



northern
beaches
council

MINUTES

NORTHERN BEACHES COUNCIL LOCAL TRAFFIC COMMITTEE MEETING

held via remote Teams on

TUESDAY 7 SEPTEMBER 2021

Minutes of a meeting of the Northern Beaches Council Local Traffic Committee

held via remote Teams on Tuesday 7 September 2021

Commencing at 10am

ATTENDANCE:

Voting Members

Chair – Mayor – Northern Beaches Council
Member for Pittwater Mr R Stokes MP Representative
Member for Wakehurst Mr B Hazzard MP Representative
Member for Manly Mr J Griffin MP Representative
Transport for NSW

Mr Michael Regan
Mr Andrew Johnston
Mr Toby Williams
Ms Adele Heasman
Mr Peter Carruthers

Non Voting Members

State Transit Authority, Brookvale Depot
Forest Coach Lines
Manly Warringah Cabs Co-operative Society Ltd
Cycling Representative

Mr Egwin Herbert
Mr Robert Bicakcian
TBC
Mr Owen Dunne

Officers

Director Transport and Assets
Executive Manager Transport and Civil Infrastructure
Manager Transport Network
Traffic Engineering Coordinator
Traffic Engineer
Traffic Engineer
Traffic Engineer
Traffic Engineer
Traffic Officer
Traffic Officer
Traffic Officer
Traffic Officer
Ranger Coordinator
Strategic Transport Coordinator
Transport Project Officer
Transport Project Officer
Traffic Officer
Road Safety Officer
Road Safety Officer
Traffic Engineering Intern
Traffic Engineering Trainee
Specialist Administration Officer
Specialist Administration Officer

Mr Jorde Frangopoles
Mr Craig Sawyer
Mr Phillip Devon
Mr James Brocklebank
Mr Ricky Kwok
Mr Velsamy Sankaran
Mrs Rezvan Saket
Ms Leila Kazemnezhad
Mr Luke Nickson
Mr Brian Duong
Mr Ali Samimi Haghighi
Mr Yuan Ren
Mr Michael Davey
Ms Michelle Carter
Mrs Kajal Todd
Mr Phillip Gray
Mr Jenzy Ocampo
Mrs Karen Menzies
Ms Robynann Dixon
Ms Josephine Butler
Mr Nicholas Murace
Ms Caty Pilley
Ms Sandra Calci

Visitors

Ms Lara McGuire
Ms Ann Cameron
Mr Chris Webster

Re: Bower Street, Manly
Re: Bower Street, Manly
Re: 50-52 Golf Avenue, Mona Vale

1.0 APOLOGIES**Voting Members**

Member for Davidson Mr J O'Dea MP Representative
Northern Beaches Police Command, Dee Why

Mr Phil Corbett
Sergeant Nino Jelovic

Non-Voting Members

Manly Warringah Cabs Co-operative Society Ltd
Cycling Representative

TBC
Mr Owen Dunne

**2.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
AND DECLARATION OF PECUNIARY AND CONFLICTS OF
INTEREST****2.1 MINUTES OF NORTHERN BEACHES COUNCIL LOCAL TRAFFIC
COMMITTEE HELD 3 AUGUST 2021****RECOMMENDATION**

That the Minutes of the Northern Beaches Council Local Traffic Committee held 3 August 2021, copies of which were previously circulated to all Members, are hereby confirmed as a true and correct record of the proceedings of that meeting.

2.2 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Nil

3.0 REPORTS TO PROCEED TO COUNCIL FOR APPROVAL

Nil

4.0 REPORTS FOR APPROVAL BY COUNCIL DELEGATION

4.1 MCKILLOP ROAD, BEACON HILL - INTERSECTION IMPROVEMENT

PROCEEDINGS IN BRIEF

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of the No Stopping Restriction as per the attached plan.
- B. Installation of Give Way Lines and 10m Double Barrier Line at Cooper Place and Carolyn Avenue.

Committee Decision – Approved

4.2 ARTHUR STREET, DEE WHY - TIMED PARKING RESTRICTIONS

PROCEEDINGS IN BRIEF

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of six hour (6P) 7am-7pm Everyday Timed Parking restrictions on the eastern side of Arthur Street, in the existing unrestricted section outside the reserve, between No.27 approximately 100 metres south to the northern side of the driveway of No.17 Arthur Street, Dee Why.

Committee Decision – Approved

4.3 AUBREEN STREET COLLAROY PLATEAU - INSTALLATION OF "NO PARKING, MOTOR VEHICLES EXCEPTED" RESTRICTION

PROCEEDINGS IN BRIEF

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of 100m "No Parking, Motor Vehicles Excepted" restrictions starting from the existing No Parking restriction - from the northern side of Plateau Park's driveway to the boundary of No.40 Aubreen Street and Plateau Park.

Committee Decision – Approved

**4.4 BLANDFORD STREET COLLAROY PLATEAU- INSTALLATION OF “NO
PARKING, MOTOR VEHICLES EXCEPTED” RESTRICTION****PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of “No Parking, Motor Vehicles Excepted” restrictions in the Blandford Street carpark.

Committee Decision – Approved

**4.5 MAYBROOK AVENUE CROMER - EXTENSION OF NO STOPPING
RESTRICTION****PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. The extension of the existing No Stopping zone at the frontage of No.55 Maybrook Avenue by 10m in an easterly direction.

Committee Decision – Approved

4.6 SEAFORTH OVAL, SEAFORTH - TRAFFIC CALMING DEVICE**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the installation of traffic calming device at the following location:

- A. Installation of a pre-fabricated speed hump at the entrance to the carparks as shown in Attachment 1 – Plan.

Committee Decision – Approved

4.7 SOUTH CREEK ROAD, CROMER - INSTALLATION OF 8P TIME PARKING RESTRICTIONS**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. The installation of 8P time parking restrictions (8P, 8am - 6pm, EVERYDAY), along both sides of South Creek Road between Fisher Road and Dumic Place.

Committee Decision – Approved

4.8 DREADNOUGHT ROAD, OXFORD FALLS - INSTALLATION OF NO STOPPING RESTRICTIONS**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. The installation of a No Stopping restriction on both sides of Dreadnought Road between the western St Pius X College's driveway and the intersection with Spicer Road.

Committee Decision – Approved

4.9 TOURMALINE STREET, NARRABEEN - INSTALLATION OF 15 MINUTES PARKING RESTRICTION**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. The installation of 30m of "15min PARKING, 7:30am - 9:30am, 2:30pm - 5:30pm, MONDAY TO FRIDAY" at frontage of the preschool on Tourmaline Street.
- B. The installation of the statutory No Stopping Unbroken Yellow Line at the south-eastern side of the intersection of Tourmaline Street and Lagoon Street.

