



18. RESPONSE TO QUESTIONS ON NOTICE FROM PREVIOUS MEETINGS

18.1 CR TOM MORRISON - GREVILLEA WAY, BELAIR - 13 DECEMBER 2022

QUESTIONS

1. Could a short history behind Grevillea Way (the unsurfaced section) please be provided?
2. How often does Council grade the unsurfaced section of Grevillea Way?
3. How much does Council spend per year on grading the unsurfaced section of Grevillea Way?
4. What plans (if any) have been created in the past that look at surfacing the unsurfaced section of Grevillea Way?
5. Has there been any traffic analysis undertaken to look at any potential impacts that surfacing the unsurfaced section of Grevillea Way would create?

ANSWERS

1. The management of this section of Grevillea Way has been the subject of several investigations by Council over a long period. The gravel section of Grevillea Way, defined as a “fire track”, is quite steep and does not meet the design standards for a sealed road. Further details regarding the history to the surfacing of Grevillea Way can be found in the two previous Council reports included in *Attachment A: Council Report Grevillea Way, Blackwood July 2008* and *Attachment B: Council Report “Unsealed” Section of Grevillea Way, Blackwood May 2011*.
2. The unsealed sections of Grevillea Way are graded approximately every three months.
3. On average, the cost for grading (including materials) is between \$6,000 to \$7,000 and is affected by winter rainfall. This annual cost equates to between \$24,000 and \$28,000.
4. Several proposals have been put forward to the community over the years and there has been strong local opposition against upgrading the fire track to a fully sealed road.

The public debate concerning the unsealed section of Grevillea Way culminated in Council embarking upon a “road closure” process, which was terminated due to an investigation and assessment by the



Ombudsman's Office in 2008. This resulted in Council ultimately resolving the following at its Meeting held on 27 January 2009:

- (1) *That the Grevillea Way Project be deferred for a period of at least 12 months from 27 January 2009.*
- (2) *That appropriately worded signs be installed to replace existing signage at both ends of the unsealed section of Grevillea Way to ensure that all efforts are made to advise and warn the community of the change in road surface conditions and the steep gradient of this section of Grevillea Way.*
- (3) *That a notification process be undertaken to inform the local community including information in the local newspapers, Mitcham Matters and on the Council website regarding the appropriate use of the unsealed section of Grevillea Way.*
- (4) *That Council continues with the regular maintenance program, regular inspections and grading of the unsealed section of Grevillea Way, as required.*
- (5) *That the local residents be advised of the Council decision regarding this matter.*
- (6) *That the Ombudsman be formally advised of Council's decision regarding this matter."*

Following this Administration distributed correspondence to action the above resolution and arranged signage accordingly.

Since that date arrangements have been made to routinely inspect and as required conduct maintenance on the unsealed road surface.

A review of the signage, delineation and management regime of the "unsealed section" of Grevillea Way was undertaken and improvements were implemented to increase road safety for users of this link. A plan outlining the signage and delineation improvements can be found in Attachment C: Traffic Control Layout – Grevillea Way.

5. A review of traffic data in May 2016 indicated that there has been one crash along the unsealed section of Grevillea Way during the previous 5 years. This was a property damage only crash where a westbound vehicle hit a fixed object during daylight hours.

The results of a traffic count undertaken in May 2016 indicated that the 24 hour two way traffic flow on Grevillea Way in the unsealed section was 540 vehicles. This total was evenly split by direction. This suggested that the same drivers used the road for their outward and inward journeys. Given the location and nature of the road it is considered that the majority of the traffic is local traffic.

AGENDA REPORT FOR EESC – July 2008

REPORT APPROVED:

GREVILLEA WAY, BLACKWOOD

(Ref: 03.1057) Ashni Kumar (Prepared: 18/06/08)

(Function/Activity: Traffic Management/Evaluation)

PROPOSAL

To inform Council of the outcome of the road closure process and to seek Council's consent to formally complete the closure of the Grevillea Way fire track to through traffic under the Road Traffic Act 1961.

BACKGROUND

In reference to item 10.3 presented to the Engineering & Environmental Services Committee meeting held on 11 March 2008, the Council endorsed that:

- (1) That the unmade section of Grevillea Way be closed to through traffic.*
- (2) That emergency access for the CFS be provided by way of a gate(s).*
- (3) That respondents be informed of the decision by way of letter/email and a notice be placed in the Messenger Press.*
- (4) That the formal procedure to close the road be commenced, using the provisions of the Road Traffic Act.*
- (5) That Grevillea Way be monitored and should vehicles continue to use the fire track, then discussions be held with the CFS regarding locking the gate(s)*
- (6) That the Gloucester Avenue/Main Road intersection be monitored (particularly at peak times) and if delays are occurring, then consideration be given to upgrading the intersection.*

The above report to the EESC 8 March meeting is attached (**refer attachment xxx**)

DISCUSSION

In reference to the recommendation number 4 stated above, Council commenced the formal procedure to close the road using the provisions of the Road Traffic Act 1961 Section 32. Refer to attachment xxx)

The requirements under the Road Traffic Act 1961 to close a road are summarised below:

- Proposed road closure to be advertised in two newspapers (one local and one state wide) for a period of one month
- Advise ratepayers of land immediately abutting the road, or portion of road subject to the proposal.
- Receive submissions from public.
- Council must give due consideration to all written submission made on the proposal by Council before the meeting.
- A resolution for a road closure is not effective unless a majority of all members of the council at the meeting concur with the resolution to close the road.
- Council must, as soon as practicable after resolving to close the road advertise the road closure in two newspapers as described above.

