

# Northern Beaches Council Guidelines for Bike Share Operators



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council



Bike share has an important role to play in Sydney's transport future. Council supports bicycle use as a form of active transport and recreation and has an ongoing program to encourage cycling and to provide bicycle infrastructure throughout the Northern Beaches.

Councils, public landholders and bike share operators are committed to working together to establish a balanced position that achieves transport, environment, health and other related goals as well as the fair use of public space.

The implementation of bike share schemes throughout Sydney has presented both positive and negative issues. These guidelines set out minimum standards and expectations for bike share operations on the Northern Beaches.

Council and relevant authorities will review operations every three months for 36 months in duration. These guidelines apply across the entire Northern Beaches Council Local Government Area.

## 1. Customer safety and conduct

- a. Operators must inform their customers through their apps about correct bike parking, bike safety checks and responsible riding.
- b. All operators and their customers must obey NSW road rules and consider the safety and comfort of other people on the road and footpaths.
- c. Operators must promote legal and responsible riding when customers join, and regularly afterwards. Riders are to be made aware that they can incur heavy penalties for offences such as not wearing helmets, unauthorised riding on footpaths, reckless riding and riding through red lights.
- d. Bicycle helmets must comply with Australian Standards. When deployed all bicycles must have bells or other warning devices, helmets, front and rear lights and a rear reflector as per Australian Standards. All bicycles must also have sturdy kickstands. Operators will make reasonable efforts to ensure bicycles are always equipped with helmets e.g. introducing a helmet locking system.
- e. Operators must encourage customers to reposition poorly located bikes.
- f. Operators must ensure that there is no third party advertising on the bike.

## 2. Safe bike placement

- a. Bikes must be parked in an upright position and not placed on footpaths that are narrow, or where they could pose a safety hazard.
- b. Bike placement must not interfere with pedestrian access or amenity. Bikes should be placed kerbside away from the building. Operators will educate customers on the impacts of bike placement to mobility and vision impaired pedestrians.
- c. Bikes may be placed near public bike racks but rack space should be left free for regular bicycles that need to be locked to a fixed point.
- d. Operators must have geo-fencing capability for preferred parking and exclusion zones in high traffic areas, such as sections of waterfront or for large events where public safety is an issue.

## 3. Distribution and redistribution of bikes

- a. All bikes should be equipped with GPS tracking.
- b. Operators must monitor the location of bikes at least daily.
- c. Operators must be proactive in the redistribution of bikes according to demand to avoid excessive build-up in an area.
- d. Operators must liaise with Council and other public landholders regarding bike deployment and preferred parking areas on an area by area basis. Council and public landholders may nominate preferred parking areas in high demand locations.

#### 4. Faulty, damaged or misplaced bikes

- a. Faulty or damaged bikes must be removed or repaired within the timeframe set out below (see Part 9).
- b. Operators must enable easy reporting of faulty or damaged bikes, missing helmets or bikes parked in inappropriate locations, through their app, website, email and a fully dedicated phone number available 24/7. For out of hours phone calls, (outside 6am to 9pm seven days a week,) customers will have their enquiry followed up within the next day. Operators must work toward providing a phone service between 6am-9pm, seven days a week.
- c. Operators must adhere to customer requests consistent with the timeframe set out in part 9. Operators must work toward providing customers with a reference number that can be cited for ease of follow up on the phone, in email and in app.
- d. Operators must work toward having contact information clearly displayed and fixed on all bikes.
- e. Bikes must be easily identifiable at all times.
- f. Operators must provide a central point of contact to Council and other public landholders.

#### 5. Legal and insurance

- a. Operators must have \$20 million public liability insurance which names and indemnifies Council and other public landholders.
- b. Operators must seek legal advice with regard to ensuring their business complies with road rules, consumer protection (including privacy), insurance and road safety.
- c. Operators must advise customers of risks and insurances applicable to users.