Committee Decision – Approved

4.10 IRRUBEL ROAD, NEWPORT - NO PARKING RESTRICTIONS**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of 'No Parking' restrictions on the northern side of Irrubel Road, from a location 11m west of the driveway of No.56 to the driveway of No.62.
- B. Installation of 'No Parking' restrictions on the southern side of Irrubel Road, from a location 7m west of the dividing barrier lines to a location 6m east of the driveway of No.41.

Committee Decision – Approved

4.11 ALFRED STREET, NARRAWEENA - ACCESSIBLE PARKING**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of an Accessible Parking space on the north-western side of the marked parking bays outside No.172 Alfred Street, Narrabeena.

Committee Decision – Approved

4.12 CAMPBELL AVENUE & MICHELE ROAD, CROMER - NO PARKING RESTRICTIONS**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation Council has undertaken a review of the location and proposes No Parking Motor Vehicles Excepted restrictions 7am -7pm Everyday on the western side opposite No.57 south to opposite No.43 Campbell Avenue, Cromer. Additional, No Parking Motor Vehicles Excepted 7am -7pm Everyday, on the eastern side outside No.43 north to outside Michele Reserve on Campbell Avenue and Michele Road, Cromer.

- B. Further, No Parking restrictions in the cul de sac of Campbell Avenue Cromer, beginning opposite No.57 and closing outside No.57 Campbell Avenue, Cromer. To reinforce statutory restrictions, No Stopping Unbroken Yellow Kerb Lines at the intersection of Campbell Avenue & Michele Road, Cromer.

Committee Decision – Approved**4.13 NAREEN PARADE, NORTH NARRABEEN- INSTALLATION OF "NO PARKING, MOTOR VEHICLES EXCEPTED" RESTRICTION****PROCEEDINGS IN BRIEF**

Andrew Johnston enquired whether there is any footpath planned for the location. Phil Devon confirmed that it is in the forward program 2022-2024, based on funding availability.

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. The installation of "No Parking, Motor Vehicles Excepted" restrictions on the southern side of Nareen Parade between No.47 Nareen Parade & Narroy Road.

Committee Decision – Approved**4.14 PACIFIC PARADE, DEE WHY - TIMED PARKING RESTRICTIONS****PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of Two Hour Timed Parking (2P) restrictions 8.30am-6.30pm SAT, SUN & Public Holidays outside the School Bus Zone Hours, on the northern side outside No.140-No.144 Pacific Parade, Dee Why.
- B. A further Two Hour Timed Parking (2P) restriction 8.30am-6.30pm Everyday, is proposed on the southern side outside No.131 Pacific Parade, Dee Why.

Committee Decision – Approved

**4.15 LAKE PARK ROAD, NORTH NARRABEEN- INSTALLATION OF 1P TIME
PARKING RESTRICTION****PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. The installation of 11m of 1P parking between (7:00am - 4:00pm EVERYDAY) on the western side of Lake Park Road at frontage of The Melting Room café.

Committee Decision – Approved

4.16 ANZAC AVENUE, COLLAROY - TIMED PARKING RESTRICTIONS**PROCEEDINGS IN BRIEF**

Mayor Michael Regan declared an interest and did not vote on the item.

Toby Williams suggested to restrict parking to cars only and prohibit trailers.

Phil Devon advised this item was partially initiated by a request from the Golf Club, in order to provide more parking for those using the adjoining recreation reserve, and this is why the proposal was changed from the initial proposal of 4P to provide 6P parking on one side of the road. The residents have previously complained about the long term storage of vehicles, including trailers and boats in this area, along with the vehicles on Pittwater Road advertised for sale.

Approved by Committee decision.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of Six Hour (6P) 8am-6pm Everyday Timed Parking restrictions along the southern side of Anzac Avenue. The proposed restrictions will extend from the existing No Stopping opposite No.17-19 to the cul-de-sac and to the intersection of Seaview Parade on the northern side of Anzac Avenue.
- B. Formalising of legal parking at the cul-de-sac on Anzac Avenue with 90-degree parking bays.
- C. Introduction of a 'STOP' control at the intersection with Beach Road to match similar controls on Cliff Road and Seaview Parade.
- D. Review of the restrictions at the end of the Summer period to determine if they have achieved the required outcome.

Committee Decision – Approved

4.17 BROOKER AVENUE, BEACON HILL - SHARED ZONE**PROCEEDINGS IN BRIEF**

Peter Carruthers from TfNSW, submitted the following comments:

- The report makes reference to a trial 20km/h shared zone as opposed to the standard 10km/h speed limit.
- There are no proposed traffic calming devices and treatments to regulate traffic speeds to 10km/h.
- The report mentions issues with visibility. The proposed Shared Zone could cause risks by giving pedestrians a false sense of security.

Phil Devon advised that Council is proposing a trial to allow people to park with one wheel up on the unformed footpath and is trialling a system to enable parking to be provided in the narrow road environment that is common across the Northern Beaches.

This is a trial of the scheme to enable this to occur across the LGA.

Peter Carruthers is in agreement with the proposed 20km/h Slow Zone and suggested Council consult with TfNSW to reduce the speed limit – noting the cul-de-sac, and recommended installation of shared marked parking bays and install a STOP restriction at the Y intersection.

Phil Devon noted the support and that Council will consult with TfNSW in regard to an appropriate speed limit.

Approved by Committee decision.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports :

- A. Council to consult with TfNSW to include an appropriate speed limit.
- B. The installation of Marked Parking Bays.
- C. The installation of STOP restriction at the northern leg of the Y-intersection.

Committee Decision – Approved**4.18 KENNETH ROAD, MANLY VALE - NO STOPPING****PROCEEDINGS IN BRIEF**

Adele Heasman advised that she agrees with this recommendation, however, enquired whether KFC are able to do internal adjustments to ease the traffic congestion.

Phil Devon advised KFC are only doing drive-through and “click & collect” take-away meals during this COVID lockdown period, and the traffic congestion will improve after lockdown is finished.

Approved by Committee Decision.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of No Stopping restrictions on the south side of Kenneth Road outside 267-269 Condamine Street and 1 Kenneth Road.

Committee Decision – Approved**4.19 TRAMORE PLACE, KILLARNEY HEIGHTS - ONE WAY PROPOSAL****PROCEEDINGS IN BRIEF**

Peter Carruthers advised that he has no issues with this matter, however, he has not seen the formal TMP to date as this proposal requires a simple TMP and formal approval. .

Phil Devon advised the Traffic Management Plan will be completed and forwarded to TfNSW for approval within 14 days.

Approved by Committee Decision.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Turning of Tramore Place into a One Way street whilst providing 22 additional parking spaces.

Committee Decision – Approved**4.20 KATOA CLOSE, NORTH NARRABEEN – 8P TIMED PARKING****PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports:

- A. The introduction of '8P Timed Parking restriction from 8AM – 6PM Every Day' on the southern side (reserve side) of Katoa Close.

