



Pedestrian Council of Australia

The Walking Class Heroes



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- **Safety**
- **Amenity**
- **Access**
- **Health**



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**House of Representatives Committee
on Social Policy and Legal Affairs**

**PCA Submission
Friday 25 March 2011**



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**OUTDOOR
FURNITURE
&
OUTDOOR
ADVERTISING**



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**DRIVER
OBSTRUCTIONS
&
DISTRACTIONS**

RTA 1995 Publication

Road Environment Safety

A Practitioner's Reference Guide to Safer Roads:

“Landscaping and other street furniture must not obstruct visibility between vehicle drivers and pedestrians.”



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QUOTE:

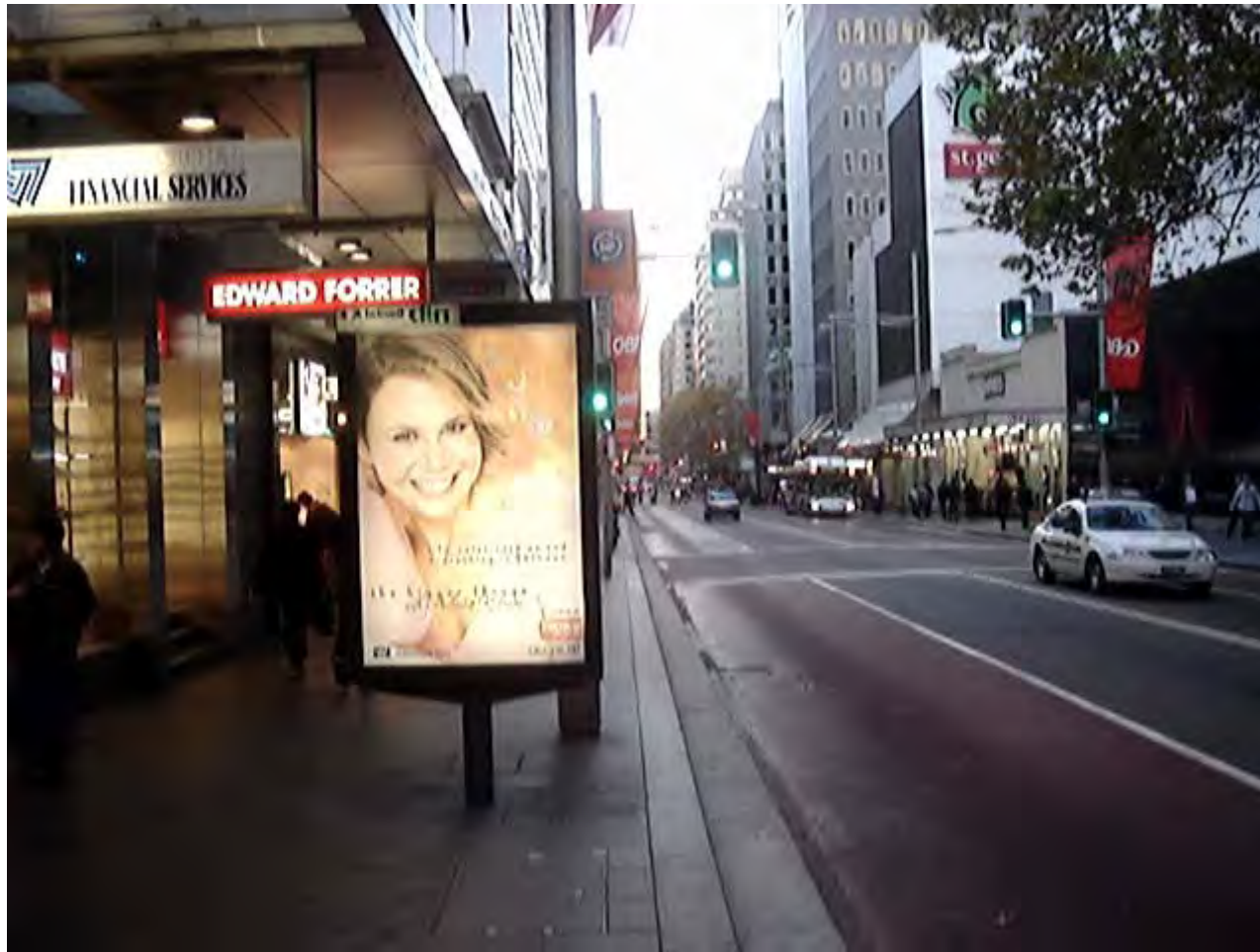
“Two thirds of people look towards a site when it scrolls, drawn by the movement. And of those two thirds, nearly 100 per cent go on to look at the following panel.”

