
10.1 Route 33 - Beach Road Corridor Strategy and 'No Stopping' proposal**Infrastructure Services**File No: COR/1703

1. Purpose of the Report

To advise Council of recent developments related to Council's previous decision not to support the 12-month No Stopping trial along Beach Road 6am to 10am on weekends, and to respond to two petitions, including one not previously presented to Council.

2. Background

At the Ordinary Meeting of Council on 13 April 2010, Council resolved to:

1. *not agree to the Minister for Roads and Ports' request to introduce a 12-month trial of No Stopping zones on Beach Road at this point in time;*
2. *request the Minister to urgently provide details of the "program of investigations, research, enforcement and development of proposed legislative changes" which is referred to in his letter received by Council on 22 March 2010 to enable a trial to be considered as soon as possible.*
3. *request that the Minister for Roads and Ports reduce the Beach Road speed limit from 60kph to 50kph subject to a community engagement process;*
4. *support the proposed Beach Road Bicycle Accident Study by Sandringham Hospital and MUARC, and commit to providing \$10,000 toward costs of the study if it proceeds;*
5. *request the Minister for Roads and Ports to support the Beach Road bicycle accident study proposed by the Sandringham Hospital and the Monash University Accident Research Centre; and*
6. *inform Sandringham Hospital and Monash University Accident Research Centre of its support for the proposed study.*

Subsequent to this, at its Ordinary Meeting on 25 May 2010, Council considered a petition with 2,278 signatures and resolved to report on the petitioners' request, which states:

"We the undersigned hereby petition Bayside City Council to implement a "No Stopping Zone" on Beach Road from 6am to 10am Saturday and Sunday as a matter of urgency. To facilitate this, the off street parking provided by the Council at select locations on Beach Road should be free during the "No Stopping Zone" period.

A "No stopping Zone" during this time will improve traffic flow for motorists, safety for pedestrians through increased visibility, safety for cyclists and improved visibility for residents entering Beach Road from driveways. Free off-street parking will ensure businesses are not impacted by the restrictions."

3. Discussion

Since the Council resolution of 13 April 2010 there have been a number of developments relevant to Council's position on support for the 12-month trial of No Stopping zones on Beach Road between 6am and 10am on weekends. These are summarised as follows:

- Petition received 25 May 2010 with 2278 signatures supporting the No Stopping proposal;
- Response from the Minister for Roads and Ports (8 May 2010);
- Response from the Minister for Roads and Ports (8 June 2010);
- Response from the Minister for Police & Emergency Services (8 June 2010);
- Preliminary progress evaluation of a No Stopping trial being conducted by VicRoads and Kingston City Council provided to Council officers (9 June 2010); and

- Preliminary cost estimate of the safety improvements that will be funded by VicRoads should Council agree to support the No Stopping 12-month trial.

Petitions received

The petition received by Council 25 May 2010 states that the signatures are from cyclists, people who live on Beach Road, concerned residents and Bayside business owners and workers.

A further petition dated 2 June with 5 signatures has since been submitted. This petition has the same request as the petition received by Council on 25 May 2010. It is therefore appropriate that both petitions be considered at the same and receive the same response.

Responses from the Road and Ports Minister

In response to a letter from the Mayor regarding Council's resolution of 13 April 2010, Council received a letter on 8 June 2010 from the Minister for Public Transport, the Hon. Tim Pallas (refer Attachment 1). The Minister acknowledges Council's work in conjunction with VicRoads and Kingston City council on a draft Corridor Strategy, and further states:

“While the Corridor Strategy will consider a range of issues along Beach Road it is considered that the weekend ‘No Stopping’ zone trial is critical to improving safety along the route. The Government is prepared to commit funding to identified treatments such as three Pedestrian Operated Signals and bicycle safety treatments at key locations along Beach Road to improve safety and amenity for all road users. However, unless Council agrees to the trial running concurrently with the strategy, I am not prepared to commit funds to the Corridor Strategy.

Council's request for the speed limit on Beach Road to be reduced to 50 km/h is noted. An evaluation of the speed limit along the route will be considered in the context of the Corridor Strategy.”

