Community & Environment Committee

Date: Monday 4 February 2013

Time: 6.00pm
Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Recommendation only to the Full Council (“R” Items)

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Matters which involve broad strategic or policy initiatives within responsibilities of Committee.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters delegated to the Council by the Traffic Authority of NSW.
- Matters not within the specified functions of the Committee.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Residential Parking Schemes - Provision and Policies.

Delegated Authority (“D” Items)

- Community Services and Programs.
- Library Services
- Health.
- Licensing.
- Liquor Licences.
- Regulatory.
- Fire Protection Orders.
- Residential Parking Schemes (surveillance and administration).
- Traffic Management (Traffic Committee Recommendations).
- Waste Minimisation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolution).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Community and Environment Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.
- Statutory reviews of Council's Delivery Program and Operational Plan.

Committee Membership: 7 Councillors
Quorum: The quorum for a Committee meeting is 4 Councillors.
WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

31 January 2013

To: His Worship the Mayor, Councillor Andrew Petrie ex-officio
   Councillors Deborah Thomas (Chair)
   Anthony Boskovitz
   Peter Cavanagh
   Anthony Marano
   Elena Wise
   Susan Wynne
   Jeff Zulman

Dear Councillors

Community & Environment Committee Meeting – 4 February 2013

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council’s Community and Environment Committee to be held in the Council Chambers, 536 New South Head Road, Double Bay, on Monday 4 February 2013 at 6.00pm.

Gary James
General Manager
Additional Information Relating to Committee Matters

Site Inspection

Other Matters
# Meeting Agenda

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<th>Item</th>
<th>Subject</th>
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<td>1</td>
<td>Leave of Absence and Apologies</td>
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<td>2</td>
<td>Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item</td>
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<tr>
<td>3</td>
<td>Declarations of Interest</td>
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**Items to be Decided by this Committee using its Delegated Authority**

- **D1** Confirmation of Minutes of Meeting held on 10 December 2012
- **D2** Alcohol Free Restrictions at Murray Rose Pool – 145.G
- **D3** Boat & Trailer Parking on Public Roads – 255.G
- **D4** Newcastle Street – Angle Parking – 900.G
- **D5** Lyne Park – Layout of Car Park – 195.G

**Items to beSubmitted to the Council for Decision with Recommendations from this Committee – Nil ‘R’ Items**
Item No: D1  Delegated to Committee
Subject: Confirmation of Minutes of Meeting held on 10 December 2012
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 10 December 2012 were previously circulated. In accordance with the guidelines for Committees’ operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Community and Environment Committee Meeting of 10 December 2012 be taken as read and confirmed.

Les Windle
Manager – Governance
Item No: D2 Delegated to Committee

Subject: Alcohol Free Restrictions at Murray Rose Pool

Author: Paul Fraser - Team Leader, Open Space & Recreation Planning

File No: 145.G

Reason for Report: To report on the public exhibition of the proposed alcohol prohibited area at Murray Rose Pool.

Recommendation:

A. That Council note the submissions received and adopt the alcohol restrictions as publicly exhibited at Murray Rose Pool.

B. That Council staff continue to work with security personnel and the Rose Bay Local Area Command to manage incidents of anti-social behaviour and disturbances after hours.

Background:

Council on 22 October 2012 resolved to exhibit the proposal to establish an alcohol prohibited area at Murray Rose Pool to assist with incidents of anti-social behaviour and disturbances after hours. The full resolution was as follows:

A. That Council exhibit the proposal to establish an alcohol prohibited area at Murray Rose Pool and surrounds from 10pm until 10am, 7 days a week in accordance with Section 632(A)4 of the Local Government Act 1993.

B. That Council staff publish the public notice and notify relevant stakeholders providing an opportunity for representations from the community.

C. That a further report be provided to Council with any submissions received as part of the public consultation.

The proposal was placed on public exhibition from 19 November 2012 for a period of no less than 28 days in accordance with Section 644 of the Local Government Act 1993. This was advertised by notices in the Wentworth Courier, a letter to surrounding residents and the Rose Bay Local Area Command and information on Council’s website.

Discussion:

Council received 3 submissions during the public exhibition period which are summarised in the below table:

<table>
<thead>
<tr>
<th>Rose Bay Police</th>
<th>Support</th>
<th>Rose Bay Police strongly supports the proposal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resident – 543 New South Head Road</td>
<td>Support</td>
<td>Supports the proposal, would prefer a 24 Hour ban – 7 days a week.</td>
</tr>
<tr>
<td>Resident – 7 Gladswod Gardens</td>
<td>Support</td>
<td>Commend the Council for this action.</td>
</tr>
</tbody>
</table>

Conclusion:

Due to the support received for the proposal during the exhibition period, it is recommended that the Council approve the alcohol restrictions at Murray Rose Pool and surrounds from 10pm until 10am, 7 days a week.

Upon resolution, Council staff will update the various regulatory signs within the area and update Council’s various publications including the website and Redleaf Plan of Management.

To assist to deal with incidents of anti-social behaviour and disturbances to local surrounding residents after hours, we will continue to liaise with our security company and the Rose Bay Local Area Command to enforce the regulations.

