Fig. 3 & 4: Cleveland Street, Chippendale (facing east, near the intersection of Regent Street)**

This is a prime example of ambiguous, confusing signage. The sign in the photo on the left appears to suggest that cyclists can use the footpath heading east on Cleveland Street. The photo on the right is taken around 20 metres further east along Cleveland Street, and shows clearly that the path is not suitable for pedestrians and cyclists to share. However, the path is routinely used by cyclists, posing a significant risk to the safety of pedestrians.



Fig. 5: Cleveland Street, Chippendale (facing west from Prince Alfred Park)

Looking at the same section of footpath in the opposite direction, there is no signage or line-marking which indicates to cyclists coming out of Prince Alfred Park that the footpath is not a shared path.



Fig. 6: Prince Alfred Park/Cleveland Street

Following on from the previous photo, this sign might be more useful if it also included 'No Right Turn' and 'No Left Turn' symbols.



**Fig. 7: Chalmers Street outside Central Station, facing north along Elizabeth Street**

This is another prime example of a total disconnect between the rules and reality. The pedestrian crossing just beyond this sign, at the end of Foveaux Street, would have to be one of the busiest in Sydney at certain times of the day. I have never seen a cyclist dismount here, and cyclists typically continue north – often at speed – and weave their way between pedestrians waiting to cross Elizabeth Street to the east, or coming across from Foveaux Street towards the entrance to Central Station. It is an absurd failure of planning to have a cycleway interrupted by 50 metres of some of the most heavily trafficked footpath in the city, and perhaps even more absurd to expect cyclists to do the right thing here.





**Fig. 8: Same location as above**

How was it considered appropriate to mix heavy pedestrian and bicycle traffic at 90 degrees in this location without any form of control other than utterly ineffective signage? At a bare minimum, small speed humps or a similar form of traffic calming device could have been installed to deter riders from passing through here at speed.



Fig. 9: Eddy Avenue, Central Station

This is a good example of poor, ambiguous signage. This section of footpath along Eddy Avenue is not a shared path, yet is used routinely by cyclists. The location of this sign, perhaps 10 metres away from the dedicated cycleway to which it presumably is intended to refer, would obviously confuse some people into believing that bicycles can be used on the footpath here.



Fig. 10: Eddy Avenue, Belmore Park

Another particularly absurd disconnect occurs where the dedicated cycleway coming across Eddy Avenue from Central Station ends abruptly, seemingly at the point where the cycleway meets the footpath on the northern side of Eddy Avenue. This is, again, a very busy pedestrianised area and there is signage requiring cyclists to dismount on either side of the pedestrian crossing, but the signage is ignored by 100% of cyclists riding here.