The Minister for Roads and Ports has also responded in a letter dated 8 May 2010 to Council's request to consider bicycle registration. The Minister has stated that bicycle registration is impractical and not cost-effective due to the very high administration costs. He also states that there is no evidence that bicycle registration would lead to an increase in the level of cyclists' compliance with the road rules.

Response from the Minister for Police and Emergency Services

In response to a letter from the Mayor regarding Council's resolution of 13 April 2010, Council received a letter on 8 June 2010 from the Minister for Police & Emergency Services. The Minister advises that enforceability in relation to the offence of cyclists riding more than two abreast requires police to physically follow or observe cyclist. He also notes that it is legal for cyclists to ride three abreast provided the third cyclist is overtaking. Similarly if a pair of cyclists is riding in the left lane then another pair of cyclists may overtake them using the right lane, which amounts to a limited period of four cyclists riding abreast using two lanes.

In terms of improving cycling behaviour and better enforcing road regulations with a view to enhancing community safety, the Minister advises that the Victoria Police State Bicycle Coordination Unit is aiming to increase patrols along Beach Road.

The Minister further advises that the feedback given to Victorian Police in relation to cyclist behaviour has been positive. While enforcement measures along Route 33 have no doubt contributed to these positive results, surveillance and consultation has revealed that there is a higher non-compliance with road rules by recreational cyclists who cycle along the associated bicycle and shared path system, often in family groups. The vulnerability of recreational cyclists has therefore been identified as requiring ongoing educational work in consultation with local police.

It should be noted that the Minister makes a distinction between “recreational” cyclists versus “professional athletes or experienced cyclists”. The Minister states that in contrast to the

recreational cyclists the professional athletes or experience cyclists tend to have a higher level of awareness of relevant rules and safety risks, while favouring the actual roads as opposed to bike paths.

Finally the Minister advises that the Victorian Police will continue to monitor cycling activities along Route 33 with a particular focus on weekends, through the use of:

- Traffic management units;
- Airwing surveillance; and
- Members of the Victoria Police State Bicycle Coordination Unit cycling along Route 33.

Progress report of the Kingston No-Stopping Trial

The Kingston City Council No-Stopping 12-month trial affects approximately 5km of Beach Road from Mentone to Mordialloc. Kingston endorsed the trial on 8 February 2010 and the trial commenced on 20 March 2010. The trial has therefore been operating for approximately 3 months.

Officers from Kingston and VicRoads have advised that so far the trial has been relatively successful based on anecdotal observations however no formal evaluation has been undertaken at this stage. There has been no reported accident since the trial commenced.

Kingston received 11 written objections after 8 February, before and the trial commenced on 20 March 2010. Since the no stopping signs were installed Kingston has received a further 9 written objections. Kingston has also received a number of enquiries from residents regarding how the trail would be evaluated. Kingston has also received one letter from a cyclist congratulating it on this initiative.

With respect to the impact on parking, Kingston City Council officers report no significant parking issues on abutting side streets. However this advice is based on informal observations rather than on any traffic survey. The parking occupancy levels in the side streets are low. There is a high level of compliance with parking restrictions without the need for increased enforcement. It is also understood that over the 3-month period, the number of infringements issued has been minimal.

Based on anecdotal observations of Kingston City Council officers, the traffic flow has improved since the trial commenced, *“as bicycles and cars are not weaving in and out of the traffic lane.”* This observation will be confirmed by traffic and cyclist volume data to be collected by VicRoads over the coming months as part of the performance evaluation. VicRoads will also be arranging an aerial video of Beach Road.

Response from VicRoads

VicRoads has costed the three signalised pedestrian crossings and various bicycle improvement treatments referred to in the Minister's letter dated 8 June 2010, at \$1.0M. VicRoads has advised Council officers that:

“VicRoads understands that the Minister for Roads and Ports, subject to Council agreement to the no stopping zone trial, would be prepared to fund up to \$1.0m towards initiatives identified for the Corridor Strategy. These projects potentially include 3 pedestrian operated signals at an estimated cost of \$250,000 each, with the balance money being for indented parking treatments and safety treatments for bicycles/corridor strategy.”