JC Decaux





DOUBLE JEOPARDY – NOT ONLY CAN'T PEDESTRIANS AND MOTORISTS SEE EACH OTHER; MOTORISTS ARE ALMOST GUARANTEED OF BEING DISTRACTED BY THE SCROLLING ADVERTISEMENT – STRATEGICALLY POSITIONED DIRECTLY IN FRONT OF A PEDESTRIAN CROSSING



**AS USUAL – STRATEGICALLY POSITIONED
IN FRONT OF A PEDESTRIAN CROSSING –
IN GEORGE STREET - CBD**

THE SUN-HERALD July 14, 2002

Moving billboards 'deadly'

SCROLLING billboards on the footpaths of city streets should be banned, a road safety campaigner has said.

Harold Scruby, chairman of the Pedestrian Council of Australia, said J C Decaux's decision to turn static billboards into rolling adverts would create a lethal road hazard. "How many drivers will take their eyes off the road to watch the moving billboard?" he asked. Decaux has claimed "two-thirds of people look towards a site when it scrolls, drawn by the movement and of those two-thirds, nearly 100 per cent go on to look at the following panel".

B&T WEEKLY

AUSTRALIA'S HIGHEST-CIRCULATING WEEKLY MARKETING AND ADVERTISING MAGAZINE • www.bandt.com.au

Subscribe to B&T and you could win a luxury European holiday worth \$25,000. See page 15 for details.

WIN

Scrolling ads will kill, claims PCA

DANIELLE VELDRE**Regulation**

CHAIRMAN of the Pedestrian Council of Australia Harold Scruby has called for a ban on new forms of scrolling outdoor advertising, saying the new ads "are sure to cause a death—there's no doubt about it". Scruby has written to Sydney's Lord Mayor Frank Sartor demanding that new street furniture erected by outdoor

company JC Decaux in the Sydney CBD featuring scrolling ads be banned because they are dangerously distracting.

"JC Decaux has announced they will be converting their static billboards to rolling billboards," Scruby said. "Apart from many of these billboards already being positioned in extremely dangerous locations at pedestrian crossings and too close to kerbs...

they will now also divert motorists' attention by scrolling."

Scruby said the new street furniture's very effectiveness would contribute to further pedestrian accidents. JC Decaux is quoting statistics that two thirds of people look at scrolling billboards.

"We'll be campaigning until they are removed," Scruby said.

JC Decaux MD Angela Clarke did not return calls by press time.



Dangerous curves ahead?

Clemenger snaffles first Vic Govt project

The Victorian Government has picked Clemenger BBDO Melbourne to handle an ad project—the first piece of work to come under the new "panel" arrangement that now applies to department-based business. The project is understood to be aimed at boosting the confidence of businesses in Victoria.

@ More at B&T online.
www.bandt.com.au

CITY OF SYDNEY TIMES, December 1, 1999

Pedestrians take a walk on wild side



Dodging around the furniture. Photo: DAVID MILLER

Pedestrians are bumping into the new street furniture throughout the CBD and the Pedestrian Council of Australia has

By DAVID HARBOUR

Campbell and George

“ We are most concerned about the location of some of the advertising signs ,



**KIOSKS PLACED SO PEDESTRIANS WALK ON KERB-SIDE.
VERY HIGH POTENTIAL FOR HARM, ESPECIALLY FROM
BUS AND TRUCK MIRRORS. WOMAN KILLED IN SYDNEY
CBD LAST YEAR WHEN HIT BY BUS MIRROR. NOTE THE
“CARING” PEDESTRIAN AWARENESS ADVERTISEMENT**





**WATCH AS PEDESTRIAN WALKS ON KERB
AROUND SIGN ON THE KERB – PAST THE JC
DECAUX VEHICLE PARKED ON THE FOOTPATH.
SIGNIFICANT POTENTIAL FOR HARM.**



**YORK STREET BUS AND TRAIN INTERCHANGE –
ONE OF THE BUSIEST PEDESTRIAN CROSSINGS IN THE CBD
TOTALLY OBSTRUCTED BY A JC DECAUX
STREET FURNITURE TOILET**