Paul Fraser
Team Leader – Open Space & Recreation Planning

Tom O’Hanlon
Director – Technical Services

Bruce Rann
Manager – Open Space & Trees
Item No: D3 Delegated to Committee
Subject: Boat and Trailer Parking on Public Roads
Author: Cathy Edwards-Davis, Manager Engineering Services
File No: 255.G
Reason for Report: Update on a previous Mayoral Minute

Recommendation:

That Council provides in principle support to modify the Impounding Act 1993 such that “unattended” is defined as, “A vehicle which has been left unmoved in a public place for a period greater than three months. A vehicle may be considered unattended regardless of whether the vehicle is registered or otherwise”, or similar wording as appropriate.

Background

At the Council meeting on the 28 November 2011 it was resolved:

That the Mayor write to the Councils listed in the report seeking their endorsement to approach the Premier and the Minister for Roads and Ports to amend Regulation 200 of the NSW Road Rules 2008 such that time limits are placed on the parking of registered trailers, boat trailers and advertising trailers in built-up areas.

Since this earlier resolution, Council and the Minister for Roads and Ports, the Hon. Duncan Gay MP have been in correspondence regarding this issue.

Auburn, Canada Bay, Hornsby, Hunters Hill, Hurstville, Ku-ring-gai, Lane Cove, Leichhardt, Manly, Mosman, North Sydney, Randwick, Rockdale, Ryde, Strathfield, Sydney City, Warringah, Waverley and Willoughby Councils have written to Woollahra Council indicating that they endorse and support placing time limits on the parking of registered trailers, boat trailers and advertising trailers in built-up areas. Support has also been received from the Northern Sydney Regional Organisation of Councils.

Boat Trailer Working Group

As a result of Woollahra Council’s lobbying, the Office of Boating Safety & Maritime Affairs, within Transport for NSW, has formed a Boat Trailer Working Group to investigate the matter. Initial membership of the group includes:

- Office of Boating Safety & Maritime Affairs
- Transport for NSW Legal Services
- Division of Local Government, Department of Premier and Cabinet
- City of Canada Bay Council
- Woollahra Municipal Council

The Manager Engineering Services has been attending these meetings on behalf of Woollahra Council.

The intention of the Working Group is to investigate the issues and prepare a recommendation to the Minister for Roads and Ports by March 2013. The scope of the Working Group is as follows:
- Undertake a survey with local councils to collect trailer registration details and use RMS databases to confirm the extent to which unattended trailers are being left by people residing outside the local area, as opposed to local residents. Analysis of this information may assist development of more targeted solutions.
- Achieve a common understanding of the existing powers available to Councils and the effectiveness of these powers in reducing the incidence of unattended trailers.
- Examine the feasibility of an awareness campaign advising boat owners of the potential legal options available to Councils to deal with unattended trailers.

The Working Group has acknowledged that there are no easy or quick resolutions to this issue that will be satisfactory to all stakeholders. However, all parties did agree to work cooperatively to develop appropriate solutions.

Survey of Boats and Trailers in Woollahra

Council staff undertook a survey of the boats and trailers parked on roads in the Woollahra Municipality on Thursday 8 November 2012. A total of 113 individual boat trailers were parked within the LGA. RMS was able to match 93 of the plate numbers to valid, current registrations. Of the plates where the owner could be identified, 65 trailers were found to belong to residents of suburbs in the Woollahra LGA and 28 were found to belong to owners from other LGA’s (11 of these were from suburbs bordering Woollahra). These results are displayed in Figure 1 below.

![Figure 1: Residential postcode of boat trailer owner where rego details can be identified - Woollahra (n=93)](image)

There were a further 20 trailers surveyed in Woollahra for which RMS could not match the plate to a valid owner or registration. Of these, 7 were not displaying registration numbers or could not be readily identified by Council staff. One was from interstate. The other 12 trailers that returned blank results on the DRIVES database were either expired/unregistered, or a data error may have occurred when recording plate details. Figure 2 shows the number of trailers where the residential postcode can be identified as well as the trailers that cannot be identified for various reasons. Staff also identified 3 trailers that were over 7.5m in length.
Legislation

As per the above resolution, Council has previously requested modifications to Regulation 200 of the NSW Road Rules 2008. Regulation 200 permits a registered trailer or boat trailer (less than 4.5 tonnes and less than 7.5 metres long) to park in a built-up area in accordance with any parking restrictions. In unrestricted parking areas these trailers and boat trailers may legally park for an indefinite period. Vehicles greater than 4.5 tonnes or longer than 7.5 metres may only stop in a built-up area for 1 hour.

Council has previously requested that boats and trailers less than 4.5 tonnes and/or 7.5 metres long also have a time restriction imposed. The intention of these changes was not to restrict the parking of these legally registered vehicles on a public road, it was to restrict the time frame for which they could park. It was hoped that this would ensure the turnover of vehicles in areas along the Harbour foreshore where parking is in high demand.

