Unlawful Parking on Verges Workshop

Meeting: **Unlawful Vehicle Parking on Road Verges Workshop**

Meeting Date: **12 February 2018**

Subject: **Unlawful Vehicle Parking on Road Verges**

File Ref: **Workshops Council meetings**

Presenter: **James Ruprai – Customer Engagement & Planning Services**

Place: **Lake Kawana Community Centre**

Time: **9:00 am – 3:49 pm**

At the Unlawful Vehicle Parking on Road Verges Workshop held on Monday 12 February 2018, the following councillors were in attendance:

Councillors: Mayor Mark Jamieson, Cr Baberowski, Cr Dwyer, Cr Cox, Cr Connolly, Cr McKay, Cr Dickson, Cr Hungerford, Cr O'Pray, Cr Robinson, Cr Rogerson

And the following attendees presented to Council
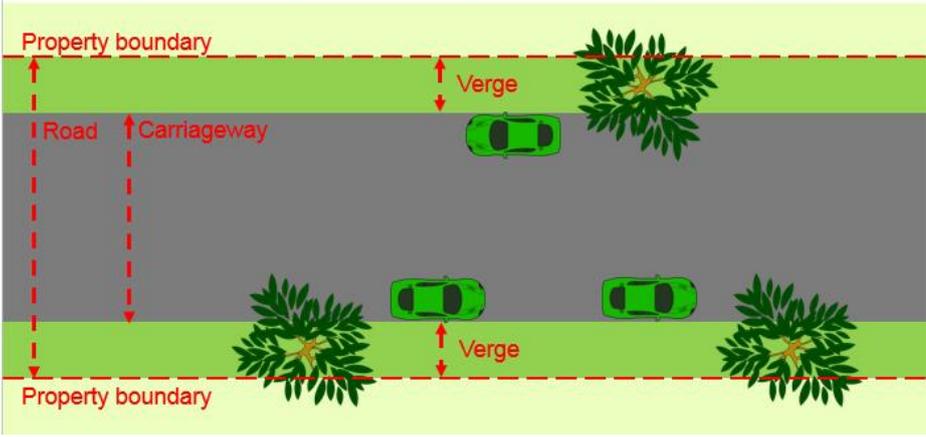
External Attendees/Speakers:

Department of Transport and Main Roads – Glenda Caselli

Kawana Forest Residential Association – Glenn Smith

Birtinya Residents Association – Colin Bowen

OSCAR – Greg Smith and Jillian Smith

Parking Politics Gone Mad – Colin Manderson, Karen Churcher, Rachel Martin

Avid – Bruce Harper

Telstra – Barry Lonergan

Unitywater – Michael O'Toole

Bellvista & Bells Reach Community Association – Les Thomas

UDIA – Graeme Bews

Master Builders – Will Wilson

Charden Development Group – Glen Cassidy

Council presentations:

Nick Cooney – Verge Parking Definitions & Council Roles

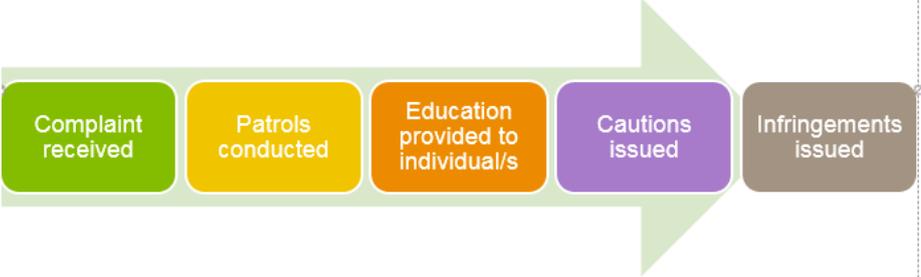Shanagh Jacobs – Education and Compliance

Meeting minutes

Session 1 Where are we now

Presentation	Key Messages/ Minutes
Session 1 - Where are we now	
Opening Mayor Mark Jamieson	- The purpose of the day is to achieve two things: - Firstly to share information on a range of perspectives and issues that relate to parking vehicles on the road verge which has generated considerable debate within our community and more broadly. - Secondly to hear ideas on how council, the elected representatives, should appropriately manage verge parking. - Council acknowledges ther are many differing perspectives on this issue and at the same time, council does not wish to be at odds with our community. - There has been misinformation in the local media, including a fake photo submitted to the media. Some media outlets continued publishing that photo online, knowing it was fake. - There are many examples where council works with the community on a daily basis to come up with outcomes that take account of what can, at times, be very disparate views. - Today's workshop is part of that process as we look at the issues and challenges of managing the parking of vehicles on the road verge. - The workshop will help inform where we go from here and the approach that we take to managing verge parking in the future.
1.1 Verge Parking Definitions Sunshine Coast Council – Nick Cooney	A nature strip/verge means an area between a road and adjacent land, but does not include a bicycle path, footpath or shared path.

