

NSW Roads Act 1993 review: A submission from a blind pedestrian and her guide dog

Submission details

To: Transport NSW

Email: roadsactfeedback@transport.nsw.gov.au

Date: 11 April 2025

Subject: Submission to NSW Transport's public consultation on the review of the NSW Roads Act 1993 from Gisele Mesnage and guide dog Nyota.

My Contact details

Name: Gisele Mesnage

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About me and Nyota

My name is Gisele Mesnage. I am a resident of Ashfield NSW 2131 in the Inner West Council (IWC) Local Government Area (LGA).

I acknowledge the Gadigal/Wangal people of the Eora Nation as the traditional custodians of the lands, WATERWAYS AND other habitats of the place where we live, and their enduring connections to its social history and evolving community life.

I am totally blind and now also have moderate hearing loss.

Throughout my life, I have actively engaged in volunteer advocacy activism across a number of community issues, including [digital accessibility](#) issues and built environment access issues.

In 2024, I received an award as the Inner West Council (IWC) Senior Citizen of the Year for my advocacy for safe pedestrian crossings in our LGA.

About Nyota

My prior guide dog D'artagnan who had been my companion for 10 years passed away in 2022 (R.I.P).

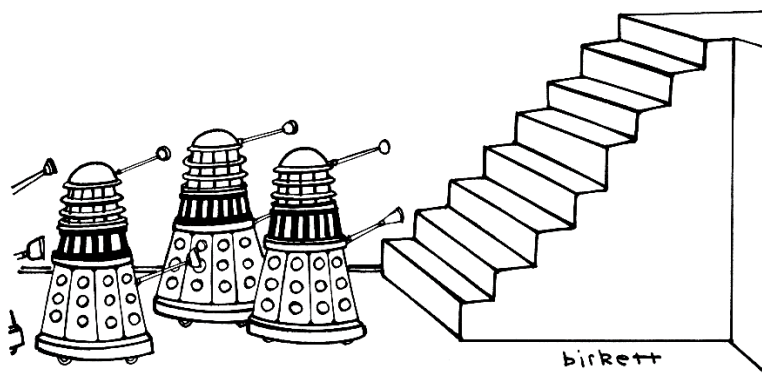
My current guide dog Nyota came to live with me in 2023. Nyota is my teammate for getting around and my companion in life.

Nyota is clever and is eager to guide me when we are out and about.

Nyota loves cuddles and her toys and going to the dog park or the beach and run free and play with other dogs.

“Nyota” means “star” (read “guiding star”) in the Swahili language. I named her Nyota in tribute of the late American actor Nichele Nicholls (R.I.P), who played Lieutenant Nyota Uhura of the Starship Enterprise in the fantastic *Star Trek* TV series and films.

There is a classic Punch magazine cartoon that illustrates the mobility barriers Nyota and I face. It depicts three Dalek's from the TV show Doctor Who powerless to climb up a set of stairs that lead to a portal to the universe. A tagline states: “Well, this certainly buggers our plan to conquer the universe.”



“Well, this certainly buggers our plan to conquer the Universe.”

Nyota and I do not wish to conquer the universe, but a lack of pedestrian crossings certainly buggers our plan to walk around and explore our neighbourhood and beyond.

My other supports

I use assistive technology (AT) to aid with various home and outdoor activities.

I also receive funding through the NDIS for engaging support workers.

Introduction

The legislation and us

As a community issues advocate, I am aware of the role legislation plays in informing the policies and practices that govern our society.

The regulatory framework that regulates the management of our roads and streets and civic spaces impacts us all.

It is evident that much thought has pro-actively been given to including broad-spectrum community issues among the target reform objectives scoped for this review of the NSW Roads Act 1993, including the intent of making our cities and suburbs more walkable for all.

I note that achieving the target objectives may also require consequential change in the Road Transport Act 2013 and the Transport Administration Act 1988.

Indeed, the comments in this submission may cross-over to these companion Acts and other applicable regulations.

A blind pedestrian's perspective

Creating safe and equitable access of our roads and streets for people walking is fundamental to the objective of enabling walkability, and the flow-on benefits for public health, environmental protection and social inclusivity.

I make this submission as an ordinary member of the community, primarily bringing to bear my lived experience as a blind (and now ageing) active pedestrian and public transport user.