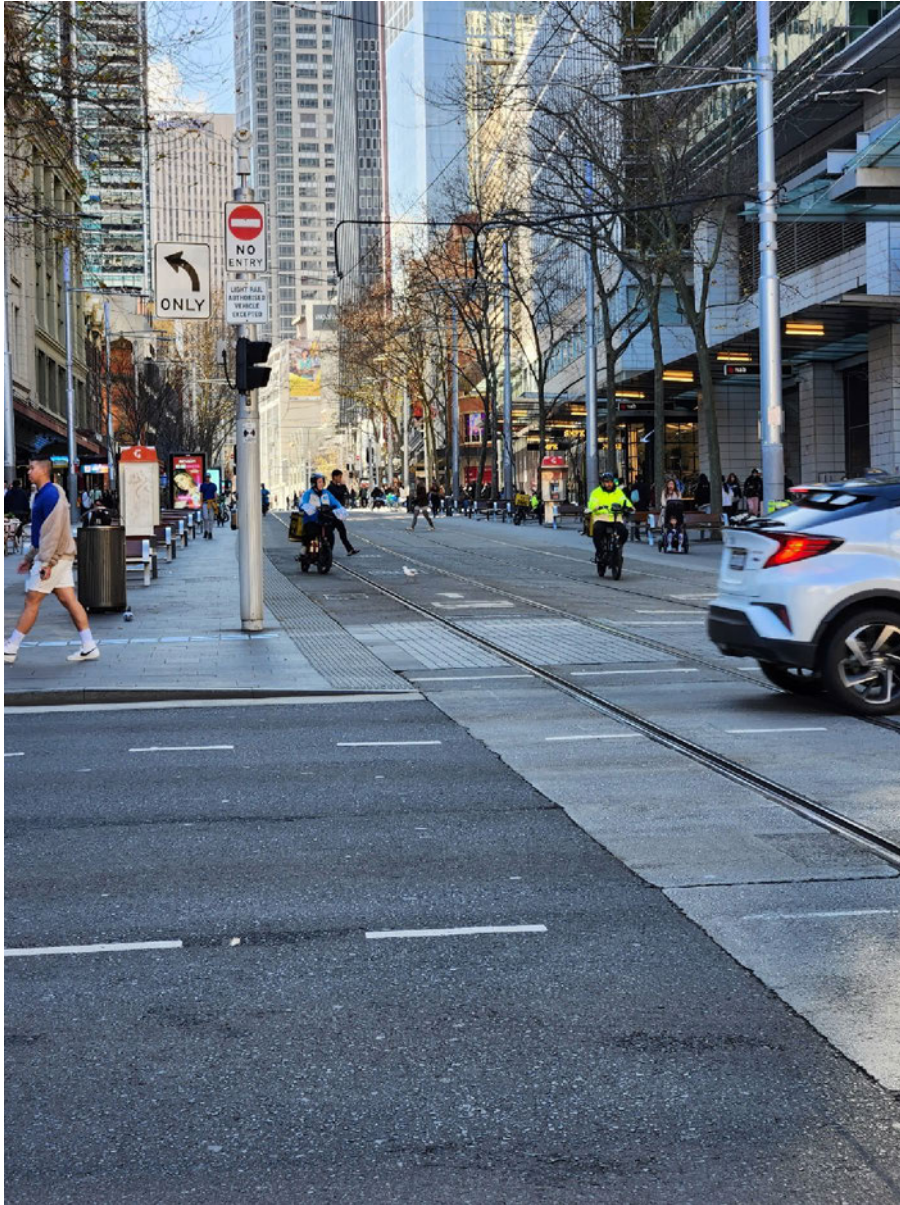


Fig. 11: George Street, Sydney CBD

George Street in the CBD would have to be one of the most confusing areas for pedestrians and cyclists alike. Cars are not permitted here, and this section of George Street has no designation on the City of Sydney's cycling map – are bicycles allowed here at all?

## Rider behaviour & enforcement

The proliferation of e-bikes has seen a very significant increase in the average speed at which bicycles travel around Sydney. Even bicycles which have not been illegally modified are capable of travelling at speeds which are entirely inappropriate in a densely-populated urban setting where bicycles necessarily mix with pedestrians and motor vehicles much of the time.

The greatest single problem with rider behaviour in Sydney is cyclists riding on footpaths which are not designated as shared paths. By far and away the worst offenders are food delivery riders – and it would seem that their behaviour is often imitated by others who may not be familiar with the rules and might form the mistaken impression that those whose jobs involve riding bicycles must know what is right and what isn't.

It has become a sad reality of my daily walking commute to and from work that frequent verbal interactions – none of them pleasant – with cyclists are simply unavoidable. I have been sworn at in various languages when pointing out to cyclists that they are breaking the law by riding on the footpath. Another common ploy among food delivery riders is to feign an inability to speak English.

The problem is clearly a total lack of enforcement of the road rules as they apply to cyclists. I understand that Council staff have no jurisdiction, and the NSW Police seem not to take any interest in cyclists whatsoever. As a result, cyclists do whatever they like, wherever they like, with complete impunity, as there are no consequences to their actions.

Every few months, the NSW Police seem to run a crackdown on jaywalking in the Sydney CBD. It would be enormously helpful if they would direct a similar effort towards poor rider behaviour. Word might ultimately get around that cyclists breaking the law do face consequences and will be dealt with by the authorities. In the meantime, jaywalking is often the safer option for pedestrians as it keeps them out of the way of cyclists who are illegally riding on footpaths or ignoring dedicated cycleway traffic signals (as occurs on the corner of Castlereagh and Liverpool Streets hundreds of times every day).



Fig. 12: Western pathway through Prince Alfred Park

The shared path which traverses the western perimeter of Prince Alfred Park is treated by most cyclists as a speedway, who clearly believe that 10km/h is the designated minimum speed. Cyclists come rocketing out of the park across a very busy footpath on Chalmers Street – right next to a bus stop (access to which is often impeded by half a dozen or more parked share-bikes) – and have to negotiate a tight 90-degree turn into the dedicated bicycle lane on Chalmers Street.



Fig. 13: Chalmers Street outside Central **Station**

This is a good example of a location where cyclists regularly break the rules to suit their own convenience. There is a dedicated cycleway just beyond the “No Left Turn” sign, but cyclists cut across the footpath as shown here. When the traffic signal at this intersection is red, cyclists frequently also cut across the footpath using the driveway in the foreground, mixing with pedestrians in a very busy area.



Fig. 14 & 15: Chalmers Street outside Central **Station**

Another ubiquitous problem is cyclists who become ‘pedestrians’ when it suits their convenience. In this example, the delivery rider uses a pedestrian crossing (against the lights, as it happens) to cross from a non-shared path to a shared path, riding all the way.