	The verge is used for the following:
	• accommodate power poles, light poles and a range of underground services such as water and gas supply pipes, storm water, sewage, telephone and sometimes, electrical cables
	• allow for pedestrian access along the street where there is no footpath
	• provide a space for the kerbside collection and emptying of rubbish and recycling bins
	• allow vehicles to park safely at the kerbside and for door opening space between the road and footpath
	• provide for pedestrian, pram, pusher and wheelchair traffic between the road and footpath
	• can act as additional footpath space when two or more people walk together
	• allow for visibility of and for motorists, cyclists and pedestrians at intersections, curves in the road and near driveways
	• provide space for street tree planting
	• Can absorb rainwater and reduce storm water run-off; and can visually soften the effect of hard streetscape elements such as roads, footpaths, driveways, fences and buildings.
	Road Rules
	A driver must not stop on a bicycle path, footpath, shared path or median strip, or the verge adjacent to a length of road in a built-up area, unless the driver—
	(a) stops at a place on a length of road, or in an area, to which a parking control sign applies; and
	(b) is permitted to stop at that place under *Transport Operations (Road Use Management) Act 1995*
	• The legislation does allow for the installation of a sign to permit parking on the verge.
	• The legislation requires signs be installed at the beginning and end of the street where the parking is permitted, and every 75m between.
	• The signage does not control how people park on the verge.
1.2 Department of Transport and Main Roads Department of Transport and Main Roads – Glenda Castelli	The Department of Transport and Main Roads defines a road corridor as being from property boundary to property boundary. A road corridor can range in size from only a few metres wide to hundreds of metres wide. There are various reasons why road corridors differ in size. The footpath, whether formed with concrete or not is considered a very active area.

	• It is active above ground for the safe movement of pedestrians
	• But is more importantly very active underground for utility providers. These utilities are often stacked either on top of each other or side by side and require minimum dimensions to be factored into corridor width.
	• Utilities used to be more visible above ground. They are now less visible, but still located within the road corridor
	The Department of Transport and Main Roads also advised that all urban councils on the eastern seaboard in Queensland regulate verge parking.
1.3 Kawana Forest Residential Association Glenn Smith	Kawana Forest does have parking issues much like other estates on the Sunshine Coast.
	This is caused by a number of factors. Smaller lot sizes and narrow roads play a part. However, cars parked on the road and verge do have amenity impacts.
	Majority of these problems are created from current society lifestyle factors including:
	• People owning boats, caravans, campervans and jet skis in addition to (often) a minimum of two cars per household.
	• Many homes are no longer single family homes. They are often rented with multiple tenants/ share house type arrangements
	• People now use the garage for storage and people generally have more possessions than previously
	Kawana Forest residents have generally been happy with Council's current practices for regulating parking on verges.
	• Kawana Forest Residents Association try to provide residents with as much information as they can and educate their residents on the laws surrounding parking
	• Encourage neighbours to talk to their neighbours
	• If that fails, the residents' association encourages residents to lodge complaints with Council for formal investigation.
	Kawana Forest Residents Association believes the current regulation process is quite good.
	• Is a common sense approach
	• Sees Council acting where there is a legitimate problem
	• In most instances residents are warned before being fined
	Some suggestions for Council to consider:
	• Formal 1 warning before fine system
	• Future developments to incorporate wider streets and/or indented parking bays
	• Work with residents' groups to help educate residents