Rather than restricting its review to Regulation 200, the Working Group has examined a number of pieces of legislation to determine what the various potential options may be. The options considered, including the positives and negatives from Council’s perspective are outlined in the following table:

![Figure 2: Residential postcode of boat trailer owner & non-compliant trailers - Woollahra (n=113)](image-url)
<table>
<thead>
<tr>
<th>Legislation</th>
<th>Powers for Council</th>
<th>Positives</th>
<th>Negatives</th>
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<tbody>
<tr>
<td><strong>Road Rules 2008</strong></td>
<td>• Council may install parking restrictions such as 2 Hour Parking which restricts the parking of vehicles (including boats and trailers) for particular lengths of time or for a period of time on a particular day.</td>
<td>• Council has experience installing these types of restrictions</td>
<td>• These types of restrictions often result in the boats or trailers just moving to another nearby location “around the corner”</td>
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<td><strong>Section 205 Parking for longer than indicated</strong> (1) A driver must not park continuously on a length of road, or in an area, to which a permissive parking sign applies for longer than the period indicated by information on or with the sign…</td>
<td>• These powers, in conjunction with resident parking permits, are generally used as a parking management tool to achieve turnover of parking. These restrictions are generally used in areas such as Paddington where there is high demand for parking</td>
<td>• The community is generally familiar with these types of restrictions</td>
<td>• The signage can create visual amenity issues.</td>
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<tr>
<td><strong>Section 205A Parking outside times indicated</strong> If a permissive parking sign indicates that it applies at particular times, or at particular times on particular days, a driver may park on the length of road, or in an area, to which the sign applies at a time, or at a time on a day, when the sign does not apply…</td>
<td>• Currently a heavy vehicle is defined as greater than 4.5 tonnes and a long vehicle is defined as greater than 7.5 metres. These vehicles may not park for longer than 1 hour in the Woollahra Municipality.</td>
<td>• The forced turnover of these vehicles may assist in dispersing the problem and/or it may encourage boat and trailer owners to store their private vehicles off-street in their own properties rather than leaving them parked near Harbour and beach-front areas.</td>
<td>• This impacts on residents who park their boat or trailer in front of their own property. It is noted that 57 to 70% of boats parked within Woollahra belong to Woollahra residents</td>
</tr>
<tr>
<td><strong>Road Rules 2008</strong></td>
<td>• Council has previously requested that boats and trailers less than 4.5 tonnes and/or 7.5 metres long also have a time restriction</td>
<td>• This does not require the installation of expensive and</td>
<td>• This impacts on people throughout NSW, not just in harbour/coastal areas where concerns are being raised by residents. The Division of Local Government, Department of Premier and Cabinet has indicated that they do not support legislation that only applies to part of NSW (eg. metropolitan Sydney)</td>
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<td><strong>Section 200 Stopping on roads-heavy and long vehicles</strong> (2) The driver of a heavy vehicle, or long vehicle, must not stop on a length of road in a built-up area for longer than 1 hour…</td>
<td>• Currently a heavy vehicle is defined as greater than 4.5 tonnes and a long vehicle is defined as greater than 7.5 metres. These vehicles may not park for longer than 1 hour in the Woollahra Municipality.</td>
<td>• This requires people who are utilising a boat ramp to</td>
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<tbody>
<tr>
<td>3 Road Transport (Safety and Traffic Management) Regulation 1999</td>
<td>124 Parking permits</td>
<td>A parking authority may issue a permit authorising the parking of a vehicle without charge or time restrictions in a parking space…</td>
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<td></td>
<td>• This legislation allows Councils to issue and administer parking permits schemes, such as resident parking permits or boat parking permits</td>
<td>• This would allow Council to issue boat and trailer permits to residents only. Other boats and trailers would be subject to the time restrictions. It is noted that 57 to 70% of boats parked within Woollahra belong to Woollahra residents</td>
<td>• If Council creates a specific dedicated boat parking area for residents with permits, people without permits may just park their boat or trailer nearby, outside the designated boat parking area.</td>
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<td></td>
<td>• Boat parking permits would only be of use if implemented in conjunction with parking restrictions, such as 2 Hour Parking restrictions. As above, this restricts the parking of vehicles (including boats and trailers) for particular lengths of time or for a period of time on a particular day.</td>
<td>• This would allow Council to develop specific dedicated boat parking areas</td>
<td>• The signage can create visual amenity issues.</td>
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<td>• If the signage is installed on a larger scale to cover an entire area, this can start to have cost implications.</td>
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<td>• Nearby residents and their visitors must also comply with the parking restrictions. This may be onerous on the community if otherwise there are no parking issues which need to be addressed</td>
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<td>• Residents and their visitors may be fined for not complying with the parking restrictions, if they forget to move their vehicle</td>
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<td>• Restricted parking is a blunt instrument that impacts on all vehicles, not just the boats and trailers which are of concern.</td>
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<td>• This would require Council to administer a Boat Permit scheme, with associated costs</td>
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<td>• RMS have recently changed the permit parking guidelines, and they no longer allow permits for boats and trailers</td>
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<td>4 Local Government Act 1993</td>
<td>Section 632 Acting contrary to notices erected by councils</td>
<td>(1) A person who, in</td>
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<td></td>
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<td>• This legislation allows Councils to install signage to prevent specific behaviours, such as drinking in parks.</td>
<td>• There are limited locations where this legislation would be of use within Woollahra.</td>
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<td>• This legislation provides strong regulatory powers to Council, which can be utilised in locations other than public roads</td>
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<tr>
<td>Legislation</td>
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<td>Positives</td>
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<td>a public place within the area of a council, fails to comply with the terms of a notice erected by the council is guilty of an offence.</td>
<td>• This legislation may be used to prevent the parking of vehicles (including boats and trailers) in locations other than a public road. • This legislation specifically does not allow Council to restrict the parking of vehicles (including boats and trailers) on a public road. This was a deliberate decision to prevent the LGA encroaching on the relevant roads legislation.</td>
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<tr>
<td>5 Impounding Act 1993 Section 15 Abandoned and unattended articles can be impounded</td>
<td>• If a vehicle (including a boat or trailer) is unregistered, Council’s Rangers may commence the process to declare a vehicle abandoned. Section 16 of the legislation provides specific procedures which must be followed. • Currently, even if a vehicle is unregistered, if the owner of the vehicle advises that they have not abandoned the vehicle, then Council’s Ranger’s cannot continue with the procedure to impound the vehicle.</td>
<td>• This legislation can be utilised to remove boats and trailers where the owner does not respond to the Ranger’s contacts and/ or where the owner does not declare that the boat or trailer has not been abandoned.</td>
<td>• Rangers are not able to act if the owner says the boat or trailer is not abandoned, even though it may not have been moved in months.</td>
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Discussion