Committee Decision – Approved

4.21 BOWER STREET, MANLY - NO PARKING**PROCEEDINGS IN BRIEF****1st Speaker:**

Ms Lara McGuire, resident of Bower Street, Manly, submitted her comments via email to Phil Devon on 3rd September 2021: (refer also to Attachment 1 from Lara McGuire - with supporting documentation to her address below):

“Good morning members of the Local Traffic Committee, Phillip and James.

I would like to thank you for the opportunity to speak. I would also like to thank the Northern Beaches Council for their continuing diligence and commitment to an issue that a significant majority of the residents of Bower Street now see as a matter of life and death.

I am speaking on behalf of the 47 residents who supported the recent petition (please refer to Appendix 1) that entreats Council to adopt its original proposal circulated to residents in April 2019, which removes parking between No's 88 & 68 and between No's 58 & 42 Bower Street on a permanent full time basis.

Council's original proposal and its due process was unfortunately influenced at the time by a verbal minority who had a vested interest in retaining secondary parking places close to their properties. Please note that there are very few houses or apartments without off-street parking in Bower Street (only 2 known). Please also note that there are 41 parking spots on the south side of Bower Street in this section of the street.

It should be noted that at the Traffic Committee Meeting on 6th August 2019 where Council's April 2019 proposal was considered, the Minutes documented incorrect facts by a resident who objected to removing parking on the north side, due to those living on Bower Street specifically not having 'enough parking for residents and visitors, Tess Lavender (Appendix 4). There were 48 respondents to Council's first community consultation (29 of which 'did not support' that particular complicated proposal for various reasons). 110 objections is incorrect and deceptive.

I am also speaking on behalf of the past and future lives lost to drowning, suicide, bushfire events and general misadventure that have potentially and will undoubtedly occur, if the Local Traffic Committee does not heed the expert recommendation of Northern Beaches Council's traffic specialists to approve a full time "No Parking" restriction on the north side of Bower Street as shown in Appendix 3. Please take a moment to consider the Concept Plan.

Restrictions between 10am-4pm Saturdays, Sundays and Public Holidays is just another iteration of the same failed schemes which Council has already trialled the two past Summers, which is borne out in Council's own data (Appendix 2, Part 2.)

The traffic congestion not only remains along with its inherent risks, it is intensifying which the significant majority of responses indicate. The two past Summers of parking restrictions have failed because:

- 1. They did not cover all the hours of congestion (10am-4pm is insufficient).*
- 2. They did not cover all the days of congestion (there are weekdays that have just as much congestion as weekends and public holidays – see bar graph in Appendix 5).*

3. *The complex signage results in non-compliance. This is a consistent issue with these schemes (as demonstrated by Council's feedback on the failed schemes) and by the ongoing failure of similar restrictions in College Street – Appendix 2).*

4. *Infringement notices did not decrease non-compliance.*

James Brocklebank summarised the issue perfectly:

"When vehicles are parked on both sides of Bower Street, there is only 4m of carriageway left available for traffic. This is insufficient for two vehicles to pass each other and given the length of the street, that it is not a through road and carries relatively high volumes of traffic at many times of the year it is considered that a full time No Parking restriction which is unambiguous and easily understood, is the best way to provide safe two-way traffic flow and prevent congestion in the street".

Council recognised the high likelihood of periodic parking restrictions being ignored when additional witches hats were placed in the No Parking area on the north side of Bower Street on Australia day 2021. This indicated the failure of the scheme that was currently in place at the time (no parking on weekends and public holidays between 10am-4pm). James Brocklebank indicated that the reason for taking this action was: "given the potential for high levels of congestion and the associated risk of traffic delays and/or delays for emergency services access". (Appendix 6).

This is a clear indication that these schemes are not reliably complied with by the public.

That the removal of 17 car parks on the northern side of Bower Street is a matter of life or death may seem dramatic from where you sit, but the fact remains that the obstruction and associated traffic congestion that these 17 car parks create, turn this issue into exactly that. In the event of an emergency, which can and will happen on any day or time of the week without dual flow traffic, delays in police, ambulance and fire brigade arrival times could cost lives. Emergency services response times and survival rates are inextricably linked and Council has a duty of care to members of the public to ensure timely emergency services access to the Shelly Beach end of Bower Street in the event of an emergency.

A recent diving accident at the far end of Bower Street on Thursday 5th August at 2:30pm, illustrated an event where an accident occurred outside Council's proposed periodic parking restrictions and highlights the importance of quick access for emergency services. Several ambulances, at least three fire trucks and six police cars had to negotiate cars parked on both sides of Bower Street in order to reach a diver in jeopardy who sadly did not survive.

This was not a one-off incident. The Shelly Beach end of Bower Street is used for access to many adventure sports, especially surfing, diving, spearfishing, paragliding and surf-ski paddling. These are sports which are increasingly popular, and prone to water safety incidents.

North Head is also accessed from the Shelly Beach carpark, and is sadly a well documented suicide point. A person in crisis, whatever form that crisis takes, has a right to unimpeded access to emergency services. Fire is another issue that affects the far end of Bower Street. On Council's own emergency preparedness tool, 31 on homes on the far end of Bower Street are located on bushfire prone land. (Appendix 8). The North Head fire of October 2020 should serve as an example of a bushfire emergency, whereby impeded emergency access could have devastating results not only on the 17 properties (with no accessible fire trail) that back directly onto North Head bushland (which is

Category 1 Vegetation- the most hazardous vegetation category in bushfire prone areas) but also any members of the public caught in a bushfire event.

As I am sure the Local Traffic Committee is aware, the recent IPCC Report notes that changes in climate are unequivocal at the global scale and are increasingly apparent on regional and local scales. Northern Beaches Council needs to make prudent decisions now at the local scale to prepare for the increased frequency and/or intensity of weather and climate extremes, in particular for fire weather, extreme precipitation and storm surge. Obstructed emergency services access could lead to significant loss of life and property. The statutory Bush Fire Danger Period runs from 1 October to 31 March, so Council's newest proposal of No Parking on the north side of Bower Street from 10-4pm on Saturdays, Sundays and Public Holidays, considerably underestimates the probability of emergency fire services needing timely emergency access on any given weekday. These parking restrictions leaves at least 40 weekdays where both Summer holidays and peak bushfire season overlap, where Bower Street would have no parking restrictions and extremely obstructed emergency services access.

Therefore, the Shelly Beach end of Bower Street encompassing properties from 40 Bower Street to 2 Bower Street on the northern side of Bower Street and from 45 Bower Street to 1 Bower Street on the southern side of Bower Street- have only ever had parking on one side of the street (the southern side of Bower Street). (Appendix 7 - refer to pink highlighted line).

The far end of Bower Street is already subject to No Parking on the northern side of Bower Street all year round. The result of having only one side of Bower Street for parking at this end of the street is NO traffic congestion/traffic incidents and dual flow traffic year round.

Fundamentally, the issue is that of the convenience of a handful of residents having secondary car parking near their homes, versus the basic human right of timely emergency services access for members of the public and residents beyond those carparks.