	• Encourage people to declutter their garages (kerbside collection)
1.4 Education and Compliance Sunshine Coast Council- Shanagh Jacobs	Council officers undertake enforcement in line with the *Compliance and Enforcement Policy 2009* This policy encourages self-compliance through community education in the first instance, with more formal actions gradually progressing depending on a number of factors (e.g. risk, evidence, public interest) Council's primary reasons for regulating parking on the verge: • to address safety issues for road users and pedestrians • to protect infrastructure and ensure infrastructure is accessible for maintenance or emergencies • to ensure accessibility for pedestrians and services • There are two teams in council responsible for managing parking on the verge: The <u>Regulated Parking Team</u> is responsible for managing parking in defined precincts where parking supports busy areas such as CBDs or Hospitals e.g. Caloundra CBD and surrounds, Maroochydore, Birtinya etc. The <u>Response Services Team</u> is responsible for responding to complaints about parking in areas outside these precincts, primarily residential areas. When the Regulated Parking Team begin patrols in a new area, that has not had regular patrols, they will work through a program of education before undertaking enforcement The Response Services Team addresses parking on the verge in response to community complaints. They work through a process of education before enforcement, as they are in residential areas they can target education to specific individuals or households. Complaint received → Patrols conducted → Education provided to individual/s → Cautions issued → Infringements issued Infringements are issued to a vehicle. To allow for extenuating circumstances council offers a review process. This process allows drivers to: • provide additional information such as evidence of a medical emergency, vehicle failure, or other extenuating circumstances • request a review of infringements they believe to be incorrect or unfair

	After a review, if the driver is not satisfied with council's decision or interpretation of the law they may have the matter heard in the Magistrate's Court
	What about council staff and council vehicles?
	Council staff are expected to set an example for the community, and are held accountable if they park illegally.
	Council vehicles parked illegally are investigated and infringed. The driver of the vehicle is responsible for paying the infringement
	Work Zones: There are times a Council employee may be unable to locate lawful parking nearby a council asset, and in these circumstances they are permitted to establish a work zone.
	In these circumstances the vehicle must be essential to the work undertaken and the staff will display witches hats around the vehicle and staff will be seen in high-visibility work wear.
1.5 Sunshine Coast Council Complaints and Fines Data – Jamie Simmonds	Data was collected for both complaints received (people complaining about people parking on verges) and fines issued and then compared.
	Complaints data
	Complaints data by quarter is showing a general upward trend of complaints. For example, in the October to December quarter in 2017 verge parking complaints comprised 49% of complaints with 283 complaints compared with the same quarter the previous year with verge parking complaints comprising 31% of all parking complaints with 216 complaints received.
	Verge parking complaints are on the increase.
	Fines data
	There has been a gradual upward trend in fines, but no dramatic increase. For example in the July – September quarter 2016 verge parking fines were 9% of the total number of all parking fines and in the same period in 2017 they were 12% of the total number of fines
	Comparison between complaints vs fines data
	Both complaints and fines as a percentage are increasing
	There is a much higher growth in complaints
	Comparison with other Councils
	Council's penalty unit used to determine the fine amount sits at 0.75 of a penalty unit.
	This is consistent with other Councils and is in the mid-range charged for fines (Gold Coast charge 0.8 of a penalty unit, Moreton .070 of a penalty unit and Brisbane and Ipswich both 0.75 of a penalty unit)
	The State Government sets the penalty unit amount each year.

Session 2 – What are the issues	
2.1 Avid – Bruce Harper	Developer's perspective – new development - Harmony Good design can overcome many issues Street widths for local access streets • Palmview minimum carriageway width under the masterplan is 6 metres • Avid have decided to construct minimum carriageways of 7.5 metres • Approximate cost to the project is $40 million or an additional $8000 per lot additional • Esplanade roads - there is an exception to have the carriageway less • There are minimum dwelling targets that greenfield sites have to meet - 18 dwelling per hectare which does mean smaller lots • 30-40% of houses have a 10 metre frontage can only have a single garage • There is good design opportunities in new estates
2.2 Birtinya Residents action group – Colin Bowen	• Birtinya is a regulated 1 hour parking area as requested by the residents of the area. • Before this system was implemented, the residents met with Council and it was agreed that each house would receive 2 parking permits (1 resident, 1 visitor) • Currently been successful. Trial still ongoing. • Real estate agencies are currently not advising future tenants of the 1 hour limit/ permit system on to tenants. • The regulated area is currently pushing hospital staff further out than the currently regulated area. • Residents are restricted with the 1 hour system. Especially home businesses and when someone has multiple visitors. • On street parking is inadequate for the population of the area. Concerns **Safety** • Footpaths and verges give pedestrians a safe method of passage. Even partial blockage of this would impact safety. **Obstruction and maintenance** • If a vehicle is parked over the kerb how does a resident or council access for maintenance? **Visibility**