The following process was undertaken for the Grevillea Way closure in accordance with the requirements of the Road Traffic Act 1961:

- Road Closure Consultation Process - Public Notice under the Road Traffic Act 1961 to be placed in the Advertiser and local newspapers to inform the community of the proposed closure of Grevillea Way on 9 April and invited any submissions to Council. The closing date for responses was the 7 May.
- All ratepayers whose properties abutted the proposed closure were advised of the proposed road closure and also invited to make a submission to Council.
- Approximately 150 responses were received within the consultation period. A copy of the correspondence is available for perusal from administration.
- All ratepayers that put in a submission within the consultation period as stated above received a reply which informed them of the public meeting.
- It was noted that this issue received strong interest from the local community.
- A public meeting was held to discuss the issues already raised through the consultation process and to consider any new submissions. This step is not a requirement under the Road Traffic Act 1961.
- The Public Meeting was also posted on the Council website and in the local newspapers.
- Public Meeting held 17 June 2008 to consider submissions from the community.
- The issues/ submission are to be reviewed and presented to Council for their consideration.

Summary of events

The consultation process for this project raised several issues as detailed and discussed below. These issues have been addressed by

administration and presented to the public meeting held in 17 June 2008.

The public meeting was well attended and there was vigorous debate on several issues. Any new issues relating to the actual closure of the Grevillea Way fire track were requested to be provided in writing so they could be considered as part of the submissions process.

A number of other issues regarding general engineering concerns were brought to Council's attention. These included footpath maintenance, the Gloucester Road / Main Road intersection, traffic issues along Shepherds Hill Road and Main Road Blackwood. These will be considered and reviewed as part of Council traffic management program.

A number of residents had concerns with the project process. These issues have been reviewed and administration considers that the processes have been appropriate for the project and therefore have no concerns with its legitimacy.

The a summary of the submissions and issues raised through the community consultation process and discussed at the public meeting are attached the (**refer attachment (xxxxx)**)

The key issues raised at the meeting and through the consultation process were as follows:

Concerns with the Council process

Why are you closing the road when the majority of respondents wanted the road upgraded?

It should be pointed out that the consultation is not regarded as a vote or referendum but as a means of gathering information to allow elected members to make informed decisions considering a range of facts and feedback e.g. cost, risk, and use.

Why did Council commence the project now?

The issue was raised with the Council by Local Minister of Parliament and Ward Councillors and therefore Council now has a duty to act.

Why hold a meeting when not required to?

This meeting provides an opportunity to capture more issues and views to provide the elected members with information to make an informed decision.

Costing discrepancies/financial considerations

The 2007 cost estimates are confirmed as:

- Full Closure \$5,000 and classed as a Minor project
- Partial Closure \$250,000 and classed as a Major project
- Full Reconstruction \$750,000 and classed as a Major project

An estimate of \$225,000 was quoted for scour protection. This is an independent project required regardless of the final solution. Wallbridge and Gilbert Consulting Engineers have confirmed that this is a first order cost estimate.

Financial consideration would suggest that to reconstruct the fire track is not value for money project and would not be a high priority when comparing to other projects in the whole of the City of Mitcham.

Wallbridge & Gilbert Consulting Engineers have confirmed that their cost estimate to be in the order of \$750,000.

Accidents – history indicates only minor accident rate

Although there is a low accident rate, the Council has duty to act based on the now known existing conditions and inappropriate use.

Risk/Liability

Under the issue of Risk/Liability Council has a Duty to Act

- The Civil Liability Act (Clause 42 – Liability of road authorities) provides non-feasance protection to Council.
- However this doesn't **guarantee** that Council will not be liable
- Council do have a Duty to Act from a Risk Management perspective
- The risk to Council has been highlighted by an independent Road Safety Audit that raises safety issues regarding geometry, condition of fire track and the inappropriate use.

In summary, Council is not liable for a failure to maintain, repair or renew a road or to take other action to reduce or avoid the risk of harm from a failure to maintain, repair or renew. However, based on the information currently to hand regarding the safety of the road for general use it is prudent of Council to act to limit the risk to general road users. This means that the recent road safety audit on the road condition should be taken into account by Council in decision making on the future use of the road.

Traffic related issues.