As outlined in the table above, there are various positive and negative aspects associated with the different legislation.

In the past, Council has supported making modifications to section 200 of the Road Rules 2008. Having been through the initial review of legislation with the Working Party, it now appears that there are a significant number of negative issues associated with this option. Further, it seems unlikely that changes to section 200 of the Road Rules will be supported by the State Government and by some members of the community.

The Working Party is generally of the opinion that the legislation which may provide the best option, albeit a compromised option, may be the Impounding Act. The procedure to impound a vehicle is well defined under section 16 of the Act. However, the definition of “abandoned” and “unattended” vehicles is not currently outlined under the legislation. The Working Party has suggested that if “unattended” were defined, this may provide an option for removing boats and trailers which have been parked for some time. It has been suggested that “unattended” may be defined as being unmoved within a specified period of time. The definition may be worded as follows (or similar):

A vehicle which has been left unmoved in a public place for a period greater than four weeks (or three months or six months, etc.). A vehicle may be considered unattended regardless of whether the vehicle is registered or otherwise.

The benefits of defining “unattended” are:

- Rangers may now target boats or trailers which have been parked for some time and for which Council has received complaints.
- This would allow residents to have their boat or trailer parked in front of their own property for several weeks or months (depending on the time period selected).

The negatives associated with this option are:

- It may impact on residents who have gone overseas and left their car parked on a street for an extended period of time.
- Where a boat or trailer is parked in front of another person’s house, it will take several weeks or months (depending on the time period selected) before the Rangers can act.
- Gathering sufficient evidence to determine a boat and trailer has been left unmoved will be labour intensive and errors may be made if an owner returns their boat to the same location.
- It will be simple for the owner of a boat and trailer to overcome the suggested “unattended” definition by moving the boat and trailer every now and again, even if it is only a small distance.
- Councils may face claims for damages where boats and trailers have been disposed of pursuant to the Impounding Act if it is later proved that the boats and trailers were moved by the owners in the time prior to the articles being impounded.

It should be noted that the Rangers are unlikely to make use of this legislation in the absence of resident complaints.
As noted above, there are certainly still negative issues associated with making changes to the Impounding Act. However, at this stage, this would appear to be the best compromise solution that all members of the Working Party could agree on. On this basis, it is recommended that Woollahra Council support making changes to the Impounding Act to include a new definition of “unattended”.

The State Government is currently in the process of reviewing the Impounding Regulations. However, the definitions are within the Impounding Act and not the Regulations. The Working Party would therefore need to make a recommendation to the State Government that the Act be modified.

Identification of Income & Expenditure

As identified under the various options reviewed above.

Conclusion

It is recommended that Woollahra Council support making changes to the Impounding Act to include a new definition of “unattended”.

Cathy Edwards-Davis
Manager Engineering Services

Tom O’Hanlon
Director Technical Services
Item No: D4  Delegated to Committee
Subject: Newcastle Street - Angle Parking
Author: Cathy Edwards-Davis, Manager Engineering Services
File No: 900.G
Reason for Report: Response to Notice of Motion

Recommendation:

That Council take no further action with regard to the proposal to install angle parking in Newcastle Street, Rose Bay.

Background

At the Council meeting on the 10 December 2012, the following Notice of Motion was adopted:

That a report be brought to the Community and Environment Committee investigating the implementation of angled parking on Newcastle Street adjoining Pannerong Reserve.

