

ACRS Submission on Review of NSW Roads Act 1993



About the Australasian College of Road Safety

The Australasian College of Road Safety was established in 1988 and is the region's peak organisation for road safety professionals and members of the public who are focused on saving lives and serious injuries on our roads.

The College Patron is Her Excellency the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia.

To:

Transport for NSW

roadsactfeedback@transport.nsw.gov.au

For further information please contact:

Prof Ann Williamson: President, Australasian College of Road Safety

Dr Ingrid Johnston: Chief Executive Officer, Australasian College of Road Safety

Australasian College of Road Safety

PO Box 198 Mawson ACT 2607

e: ceo@acrs.org.au

p: (02) 6290 2509

w: www.acrs.org.au

28 March 2025

Table of Contents

Introduction	3
ACRS response to the Issues Paper	4
a) Background.....	4
b) Road Safety.....	4
c) Targets	4
Conclusion and Recommendations	5
References.....	6

Introduction

The Australasian College of Road Safety is the region's peak membership association for road safety with a vision of eliminating death and serious injury on the road. Our members include experts from all areas of road safety including policy makers, health and transport professionals, academics, community organisations, researchers, federal, state and local government agencies, private companies and members of the public. The purpose of the College is to support our members in their efforts to eliminate serious road trauma through knowledge sharing, professional development, networking and advocacy. Our objectives include the promotion of road safety as a critical organisational objective within government, business and the community; the promotion and advocacy of policies and practices that support harm elimination; the improvement of relative safety outcomes for vulnerable demographic and user groups within the community; the promotion of post-crash policies and practices; and the promotion of a collegiate climate amongst all those with responsibilities for and working in road safety.

The College believes that we should prevent all fatal and serious injuries on our roads; the road traffic system must be made safe for all road users; system designers should aim to prevent human error and mitigate its consequences; life and health are not exchangeable for other benefits in society; and that all College policy positions must be evidence based.

The Issues Paper for current review of the NSW Roads Act 1993 notes that the purpose is to:

...investigate and address regulatory barriers to achieving fundamental government priorities like increasing housing supply, improving vibrancy, enabling a range of road-based transport modes, and ensuring coherence in the administration and regulation of roads in NSW. To achieve this, Transport is targeting four key reform objectives:

- 1. More contemporary uses for roads and streets that are safe and responsive to community needs*
- 2. Faster local decision making with appropriate mitigations to manage network risk*
- 3. A streamlined and easy to use statute that keeps pace with change*
- 4. A more operationally effective statute*

When investigating these reform objectives Transport will consider a range of factors including:

- How the roles of roads and streets have changed since the 1990s*
- Whether there are better ways to acknowledge and accommodate all road users*
- How we can enhance the functionality of roads and streets*
- How we can streamline the way we plan for road-based transport and users to improve development outcomes*
- How we can simplify decision making for roads authorities and therefore communities*
- How the regulatory framework can remain responsive to change and ready to meet future challenges.*

ACRS response to the Issues Paper

a) Background

The current NSW Roads Act 1993 was written at a time well before our contemporary understanding of road safety. In 1994, the first full year following the commencement of the Roads Act 1993 in NSW: 647 people were killed in road crashes (10.7 per 100,000 population), and 26,160 people were injured in a crash.⁽¹⁾ Indeed the 1997 annual statistical statement, the source document for these statistics, still referred to these deaths and serious injuries on our roads as “accidents”.⁽²⁾ This implies they are inevitable and cannot be prevented, which we now know is not true.

Some 30 years later, the Centre for Road Safety data source indicate there were 340 deaths on our roads during 2024 (4.01 per 100,000) population, with injuries between 10,000 and 11,000 annually⁽³⁾. Significant progress has been made during those 30 years to decrease the levels of trauma on our roads, however, there is a long way to go.

The NSW Government has a vision to halve deaths and serious injuries on NSW roads by 2030 and eliminated by 2050.⁽⁴⁾ For this to be achieved, a key part of the update to the Roads Act must be the incorporation of road safety into the Act, to place safety at the centre.

b) Road Safety

There is no reference to “road safety” within the current NSW Road Act 1993. This is out of line with both current understanding of road safety and other jurisdictions within Australia. For example, the Victorian Road Management Act 2004 makes numerous references to road safety including the requirement for the “minimisation of road safety hazards” (Section 20 (2) (a)).⁽⁵⁾

The review provides an opportunity to specify safety as a key element of the Act, and also to specify the purpose and decision-making role of road authorities involved in road safety program delivery. The legislation should set out roles and responsibilities for different levels of government for various aspects of road safety, and include a legal duty for state and local road authorities to act to prevent deaths and serious injuries on their roads.