	• In the instance of someone reversing out of a driveway, verge parking will reduce the visibility for the driver and increase the risk for having an accident. **Damage** • Who is responsible for the repair in the case of damage especially in the case of bad weather? • We have a lot of residents who are very proud of their lawns who don't want them churned up. • Will we see neighbours taking out civil suits out on each other? **Access** • With narrow streets, if vehicles are parked on either side of the street, it can render the street impassable. • Yellow Lines would alleviate this problem in some circumstances. **Health** • Walking is good for your health. If verge parking were to be introduced many residents and many people who walk through the area (many walking to work in the hospital precinct) would be inconvenienced. • Having to negotiate around parked vehicles would not be conductive to safe walking. Occupational health and safety legal claims, which could come back to Council • Blocked footpath/ driveways will also impact cyclist to ride on both the road and the footpath. Possible Solutions and proposals **Education** • Need to educate people that this is not their property. It has a purpose.
2.3 OSCAR – Greg Smith & Gillian Hall	• OSCAR Represents 40 + resident groups • Workshop is a good example of the starting point for community consultation. • A good outcome of the workshop is to change current planning design for greenfield sites. • Let's get future developments right • Education is the key. There is a lot of grey in this area. There may be some situations where verge parking may be appropriate. But this would be complex to initiate. **Possible solutions** • Move away from being a car-centric society. Get cars off the roads. Car free event. • Improve public transport infrastructure.

	- Improve resources. Creative ways to get information out to who it needs to go to. - Share some of the good stories. - Formally mark where to park on the roads in residential estates. - Undertake more community consultation to find a win: win solution - Look at lot densities.
2.4 Planning and Road Widths Sunshine Coast Council – Nick Cooney	Current design standards for residential streets are based on a publication called *Queensland Streets,* released by the Queensland Division of the Institute of Public Works Australia (IPWEAQ) in the 1990s. *Queensland Streets* was used by many Councils when adopting street design standards in their Planning schemes. Key principles for an access place/street are: - One moving lane of traffic, with intermittent kerbside parking between driveways and a speed environment of 30kph. Width of these streets were 5.5m between kerbs. - Intermittent on-street parking is generally accepted as contributing to reduced vehicle speeds in residential streets. - The *Queensland Development Code* requires two onsite parking spaces be provided for detached dwellings. On-street visitor parking was recommended at the rate of 1 space per 2 allotments. - The weaving in-between cars has a purpose to slow cars down to approximately 30km per hour - The Planning Scheme contains minimum standards for different residential street cross-sections, which have maximum traffic catchments/volumes for each street type in the road hierarchy. - Current standards for lowest order streets are generally derived from *Queensland Streets:* - Access place – 5.5m between kerbs (up to 15 lots or 150 vehicles per day) – low speed environment - Access street – 6.0m between kerbs (up to 75 lots or 750 vehicles per day) – Low speed environment - Neighbourhood collector streets at 7.5m or greater between kerbs do not typically experience parking concerns as they provide for sufficient width between parked vehicles – speeding becomes more of an issue with these streets as cars aren't forced to drive slowly - Carriageway widths increase as the category of road and require road capacity increases **Contemporary Development Trends**

	- Current minimum standards came in some 20 or so years ago when *Queensland Streets* was released as a guideline for residential street design in Queensland. At that time, residential lots were larger, being 500-600m² and above, with frontages of 17-20m. - The concept of narrower road reserves was to promote more efficient development in greenfield areas (being less land consumptive & resulting in lower speeds and less road surface area). *Complete Streets* was issued more recently by IPWEAQ as a more contemporary planning guideline. Aspects of both of these documents are referenced in the current planning scheme. IPWEAQ has recently commenced a review of *Complete Streets*, with the intention of including more technical design information in line with contemporary development. - More recently, the density of residential subdivisions has increased with a corresponding decrease in allotment road frontage. This has increased the underlying parking demand, while at the same time decreasing the available space for parking (i.e. less kerb space due to more driveways per street length). - This is a crucial part of the assessment process that is regularly raised with applicants and their consultants, often resulting in additional indented parking bays and/or additional road reserve to accommodate sufficient on-street parking. - Similar issues occur with developments approved by Economic Development Queensland (e.g. Aura/Caloundra South which Council is not the assessing authority for development) and in areas where infill unit development occurs.
2.5 Parking Politics Gone Mad Colin Manderson & Karen Churcher	Parking Politics does not consider it is possible to come up with a solution that complies with the State government legislation and Council regulatory framework as: - There aren't currently lawful allowances for verge parking - The group does not consider the law is the problem. Application of the law by Council is the problem - Parking is not enforced under State government legislation. There is no requirement under the State law for Council to enforce. - The group considers that verge parking is safer than parking legally on the road. Tradies' Summary We consider verge parking is the only safe and sensible solution for construction zones in high density estates. Two solutions for trades people are :