I have met with a member of the group opposing the permanent removal of parking on the north side of Bower Street and none of the arguments presented were legitimate planning arguments or arguments supported by Council's own research and data. Council speed studies have shown that speeding is not an issue in Bower Street (85th percentile 46km/hr) and if it were to become an issue, appropriate speed reduction mechanisms could be employed.

We are simply asking for the Local Traffic Committee to approve the professional recommendation from their own expert officers. Should injury, death or disaster be a consequence on Council's inaction, although Council is afforded some protection by the Civil Liability Act of 2002 as a Public Authority, this protection only limits Council's exposure. It does not exonerate Council from doing what it knows to be best practice. If the risk of harm that the congestion caused by parking creates is foreseeable and there is a probability that harm will occur if care is not taken, Council will be breaching its duty to the public by failing to take preventative measures. (Appendix 9).

At some point, consultation must give way to the facts, best practice and the objective research based advice of Council's own traffic professionals. Given Bower Street's geography, popularity and utility, permanent dual flow traffic is simply a necessity.

We trust that the Local Traffic Committee will act in good faith with respect to the information at hand and immediately implement the plan proposed by Council for full time dual flow traffic by permanently removing parking between No's 88 & 68 and between No's 58 & 42 Bower Street on a full time basis.

Deferring, delaying or diluting Council's recommended proposal could have dire public safety outcomes.

Thank you.

LARA McGUIRE “

(refer also to Attachment 1 from Lara McGuire - with supporting documentation to her address).

The Chairman thanked Lara McGuire for addressing the Committee and left the meeting.

2nd Speaker:

Ms Ann Cameron, resident of Bower Street, Manly, submitted her comments via email to Phil Devon on 19th August 2021:

“My name is Ann Cameron and I have lived at 48 Bower Street on the northern side for the past 13 years. I represent the majority of residents in Bower Street, between College Street and the park. I have been a Town Planner for all my professional life and appreciate how compromise can achieve a good outcome for all. I drive and walk up and down Bower Street at least 5 times a day and am very aware of the traffic and parking conditions in the street.

I am very active in the local community, having been the Executive of the Fairy Bower Precinct and now, following Council amalgamation, am involved in the Manly Community Forum. I am a volunteer with the Friends of Cabbage Tree Bay and a NPWS Penguin Warden and am passionate about the area.

We appreciate how difficult it is for Council to balance the traffic and parking needs in Manly and thank Council officers, particularly James Brocklebank and Phil Devon, for listening to our concerns.

Background:

In 2019 the proposed full time No Parking Restrictions were modified in response to community opposition and a staggered no parking arrangement was introduced for Summer weekends and public holidays between 10am and 4pm on a trial basis.

During this time we met with Council officers who agreed congestion was mainly an issue on summer weekends and for the remainder of the year traffic moved freely with vehicles having plenty of extended driveway space to prop and wait for oncoming traffic if required. THIS SITUATION HAS NOT CHANGED.

It was generally agreed that the Summer 2019/20 trial was an abject failure due to inadequate signage, very poor policing and the staggered arrangement that caused confusion.

Out of the blue, on 6 July 2021 we received a notice that No Parking between 10am and 4pm would be introduced EVERY WEEKEND AND PUBLIC HOLIDAY on the northern side of Bower Street. The correspondence stated: "This will ensure that on the busiest days parking is prevented on all of one side of Bower Street over its full length". ... - then why introduce restrictions for the majority of the year that are not busy? Any comments on this proposal were due on 6 August 2021.

On 11 August 2021 (5 days later including a weekend) we were then informed by letter that the proposal that would go to the Traffic Committee on 7 September was for FULL TIME 24 HOUR NO PARKING EVERY DAY, ALL YEAR. This is totally unacceptable to the majority of residents who are directly affected by this proposal.

Issues:

- 1) Lack of due process in consultations with residents as already highlighted earlier.*
- 2) Unnecessary loss of valuable on-street parking for residents, their visitors and the general community in such a popular tourist area. To some, the loss of 18 spaces might seem minor, however, if you take into account they are 2 hour timed spaces, this could equate to the loss of over 100 spaces a day, which is extremely significant in this area.*
- 3) Many of the directly affected residents, which includes 18 units, do not have adequate off-street parking and park on the street. Unlike residents further east, the majority of us do not have the luxury of long driveways to accommodate family and visitors.*
- 4) We currently have 7 active building sites in Bower Street between College Street and the park, and any weekday restrictions would severely limit work sites and exacerbate competition for car parks.*
- 5) Traffic volumes for the majority of the year outside of Summer weekends are quite light, particularly during the week.*
- 6) Traffic congestion is not a problem outside Summer weekends and on public holidays. There is sufficient driveway space to stop and give way to oncoming traffic which has the added benefit of slowing traffic down and filtering the rate at which traffic reaches the carpark (often only to find no available spots and return down the hill again).*
- 7) We understand there has been no feedback from police or emergency services that access is a problem. In fact, the recent tragedy a few weeks back saw 15-20 emergency vehicles accessing the area without difficulty.,*
- 8) It is understood Council is intending to put sensors in the carpark with remote signage showing available spots. We support this initiative, but gather it is unlikely to be installed until mid-2022. Before introducing draconian No Parking restrictions, surely it would make sense to review the situation after the sensors have been installed.*
- 9) The timing of this proposal, just when the COVID restrictions were introduced, has made it very difficult for everybody. Not only in terms of contacting residents, but also adding significantly to the stress we are all experiencing at this unfortunate time. Perhaps this is why less than half of the residents responded to the 120 letters that were distributed. Only last week I spoke with a neighbour who apologised for not getting a submission in on time because she was overwhelmed with home schooling and the responsibility of managing a stressful home environment.*

Way forward:

We reject outright any all year no parking on the northern side of Bower Street, as it completely overcompensates and comes at a great cost to residents and the wider community. It will inflict unnecessarily harsh conditions full time when the problem only necessitates a solution at a certain time of year - Summer weekends and public holidays.

We suggest that:

- 1) No Parking 10am-4pm Summer Weekends and Public Holidays be introduced on the northern side of Bower Street for the Summer of 2021/2022.*
- 2) At the end of this period, the success or otherwise of the scheme should be reviewed,*
- 3) Any extension of the weekend scheme should be deferred until COVID restrictions are lifted, the Summer review has been undertaken and sensors are installed in the carpark.*
- 4) No further consideration should be given to weekday No Parking, as it is totally unnecessary and heavy handed.*

Thank you for your time and again thanks to Council staff.

We firmly believe that our way forward provides the opportunity to balance the traffic and parking pressures of the area without seriously disadvantaging the residents who are most directly affected.

ANN CAMERON “

The Chairman thanked Ann Cameron for addressing the Committee and left the meeting.

PROCEEDINGS IN BRIEF (continued/....)