Barriers to walkability and impact

I love to walk with my guide dog Nyota whenever possible. This includes walking to local shops and to local parks and to the train station and to the local Ashfield Aquatic Centre.

My guide dog Nyota and I usually commute from Ashfield to the city and other destinations via public transport, mostly by suburban train. When we go to the city, we enjoy such activities as going to the WEA community college, or to the theatre, or getting a ferry to Manly.

Currently, however, my guide dog and I are restricted from going anywhere on our own due to a lack of pedestrian crossings in our local area. We cannot even walk to our local shops or to the Ashfield or Summer Hill train stations.

In 2024 our local Inner West Council (IWC) approved 11 new zebra crossings that will partially cover our walking routes, but progress on the installation of these zebra crossings is awfully slow and reliant on the acquisition of funding.

This situation of the lack of safe pedestrian crossings on our walking routes has a profound impact on my sense of independence, on my ability to manage my daily activities and on my physical and mental health.

This situation also has an impact on my guide dog Nyota's health, on her ability to maintain her training skills and on her fulfilment of her role as my guide dog.

I have to rely on support workers to accompany me and my guide dog everywhere, though Nyota and I would normally be able to manage walking and using public transport on our own.

As I rely on my NDIS funding for this support base, it also comes as an extraneous economic burden for taxpayers. And the recent cuts to the NDIS budget now puts into question my ongoing reliance on this source of support.

Even if this situation is in due course eased for us through the actions of our local council, we face similar challenges when going to other areas. I am also aware that many other blind pedestrians face the same challenges in many local areas.

A systemic approach is needed, and the review of the NSW Roads Act is an opportunity to put that intent into effect.

Key positions – summary

I broadly support all the target objectives outlined in the Issues Paper for the review of the NSW Roads Act 1993. However, I will focus on the following three key positions in this submission:

1. The Roads Act must reflect the fact that roads and streets are for the use of the whole community, not just for the use of vehicle users.
2. The Roads Act must integrate equitable access and inclusivity as fundamental principles of a whole of community approach.
3. The Roads Act should increase the delegation of decision making for the management of local traffic and civic spaces to local councils.

Walkability for blind pedestrians

I will primarily focus on walkability, safety and equitable access of our roads and streets for blind pedestrians, as these factors are inadequately covered by current regulations and practices yet are basic to my daily movements in the community and that of fellow blind people.

Design concepts

I will also comment on urban design concepts, explaining how trends such as creating continuous footpaths; flushed-finish treatment at pedestrian crossings; and shared spaces in our streetscapes are creating safety hazards and walkability barriers for blind pedestrians.

Key positions – expanded

1. The Roads Act must reflect the fact that roads and streets are for the use of the whole community.

Generally speaking, administration of our roads and streets has prioritised motor vehicle traffic. I accept that the efficient and safe movement of motor vehicle traffic is important.

Even though as a blind person I have never driven a motor vehicle, I value the convenience of motor vehicles. Indeed, I rely on family, friends, support workers and taxis to drive me and my guide dog when walking or public transport is not practical.

I broadly support the multi-modal intent of the revised NSW Roads Act to equalise the safe and barrier-free movement of pedestrians, cyclists and other non-motor vehicle road and streets users.

Creating safe and equitable access of our roads and streets for people walking is fundamental to the objective of enabling walkability, and the flow-on benefits for public health, environmental protection and social inclusivity.

Crossing points

The issues paper acknowledges that “People’s access to basic human needs can be restricted, for example, by their ability to cross a street.”

This reality is very much my experience and goes to the heart of my submission.

However, wording is important when formulating policies and regulations.

I read with concern some of the wording in the issues paper that may presage wording that may be inserted in the revised NSW Roads Act.

The Issues Paper states:

“Walking priority is desirable on most street types and facilitating safe crossing points on higher speed roads is key to maintaining connections between local communities.”

I agree that walking priority is desirable on most street types.

However, I read with much concern the statement that “facilitating safe crossing points on higher speed roads is key to maintaining connections between local communities.”

If the final wording of the Roads Act only recommends or mandates “safe crossing points on higher speed roads,” this would fall far short of the intent of facilitating walking priority or maintaining connections between local communities.

Firstly, the NSW Roads Act should enforce lower speed limits on all roads and streets when they intersect with built-up residential hubs.