Investigation

Pannerong Reserve is located at the intersection of Newcastle Street and Wilberforce Avenue, Rose Bay. It is close to the commercial/retail area of Rose Bay.
Newcastle Street, measured kerb to kerb is 12.8 metres wide. Parallel parking is currently permitted on both sides of Newcastle Street. On the eastern side of Newcastle Street, adjacent to Pannerong Reserve, there are approximately seven parallel parking spaces. This parking is marked “2 Hour Parking 8.30am – 6pm Mon – Fri 8.30am – 12.30pm Sat”.

If 90º angle parking is introduced on the eastern side of Newcastle Street, there is space for approximately 16 parking spaces, an increase of 9 spaces.

Australian Standard 2890.5 outlines the requirements for on-street parking, including angle parking. To allow for 90º angle parking on the eastern side of Newcastle Street and parallel parking on the western side of the Newcastle Street, the Australian Standard specifies that the road carriageway should be 17.2 metres wide. That is, the kerb and footpath on the eastern side of Newcastle Street would need to be moved 4.4 metres further to the east, moving into Pannerong Reserve.

It should be noted that the Australian Standard for angle parking is conservative. There are numerous streets in the Woollahra Municipality and other inner-city areas of Sydney where there is angle parking and the street is less than 17.2 metres wide. It is understood in these streets, that care must be taken when entering and exiting the angle parking spaces, particularly when reversing.

Modifications to the parking arrangements in Newcastle Street will require approval from the Woollahra Traffic Committee. For a collector Road, Newcastle Street has a relatively high AADT of 4,873 vehicles, with 442 vehicles per hour in the peak. Therefore, although RMS may not insist on the full 17.2 metres for angle parking, they are likely to object to a road width which is less than 16.3 metres. This requires the kerb and footpath on the eastern side of Newcastle Street to be moved 3.5 metres further to the east.

The existing footpath on the eastern side of Newcastle Street is 4.0 metres wide. The existing footpath is comprised of a concrete path adjacent to the boundary and a grass verge adjacent to the kerb and parking. In a busy pedestrian area such as this, the minimum width of the concrete footpath should be 2.0 metres. Therefore the new kerb and concrete footpath, if relocated will be 1.5 metres into the existing green space of Pannerong Reserve.

The cost to remove the kerb and gutter and the footpath and install new road pavement, kerb and gutter and footpath, to allow for angle parking, has been estimated at $80,000. This estimate is based on a concept and is subject to detailed design. Each additional parking space would therefore cost approximately $8,900.

Council has a five year capital works program which prioritises works throughout the Council area. Works are prioritised based on the condition rating of the asset and factors such as the volume of vehicles and pedestrians. Council is currently focussing on renewing its existing assets. The $80,000 required for these works has not been identified in the capital works program. Council has a 10 year sustainability index of 0.94 for its transport assets (including road pavement, kerb and gutter and footpaths). That is, Council is spending 94% of what it needs to in order to renew its existing assets. Given this, it would be difficult to recommend that Council fund new assets, particularly at a cost of approximately $8,900 per parking space.

**Loss of Green Space**

The installation of angled parking on the eastern side of Newcastle Street would require the kerb and footpath to be located 1.5 metres into the existing green space of Pannerong Reserve.

The proposed angled parking would also result in the loss of one mature street tree and it would require modifications to a garden bed at the tip of the reserve, at the intersection of Newcastle Street and Wilberforce Avenue.
Pannerong Reserve falls under the Local Parks Plan of Management (POM) which was adopted by Council on the 18 December 1995. The POM notes that small parks and playgrounds comprise approximately 50% of all park settings in the Municipality of Woollahra. The goals in relation to the strategic management of local parks include:

- That small parks and playgrounds be available to all members of the public
- That Council develops a quality system of small parks and playgrounds and further that these form a link to other components of open space within Council’s area.

The POM states in relation to encroachment:

Use of public open space for purposes other than recreation occurs in some parks…These activities restrict public access to open space and are to be discouraged.

The POM states in relation to visibility:

Open space is essential for the general health and vitality of the community through the provision of natural elements in the built environment. In higher density residential areas parks also provide a release from city living, a sense of place and are also a visual resource.

The Woollahra 2025 strategic plan outlines a goal for liveable places as follows, “Woollahra will be a community with accessible, integrated and well maintained public places and open spaces”. The strategy recognises the following key challenges:

- Community and recreation facilities - Providing accessible community and sporting facilities, public places and open spaces. Providing opportunities for children’s play and youth activities.
- Natural areas and vegetation - Preserving and improving access to natural areas. Protecting street trees, streetscapes and canopies in an urban environment with development pressures.

The following strategies have been adopted by Council:

- Enhance local community, cultural and recreation facilities to become more attractive, integrated and accessible.
- Provide attractive, accessible, connected and safe parks, sportsgrounds, foreshore areas and other public spaces.
- Protect trees, streetscapes and landscapes.

Should Council resolve to proceed with the introduction of angle parking in Newcastle Street, this would result in a loss of public open space. This would appear to be contrary to the Local Parks Plan of Management and the Woollahra 2025 strategic plan.

