

**Submission  
No 208**

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

**Name:** Mr Michael Waterhouse

**Date Received:** 18 August 2024

---

## **Submission to New South Wales Legislative Council's Portfolio Committee No. 6 - Transport and the Arts inquiry into the safe use of light electric vehicles.**

This submission deals with a specific aspect of the safe use of cycleways by light electric vehicles<sup>1</sup>: the construction and operation of what are known as **island or floating bus stops**.

These bus stops are (or will be) located on 'islands' linked to the footpath by a small zebra crossing over a cycle lane. Some of these cycle lanes are one way, others are two way. People wanting to catch or get off a bus will need to cross the cycle lane in which cyclists and light electric vehicles may be travelling in one or both directions.

These crossings are inherently unsafe for pedestrians, particularly those who are vulnerable and so most at risk of physical harm: blind, visually impaired, deaf, physically disabled, older, and/or less mobile people, but also adults with young children and strollers.

The Oxford Dictionary defines 'safety' as "freedom from danger". Faced with danger when trying to use bus services, many vulnerable people will stop using buses, which at best forces them to turn to more expensive forms of transport and at worst contributes to social isolation.

The risks faced by pedestrians from speeding cyclists are great enough. The expected rapid spread of powered bikes, scooters and the like over the next few years will compound these risks. It is easy to imagine the potential for serious accidents. But you don't have to imagine it. You can see it in these two short video clips filmed in London: [Video 1](#) and [Video 2](#). Cyclists predominate in these videos but each also show riders of power bikes and/or scooters.

An official survey in London in 2023 showed that 60% of cyclists do not give way to pedestrians at zebra crossings associated with these bus stops. In the absence of strong rules and efforts designed to ensure compliance, it's unlikely Sydney's experience will differ greatly.

I'm one of a group of seven Paddington residents who have lodged a formal complaint with the Australian Human Rights Commission about the proposal by Transport for NSW to construct five of these bus stops in Oxford Street east of Taylor's Square and two in Oxford Street West, the responsibility of the City of Sydney. (Of the latter two, one has already been constructed, though the cycleway is not yet operational.)

I'm making this submission as an individual, not on behalf of the Paddington residents concerned. However, I'm attaching a copy of the submission lodged in that was lodged in support of our complaint to the Australian Human Rights Commission, as this provides considerable information about overseas experience and various AHRC

---

<sup>1</sup> defined to include electric bicycles (e-bikes), electric scooters (e-scooters), electric skateboards (e-skateboards) and self-balancing scooters (hoverboards)

Guidelines as they relate to island or floating bus stops. Much of it has as relevance to light electric vehicles as cyclists and so may be helpful to the Committee.

There are a number of island bus stops in Sydney: two in Campbell Street, Surry Hills, one in Waverley opposite the bus depot, and four in Bourke Road, Alexandria. There may be others. In time there will be. (There are 165 in London.)

Island bus stops differ widely in design, use, their relationship to adjacent cycleways and the nature of the cycleways themselves. The risks will vary accordingly.

- Some are small – allowing for a single bus. Others are long – allowing for many double buses (like Oxford Street's 333).
- Where there isn't a dedicated bus lane, the cycleway may run parallel to the road, then ducking around the back of a small bus stop before straightening again to run parallel to the road. (There are four of these in Bourke Road, Alexandria.)
- Some bus stops (such as those in Oxford Street) are (or will be) on long straight stretches where cyclists and those using light electric vehicles, particularly those travelling downhill, can get up considerable speed.
- Some cycle lanes are single lane ie. one way (the two in Campbell Street, Surry Hills). Others (as in Waverley, Oxford Street and Bourke Road) are two way and the risks are greater.
- Some are on bus routes which will be heavily used as there are many people living nearby (as in Oxford Street). Others (as in Bourke Road) are in industrial areas with few people living nearby.
- Some are on busy bus routes (as in Oxford Street), while others (as in Campbell Street and Bourke Road) have an intermittent bus service.

Our complaint claims that the Oxford Street bus stops will compromise the safety of people who are disabled or older and less mobile and are in breach of the Disability Discrimination Act and the Age Discrimination Act. Our main focus is on the potential risk these people face from cyclists. However, the risks associated with powered light electric vehicles are even greater, where these are ridden at speed by inexperienced people and/or people who simply don't know or care about road rules.

The conciliation conference on the Paddington residents' complaint is likely to be held in mid-October. The complainants have not yet discussed options which may be put forward at this conference, so I'm not able to detail these in this submission. While some will be essentially local in nature – relating specifically to Oxford Street – it is likely others will have broader systemic implications. For example, they may include suggestions about cyclist and light electronic vehicle calming measures, traffic lights, CTC cameras, a tightening of road rules and effective enforcement measures.

I should be able to advise the Committee on the outcome of the conciliation conference and the options we have put forward later in October.

There is one other issue I believe the Committee should consider: the absence of any compulsory insurance scheme which will compensate anyone injured in or crossing a

cycle lane - whether pedestrian, cyclists or light electric vehicle user and whether an accident is at a bus stop or in a cycle lane.

I believe it is impractical to institute a registration system for cycles and electronic vehicles in association with which such an insurance scheme could be implemented. If pedestrians and others are to be afforded the same level of protection as if they were injured by a motor vehicle, the Government and local councils need to contribute to a central fund from which medical compensation payments can be made to pedestrians, cyclists and those using light electric vehicles which are involved in accidents where CTP insurance does not apply. Councils and the State Government might, for example, contribute to such a fund pro-rata for the number of kilometres of cycleways in areas for which they are responsible.

Michael Waterhouse  
18 August 2024