Once Council, through the Corridor Strategy process, determines the appropriate locations for these projects, VicRoads will arrange for their delivery.

4. Implications

4.1. Policy

The *Bayside Bicycle Strategy 2003* identified an action to improve conditions and usage of Beach Road for cyclists. The Strategy recommended a dedicated lane for cyclists, not a shared lane with cars. A reference group was established to consider this and subsequently recommended the introduction of weekend 'No Stopping' restrictions along Route 33.

4.2. Legal/Statutory requirements

The overall responsibility for the safety of the users of Beach Road is VicRoads, in accordance with the *Road Management Act 2004*. VicRoads is both the coordinating and responsible road authority in relation to safety and traffic management on Route 33. The Act also requires that the road authority must ensure the safety of road users when carrying out its duties and manage traffic on roads in a manner that enhances the safe and efficient operation of roads.

Under the *Road Management Act 2004*, Council is only responsible for the parking restrictions along Beach Road.

4.3. Financial and resource implications

There are no financial implications for Council at this stage, however should the weekend 'No Stopping' restrictions proceed, the estimated cost of the signage is \$60,000 plus any other improvement works deemed necessary. The cost of the development of the Corridor Strategy is also estimated to be in the order of \$60,000. Based on the advice from the Minister for Roads and Ports, VicRoads would meet these costs.

Council has committed to resource a significant engagement process in development of the corridor strategy.

The funding promised by the Minister for the three signalised pedestrian crossing and bicycle safety treatments has been costed by VicRoads at an estimated \$1.0M.

4.4. Environmental impacts

Potential environmental and amenity benefits of safety improvements to Beach Road may include reduced energy consumption, reduced vehicle operating costs and reductions in green house gas emissions and noise.

4.5. Social impacts

Traffic improvements along Beach Road may result in safer forms of interaction between different types of road users.

5. Consultation and engagement

If the Corridor Strategy proceeds Council has asserted that a key objective must be the proposed approach to community engagement and consultation. The focus is to be on creating a genuine dialogue with and between the community, opinion leaders, and stakeholders. This may be facilitated through a variety of mechanisms including forums, and invited focus group discussion. Specific regard is to be had to the submissions already received and engaging with those submitters. It is intended that Council be viewed as a participant and partner in this process, rather than the driver.

Public consultation on the proposed community engagement process for the Corridor Strategy must include the appointment of a key stakeholder reference group. Representatives of the reference group should include:

- VicRoads
- Port Phillip and Kingston City Councils

- Victoria Police
- Bicycle Victoria
- Cycle Sport Victoria
- The Amy Gillett Foundation
- Sandringham and District Memorial Hospital
- Monash University Accident and Research Centre (MUARC)
- Department of Public Transport
- RACV
- Parks Victoria
- Department of Sustainability and Environment
- Commercial groups
- Community groups.

The role of the reference group would include providing feedback on Council's request to reduce the speed limit on Beach Road to 50km/h as well as evaluating the performance of the 12-month No Stopping trial.

6. Summary

The previous Council resolution is that Council will not support the No Stopping trial prior to completion of the Beach Road Strategy. However, recent information including a letter from the Minister for Roads and Ports dated 8 June 2010 (as attached), now provides an opportunity for Council to reconsider the overall community benefit.

The preliminary results of the first 3 months of the No Stopping trial by Kingston also provides Council with some evidence that a No Stopping trial in Bayside may have some beneficial outcomes. There is also a benefit of aligning the No Stopping trial in Bayside with the Kingston trial. This would allow VicRoads to extend the trial to include the full length of Beach Road.

However it is recognised that there are differences in the character, nature and use of Beach Road in Bayside compared to Kingston. These differences include the length of Beach Road, which is 17km in Bayside compared with 5km in Kingston, and the consequent greater demand for beach related activities and associated parking in Bayside.

Council has previously advised the Minister for Roads and Ports that unless there is significant information which he believes Council has not considered, then there is no reason why Council should reconsider its position on this matter. Council's position has been based on the view that all users' needs are to be considered and that any proposed changes must be evidence based.