#### 6. Data sharing

- a. Operators must cooperate with Council and public landholders to share relevant data for the purposes of transport and urban planning.
- b. This data will be confidentially held unless authorised for public release by the bike share operator.
- c. The commercial-in-confidence data should be shared with the Council on a monthly basis. This data shall include:
  - i. The number of registered users
  - ii. The total number of trips
  - iii. Trip origins and destinations, and trip duration (time and distance)
  - iv. The number of bicycles deployed and deployment locations
  - v. Bike redistribution numbers and patterns
  - vi. Data regarding damaged or lost bikes, and helmets replaced
  - vii. Customer service contacts and response times
- d. This non-identifiable information may be aggregated for external promotion of bike share by landholders.
- e. Operators will work together with Council and/or public landholders to survey customers about share bike usage. The results will be used to promote bike share and inform transport planning.
- f. Operators will work towards live data portals to facilitate information sharing with public landholders.

## 7. Council staff access to bikes

- a. When requested, operators must allow access to bikes for Council/landholder staff to unlock and move bikes (for example for park maintenance or event management).

## 8. Fees

- a. Council and public landholders reserve the right to evaluate whether a fee or levy structure may be implemented so that operators make a financial contribution toward bike share infrastructure.

## 9. Collection and relocation of faulty or damaged bikes

If a member of the public or public landholder reports damaged, faulty, abandoned or inappropriately parked bikes the following timeframes apply.

Incident	Timeframe	Action
a. Dangerously placed	3 hours	Where a bike is causing an unreasonable hazard (i.e. parked across a road, carriageway etc.) the operator will relocate the bike within three hours. [in conjunction with Clause 19D Impounding Amendment (Shared Bicycles and Other Devices) Act 2018]  Council/public landholder may remove and impound the bike at any time to make area safe. The operator will be contacted at the time of any such action.
b. Bike reported as unsafe	Immediate (upon verification)	Upon verification of unsafe bike, operator will immediately deactivate bike.
	1-3 days (depending on severity)	Operator will check for safety/damage/faults and remove the bike from the public area.
c. Significantly damaged	Immediate (upon verification)	Upon verification of damaged bike, operator will immediately deactivate bike.
	1-3 days (depending on severity)	Operator will check for safety/damage/faults and remove the bike from the public area.
d. Inappropriate bike density	1-7 days (depending on severity)	Operator will be proactive in the redistribution of bikes
e. Illegally parked	1-7 days (unless escalated by Council or public landholders)	Dependent on location of bike. (e.g. private property, motorcycle or disabled parking)

## 10. Unused bikes

The following timeframes will help keep bikes moving and not left in one location for too long.

Timeframe	Action
1-2 days (high pedestrian area)	Unused bikes left in heavy pedestrian areas, e.g. town centres, shopping centres should be moved to a suitable location within 2 days.
1-5 days (quiet streets)	No action. It is expected that bikes may not be used for a period of up to 5 days, particularly bikes left in quiet streets.
5-7 days	The operator must relocate the bike or offer customer incentives to ride the bike to another destination.
7-14 days	If the bike has not been moved at the end of 7 days, a Council/public landholder may instruct the operator to relocate the bike. The operator has 4 days to take suitable action. If the bike is not moved within the 4 days it's considered to be abandoned. Note: Abandoning an article in a public place is an offence under section 32 of the Impounding Act with penalties up to \$2750.
15+ days	The bike may be retrieved and impounded by council/public landholder. A fee may be payable for the release of the bike.
28 days after impoundment	The bike can be recycled by the local council. It is the operator's responsibility to pay for the cost of recycling.

## 11. Ceasing of operations

In the event that a bike share operator ceases trading, the operator is obliged to remove all of their bikes from public places within 4 days.

## 12. Review of guidelines

Council and public landholders reserve the right to amend, expand and or alter these guidelines provided they give operators 14 days notice prior to implementing the change(s).

