

**Submission
No 141**

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

Organisation: Northern Beaches Council

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The Chair
Portfolio Committee No.6 Transport and the Arts
Parliament House
Macquarie Street
SYDNEY NSW 2000.

Our Ref: 2024/561770

Dear Committee Chair,

Inquiry into use of E-scooters, E-bikes and Related Mobility Options

The Northern Beaches is truly unique. Our area stretches from Palm Beach in the north to Manly in the south with variable topography which shapes active transport accessibility. The area is home to nearly 270,000 residents and their vision for the Northern Beaches Council is a safe, diverse, inclusive, and connected community that lives in balance with our environment. We recognise the traditional owners of our area and their continuing connection to waters and land, and we thank them for their protection of our coastline and its ecosystems.

The benefits of e-mobility devices for the Northern Beaches

The Northern Beaches faces growing transport challenges with an increasingly congested road network limiting opportunities for growth in housing and local jobs. The limited capacity of our network has necessitated the phased approach to deliver [Frenchs Forest Town Centre](#) and is significantly limiting opportunities for growth under [Brookvale Structure Plan](#). Concern over the ability to get a park at the beach is a core objection of many residents to growth and development. With a public transport system of predominantly buses, ferries, and ridesharing services the Northern Beaches is highly car dependent. With 60% of residents travelling to work by car, 80% of household trips for social, recreation and education purposes undertaken by car and 53% of households owning two or more cars (46% Sydney average).

E-scooters, E-bikes and related mobility options provide an opportunity to shift this culture of car-dependency on the Northern Beaches. Strong rates of uptake of these devices are being observed, particularly among our teenage population who are enjoying the freedom and independence these devices provide, no longer needing to rely on buses that can be irregular or the parent taxi. For our broader community the appeal of not needing to find a car space at the beach, B-line bus stop or ferry wharf is compelling with higher rates of cycling uptake in flatter areas of the LGA. E-bikes provide an opportunity to overcome topography and fitness barriers to cycling, opening

up last mile transport options to improve public transport utilisation and improve the mental and physical health of our community.

The reduced cost of these devices compared to car ownership (registration, third party liability, servicing and licencing costs) is further contributing to uptake of these devices. This can provide valuable social equity outcomes, particularly for students and lower income residents who struggle with the high cost of living on the Northern Beaches. Many areas of the Northern Beaches are only serviced by bus once per hour, providing a disadvantage to those who cannot afford car ownership.

Seniors are finding that age is no longer a deterrent to riding a bike, whether it's for exercise or as a means of short-term transport. Many parents are also choosing cargo e-bikes to transport their children, both for school drop off, travelling short distances, or for recreational trips.

Tourists are enjoying the opportunity to hire e-bikes as an affordable and easy form of transport. Historically bike hire and sales of second-hand bikes in Manly already play a role in supporting visitors to Manly to explore the Northern Beaches beyond Manly. Electronic mobility devices could play a helpful role in achieving outcomes in line with our [Northern Beaches Destination Management Plan](#) and Destination NSW objectives to increase visitation.

E-bikes can provide a safe transport opportunity for shift workers and women who lack public transport options at night. In research that Northern Beaches Council initiated in 2019 with Launch Engineering it was noted 88% of cycling deaths occurred on the road, and that bike riders are reluctant to ride on the road because of the high risk of injury. This rate of reluctance is higher for women.

Northern Beaches Council concerns regarding the utilisation and impact of e-mobility devices in the community.

Key to achieving these benefits is the integration of these devices (e-scooters, e-bikes and related mobility options) into our streetscapes in a way that allows them to co-exist harmoniously and safely. Current challenges include the rapid uptake of e-devices, particularly among riders under 16 years who are currently permitted to ride devices on footpaths. The 'fat tyre' style of E-bikes are being heavily promoted to under 16-year-olds on social media. These e-bikes are wider (particularly when a surfboard is attached), significantly heavier and faster than traditional bikes resulting in significantly increased risk and severity of injury in the event of a collision.

There are safety concerns for both pedestrians and vehicle operators due to the speed, size, and quietness of these devices. Community members, especially those who are more vulnerable, have been reporting that they no longer feel safe walking on footpaths. For community members who have experienced a near miss, who have a trauma history or who are particularly frail there is a psychological impact from not feeling safe using our footpaths with some reporting that they are re-considering their ability to walk as a transport option, impacting physical health and social inclusion outcomes. We are observing some riders as young as 10 years old. They have not yet studied for their drivers' licence, often have limited education on road rules and may not have developed the cognitive ability or empathy to appropriately evaluate and manage risks to themselves and others.