In 2021, the NSW Government accepted in-principle the recommendation from the NSW Parliamentary StaySafe Committee, that local government should have a legislated role and responsibility for road safety.⁽⁶⁾ If local councils are to take more responsibility for road safety, then they should be empowered to do so through legislation, and provided with resources to act. Local government should, for example, be empowered to lower speed limits as part of implementing place making, which involves community consultation, and would help with efforts to reduce road trauma through reducing speed limits.

c) Targets

Australia, including NSW, is falling behind the best performing countries in road safety, ranking 18th of 31 countries in the most recent international comparison report from the Australian Government.⁽⁷⁾ Countries such as Sweden, which is among the world’s top performers in road safety, with a fatality rate around half that of the current NSW rate, have outlined their national road safety visions, policies and targets within their legislation. This enables external checks and parliamentary scrutiny of road safety performance.

Targets to reduce road trauma in line with current and future NSW Road Safety Action Plans, should be incorporated into the updated Road Act. Precedent exists within the Climate Change (Net Zero Future) Act 2023, which contains the following targets for reducing greenhouse gas emissions:(8)

9(1) The targets for reducing net greenhouse gas emissions in New South Wales are:

- (a) By 30 June 2030 – to reduce net greenhouse gas emissions in New South Wales by at least 50% from the net greenhouse gas emissions in 2005, and*
- (b) By 30 June 2025 - to reduce net greenhouse gas emissions in New South Wales by at least 70% from the net greenhouse gas emissions in 2005, and*
- (c) By 30 June 2050 - to reduce net greenhouse gas emissions in New South Wales to zero.*

Conclusion and Recommendations

Road trauma is a significant public health issue in NSW, with someone killed or hospitalised every 50 minutes because of a crash on NSW roads. Our understanding of road safety, and the mechanisms and interventions available to prevent this trauma has progressed a long way since the current NSW Road Act 193 was written. The review provides a much-needed opportunity to modernise the Act, placing safety at its core:

- Specify safety as a key element of the road system
- Specify the purpose and decision-making role of roads authorities
- Legislated the role and responsibility of local government in road safety, empowering them to act
- Set targets within the legislation for reducing road trauma

ACRS appreciates the opportunity to provide this submission and contribute to improved road safety in NSW. Please do not hesitate to contact us should you require any further information.



Mr Michael Timms
NSW Chapter Chair
ACRS



Dr Ingrid Johnston
Chief Executive Officer
ACRS

References

1. Office of Road Safety. National Road Safety Data Hub - Injuries Data: Australian Government; [cited 2022 10 July]. Available from: <https://www.officeofroadsafety.gov.au/data-hub/serious-injuries-data>.
2. Roads and Traffic Authority. Road Traffic Accidents in New South Wales 1997: Statistical Statement: Year ended 31 December 1997.
<https://www.transport.nsw.gov.au/system/files/media/documents/2023/NSW%20Road%20Traffic%20Crash%20Statistical%20Statement%20-%201997.pdf>: NSW Government; 1999.
3. Transport for NSW. Centre for Road Safety Statistics: NSW Government; [updated 26 March 2025; cited 2025 27 March]. Available from: <https://www.transport.nsw.gov.au/roadsafety/statistics>.
4. NSW Government. 2026 Road Safety Action Plan [cited 2022 10 July]. Available from: <https://towardszero.nsw.gov.au/roadsafetyplan>.
5. Victorian Government. Road Management Act 2004. Authorised Version No. 059;.
<https://content.legislation.vic.gov.au/sites/default/files/2020-04/04-12aa059%20authorised.pdf>; 2020 6 April.
6. NSW Government. NSW Government Response to Joint Standing Committee on Road Safety (Staysafe) Inquiry into Reducing Trauma on Local Roads in NSW.
<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2575#tab-reportsandgovernmentresponses>: NSW Government; 2022.
7. Bureau of Infrastructure Transport and Regional Economics (BITRE). International road safety comparisons 2022 statistical report.
https://www.bitre.gov.au/sites/default/files/documents/international_comparisons_2022.pdf: Department of Infrastructure, Transport, Regional Development, Communications and the Arts; 2023.
8. NSW Government. Climate Change (Net Zero Future) Act 2023 No 48.
<https://legislation.nsw.gov.au/view/whole/pdf/inforce/2025-03-14/act-2023-048>; 2024 31 October.