Fig. 16: Devonshire Street pedestrian tunnel

Although there is signage (positioned in such a manner as not to be visible to anyone using the tunnel) which indicates that bicycles are not permitted, riders frequently travel through the Devonshire Street tunnel, and other entirely inappropriate indoor settings (including public buildings such as the Queen Victoria Building).



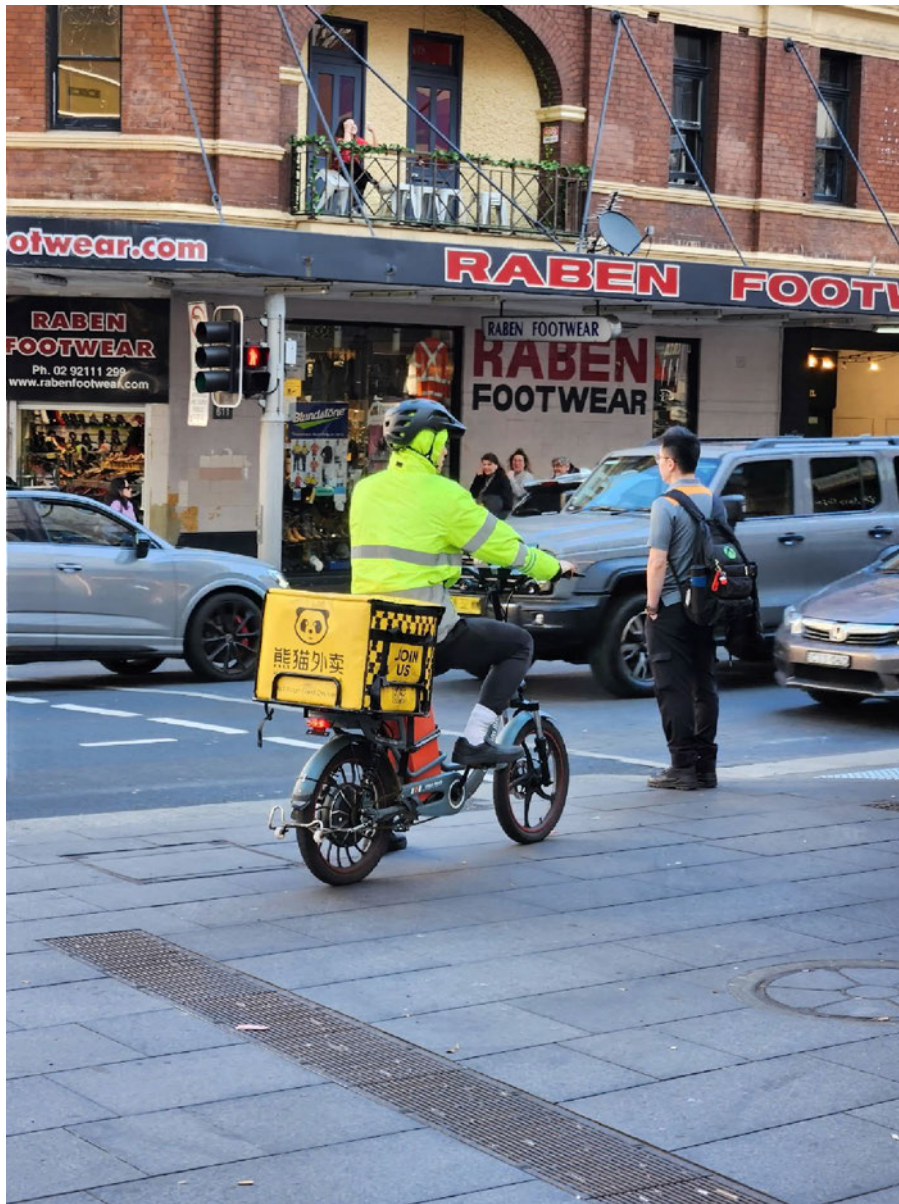


Fig. 17: Corner of George & Goulburn Streets, Sydney CBD

Food delivery riders use footpaths everywhere and are generally riding e-bikes which are capable of considerable speed. Riders are regularly paying more attention to maps (or food orders) displayed on their mobile phones than to their surroundings, posing a very significant risk to pedestrian safety. Although they have no more right to ride on the footpath than I have the right to drive my car through Pitt Street Mall, there is zero enforcement. If there are no consequences, there is no reason not to take the most direct and convenient route, no matter how many laws are broken or pedestrians injured in the process.

## Share-bikes

When the first wave of human-powered share bicycles disappeared a decade or so ago, I think Sydney heaved a collective sigh of relief.

The advent of shared e-bikes has brought some new problems – mostly common to other bicycles and riders – and a lot of the same problems seen with the first generation.