It is important to note that in the Minister for Roads and Ports' latest request for Council's support to commence the No Stopping trial concurrently with development of the Strategy, he asserts, "the 'No Stopping' zone trial is critical to improving safety along the route." Given that the State Government has the overall responsibility for the safety and management of the users of Beach Road, this assertion is considered relevant and important to Council's reconsideration of the matter.


On balance, given the Minister's commitment and noting his conditional offer, Council could consider the trial subject to an appropriate and consultative evaluation being undertaken. A key role in this process will be the evaluation of the 12-month No Stopping trial by the Corridor Strategy stakeholder reference group. Should Council resolve to support a time limited trial, and maintain its commitment to a consultative process, based on strong stakeholder engagement, using evidence and data, there would be a potential for such a trial to either succeed or to fail. In the event the trial was found to fail, Council should use its powers to remove no stopping zones.

Recommendation

That Council:

1. note the Minister for Roads and Ports' positive response to Council's request for his support to the Sandringham Hospital and Monash University Accident Research Centre (MUARC) Beach Road Bicycle Accident Study;
2. acknowledge the Minister's commitment to a joint VicRoads / Bayside City Council / Kingston City Council Corridor Strategy;
3. acknowledge the Minister's commitment to funding safety improvements for Beach Road, noting that Beach Road is a State-managed road;
4. support in-principle the introduction of a No Stopping zone trial concurrently with the development of the Beach Road Corridor Strategy on the condition of support for the role of a Corridor Strategy Reference Group and that this group be central to the evaluation of the trial period;
5. support the aligning of the No Stopping trial in Bayside with the Kingston trial, scheduled to end on 20 March 2011;
6. receive a further report on the number, location and extent of the trial No Stopping zones;
7. reserve the right to remove the No Stopping zones at the conclusion of the trial, in the event that the evaluation of the overall performance is not considered by Council to be successful;
8. advise the lead petitioner of each of the respective petitions of the above; and
9. thank the Minister for Police and Emergency Services for the ongoing enforcement of cyclists' behaviour along Route 33 and welcome the announcement of increased patrols by the Victorian Police State Bicycle Coordination Unit.

Attachment 1**Minister for Roads and Ports**DOT093614
(File No.: PC005458)**- 8 JUN 2010**Cr Clifford Hayes
Mayor
City of Bayside
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BAYSIDE CITY COUNCIL	
	
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Dear Cr Hayes

ROUTE 33 BEACH ROAD PARKING RESTRICTIONS

Thank you for your letter dated 15 April 2010, regarding council's recent resolutions on the proposed Route 33 'No Stopping' zones on Beach Road between the hours of 6am and 10am on weekends.

I am advised that a draft scope for the Corridor Strategy, which includes a program of activities, suggested milestones, expected outcomes, proposed legislative changes and an estimated budget has been developed. I understand that the scope for the Corridor Strategy has been jointly agreed by Council, VicRoads and Kingston City Council at a recent meeting convened by Council.

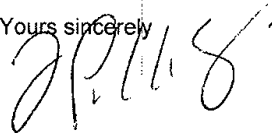
Whilst the strategy will consider a range of issues along Beach Road it is considered that the weekend 'No Stopping' zone trial is critical to improving safety along the route. The Government is prepared to commit funding to identified treatments such as three Pedestrian Operated Signals and bicycle safety treatments at key locations along Beach Road to improve safety and amenity for all road users. However, unless Council agrees to the trial running concurrently with the strategy, I am not prepared to commit funds to the Corridor Strategy.

Council's request for the speed limit on Beach Road to be reduced to 50 km/h is noted. An evaluation of the speed limit along the route will be considered in the context of the Corridor Strategy.

It is agreed that the proposed Beach Road Bicycle Accident Study to be undertaken by Sandringham Hospital and the Monash University Accident Research Centre (MUARC) will assist in guiding the development of crash counter measures for Beach Road. Accordingly, the State Government supports the study and a funding contribution.

Should you require any further information regarding this matter, Mr Duncan Elliott, VicRoads' Regional Director - Metropolitan South East (Tel: 9881 8800), would be pleased to assist.

Yours sincerely

**Tim Pallas MP**
Minister for Roads and Ports