Adele Heasman requested clarification on how long the 10am-4pm parking restrictions had been in place.

James Brocklebank advised that at the Local Traffic Committee meeting held in November 2020, it was resolved to activate the Summer parking restrictions from 1st December 2020 to end February 2021, which was monitored by Council and which resulted in this submitted Agenda report. During this period, there was enforcement activity and a number of fines were issued in Bower Street by Council Rangers.

Most residents surveyed by Council did not support the circulated proposal for No Parking restrictions on weekends and public holidays (a map showing where responses had come from was displayed), however, 37 residents indicated support for a full time No Parking restriction and 12 residents did not support any changes to the existing restrictions.

Mayor Michael Regan noted that he did not believe there have been traffic hold-ups on weekdays, however acknowledged that Bower Street is busy on weekends.

Mayor Michael Regan considers that the Smart Parking Trial is a big part of the solution to Bower Street and that once sensors and an electronic parking availability signboard are in place, much of the problem should ease. He cannot at this stage, support a No Parking restriction applying on weekdays, particularly as this was not the option that we went out to consultation on.

It was suggested that a more appropriate outcome to strike a balance between the two resident viewpoints might be for No Parking between 8am and 6pm on weekends and public holidays. The Mayor advised this may be an option that could be supported, however, wanted a Smart Parking Trial to be part of any recommended action. Phil Devon confirmed that Council was intending to get a Tender out for the Smart Parking technologies between now and the end of the year.

It was also suggested that further data needed to be collected to establish the extent of any parking and congestion issues over the weekday period this Summer.

During this Summer, the existing No Parking restrictions which applies only on weekends and public holidays over Summer, is to be implemented.

Adele Heasman advised she would like to have seen a letter from Emergency Services advising that there is a traffic congestion problem in Bower Street. James Brocklebank advised that correspondence was sent to the Fire Brigade and to Ambulance NSW, enquiring about the any access issues they have experienced in Bower Street, however, we have not received any feedback to date.

Mayor Michael Regan suggested this item be deferred until further investigation, liaison with emergency services and consultation on various options (including full time No Parking, weekend & public holidays No Parking and Weekend and Public Holidays Summer only No Parking) has been carried out and also progressing the Smart Parking technologies project."

The Committee concurred with the recommendation.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee agrees :

- A. This item be deferred until further data collection, investigation and consultation on various options have been undertaken, with a report to come back to the Traffic Committee when this has been completed.
- B. That the seasonal restriction in place during the Summer 2020-2021 period be continued for Summer 2021-2022, with additional signage and resources to manage the compliance with the restrictions.
- C. Any final scheme should incorporate Smart Parking technologies at the Shelly Beach carpark with real time parking availability signage on Bower Street in the vicinity of the College Street intersection.

Committee Decision – Deferred

4.22 SOUTH CREEK ROAD, CROMER – CONVERTING 8P INTO AUTHORISED VEHICLES PARKING**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports:

- A. Conversion of the existing '8P, 8AM – 6PM, Every Day' restriction into 'No Stopping; 8:30AM – 9:00AM, 2:30PM – 3:15PM, School Days Only; Authorised Vehicles Excepted' and unrestricted parking at other times.

Committee Decision – Approved**4.23 CARAWA ROAD, LILLIHINA AVENUE AND CARCOOLA ROAD, CROMER - RAISED INTERSECTION****PROCEEDINGS IN BRIEF**

Peter Carruthers of TfNSW advised that approval is subject to detailed designs being submitted to TfNSW for approval.

Phil Devon advised that we are still waiting for the full detailed design to be completed.

Peter Carruthers agreed this is a good safety perspective and agreed with the recommendation.

Approved by Committee decision.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Construction of a 75mm high raised threshold over the intersection of Carawa Road, Carcoola Road and Lillihina Avenue.
- B. Relocation of the existing crossing to be east of Lillihina Avenue.
- C. Installation of a new pedestrian crossing on Carcoola Road.
- D. Installation of a new pedestrian crossing on Lillihina Avenue.

Committee Decision – Approved

4.24 50-52 GOLF AVENUE, MONA VALE - LOADING ZONE**PROCEEDINGS IN BRIEF****3rd Speaker:**

Mr Chris Webster – land owner, 50-52 Golf Avenue, Mona Vale, addressed the Local Traffic Committee :

Mr Webster advised that he supports the development of 15 apartments on this property. Sydney Water has requested to access the sewer through their DA.

As Sydney Water requires access to park their truck close to the sewer line to carry out their regular sewerage maintenance work and emergency work, Sydney Water has requested that the proposed Loading Zone time of 7am-5pm, be replaced by a sign with no time limits – i.e.: “No Stopping Zone” - to allow Sydney Water parking access at all times.

Phil Devon advised that the loading zone option will allow the zone to be used more efficiently and would result in the removal of 1 car space

Mayor Michael Regan supports this recommendation.

Andrew Johnston supports this recommendation.

Approved by Committee decision.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of 8.5-metre “Loading Zone 7am – 5pm” parking restrictions as shown in 50-52 Golf Avenue, Mona Vale – Signage Plan.

Committee Decision – Approved

4.25 FISHER ROAD, CROMER - DO NOT QUEUE ACROSS INTERSECTION**PROCEEDINGS IN BRIEF**

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee supports the:

- A. Installation of a “Do Not Queue Across Intersection” sign on Fisher Road, Cromer where it meets Grover Avenue.

Committee Decision – Approved

5.0 MATTERS FOR NOTATION

5.1 REQUEST FOR WORKS ZONE

PROCEEDINGS IN BRIEF

Approved by exception.

RECOMMENDATION TO TRAFFIC COMMITTEE

That the Traffic Committee notes the delegated approval of Works Zones.

Committee Decision – Approved

The meeting concluded at 11:11am

This is the final page of the Minutes comprising 36 pages numbered 1 to 36 of the Northern Beaches Council Local Traffic Committee meeting held on Tuesday 7 September 2021 and confirmed on Tuesday 5 October 2021

Note: Attachment to follow:

Appendixes 1-9 from Lara McGuire are attached to these Minutes relating to Item 4.21 – re: Bower Street, Manly – No Parking

NOTE:

Re: APPENDIX 1 (not included)

***Lara McGuire submitted an “Appendix 1” which refers to
a 3-page Petition with 64 responses from Bower Street residents.***

***However, in line with Council’s Privacy Policy,
this Petition is not being published as part of the Minutes.***

Appendix 2.**Part 1: College Street photos from August 2020 showing failure of 'restricted schemes' like this**

These photos were taken over the last few weekends. They show the failure of the public to adhere to 8.30am-6pm weekend/public holiday parking restrictions. Most weekends in College Street these restrictions are not followed.