Secondly, the NSW Roads Act should take the approach that most roads and street types in built-up residential areas pose a risk to pedestrians.

Thirdly, the revised Roads Act should reinforce walking priority with provisions for safe crossing points to be facilitated wherever and whenever people walking need to cross a road or street to get to their destination in the community: shops; bus stops or other public transport connections; medical centres or hospitals; schools or other education sites; places of worship; parks and other recreational venues, and so on.

Example

In my own personal circumstances, I prefer to walk to the train station, shops and other local destinations.

Barriers to walking for me and my guide dog include a lack of pedestrian crossings in our surrounds.

This is not only a problem on higher-speed roads and streets, but also extends to many other street types that are dangerous to cross :

- High-volume traffic streets that may not be high-speed.
- Side streets that vehicles use for rat running between main roads.
- Streets that have traffic feed converging from different directions.
- Streets at roundabouts.
- Streets with bus lanes or other heavy vehicles traffic
- Streets with poor driver visibility of pedestrians.
- Streets where it may be difficult for pedestrians to see or hear oncoming vehicles for various reason.

- Streets with school drop-off zones; parking stations; or hospitals and ambulance, police or fire stations.
- Streets that connect with public transport nodes.
- There is also difficulty safely crossing streets where there may be a lot of noise in the surrounds, such as under flight paths etc.

On my walking routes, all these street types exist, and all pose a challenge to cross where there are no zebra crossings or signalised crossings.

Social factors

Some social factors are also contributing to heighten risks when crossing all roads and street types in built-up areas:

1. Due to the popularity of remote working arrangements, traffic volume patterns have changed as people working from home use their cars for trips to the shops, cafes, etc throughout the day.
2. Electric vehicles and quieter cars make it more difficult for blind pedestrians to rely on traffic noise when crossing roads and streets.
3. The increase in high-density apartment blocks and general increase in the population of residential built-up areas means more vehicles on the road.

Impact

The lack of safe pedestrian crossings has a profound impact on my sense of independence, my ability to manage my daily activities and my health.

I have to rely on support workers to accompany me and my guide dog everywhere.

This makes it difficult for me to juggle day-to-day appointments and activities such as going to the local pool, taking my guide dog to the park and much more.

It impacts my health because I do not have the opportunity to exercise as much as I need to manage my weight and general well-being.

As I rely on my NDIS funding for this support, it also comes as an economic burden for the community.

This situation also has an impact on the health of my guide dog Nyota, on her ability to maintain her training skills and on her fulfilment of her role as my guide dog.

When we go out with support workers, inevitably the support worker assumes the job that my guide dog Nyota is trained to do.

Facilitating independent mobility for people with disability could lessen the incidence of such experiences.

2. The Roads Act must integrate equitable access and inclusivity

As noted in the US public right of way Accessibility guidelines 2023 (PROWAG),

“Equal access to pedestrian facilities is of particular importance because pedestrian travel is the principal means of independent transportation for many persons with disabilities.”

Though the Issues Paper mentions equitable access for people of all abilities, there is still an ableist outlook of safe, walkable roads and streets that inform planning practices.

The Issues Paper states, “road safety is a shared responsibility – everyone needs to make safe decisions on and around the road to prioritise safety.”

This is true; however, current urban design trends severely reduce the ability of blind pedestrians to exercise responsible and safe behaviour when crossing streets or walking in the community.

Although I can only speak firsthand of my own experiences as a blind person, I note that other vulnerable community members including people with cognitive impairments may similarly be impacted by urban design aspects.

Example

Urban design trends that create challenges for blind pedestrians include:

- Continuous footpaths
- Flushed-finish treatment at crossings
- Shared spaces
- Floating bus platforms
- Light rail transport moving at street level

Noteworthy here is Sydney’s George St Boulevard, which is touted as an example of pedestrianisation achievement, and yet for me and other blind people is a danger zone.

On a recent visit to Sydney CBD, on exiting Town Hall station at the George St and Bathurst St exit on the St Andrews Cathedral corner, I overstepped the warning Tactile Ground Surface Indicators (TGSIs) when heading to cross George St.

My support worker had to pull me and my guide dog back because we were about to walk on the light rail track and a tram was approaching. I heard the tram’s bell but would not have known whether to step back or step forward if my support worker had not been with us.