The greatest problem posed specifically by share-bikes is that of visual pollution. Without designated pick-up and drop-off points, bicycles are simply left lying around like flotsam and jetsam in any location a rider chooses. They regularly block footpaths and bus stops, and pose a very real danger to pedestrians, drivers and other cyclists.

It appears to be a sport among young people to 'steal' e-bikes without using the associated app to make payment, and ride around the city with the bicycle's alarm blaring, almost invariably without wearing a helmet.

Share bikes are an unsightly menace and detract significantly from Sydney's appeal as one of the world's most beautiful cities.

At a very minimum, share-bike company operators must be required to take an active role in ensuring that their bicycles are used safely and responsibly, and are taken from and dropped off at locations which are fit-for-purpose and do not cause a hazard or inconvenience to pedestrians or drivers. Operators should also be obliged to conduct regular 'sweeps' of city streets to collect wayward bicycles and return them to depots or other safe locations.

### Point-of-sale education

Education is clearly the most important tool in dealing with poor cyclist behaviour and a lack of understanding of the laws applicable to them. Although most cyclists appear to understand that it is a legal requirement to wear a helmet, that appears to be the extent of most cyclists' knowledge of the relevant law.

With e-bikes growing in popularity – not to mention size and speed – it seems incongruous that there is no educational requirement whatsoever involved in riding a bicycle. It should be a requirement that every purchaser of a bicycle is given a copy of the NSW government's Bicycle Rider Handbook at the point of sale. It would be even more useful if every purchaser of a bicycle was required to complete an online test on the contents of the handbook within a certain period following the purchase of a bicycle. Requiring a form of rider licence is probably a bridge too far, but in an age where smartphones are ubiquitous, something like a 'certificate of proficiency' may work, requiring riders to demonstrate their knowledge of the laws relating to cycling on a regular basis, and producing the certificate to police upon request.

Point-of-sale education around e-scooters is clearly non-existent. By way of example, a prominent Sydney retailer of e-bikes and e-scooters publishes the following notice in small print at the bottom of its advertising materials for e-scooters:

*"Please be aware of local laws regarding scooter usage on public lands and roads. Be safe by making sure you're protected with appropriate protective gear."*

Surely it is incumbent upon a Sydney-based retailer of e-scooters to make it unambiguously clear to prospective purchasers that – for the time being at least – operating an e-scooter on a public road or footpath in New South Wales is illegal.

### **Employer-based education**

In circumstances where it seems the vast majority of e-bike users in and around the Sydney CBD, at least, are riding for food delivery companies, there must be an onus on those companies to educate their riders in the legal operation of their bicycles, and to take at least some of the responsibility when riders fail to do so.

Food delivery companies are in the unique position of having complete control over the technology solutions used by their riders in connection with the collection and delivery of food. Investing in better mapping solutions would be a particularly good start. The accuracy of GPS nowadays, even in relatively unsophisticated consumer equipment, is such that it would be relatively trivial to build safeguards into food delivery mapping software which prevents riders from making gross errors such as riding the wrong way down one-way streets, or riding into underground tunnels, for example.

Although it would not be palatable in a libertarian society such as our own, it is presumably not beyond the capabilities of existing technology to use food delivery apps to reward riders' good behaviour and sanction poor behaviour, such as speeding or taking clearly inappropriate routes.

### **Registration of bicycles**

Although proposals for registration of bicycles come up from time to time and are shot down with equal regularity, e-bikes have blurred the distinction between human-powered transport and motor vehicles to such a degree that this must surely merit further consideration now.

Most share-bike operators appear to print some form of unique code on each of their bicycles. This is presumably useful from an operational perspective and not a legal requirement, but it would make law enforcement dramatically easier for police if they were able to connect a particular bicycle to an offence. In much the same way as hire-car companies forward parking and speeding fines to hirers, share-bike companies could very easily connect a particular bicycle to the rider using it at the time an offence was detected by the police – such as riding on a non-shared footpath. Registration at least of bicycles which are commercially owned or operated (that is to say, share-bikes and food delivery bikes) would be a relatively straightforward matter and go a long way towards ensuring more general compliance with the road rules.

## Conclusion

I freely concede that my submission is rather more problem-focused than solution-focused. I am not an expert in urban planning or traffic management. I simply wish to voice the concerns of a fairly typical resident of the Sydney CBD fringe about the declining amenity of the city for those who love it and live and work in it.

I very much hope that the work of the committee results in positive change, and helps to keep this increasingly frustrated and anxious pedestrian's car off the road.

If there is any way in which I can make a positive contribution to the work of the committee, I am more than happy to be contacted.

Yours sincerely,

Carl St Leon

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