



Thursday 26<sup>th</sup> June 2003

Dear TriNSW Member

**Re: Police approval for Bicycle Races**

Triathlon NSW received notification on Monday 23<sup>rd</sup> June 2003 from the NSW Police stating the following:

*\* Police approval for bicycle races (or any other vehicle) on a road under Section 40 of the Road Transport (Safety & Traffic Management) Act 1999.*

*Advice obtained from Counsel for NSW Police (Police Legislation and Policy Review Section) has advised that Police should not approve any bicycle race (or any other vehicle race) under Section 40 of the Road Transport (Safety & Traffic Management) Act 1999 on a road unless the road is closed during the event.*

*This issue was raised regarding bicycle racing in particular, however applies to all forms of vehicle racing on a road.*

Please note this is not new legislation, the full closure (sterile roads) have always applied to other vehicle races, eg billycarts, go-carts, motorcars, motor bikes etc. They have simply not enforced it for a bicycle race or triathlon event.

The reason the NSW Police are now enforcing this legislation is that advice from legal counsel has made it clear that to not follow the legislation as it is written leaves the NSW Police open to litigation.

The police have stated that this does not mean that Triathlon Events are finished. What it does mean is, that the locations of the events will have to be carefully selected in areas that allow for full road closures and this will have to be negotiated with councils and police.

What does this mean for Triathlon?

- Well, firstly a huge disappointment to say the least.
- Tri NSW has written to The Honourable John Watkins – Minister for Police asking for an urgent meeting to discuss this legislation, advising that this legislation will ensure most races, all club races (unless on a sterile road) will be cancelled and cease to exist and this could destroy the sport of Triathlon & Cycling within NSW.
- TriNSW asks that you all act responsibly in regard to this matter, as public perception is extremely important and your support will be required to achieve the best result for our sport. Please take extreme care on the roads at all times.



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- Any Triathlon that has been sanctioned by TriNSW will now be reassessed. (this includes all club events). If your event is not on a closed road, it cannot be staged. **Please note, TriNSW cannot sanction an event that is not on a closed road. Conducting a race (with a bike section) on an open road is now deemed as breaking the law.** Please contact Peter Bernard – Technical Director on 0407 867 950 for further information on the sanctioning of your event. – **Please only contact Peter if you are an independent race director or club race director.**
  - We will continue to coordinate all our efforts and use all possible means, including lobbying through local politicians and media outlets. Any individual or club that would like to assist, we ask that you contact the TriNSW office to ensure that individuals are not counterproductive and that we are all contributing our efforts as ‘one’ over the next few months.
  - We ask all members to be patient, and be assured that TriNSW along with Triathlon Australia, Cycling NSW and Cycling Australia will continue it’s negotiations with the State Government to rectify the situation.
  - TriNSW will endeavour to keep you up to date and informed of any developments as they occur.
  - In the meantime, please be assured that there will be triathlons for you to compete in during the coming season. These events will be listed on the TriNSW Race Calendar as the individual race directors advise us.

In closing, please note that the Triathlon NSW Board, Committee & Staff are ‘working overtime’ and extremely hard for you all. We ask that you show your support by transferring the passion you have for our sport into a positive and proactive approach with any comments you may make or write over the coming weeks. It is extremely important that we have a united front on this serious issue, as this is about the future of our sport and affects us all.

Yours in sport

**Ken Bonham**  
President  
Triathlon NSW