The [City of Sydney Walking Strategy and Action Plan 2024](#) uses the term ‘walking’, to include all people moving on the footpath; people using mobility devices, including wheelchairs, canes, walkers and motorised scooters; people pushing prams and other carrying devices including for deliveries; and people using unpowered scooters, skateboards and rollerblades.

This definition of “walking” is too broad. walkability and wheelability can co-exist but the different needs of each group of users must be equally accommodated. Current urban planning design seems to favour wheelability.

Though the NSW Roads Act Issues Paper does not define “walking”, the definition adopted by the City of Sydney appears to have common usage and practice when road transport authorities allocate road space for non-motor vehicle traffic.

The Issues Paper states that “Treatments that lower the exposure, likelihood and severity of a crash involving a person walking reduce serious injuries and fatalities in built up areas.”

In current practice, this includes the trend of installing raised pedestrian crossings. At such raised crossings, flushed-finish treatments, where the footway and the roadway are at the same surface level, is the norm.

In 2023, Guide Dogs Australia conducted a survey that indicated, “a very strong narrative that people with low vision or blindness face numerous challenges in public places, which greatly impacts their confidence and ability to access and participate in their community.”

In an article entitled [Environmental clues: using them and losing them](#) published in the online global magazine Access Insights Autumn 2024, Jennifer Moon, Principal Advisor, Manager Access & Stakeholder Engagement at Guide Dogs NSW/ACT, summarises the result of this 2023 survey and writes,

“A critical challenge affecting the safe and independent mobility of people with low vision or blindness when accessing their communities related to shared roads/zones and flush finish road crossings. Alarming, 80% of all respondents lacked confidence in crossing roads when the footpath and road were at the same level.”

The article explains that the issues surrounding shared paths for people with low vision or blindness stem from the challenges of safely navigating these paths, often demarcated only by a painted line, while dealing with the speed and unpredictability of cyclists and micro-mobility device users.

Concerns about shared spaces and flushed crossings are also noted in other expert reports. UK’s Royal National Institute for the Blind (RNIB) [Seeing Streets Differently](#) report (based on a May 2020 survey), states:

“Crossings which create level surfaces (continuous footways) from pavements across roads are also not accessible. Without detectable tactile boundaries like upstanding kerbs and graded slopes from the pavement to the road at crossing points, road junctions become “invisible” for people who can’t see the active space for vehicles. It can be very frightening to be passed by a car or bike when you believed you were still on the pavement.”

Well-designed and located compliant kerb ramps should be able to accommodate walkability and wheelability. What is of particular concern about the unchecked proliferation of flushed - finish crossings is that kerb ramps cannot be easily reinstalled on crossings that have undergone flushed-finish treatments.

Other current urban design practices that create hazards for blind pedestrians include floating bus stops, where pedestrians need to cross a bicycle lane to get to the bus stop. Aside from the danger of colliding with a bicycle rider, it makes it more difficult to check if it's the right bus if the bus does not pull-up to the kerb.

Impact

Blind and possibly other pedestrians may experience restricted access or severance from the community due to current urban design trends.

For me and my guide dog Nyota, these trends in urban design and practices create anxiety when walking in the community.

Reinforcing pedestrian right-of-way is important but as a blind pedestrian I do not feel reassured current design practices will protect me or my guide dog on roadways.

Guide dogs are amazing, but it is the handler and not the dog that makes the call when it is safe to cross a road.

The number one sticking point for me is the trend for creating flushed footpath/roadway treatments that remove the kerb ramps that I have used to detect the approach to roadways and provide a safe stop point to ascertain traffic movement.

Even though Tactile Ground Surface Indicators (TGSIs) are recommended or even required in some pedestrian crossings design guidelines, they do not in fact work as intended when they are the only warning clue, such as in such placements as flushed-finish road crossings.

Walking on a footpath for a blind person and also for a guide dog demands high and constant concentration. The expectation that blind people can detect every strip of tactile ground indicators underfoot and distinguish the TGSIs blisters from the grainy texture on uneven footpaths is unrealistic, more so when there is an expectation blind people can detect the warning TGSIs that alert them they are moving from the safety of the footpath onto the roadway.

My guide dog is not trained to stop at every TGSIs on the footpath or differentiate between the warning and directional TGSIs. We often stride over them unaware on our walks.