**NOTE HOW THERE IS A TOTAL BLINDSPOT
WHEN PEDESTRIANS “EMERGE” FROM BEHIND
THE TOILET BLOCK – ALSO ENCOURAGING
PEDESTRIANS TO WALK ON THE KERB/ROAD**









MOTOR ACCIDENTS AUTHORITY

OF NEW SOUTH WALES

MAA Ref:99/80

24/08/00

Mr Greg Maddock
General Manager
Sydney City Council
GPO Box 1591
Sydney NSW 2001

Dear Mr Maddock

RE: CBD Street Furniture Pedestrian Safety Audit

The Pedestrian Council of Australia has raised an issue of concern with the Motor Accidents Authority, (MAA), in relation to the positioning of items of street furniture in the CBD and the potential impact on pedestrian safety.

Of particular concern is the size and positioning of some of the structures supplied by JC Decaux. From preliminary investigation it appears that the size and height of the structures combined with their positioning close to the kerb causes them to impact on both the visibility of pedestrians by motorists and of vehicles by pedestrians.

The MAA, as the regulator of the Compulsory Third Party (CTP) personal injury insurance scheme, has road safety legislative responsibilities which encompass contributing to the reduction of the incidence and impact of road trauma in NSW.

As such the Authority has a particular concern about pedestrian safety. Pedestrian claims account for around 10% of CTP claims and due to the serious nature of the injuries sustained by this vulnerable road user group, these claims account for around 18% of costs to the Scheme.

In NSW, RTA road casualty data indicates that serious pedestrian casualties usually happen in urban areas with the majority occurring in the Sydney, Newcastle and Wollongong metropolitan areas. In addition a high percentage of serious pedestrian crashes occur on roads with relatively low speed limits, (approximately 88% of those seriously injured in 1997 were hit on roads with a 50 km/h speed limit).

It is with these statistics in mind that the Authority would like to support further investigation of the street furniture and pedestrian safety issue within the CBD.

Accordingly can you please advise the Authority what formal road safety auditing has been conducted by Council in relation to street furniture in the CBD both prior to and post installation.

Thank you for your assistance in this matter

Yours sincerely

SCANNED COPY - ORIGINAL ON FILE

David Bowen
General Manager

CC Mr H Scruby Pedestrian Council of Australia.

LEVEL 22, 580 GEORGE STREET SYDNEY NSW 2000 AUSTRALIA DX 1517 SYDNEY
TELEPHONE 1300 137 131 FAX 1300 137 707
EMAIL maa@maa.nsw.gov.au WEBSITE www.maa.nsw.gov.au