	1. Defined construction zones for areas still under construction (and allow verge parking)
	2. For post construction contractors, a relaxation between the hours of 6am – 5pm with safety cones defining a work area.
	<u>Causes</u>
	This has only become an issue with high density residential development.
	<u>Solutions</u>
	• Council should make developers construct wider roads. Development approvals should not be issued until a minimum "acceptable width" for roads in these estates has be decided on by a great deal of research and consultation. There must be provision for adequate parking.
	• Council needs to enforce adequate building setbacks to houses to allow for legal parking in front of garages.
	• Footpaths should be mandatory part of any estate on at least one side of every street.
	• In existing narrow streets an amnesty should be put in place to allow for partial verge parking or retrofit indented parking bays.
	Parking Politics Gone Mad advised that it was not until they were informed earlier in this workshop that Caloundra South and Bells Reach were approved by the State Government (not Council) and Council is not the assessment manager for any development within these areas.
2.6 Telstra Barry Longergan	• Footpath is a corridor of space used to provide services to properties
	• All communication providers have 2 types of infrastructure within the verge
	○ Distribution of services to individual properties
	○ Connection centres that connect services to adjoining areas
	• Very important to have access to both pits and manholes
	• A potential consequence of not being able to service could be life threating if service could not be restored by someone needing to call 000
	• Pits and manholes are constructed to a standard so that maintenance crew can easily remove the lids. They are not designed to be driven over by a motor vehicle or parked on.
	• If a lid was broken and oil leaked into it, this could cause an environmental hazard that the service provider would need to bear the cost of to rectify.
	• Safety of the workers being able to quickly and readily access the infrastructure easily and frequently is a priority It should also be noted that many providers need access to the same

	asset, which is why these assets are accessed more frequently.
	• Clear space around the assets is also needed to safely service the assets, for example if a car was parked against a pillar it is likely that the provider wouldn't be able to access that asset and restore service.
	• Potential for public liability law suits if someone injures themselves on a broken lid.
	• Many providers have service guarantees they have to meet. If service cannot be restored within a specified timeframe the service provider will incur a monetary penalty for not meeting their requirements.
	• Businesses lose money when services are down so providers can be liable for these losses.
	• Telstra have got a strong staff safety focus.
2.7 Unity Water Michael O'Toole	• Road verges are Unitywater's workspace. Safety of workers whilst working in the verges is a priority.
	• On any given day there can be numerous breaks in the network ○ Unitywater service agreements require maintenance staff to respond to the break within an hour and restore service within 5 hours

	• Risks of not having access to the infrastructure include:
	    ○ Customer impact of not having service
	    ○ Safety (from the flow for water breaks to health and environmental impacts from sewer breaks with sewerage potentially running into residential areas)

	• Priority is to be able to access the area of the break quickly and set up a work zone. When setting up a work zone Unitywater enacts traffic management plans and pedestrian management plans
	• The scale of the break will determine the size of the work area. The break may not always be in the area it appears to be. Maintenance staff then need to follow the line.
	• Some of the equipment used by Unitywater includes: CCTV vans, maintenance trucks and trailers to repair/ unblock lines, concrete saws. Much of the equipment is big and bulky.
	• Blockage or parking to close to a manhole would create a safety issue and would mean that repair would not to be undertaken until the owner of a vehicle was located/contacted and the vehicle moved
	• Water metres need to be accessed easily.
	• Right on the verge where the verge meets the kerb service lines traverse under the bitumen roadway. This is often where breaks occur. If a car was parked even 2 wheels up it would