Paul Fraser, Council’s Team Leader Open Space & Recreation Planning has provided the following comments:

Pannerong Reserve is a local park which is utilised by the general public, people shopping within Rose Bay and shopkeepers. It provides well needed green space in a built up area of Rose Bay. It is also utilised for the Rose Bay Fair and the Rose Bay Christmas Carols which are both very popular community events. Any loss of this space for parking is not supported by the Open Space & Trees Department. The proposal for angle parking would significantly decrease the open space available as a clearance zone, new gutters and pathway would also be required which would further increase infrastructure within Pannerong Reserve.
It is noted that Council has long term plans to investigate the construction of a multi-storey car park at Wilberforce Avenue. Should this project proceed, this will introduce many additional parking spaces into the Rose Bay shopping area. Further, should the multi-storey car park go ahead, the availability of green space will become even more important.

Local Environment Plan

The Woollahra Local Environment Plan was gazetted on the 10 March 1995. The objectives of this Plan in relation to public and private open space, recreation and tourism include:

- To provide for open space which will meet the requirements of the population and which will be developed in sympathy with the existing natural environment of the area of Woollahra.
- To provide for a diversity of open space types and recreation opportunities.

Pannerong Reserve is zoned open space. The objectives of this zone include:

- To identify existing publicly and privately owned land used or capable of being used for recreational purposes.
- To increase the provision of public open space within the Council's area to meet the needs of the population.
- To protect the visual and environmental attributes of the foreshores.
- To retain the landscaped, vegetated and open nature of the existing open space within the Council’s area.

The provision of parking would appear to be contrary to the objectives of the zone which seeks to increase the provision of public open space.

Consultation

Should Council resolve to proceed with the proposal to install angle parking in Newcastle Street, the surrounding residents would need to be consulted. It is presumed that the majority would support the introduction of additional parking spaces. However, there are also likely to be some residents who are opposed to the loss of green space. The residents of 24 Newcastle Street, which is immediately adjacent to Pannerong Reserve, may have some concerns about parked vehicles being moved closer to their property.

Identification of Income & Expenditure

As outlined in the report.

Conclusion

As outlined above, there are a number of constraints on the provision of angle parking in Newcastle Street. These constraints include:

- The high cost of works
- The proposal conflicts with the Local Parks Plan of Management
- The proposal conflicts with the Woollahra 2025 strategic plan
- The proposal is not supported by Council’s Team Leader Open Space & Recreation Planning
- The proposal conflicts with the Local Environment Plan
Based on these considerable constraints, the proposal to install angle parking in Newcastle Street does not appear to be viable. It is therefore recommended that no further action be taken with regards to this matter at this time.

Cathy Edwards-Davis  
Manager Engineering Services

Tom O’Hanlon  
Director Technical Services
Item No: D5  Delegated to Committee
Subject: Lyne Park - Layout of Car Park
Author: Cathy Edwards-Davis, Manager Engineering Services
File No: 195.G
Reason for Report: Recommend long term parking layout for car park

Recommendation:

A. That Council modify the parking arrangements in the Lyne Park car park as per the attached diagram labelled Option 4.

B. That Council convert the existing 11 unrestricted parking spaces in the driveway/laneway adjacent to Catalina Restaurant to 4 Hour Parking.

Background

The existing parking available in the western car park in Lyne Park, near the Ferry Wharf is as follows:

<table>
<thead>
<tr>
<th>Parking Restriction</th>
<th>Number Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 Hour Parking</td>
<td>36</td>
</tr>
<tr>
<td>12 Hour Parking Mon to Fri Car &amp; Trailer Parking Sat to Sun</td>
<td>54 (2 x 27 tandem spots)</td>
</tr>
<tr>
<td>4 Hour Parking</td>
<td>61</td>
</tr>
<tr>
<td>Car &amp; Trailer Parking</td>
<td>12</td>
</tr>
<tr>
<td>Total</td>
<td>163</td>
</tr>
</tbody>
</table>

For many years, commuters using the Rose Bay Ferry Wharf have operated an informal tandem or stacked car parking arrangement. The tandem arrangement has developed because these are longer parking spaces used for car and trailer parking on the weekends. These longer parking spaces are available for commuters on weekdays. Council has never formally approved this stacked parking, nor does the existing signage permit this parking arrangement. However, commuters have managed this informal arrangement amongst themselves such that they did not park each other in. In the past, Council did not receive any complaints and therefore allowed this practice to occur.

In more recent months, Council has received complaints from a small number of people who have become parked in by other drivers who are unaware of or do not understand the tandem parking arrangements. Further, in the past, a maximum of two vehicles were stack parked. More recently, this has increased to three stacked vehicles, creating additional problems. The NSW Police have reported that they have received reports of a few incidents where vehicles have been deliberately vandalised/scratched at this location.