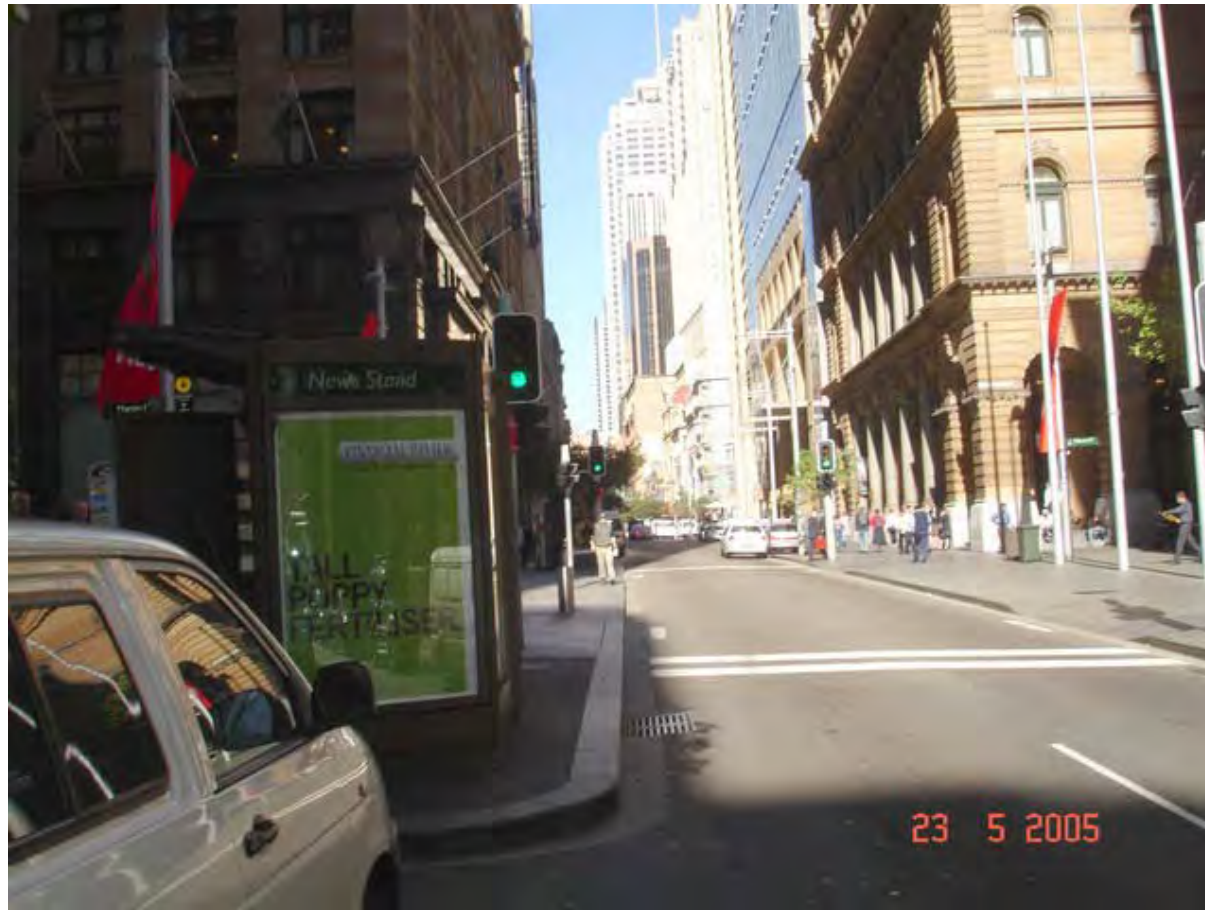


AUGUST 2000

**THE GENERAL MANAGER OF THE MOTOR
ACCIDENTS AUTHORITY WRITES TO THE GM OF
THE CITY OF SYDNEY EXPRESSING SERIOUS
CONCERN ABOUT THE LOCATION AND SAFETY
OF JC DECAUX STRUCTURES.**

**HE ASKS FOR DETAILS OF FORMAL SAFETY
AUDITING PRIOR TO AND POST INSTALLATION.**

NO REPLY.



**PITT STREET – MARTIN PLACE
COUNCIL CONSTRUCTS KERB EXTENSIONS TO IMPROVE
LINE OF SIGHT AT MAJOR PEDESTRIAN CROSSINGS –
THEN BUILDS LARGE OPAQUE KIOSKS OBSTRUCTING ALL
VISIBILITY BETWEEN MOTORISTS AND PEDESTRIANS**



**COUNCIL CONSTRUCTS KERB EXTENSIONS TO IMPROVE
LINE OF SIGHT AT MAJOR PEDESTRIAN CROSSINGS – THEN
BUILDS LARGE OPAQUE KIOSKS OBSTRUCTING ALL
VISIBILITY BETWEEN MOTORISTS AND PEDESTRIANS**



**HONG KONG
LARGE ILLUMINATED TV SCREEN AT MAJOR
PEDESTRIAN CROSSING.
THE SHAPE OF THINGS TO COME?**



**LARGE TV SCREEN AT MAJOR INTERSECTION ON
PRINCES HIGHWAY. RTA'S CHIEF EXECUTIVE
ADVISES THAT THIS IS APPROVED AND
ACCEPTABLE AND THERE HAVEN'T BEEN ANY
CRASHES ... YET!**

New South Wales Court of Appeal

Campbelltown City Council v Bussell

[2002] NSWCA 410 - (18 December 2002)

NEGLIGENCE

LIABILITY

DUTY OF CARE

LINE OF SIGHT

20 ... Hindsight should not be substituted for reasonable foresight. Where there is a risk, the authority's duty is to take reasonable steps by the exercise of its powers within a reasonable time to address the risk. In considering what are reasonable steps, factors such as the magnitude of the risk, the degree of probability that it will occur and the expense, difficulty and inconvenience in addressing the risk are to be taken into the account. The authority need not ensure that the road is safe in all circumstances, but only that it is safe to road users exercising reasonable care for their own safety. In relation to pedestrians, an allowance must be made for inadvertence:

39 It was plainly foreseeable that if adequate sight lines were not provided between drivers of motor vehicles and users of the crossing, the safety of pedestrians would be put at risk. It hardly needed the advice of the Guide to reach this conclusion.