Saturday 14th August 5.13pm

Attachment 1
Page 3



Saturday 21st August 10.20am

Attachment 1
Page 4



Saturday 28th August 9.12am



Sunday 29th August 9.17am

Attachment 1
Page 6



Part 2: Council's summary after the failed scheme of 2019/2020

Specifically

- illegal parking was a constant problem and infringement notices didn't change behaviour
- it's the one way nature of the parts of the street that is the cause of congestion
- speed is not a problem

Appendix 2, Part 2.

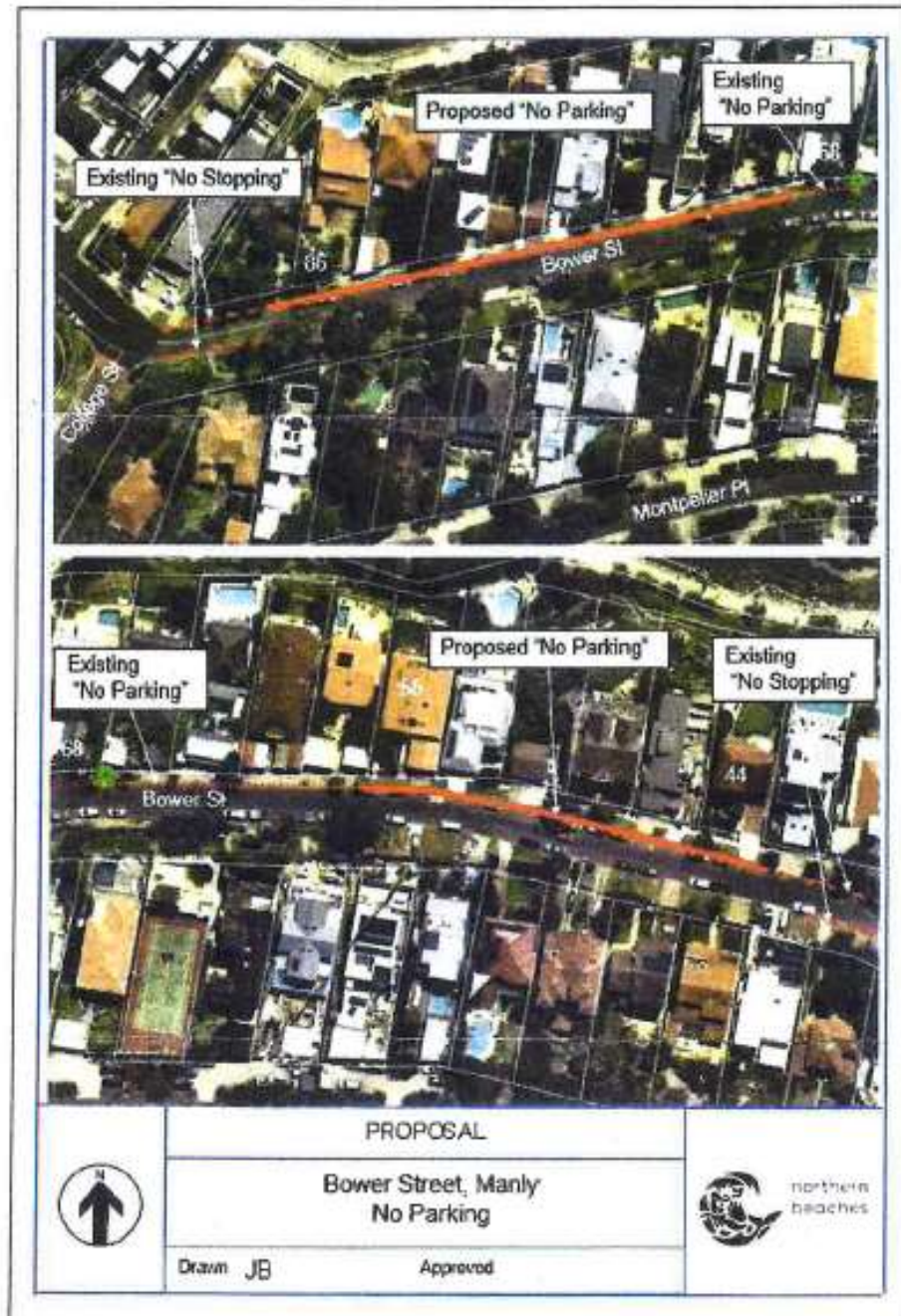
Parking surveys

To understand the effect of the trial restriction we undertook Parking Surveys over the weekends of 23/24 November 2019 and 4/5 January 2020. Surveys were conducted at hourly intervals between 10am and 3pm.

In summary the data reflects:

- other than at the very busiest times, there were always vacant spaces available within the 2P Permit parking zone.
- parking activity was lighter in November but in high demand in early January
- at all surveyed times vehicles were legally parked in the No Parking and/or No stopping zones.
- issuing parking infringements (198 in total) on most weekends throughout the trial period, did not change user behaviour. There were still a high level of illegally parked vehicles at the end of the trial.
- traffic volumes in Bower Street, even in the summer peak (January), are still within acceptable limits for a residential street. This would indicate the related congestion issues are caused by parking activity choking the carriageway
- traffic speeds are not excessive

Appendix 3.



Appendix 4

Appendix 2 Incorrect presentation of facts by objectors to last Committee Meeting

4.2 BOWER STREET, MANLY - NO PARKING RESTRICTIONS

PROCEEDINGS IN BRIEF

Ms Tess Lavender, a resident of Bower Street, addressed the Traffic Committee on this matter. She expressed that the issue is not just a congestion problem but is also a parking problem and removing parking will not resolve the situation but make it worse. There is not enough parking for residents and visitors and there have been 110 objections to this proposal. The reason for the increase in congestion is that the area is becoming increasingly popular as a recreational destination with an increase in visitors and commercial divers to the area. The development on

Appendix 5.

Appendix 3 Bar Graph of Council traffic study

This shows that weekday traffic congestion can be almost as busy as weekend flow
(therefore weekend/public holiday restrictions are not the correct solution)



7 SEPTEMBER 2021

Attachment 1
Page 11

Appendix 6
 Gmail

Fwd: Bower Street

Mon, 30 Aug, 9:05 pm

----- Forwarded message -----

From: James Brocklebank <James.brocklebank@northernbeaches.nsw.gov.au>
Date: Thu, Aug 5, 2021 at 9:48 AM
Subject: RE: Bower Street

Hi Reiko,

There was no formal approval granted for the temporary erection of witches hats and barricades on Australia Day 2021. Given the potential for high levels of congestion and the associated risk of traffic delays and/or delays for emergency services access, Council's Transport Network Manager arranged the traffic control measures using his delegated authority under the Roads Act to manage traffic on Council's road network. This action received widespread support from residents and may also be considered for implementation on the busiest days over the coming summer.