The photos below demonstrate the issues:
Photo 1: Vehicles are parking on the grass

Photo 2: Vehicles are not parked within the marked bays
Photo 3: Vehicles are triple stacked

Photo 4: Vehicles are not parked within the marked bays
Proposal

A long term plan is required to address the issues which have been identified above. Council staff started with the assumption that the total number of boat and trailer parking spaces during the week (12) and on weekends (39) had to remain the same. In this context, a number of options have been considered:

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Retain the existing parking arrangements. This includes allowing the tandem stacked parking on the eastern side of the car park to continue.</td>
</tr>
<tr>
<td>2</td>
<td>No changes are made to the existing layout. However, the parking is marked, “Park in marked bays only”. Vehicles would no longer be permitted to park in a tandem stacked arrangement on the eastern side of the car park.</td>
</tr>
<tr>
<td>3</td>
<td>Minor changes only are made to the existing layout. This includes converting five parallel parking spaces, adjacent to the amenities block to ten angle parking spaces. It also includes the addition of three angle parking spaces at the southern end of the car park. These changes would apply Monday to Friday only. The existing parking arrangements would apply on Saturday and Sunday. The parking will be marked “Park in marked bays only”. Vehicles would no longer be permitted to park in a tandem stacked arrangement on the eastern side of the car park.</td>
</tr>
</tbody>
</table>
Option 4
A new slip lane will be introduced on the eastern side of the car park, in the park / grassed area which is currently being utilised as a roadway (as shown in Photo 5). This will provide an access lane for the vehicles which are currently tandem stacked on the eastern side of the car park. That is, there will now be an access aisle on both sides of what is currently tandem stacked parking. Vehicles would no longer be “parked in”.

The parking will be marked “Park in marked bays only” for enforcement purposes.

Option 5
This option maximises the number of parking spaces in the car park. Significant changes will be made to the car park.

The parking will be marked “Park in marked bays only”. Vehicles would no longer be permitted to park in a tandem stacked arrangement on the eastern side of the car park.

Five parallel parking spaces, adjacent to the amenities block will be converted to ten angle parking spaces. It also includes the addition of three angle parking spaces at the southern end of the car park. These changes would apply Monday to Friday only. The existing parking arrangements would apply on Saturday and Sunday.

The significant change involves removing the centre garden island area, which is currently located on the northern side of the amenities block and the proposed café. This would permit the introduction of two additional rows of parking.

The different options result in the following impact on the number of parking spaces:

<table>
<thead>
<tr>
<th>Option</th>
<th>Number Spaces (Mon – Fri)</th>
<th>Number Spaces (Sat – Sun)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>12P</td>
<td>12P Stack</td>
</tr>
<tr>
<td>1</td>
<td>35</td>
<td>54</td>
</tr>
<tr>
<td>2</td>
<td>62</td>
<td>0</td>
</tr>
<tr>
<td>3</td>
<td>70</td>
<td>0</td>
</tr>
<tr>
<td>4</td>
<td>84</td>
<td>0</td>
</tr>
<tr>
<td>5</td>
<td>117</td>
<td>0</td>
</tr>
</tbody>
</table>

Concept diagrams for the above Options are attached. The above total number of parking spaces are estimates and based on concept diagrams only. If one of these Options is progressed to detailed design, the final figures may change slightly.

The tandem or stacked parking has not been formally approved. However, there is a perception in the minds of commuters and people who utilise the car park that these additional parking spaces exist. Therefore the perceived removal of these spaces and strict enforcement is unlikely to be widely supported. The positive and negative attributes of the above Options are discussed in the following table:
<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
<th>Positives</th>
<th>Negatives</th>
</tr>
</thead>
</table>
| 1      | Retain Existing                                                            | • There will be no perception that parking spaces have been lost           | • Council will continue to receive complaints from motorists that they have been “parked in”  
• There may be continued incidents of vehicles being deliberately vandalised  
• The park/ grassed area will continue to be utilised as a roadway  
• This is difficult for Council’s Rangers to enforce in a consistent and fair manner |
| 2      | No changes to layout. New linemarking and signage stating that vehicles must park in marked bays only. | • Motorists will not be “parked in”  
• Council can install bollards in the park/ grassed area and reclaim this green space  
• This will allow improved, consistent and fair enforcement by Council’s Rangers | • There will be a perception that 27 parking spaces have been lost  
• There will be a loss of green/ park space  
• The number of parking spaces will be increased, both during |
| 3      | Minor changes to layout. New linemarking and signage stating that vehicles must park in marked bays only. | • Motorists will not be “parked in”  
• Council can install bollards in the park/ grassed area and reclaim this green space  
• This will allow improved, consistent and fair enforcement by Council’s Rangers  
• Loss of fewer parking spaces than Option 2. | • There will be a perception that 20 parking spaces have been lost  
• There will be a loss of green/ park space  
• The number of parking spaces will be increased, both during |
| 4      | Introduce new aisle in park. New linemarking and signage stating that vehicles must park in marked bays only. | • Motorists will not be “parked in”  
• This will allow improved, consistent and fair enforcement by Council’s Rangers  
• Loss of fewer parking spaces | • There will be a loss of green/ park space  
• There will be a significant loss of green/ park space and mature trees  
• The visual landscape of Lyne Park, and looking from Lyne Park to the Harbour will be significantly denuded |
### Valet Parking

Another option which Council staff have considered is creating a valet parking system within the Lyne Park car park. The valet attendants would retain the car keys and this would allow them to triple stack vehicles, without anyone being parked in.