The obvious purpose in extending the footpath was to allow pedestrians to move to a point within the roadway where they were visible to cars and could make an informed decision as to whether or not to cross.

This required more than a capacity to prop at the edge of the trafficable lane. It required sufficient sight distance to enable the pedestrian to obtain an appreciation of the traffic situation as he or she approached the trafficable lane so that both the approaching car and the pedestrian would be able to view each other and respond effectively to each other's actions.

46 It is increasingly common to find pedestrian facilities similar to those constructed in this case. It is obviously intended that pedestrians use them in the expectation that a safe road crossing will be available. However, adequate safety levels can only exist if acceptable sight distance is provided - a matter over which the relevant constructing body has control.

PEDESTRIAN SAFETY AND STREET FURNITURE SYDNEY CBD

A PRELIMINARY ROAD SAFETY AUDIT

**Prepared for:
PEDESTRIAN COUNCIL OF AUSTRALIA LTD
30 October 2000**

Prepared by
**Jamieson Foley Traffic and Transport Pty Ltd
Traffic and Transport Engineers**

An absence of visibility of other road users can lead by definition to a loss of control of the potentially damaging properties of the kinetic energy.

Should a car driver have his view obscured of a pedestrian for example, it would be the potentially damaging properties of the car that would be lost.

It is self evident that with sufficient speed, the kinetic energy of a car is very damaging to pedestrians.

Other road safety audits undertaken by the Jamieson Foley group and/or the author have identified the hazard of roadside objects blocking the visibility between road users.

In risk engineering terms, when a roadside object blocks the visibility between road users on an intersecting path, the road users move from a position of being in control, to being out of control, although they may not be aware that this has occurred.

Therefore the provision of large objects within the roadside which block road users' visibility of each other, violates one of the fundamental principles of road safety engineering.

ARUP TRANSPORTATION PLANNING

STREET FURNITURE RESEARCH PROJECT

COMMISSIONED BY NSW RTA

APRIL 2001

This expensive, comprehensive and vitally important report was shelved and never saw the light of day. Members have a copy.

SIGHT DISTANCE ISSUES

“SIGHT DISTANCE FOR PEDESTRIANS NEEDS TO CONSIDER THE POSSIBLE POORER EYESIGHT AND SLOWER WALKING AND REACTION SPEEDS OF OLDER PERSONS, OR THE VIEW TO CHILDREN OBSTRUCTED BY STREET FURNITURE/VEGETATION TALLER THAN THEM, OR THE VIEW OF CHILDREN WITH EYE-HEIGHTS LOWER THAN THE OBSTRUCTIONS.”

“EXPERIENCE IN AUSTRALIA AND OVERSEAS INDICATES THAT IN THE PAST THERE HAS BEEN LIMITED PRESCRIPTIVE CONTROL, MONITORING AND ENFORCEMENT OF THE PLACEMENT OF STREET FURNITURE.”

CONCLUSION

“THE MOST CRITICAL CONCLUSION IS THAT THERE IS STILL ONLY LIMITED PEDESTRIAN PERSPECTIVE REPRESENTED IN THE TOOLS AND GUIDELINES THAT ASSIST DESIGNERS, POLICYMAKERS AND REGULATORS ON THE DESIGN AND IMPLEMENTATION OF STREET FURNITURE ...

SAFETY ISSUES, INCLUDING PEDESTRIAN SAFETY SHOULD BE PARAMOUNT”

AND

TO ADD

INSULT TO INJURY



**STREET FURNITURE SERVICE VEHICLES
STOP ILLEGALLY IN BUS ZONES**



**THESE SERVICE VEHICLES
FORCE BUS DRIVERS TO DOUBLE PARK –
REQUIRING PASSENGERS TO GET ON AND OFF
THE BUS ON THE ROAD**



**SERVICE VEHICLES ILLEGALLY PARK
ON FOOTPATHS AND IN BUS ZONES**







CREATING SERIOUS PEDESTRIAN SAFETY RISKS



NSW Police Force
www.police.nsw.gov.au

ASN 47 409 012 100

**HARBOURSIDE LOCAL
AREA COMMAND
Traffic Services**

**To: The General Manager
Adshel
Sydney**

I am writing to you concerning a complaint made to Police regarding your company vehicles parking in bus zones.