Pedestrian crossings where kerb ramps are removed, and footpaths are flushed with the roadway deprive blind pedestrians of vital safety and orientation clues and increases cognitive fatigue and anxiety when walking in the community.

Here I acknowledge that such flushed crossing treatments may facilitate walkability for many pedestrian groups including users of wheelchairs and wheeled walking frames or motorised mobility scooters; people pushing prams or trolleys; joggers; and the increasing number of people using a variety of e-ridable and other personal mobility devices that are permitted on footpaths.

I also acknowledge that urban planners and traffic engineers need to balance a multitude of considerations when designing pedestrian crossings.

If a core inclusive co-design approach is adopted in the framing of our streets and roads codes, it should be achievable to accommodate the needs of all street and road users.

3. The Roads Act should increase the delegation of decision making for the management of local traffic and civic spaces to local councils.

In my personal advocacy role for pedestrian crossings in my LGA or other places I regularly visit, such as the City of Sydney LGA, some of the challenges I have experienced include:

- Knowing who is responsible for the different roads and streets in our LGA or other LGAs.
- Who is responsible for the different type of pedestrian crossings, such as zebra crossings or signalised crossings.
- Which legislations, rules, standards or guidelines apply.
- What is the funding process, even when advocacy leads to the approval for pedestrian crossings or other reform.
- The correct terminology to communicate my concerns to road traffic engineers or other authorities with clarity.
- The general lack of awareness and understanding of decision makers and the community of the specific access needs of blind pedestrian.

Example

- One of my support workers reported an issue with a road sign that had fallen sideways across a pedestrian refuge on a busy road. She was informed this was a local road and so had to report the issue to the local council.
- Another support worker reported an issue with cars turning onto a pedestrian crossing while pedestrians were still on the crossing. She reported this to the local council but was told to contact the state road authorities because even though it was a local road, the crossing was a signalised crossing. When she did so, she was told to report the issue to NSW police.

Impact

As I mentioned earlier, our local Inner West Council approved 11 new zebra crossings in our area. While funding arrangements are not included in this review of the NSW Roads Act, it is an issue that is relevant because even though the crossings have been approved by our local council, their installation is subject to funding approval by state grants etc.

Also, at least 3 of the 11 zebra crossings are on busy roads where it would have been safer to install signalised traffic lights. However, the “warrant” system would have increased the wait time to gain approval for the crossings.

Local Councils know their community and should have more power to make decisions on local roads and streets, including on such matters that relate to signalised crossings.

Conclusions

The public consultation phase of the review of the NSW Roads act should include co-design opportunities that explores the needs of different road users.

The needs of blind pedestrians are very different to those of sighted pedestrians, even those with other mobility challenges.

We all share the same objectives of prioritising walkability and wheelability and creating the foundations for healthier and connected communities.

Solutions can be developed to accommodate different needs within that common objective.

Acknowledgements

[REDACTED]

Professor of Planning

Healthy Built Environments City Futures Research Centre

University of NSW

[REDACTED] is an academic with a long and active interest in healthy built environments. [REDACTED] made time to go over the Issues Paper and survey questions for the Roads act Review with me. Our deliberations assisted me to grasp the scope of the review and identify my key positions.

[REDACTED]

Ophthalmologist

Ashfield Eye Clinic

[REDACTED] has taken an active interest in road safety concerns for blind pedestrians, taking time out after his surgery and clinic work to walk around our community and identify road crossing safety issues. [REDACTED] followed this investigation with a detailed submission to our Inner West Council LGA with his recommendations.

[REDACTED]

Graphic Designer - Geovis

Transport NSW

[REDACTED] responded to my email when I reported experiencing Issues navigating the Issues Paper using my screen reader. [REDACTED] arranged a Teams meeting so I could demonstrate the issues. [REDACTED] then made a determined effort to fix the issues, and Ariel provided me with an accessible copy of the document that I was able to read and navigate for the review.

[REDACTED]

[REDACTED]

[REDACTED] Principal Advisor, Manager Access & Stakeholder Engagement at Guide Dogs NSW/ACT, who has made many representations on this topic, including to road authorities.

[REDACTED]

[REDACTED] edited errors in my text and formatted my submission and inserted the Dalek cartoon with alt-text and made sure it was visually presentable.

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