regards

James Brocklebank

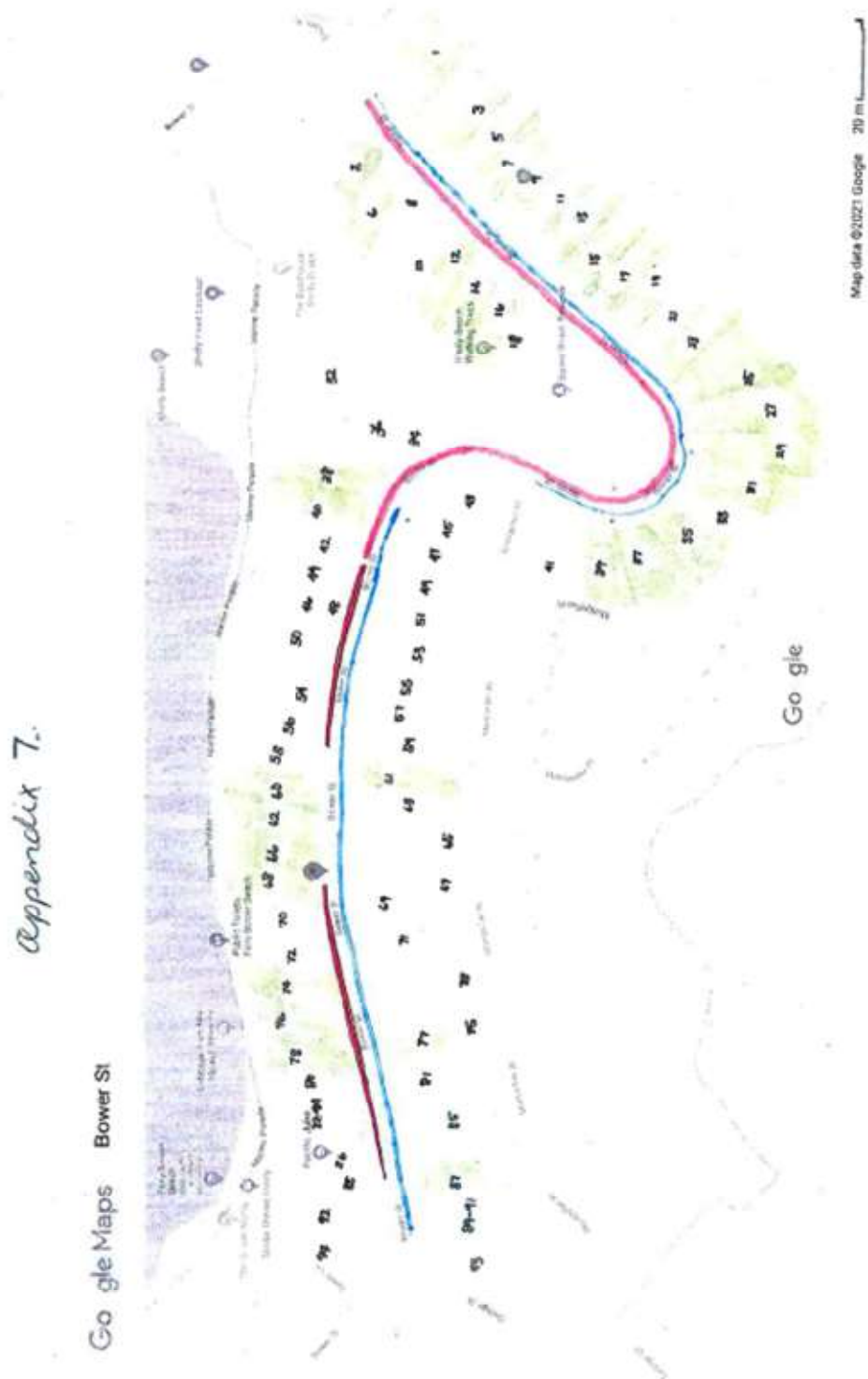
Traffic Engineering Coordinator

Transport Network

t 02 8495 6812 m 0468 822 731

james.brocklebank@northernbeaches.nsw.gov.au

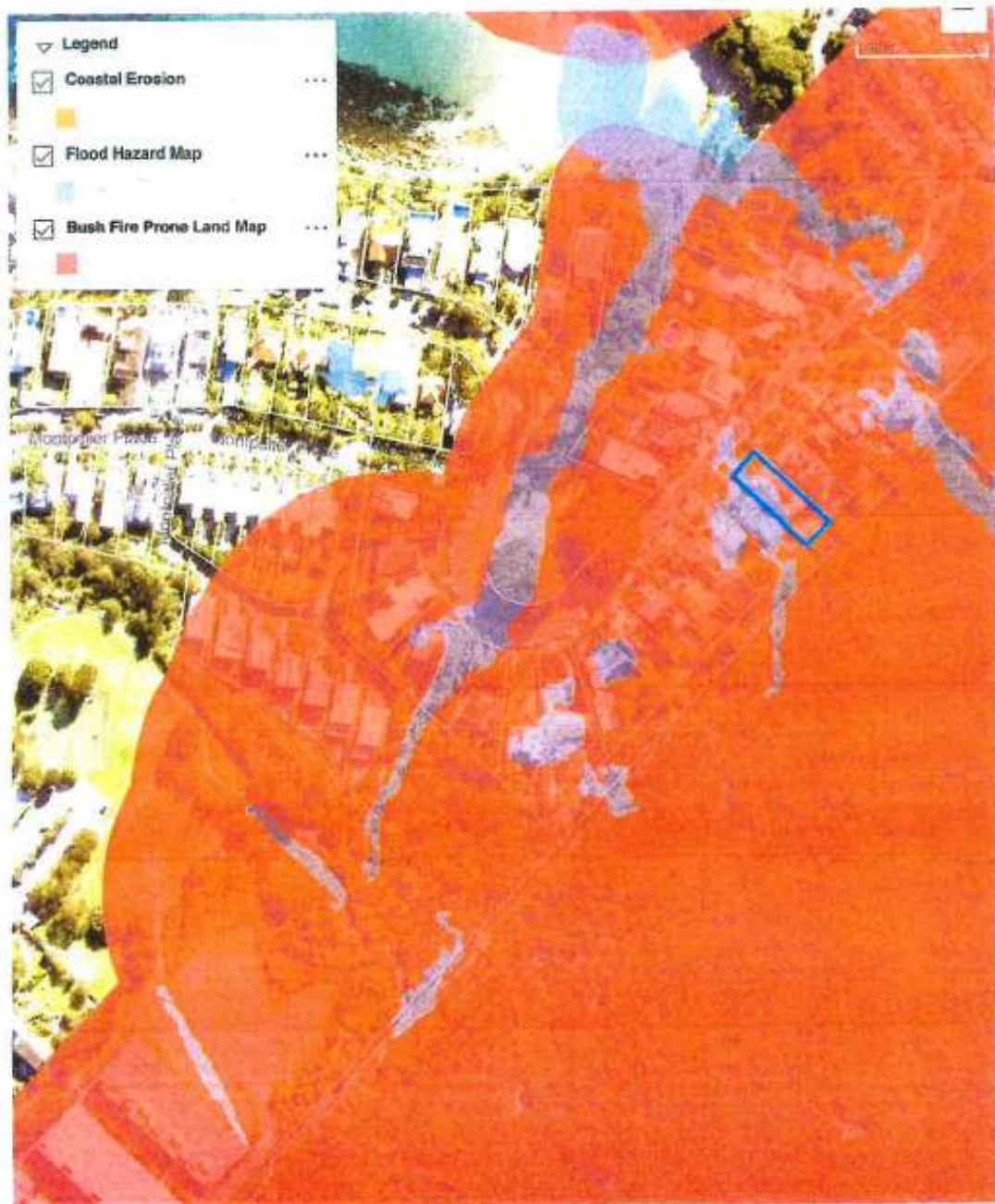
northernbeaches.nsw.gov.au



Appendix 8.