A café will shortly be opened within the car park, subject to DA approval. As the café will already have staff on location, it was thought that they may be in a position to also run a valet parking service. Council staff have not discussed this matter with the café operators.

In order to run a valet service, the café would need to employ additional staff and obtain appropriate insurance. In order to recover these costs, motorists would have to pay to park within the car park. There is likely to be some community reluctance to pay for parking at this location.

### Paid Boat and Trailer Parking

A community member has suggested that Council consider charging for boat and trailer parking. He notes that a paid parking system operates at Pittwater Council. Paid boat and trailer parking would ensure some turnover of these parking spaces. There is likely to be some community reluctance to pay for boat and trailer parking at this location. Council has not received significant complaints that people arriving to utilise the Rose Bay boat ramp have been unable to find appropriate parking. There is some concern that if there is a paid boat and trailer parking scheme in place in the Lyne Park car park, then some people may choose to park their trailer outside of the paid area in surrounding streets such as New South Head Road.

### Preferred Option

Option 4 is the preferred option as it represents the best compromise. There will be some loss of grass/park area. However, this is balanced with retaining as many parking spaces as possible.

It is recommended that the new service lane, constructed over the existing grass/park area be constructed from either crushed gravel or sandstone. This will help to ensure that what is now green park space does not obtain the “hard” appearance of the bitumen car park.

Should Council resolve to proceed with Option 4, it is recommended that plans be placed on-site, prior to the works being undertaken.

It is also recommended that when the parking changes first occur, that an education campaign be undertaken to ensure that motorists parking at this location understand that they must park within the marked bays. Following the education campaign, motorists parking outside the marked bays should receive an infringement.

Paul Fraser, Council’s Team Leader Open Space & Recreation Planning has provided the following comments:

<table>
<thead>
<tr>
<th>Option</th>
<th>Description</th>
<th>Positives</th>
<th>Negatives</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>that vehicles must park in</td>
<td>the week and on weekends.</td>
<td>• This significant change may require the Lyne Park Masterplan to be revised and reapproved by the Minister</td>
</tr>
<tr>
<td></td>
<td>marked bays only.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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From an open space point of view, Option 3 is our best outcome as the park retains its grass and open space feel. However we do realise the existing pressures within Lyne Park in relation to car parking and can see the benefits that Option 4 has with the competing park users and commuters. The material should be a crushed gravel or sandstone surface. We do agree that the regulation and education of this option is paramount to the success. The existing trees along the proposed new aisle would need to be protected.

**Driveway Adjacent to Catalina**

Adjacent to Catalina Restaurant, there is a laneway/driveway with approximately 11 parking spaces. At the moment these parking spaces are unrestricted.

The owner of Catalina has advised that these parking spaces are used by all-day commuters, which makes it difficult for his customers to obtain nearby parking. He has requested that these parking spaces be changed to 4 Hour Parking. This request is supported.

**Identification of Income & Expenditure**

There are sufficient savings from the Rose Bay Sea Wall project to fund Option 4.

**Conclusion**

It is recommended that Council proceed with Option 4.

Cathy Edwards-Davis  
Manager Engineering Services

Tom O’Hanlon  
Director Technical Services

**Annexures:**

Diagrams showing the car park layout, Options 2 to 4
POLITICAL DONATIONS DECISION MAKING FLOWCHART
FOR THE INFORMATION OF COUNCILLORS

Matter before Committee or Council meeting

Action
Declare a significant non-pecuniary conflict of interest, absent yourself from the meeting and take no further part in the debate or vote on the matter (Code of Conduct Cl 7.17(b))

Yes

Did the applicant, owner (if not the applicant) or someone close to the applicant make a donation in excess of $1,000 that directly benefited your election campaign? (Code of Conduct Cl 7.23)

No

Action
Do you believe the political contribution creates a significant non-pecuniary conflict of interest for you? (Code of Conduct Cl 7.24)

Yes

Consider appropriate action required. This could include limiting involvement by:
1. participating in discussion but not in decision making (vote),
2. participating in decision making (vote) but not in the discussion,
3. not participating in the discussion or decision making (vote)
4. removing the source of the conflict

No

Action
Did the applicant or someone close to the applicant make a donation less than $1,000 that directly benefited your election campaign? (Code of Conduct Cl 7.23)

Yes

Participate in debate and vote on the matter

No

Action
Consider appropriate action required. This could include limiting involvement by:
1. participating in discussion but not in decision making (vote),
2. participating in decision making (vote) but not in the discussion,
3. not participating in the discussion or decision making (vote)
4. removing the source of the conflict

Is the matter before the meeting a Planning Matter?

Yes

Staff to record decision process (motions/amendments) and Division of votes for the determinative resolution or recommendation in the meeting minutes

No

Staff to record decision process (motions/amendments) and determinative resolution or recommendation in the meeting minutes

or

No

Yes