Police have been informed that a vehicle bearing Adshel markings has been stopping within bus zones upon Spit and Military Road while cleaning the bill board within the bus shelter with a high pressure water cleaner. Photographs depict that the vehicle mounted machine is apparently designed for use in this manner.

Road Rules 2008:

183 Stopping in a Bus Zone

(1) A driver must not stop in a bus zone unless the driver is driving a public bus (except a public bus of a kind that is not permitted to stop in the bus zone by information on or with the bus zone sign applying to the bus zone) that is:

- (a) dropping off, or picking up, passengers, or
- (b) stopping for the purposes of a regular bus service.

(2) A bus zone is a length of road to which a bus zone sign applies.

As I am aware your vehicles are not exempt from this rule.

I have today contacted your office at St Leonards to discuss this matter with a fleet manager and have been told that Bridget would call me back, as of 2.40pm this has not occurred.

I would appreciate a reply in writing regarding this matter. I can be contacted at the below address or email swee2mic@police.nsw.gov.au

**Regards Sergeant Mick Sweeney
Harbourside Traffic Services**

Mosman Police Station
96 Bradleys Head Road, Mosman NSW 2088
Tel (02) 9969 1933 Fax (02) 9969 1991 EagleNet 51177

THERE IS A NEW DILEMMA

The Variable Message Sign

VMS

RTA's Technical Directions

Advertising on VMS

VMS within the classified road reserve must not be used for advertising (regardless of whether the advertising is community or commercially based).

Advertising on VMS will undermine the credibility of the message or information.

The RTA reserves the right to remove an unauthorised VMS located within the classified road reserve. The RTA may remove a VMS outside the road reserve that is deemed to be a traffic hazard in terms of either location or messaging.

**This technical direction was gazetted
on 22 July 2002.**

**The RTA has never been known to enforce these
guidelines in spite of the fact that it states:**

*“The RTA reserves the right to remove an unauthorised
VMS located within the classified road reserve. The RTA
may remove a VMS outside the road reserve that is
deemed to be a traffic hazard in terms of either location or
messaging.”*

Variable Message Signs (VMSs) are specifically designed to distract drivers' attention.

They are breeding like rabbits across Australia.

Yet the authorities are turning their collective blind eyes to them.

Primarily because the responsible authorities (generally local councils) do not pay one penny towards the costs of road trauma.