2/10/21, 10:19 am


Enter your address: _____



<https://nbc-climate.azurewebsites.net/Climate.aspx>

Page 1 of 3


appendix 9




[Home](#) > [Insights](#) >

Negligence—Civil Liability Act principles revisited: public authorities and carers

14 January 2020

 **Chris Wood**
Partner



Justice Cavanagh of the NSW Supreme Court handed down his decision in *Polglase by his tutor Jeffrey Polglase v Coffs Harbour City Council (No 2) [2018] NSWSC 1848*, just before the Christmas break. You can access His Honour's judgment in full [here](#).

Sparkle Helmore acted for the successful Fifth and Sixth Defendants, respectively Mrs Betty and Mr David Whitton (Mr and Mrs Whitton) who were the carers of the infant Plaintiff at the relevant time.

The background

The case involved a claim for personal injury whereby the Plaintiff, Tedmund Polglase, while in the care of Mr and Mrs Whitton fell approximately 4 metres through a railing on the Coffs Harbour Jetty (the Jetty) onto hard sand below suffering serious and at the time life-threatening injuries, including a brain injury. At the time of the Plaintiff was aged 5 and a half years.

The Plaintiff commenced proceedings against Coffs Harbour City Council (the Council), the Coffs Jetty Foreshore Reserve Trust (the Second Defendant), the Coffs Coast State Park Trust (the Trust) and the State of New South Wales (the State), all as owners and occupiers of the Jetty at the relevant times. As against these parties, the Plaintiff alleged the design and construction of the railing affixed to the Jetty was negligent and not safe for children.

The Trust was appointed the trustee of the relevant area in February 2003. At all material times, the Council was the appointed manager for the Trust. Subsequently, on 27 June 2017 the Plaintiff discontinued proceedings against the Second Defendant.

The Council issued a cross claim against Mr and Mrs Whitton and the Plaintiff's tutor also sued his grandparents alleging they were negligent in their care of him at the time of the accident.

The provisions and the issues

The issues between the parties were:

- The nature and extent of the duty of care owed by the State arising out of the restoration of the Jetty in the mid-1990s and any continuing responsibility in respect of the Jetty at the time of the Plaintiff's accident.
- The nature and extent of any duty of care owed by the Council in circumstances in which the Jetty was handed over to the Council in 2002.
- The existence and scope of any duty of care owed by Mr and Mrs Whitton arising out of the responsibility they took on when caring for the Plaintiff at the time of the accident.
- The application of various provisions of the Civil Liability Act 2002 (NSW) (CLA) including sections 5B, 5C, 5D, 5F, 5G, 5H, 5K, 5M, 5N, 5O and sections 41, 42 and 43A.

The judgment

The Plaintiff succeeded only against the Council and the Trust. Proceedings against the State and Mr and Mrs Whitton were dismissed.

<https://www.sparkle.com.au/insight/negligence-civil-liability-act-principles-revisited-public-authorities-and-carers/>

6/9/21, 11:27 am
Page 1 of 2

The key components of the Court's judgment were as follows:

- The risk of harm, being the risk of the Plaintiff falling through the railing of the Jetty was foreseeable within the meaning of section 5B of the CLA and there was a probability that harm would occur if care was not taken.
- Causation was established the Council breached its duty to the Plaintiff by failing to take preventative measures. The Council was advised by a risk co-ordinator as early as 2002 to modify the railing to make it safer, carry out its own risk assessment or obtain its own building report. There were options available to the Council for closing the gaps, which would have prevented the Plaintiff's accident but they were not taken. The Council did not establish that there was a financial burden of taking such precautions in accordance with section 42 of the CLA.
- The Court accepted the State had no relevant control of the Jetty at the time of the Plaintiff's accident. The design and construction of the railing at the time of the State's occupancy was consistent with relevant codes and standards. At the time of design, the potential risk of children falling through the railing was not raised and the State was not on notice of any risk. The State did not act unreasonably by putting in place a design consistent with railings commonly used at the time. The Plaintiff did not succeed against the State.
- The Plaintiff was engaged in recreational activity at the time of his accident the Jetty was a public open space generally used for enjoyment, relaxation or leisure. This satisfied the meaning of recreational activity as per section 5K of the CLA.
- The Jetty featured a sign which warned users against shallow water and shallow depths. At the bottom of the sign were the words, "USE OF THIS FACILITY MAY BE HAZARDOUS. PLEASE BE CAREFUL." The sign did not convey a warning, either generally or specifically, of the risk of a child falling through the railing. In addition, the sign did not direct attention to any particular or specific risk, activity or hazard. The Court was not satisfied that a risk warning was made out in accordance with section 5M of the CLA.
- The exercise of reasonable care by Mr and Mrs Whitton did not require them to be holding the Plaintiff's hand or take hold of the Plaintiff's hand in the moments he started to move away from the railings. The Plaintiff was of school age as opposed to being of pre-school age or less. The Plaintiff did not give any indication he might move closer to the railing or do anything other than follow the instructions of his grandparents. The Court was not convinced Mr and Mrs Whitton failed to supervise the Plaintiff and indicated there could hardly be any expert evidence as to what the person in the positions of Mr and Mrs Whitton could have done differently.

What does it all mean?

The decision steps through the various CLA defences and serves as a reminder that in order for a warning to be classified as a risk warning under section 5M the substance and effect of the warning must be specific to the risk itself.

The decision also reinforces the Court's reluctance to impose a duty of care on individual carers which goes beyond conduct, including an ability to react, expected of ordinary members of the community. In this regard the Court recognises the balance between foresight and hindsight and does not seek to 'punish' lay persons for acts or omissions seen through the prism of hindsight.

The duty of care imposed on lay persons can be contrasted with the duty of care imposed on public authorities such as Councils; the Court while reluctant to impose strict duties on a public authority will carefully examine a public authority's arguments that it does not have the means or resources to carry out preventative work in accordance with the recommendations in earlier risk assessments.

We would like to acknowledge the contribution of Bahar Turkmenar.

[return to top A](#)

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