	• impede access to both visualise the break and access the break.
	• If breaks aren't repaired quickly water pressure can build up and there have been events where houses have been destroyed due to major leaks not being repaired quickly.
	• When Unitywater sets up a work zone within the verge, there is a responsibility to replace and reinstate it to its former state.
2.8 Bellvista and Bells Reach Community Association Les Thomas	• Belvista and Bells Reach was developed under the State Government
	• Parking Laws were developed in the mid 1990s where lots were large and roads were wide.
	• Times have now changes with much smaller lots and frontage sizes, and narrower roads. People are now using their garages as storage rather that to park their cars in.
	• Belvista and Bells Reach were developed with no footpaths and with bio retention basins in the verge.
	• Verge parking laws have not changed in this time.
	• However it is noted that developers are now developing communities with wider roads and footpaths.
	• It is noted that the primary purpose of the verge is to provide service and infrastructure.
	• However, public safety in the communities without footpaths needs to be considered. Two wheels up would make it safer.
	• When the matter was discussed at the group's last meeting there were members who didn't want neighbours parking and destroying their lawns in the event of rain. Other members had the view that people knew what type of area they were buying. However, at the end of the night it was agreed by the majority that for roads less than 6 metres, 2 wheels up would be safer.
2.9 Australia Post David Glenwright	• Delivery of mail and small parcel articles are facilitated by motorcycles primarily on council footpaths and grass verges.
	• Australia Post also uses other methods of delivery including walkable buggies, electronic assisted bicycles, and delivery vans. All of these require clear and safe access to letterboxes and front doors.
	• Australia Post needs to be able to have access to serve their customers, and they have community service obligations.
	• While every attempt is made to deliver articles, where vehicles are preventing safe/clear access to either the letterbox or front door, there may be some instances where delivery to that property isn't possible due to the hazard/safety risk to staff.
2.10 UDIA Graeme Bews	UDIA is the peak body for the QLD Property Development Industry

	• UDIA recognises that development needs to provide appropriate parking both on and off site which is both safe and convenient.
	• Higher density development can cause parking issues.
	• However, this type of development provides affordable housing choices, and creates a more efficient development pattern which assists in meeting the State Government imposed dwelling targets.
	• Any policy change should only happen once the issue is fully understood.
	• Any policy response should be carefully considered and not have any unintended consequences.
	• Widening the roads won't necessarily improve the situation.
	• The negative impacts of widening roads could include:
	o Road pavement will add to the cost and sale price of land.
	o Wider roads discourage low speed environments which is what the lower order roads are designed for.
	o Wider roads may have the unintended consequence for traffic calming devises having to be retrofitted to slow cars down.
	• Better public transport is key in resolving the issue
	Solutions
	• Planning Scheme already has good controls to deal with this issue including: tandem car parking where a single garage is proposed, double garages on smaller lots provided they don't dominate the streetscape, coupling of driveways together to provide for more on road car parking spaces, use of indented parking bays and rear lane access to garages.
	• Construction parking issues are only a short term issue that needs a pragmatic approach from Council
2.11 Master Builders Will Wilson	Very difficult and complex issue
	• Main focus of Masterbuilders is the issues surrounding construction and the safety of construction workers
	• There is a big difference between a whole estate under construction and a small infill build. Solutions need to account for both.
	• A tradesman cannot drop off a days' worth of tools and go and park elsewhere.
	• A tradesman's vehicle/ trailer is his toolbox. Often you wouldn't know exactly what tools you will need for the day.

	• Deliveries to worksites is also an issue. Sometimes vehicles do need to park illegally to safely offload their product (i.e. glass delivery)
	• Masterbuilders would like Council to hold a small stakeholders meeting focused on construction with Masterbuilders as a representative for the construction industry.
	• The solutions should be a collaborative approach and it can't be subjective.
	• It is also noted that a solution shouldn't be based on today's issues as in the future with improved public transport these may no longer be issues.
2.12 Chardon Development Group	• Developers and Council should be utilising indented parking bays more.
	• Road reserves shouldn't be widened.
	• The footprint needed for services should be looked at, and placing them under footpaths should be considered.
	• 2 wheels up doesn't work. It can create major safety issues and drivers can miss pedestrians walking out across the road because their view is obstructed.
	• Within the Sunshine Cove Development, Chardon allow builders to use vacant block for parking and manoeuvring. The aim is for builders to get in and do the build quickly.
	• This changes as soon as the first resident moves in
	• Once the first resident moves in, Council needs to enforce the parking laws
	• Generally with education, builders do the right thing.
Wrap up Jamie Simmonds	The day has shown that verge parking is a very complex issue with a wide range of views on the issue.
	Key themes through the day are:
	• People do have a variety of issues and views.
	• There needs to be better education. The questions that need to be further investigated include who needs the information and how do we get that information out.
	• Planning and development.
	• Impacts on services. Keeping in mind the purpose on what a verge is.
	• Construction issues.
Closing Mayor Mark Jamieson	• Today has demonstrated a wide range of views which are varied and diverse.
	• Council will need to consider all points of view and information presented. The Councillors will get together and consider options, moving forward.

	- Council will need to come up with a workable solution.
	- Public transport will be key and Council will need to keep working with the State and Federal Governments to invest in the delivery of public transport.