15/11/2010 07:23



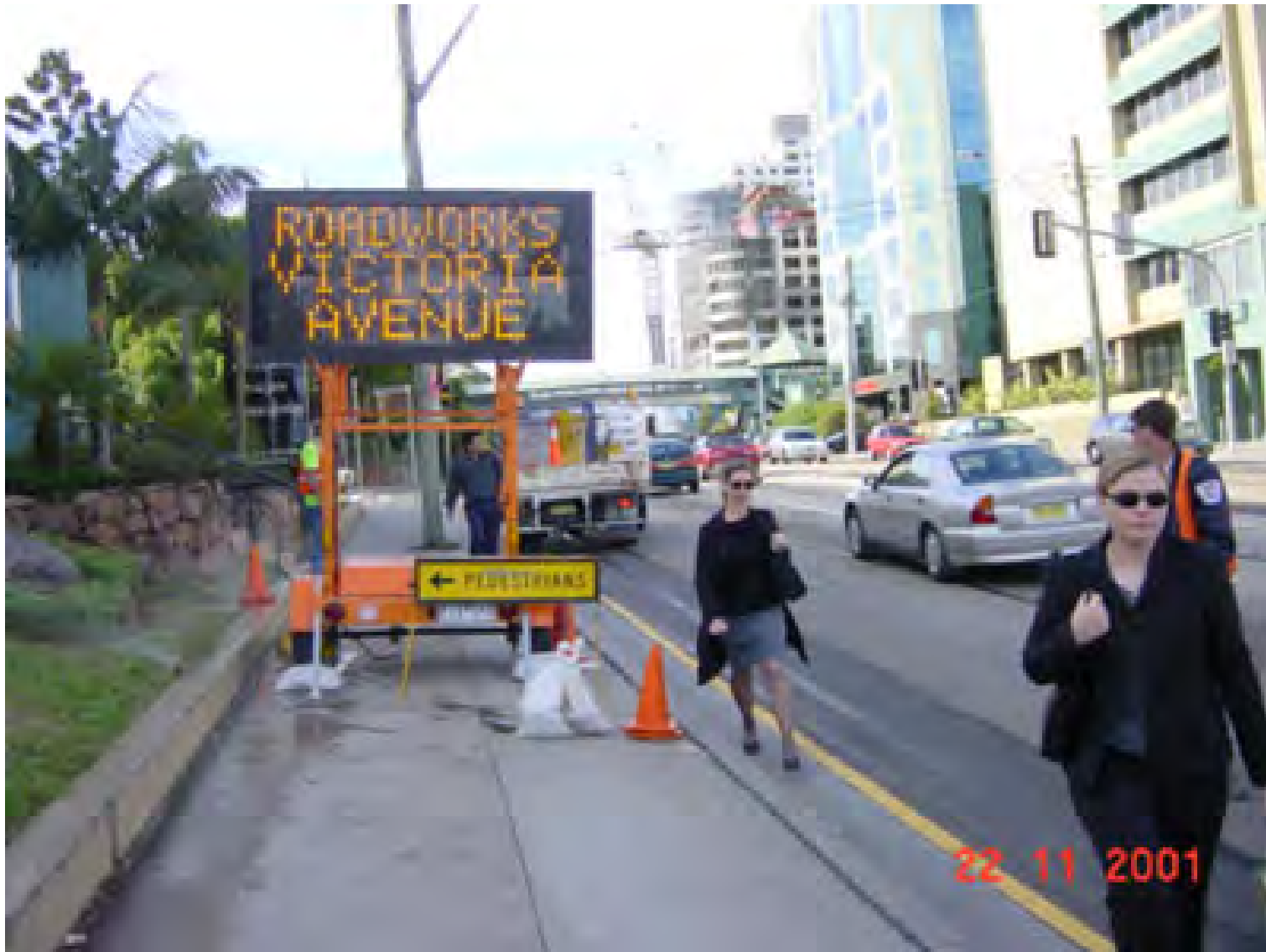
30/06/2010 10:21



Note: This is a 40 km/h Schoolzone



This VMS was there for weeks, illegally parked on the footpath in a schoolzone. It was never booked.



**Pedestrians forced to walk on the
Pacific Highway**



**VMS flashing behind a traffic light at a
major 80 km/h intersection in**

Red ...



Green, and ...



Amber.

PROBLEMS AND SOLUTIONS

Road Trauma

“Road crashes in Australia result in about 1,500 deaths and 30,000 hospital admissions each year and cost an estimated \$27 billion”

Roger Cook – Chairman
National Road Safety Council (NRSC)

COMMERCE ALWAYS PRECEDES SAFETY

BECAUSE

COUNCIL REVENUE IS EXTREMELY ATTRACTIVE

AND

THERE ARE NO STRICT RTA PROTOCOLS

**PASS-THE-PARCEL
(My Silo – Your Silo)**

THE RTA BLAMES THE COUNCILS

AND

THE COUNCILS BLAME THE RTA

SOLUTION:

**THE RESPONSIBLE AUTHORITIES TO
URGENTLY IMPLEMENT STRICT
“STREET FURNITURE”,
“VARIABLE MESSAGE SIGNS”
AND “TV SCREEN”
APPROVAL AND ENFORCEMENT PROTOCOLS**

AND

**ALL COUNCILS BE REQUIRED TO
CONDUCT INDEPENDENT RISK
ASSESSMENTS OF ALL EXISTING
AND FUTURE INSTALLATIONS**

**BASED ON THE RTA'S OWN
PUBLISHED EDICT:**

**“Landscaping and other street
furniture must not obstruct
visibility between vehicle drivers
and pedestrians.”**

EACH AND EVERY
STREET FURNITURE INSTALLATION
WHERE THERE IS ANY “LINE OF SIGHT”
OBSTRUCTION MUST BE
IMMEDIATELY MOVED OR REMOVED

AND

SCROLLING BILLBOARDS
MUST BE FORBIDDEN
AT ANY LOCATION WHERE THEY ARE
LIKELY TO CREATE DRIVER DISTRACTION



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www.walk.com.au