Some riders can override the speed and motor capacity defaults on devices. It effectively changes the e-bike from a bicycle to a motorcycle with a motor speed capacity of over 40km/hr. (To be classified as a bicycle under NSW legislation it must be predominantly powered by pedalling, a throttle must have a maximum capacity for 6km/hr to assist starting the motion, and the motor must cut out once it reaches 25 km/hr and have a maximum motor capacity of 500 watts.)

Young riders also commonly remove bells from e-bikes, they are not aware of safety requirements needed to warn others, as they are not required to learn road rules or etiquette. Most young riders are speeding on the paths and give no warning on approach, passing dangerously and occasionally hitting pedestrians, causing injury.

Reforms needed urgently to guide safer social norms and behaviours.

In the absence of clear rules, unsafe social norms and behaviours related to riding e-bikes are emerging organically, and young e-bike riders are adopting them. There is a need and a desire from younger riders for information to conform with, indicating the necessity for a clear set of rules and guidelines when riding on footpaths and around pedestrians. There is a desire for clear guidance on appropriate speeds, which devices are permitted on footpaths and shared paths, reinforcement of messaging around wearing helmets, use of noise cancelling earbuds, taking multiple passengers and the altering of e-bike systems to override requirements for pedalling and exceeding legal speeds.

Longer term our priority needs to be focused on implementing separated cycling infrastructure for district and regional routes. This is in line with the Safe Systems approach, ensuring that vulnerable pedestrians are protected from risk of injury on paths by the fast and heavy e-bikes. Our [Northern Beaches Bike Plan](#) includes existing and proposed riding routes needed to extend our safe riding network. Most of our existing network consists of shared paths and on-road (door zone) cycleways which both present risks of conflicts. Best practice is to provide separated infrastructure to separate users travelling at different speeds. Implementing separated infrastructure requires a full streetscape upgrade to reallocate road space to active transport users. This requires significant time, resourcing and political will to deliver what are potentially contentious projects within the community. We are happy to provide further information on our recent experiences implementing the [Curl Curl to Freshwater connectivity and streetscape upgrade](#) project.

Behavioural Economics Insights that led to development of 'The Code' E-bike safety behaviour change campaign.

Northern Beaches Council recognised the need for leadership to proactively establish a culture of safe behaviour and etiquette around the use of electric devices. This campaign was developed as an interim measure while we continue to advocate for regulatory reform and state government leadership in this space.

Our E-bike safety education and behaviour change campaign was developed based on the findings of behavioural economics research including a focus group to test and refine campaign messaging with the target demographic of 14-year-old e-bike riders and their parents. The messaging mirrors the well-known "surfers code", highlighting important safety behaviours to protect the safety of others. The code is short and simple, suitable for getting the attention of young audiences and brief enough for them

to retain the message. We intentionally simplified the message, paring it back to ensure the message was memorable, efficient and sufficient.

- **Slow down** to walking pace when others are on the path
- **Ring your bell** and call 'on your right' to let others know you're approaching
- **Be ready** for sudden changes – people, pets and prams can be unpredictable

More information about the e-bike code, including campaign videos and more detailed resources that were rolled out alongside the campaign can be found on our website - <https://www.northernbeaches.nsw.gov.au/services/roads-and-paths/road-safety/e-bike-safety>

Our goal was to get cut-through to reach younger riders and influence behavioural change. The campaign was rolled out over 8 weeks and included broad media coverage (estimated 2.78 million viewers), a broad reaching social media campaign, physical signage across 60 locations on our bike network, collaboration with schools (including physical posters and newsletter content), bike shops and collaboration with Bicycle NSW, local police, and parents. This approach helped to reinforce messaging with repeated exposure to the same messaging across various platforms and physical locations.

This e-bike safety campaign has helped to generate a lot of media interest resulting in coverage across both national and metropolitan news programs, newspapers and radio stations. While educating younger riders was the primary objective, a secondary objective of the campaign was to increase awareness of the safety issues associated with e-bikes and micromobility devices sharing the footpaths with pedestrians.

A few insights from our research include:

- Strong awareness of safety messages relating to their own personal safety, with much lower awareness of responsibilities to protect the safety of others among our 14-year-old focus group participants.
- A belief that the speed limit for e-bike riders on footpaths is 25km/hr with participants feeling frustrated by the responses from other community members as they believe they are doing the right thing by staying under 25km/hr.
- Given their experiences of receiving verbal abuse from older community members, many riders had gone to a lot of effort to find information on the rules and were frustrated by the lack of clear information.
- Young riders feel they are in a 'no win' situation, experiencing aggression from drivers when riding on the road and verbal abuse from older footpath users when they use the footpath. A wish for a broader range of community members to take up riding these devices was expressed so that it becomes more normalised to help reduce the stigma towards younger riders.

- Parents believe that schools were already providing e-bike training and safety information. Our ongoing conversations with many local schools indicate that schools are grappling with how to respond to this issue.
- We heard several examples of confusing messaging from authorities, particularly around where they can and can't ride, understanding what they had done wrong and what the penalties for such behaviour would be. We believe this is a symptom of unclear legislation and regulations and it is undermining the ability of police to provide clear leadership to inform safe riding behaviours.

Opportunities to reform the regulatory framework to achieve better and safe outcomes for riders and the community.

- **Clear unambiguous legislation to enable police enforcement** with current legislation too 'grey' and difficult to enforce.
- **Speed management** for riders utilising footpaths including mechanisms to prevent the overriding of speed limiting settings. Our behavioural economics research shows that younger riders see the 25km/hr guideline as a 'speed limit'. We are not advocating for speed limits (which become 'target speeds'), however establishing legal requirements to slow down around pedestrians, giving them right of way and exercising caution around children and pets.
- **A framework to define types of devices** informed by device size, weight, power output, and maximum speed capabilities. Examples of similar frameworks can be seen internationally. Specific device types can then be linked to a range of regulations including:
 - Licencing and mandatory education requirements
 - Age limits
 - Passenger limits
 - Registration requirements
 - Permissibility to use footpaths, shared paths, separated cycleways, and roads.
 - Manufacturing requirements to prevent 'delimiting', enforce speed capability of devices, battery power and pedal assist vs throttle modes.
 - Clear identification of device typologies to support police with on-the-spot compliance checks.
- **Manufacturing standards and import regulations** to align with a framework of device types.
- **Mandatory education** to ensure riders have appropriate level of knowledge and awareness of road rules and behaviours to protect the safety of both the rider and of pedestrians.

- **Consider appropriate minimum age** for riders of various device categories and riding locations (i.e. footpaths and shared paths), this should consider cognitive capacity to evaluate and manage risk, capacity for empathy and the ability take personal responsibility for the safety of others.
- **Remove references to ‘power assisted pedal cycles’** from government communications. Our understanding is that the power assisted pedal cycles are no longer in production or being sold in Australia, since they have been ‘overtaken’ by the electrically power assisted cycles. However, having them recognised as a legal e-bike is confusing to the average bike rider because of the very different standards, when reference is only ever to ‘e-bikes’. It would be helpful to investigate whether the power assisted pedal cyclists are still in circulation and if not to remove reference to them in government communications.
- **Pedestrian crossings**, most bike riders rarely walk their bikes across the crossing as required under legislation (unless signs indicate otherwise). With the introduction of e-bikes this raises an even greater hazard for motorists with the speed that e-bikes can ‘suddenly’ appear in front of them giving little time to brake.

The anticipated role of all three levels of government in enabling and encouraging safe electrified active transport options.

- **Federal:**
 - Legislation and enforcement of electronic mobility device standards including import requirements. Standards need to follow a clear framework for identifying device typologies/ capabilities to support in field compliance and inspection.
 - Bike shops and online retailers may be the only authority touchpoint in the purchase process for both parents and young people. Regulatory requirements for bike retailers to provide appropriate information could be a powerful way to reach the target audience and inform them of their responsibilities.
 - Funding of infrastructure for e-mobility devices including separated cycleways and expanded bike parking.
- **State:**
 - Clear legislation and regulation to support enforcement activities and clear, consistent messaging to riders.
 - Licencing scheme, age limits and education for riders. To best achieve behavioural change these messages, need to come from a place of authority (parents can struggle to be heard by their teenagers) and ideally be delivered in a social context where they learn with their friends, and all hear consistent information. There is currently no training being widely deployed and no formal way for riders to learn how to ride safely.

- Funding and political leadership to support councils to introduce separated cycling infrastructure on regional and district bike routes noting these projects are highly contentious in the community. This is currently happening, but the rate of rollout needs to be significantly accelerated. The proportion of funding allocated to active transport infrastructure vs road infrastructure needs to be rebalanced.
- Provide facilities for storing devices at key transport nodes and facilities to take smaller devices on public transport would support electronic mobility devices as a last mile solution.
- Framework for identifying various device types including licencing requirements, registration requirements, regulations around which devices can be used on footpaths and shared paths.

- **Local:**

- Planning and delivery of separated cycling infrastructure to support improved pedestrian safety outcomes where practical.
- Support state government level driven education and behavioural change campaigns.
- Consideration of parking and storage options for electronic mobility devices in key locations including shops, reserves, and beaches to encourage mode-shift.

Should you require any further information or assistance in this matter, please contact my office on

Sincerely

Executive Manager - Transport and Civil Infrastructure
Northern Beaches Council