Closure will increase traffic congestion on other roads and the reconstruction option is classed as a major project and will encourage more traffic to shortcut.

The physical closure of the fire track will prevent the inappropriate use as the existing signage is not working at present and it will also encourage traffic to use main roads that are more appropriate.

Environmental issues

Carbon emissions may increase due to the extra distance travelled because of the closure however it should be noted that there will also cause carbon emissions due to the construction process itself.

The closure will reduce dust caused by inappropriate use at present.

Convenience/lifestyle

Although there will be a reduction of distance travelled if the fire track is reconstructed, the usage of a road as short cut should be prevented. The transferral of traffic to more appropriate roads would be in line council's strategic direction to keep vehicles on arterial and higher order roads within Mitcham.

At present the inappropriate use of the fire track may provide a shorter distance, however the trip would be far more dangerous and risky one particularly in wet conditions

Concerns with Emergency Access

Issues were raised in reference to the Ambulance Services being put at risk if closed by gate, however advice from the Ambulance Services (State Duty Manager) is that their vehicles do not use the Fire Track. (refer attachment xxx).

It is noted that if the track was reconstructed to the required standards (\$750,000) the ambulance services may consider this route to save time.

Longer travel times to the hospital was raised as another issue, however it should be stated that the warning signs indicate the track is a "Fire Track and not maintained for public use" and therefore it is not a recommended route for emergency travel by private vehicles.

Concerns regarding an quick escape in case of fire were also raised and advice from the CFS (Sturt) was that from a fire fighting perspective that as long as they were still able to access the track in an emergency response they would not have an issue with the road being closed to the public. The CFS did not support that the track should remain open to allow people to evacuate from a bushfire. In fact the message that the CFS are trying to impart on residents is not to evacuate in the face of a fire at the last minute. The track would

certainly become extremely hazardous for anyone in the process of evacuation from the area in the face of a bushfire.

With closure of the 'road' the fire track will still remain for Fire Service access. Gates are to be locked and operated by the CFS, MFS and Council. In an emergency the gates can also be pushed over by the Fire Service.

In smokey conditions this track could be quite dangerous and is not recommended for use and the inappropriate use of the Fire Track will not assist the Fire Service vehicles to quickly move into the area if needed for a quick response to an emergency.

Issues for further investigations

- Intersection of Gloucester Ave / Main Road – possible modification to the mouth of the intersection.
- Upgrade of footpaths in the Grevillea Way area.
- Traffic issues along Shepherds Hill Road and Main Road – liaise with DTEI

These issues can be considered and if required addressed through the relevant engineering construction and traffic management programs

Impact on Budget

Nil

Relationship to Strategic Plan

This relates to the road network objective:

"The road network is functional and safer for people and property"

External Consultation

Consultation with residents has previously been undertaken on this proposed closure of the fire track (refer to Engineering & Environmental Services Committee 11 March 2008 Item 10.3)

- Letters sent out to respondents informing of Councils recommendations on 28 March 2008
- Road Closure Consultation Process - Public Notice under the Road Traffic Act 1961 to be placed in the Advertiser and local newspapers to inform the community of the proposed closure of Grevillea Way on 9 April and invited any submissions to Council. The closing date for responses was the 7 May.

- All ratepayers whose properties abutted the proposed closure were advised of the proposed road closure and also invited to make a submission to Council.
- Approximately 150 responses were received.
- Authors of submissions in the consultation period as stated above received a reply and informed of the public meeting.
- The Public Meeting was also posted on the Council website and in the local newspapers.
- Public Meeting held 17 June 2008 to consider submissions.

The issues presented and discussed at the public meeting are attached the (refer attachment (xxxxx)).

Cost Shifting Implications

Nil

Summary

As indicated by the information and discussion in this report the processes followed during this project are appropriate for the project and administration is satisfied with its legitimacy.

The public meeting was well attended and a significant number of submissions recorded indicating that the community has had sufficient opportunity to represent their views and raise concerns. These issues have been listed.

Based on the information previously presented in the report to the EESC meeting held 8 March 2008 at which time Council resolved to close the road and commence the road closure process there was no significant new information provided or issues raised to suggest the previous decision of a Council should be changed. It is therefore recommended to proceed with the road closure.

RECOMMENDATION

That the City of Mitcham pursuant to Section 32 of the Road Traffic Act, 1961 hereby closes the Grevillea Way fire track, Blackwood.

“UNSEALED” SECTION OF GREVILLEA WAY, BLACKWOOD

*(Ref: 03.1057) David Murray / Ashni Kumar (Prepared: 10/05/11)
(Function/Activity: Traffic Management/Evaluation)*

PROPOSAL

To provide Council with information related to proposed signage improvements for the “unsealed” section of Grevillea Way, Blackwood.

BACKGROUND

Public debate about the destiny of an unsealed section of Grevillea Way culminated in Council embarking upon a “road closure” process, which was terminated due to an investigation and assessment by the Ombudsman’s Office in 2008. This resulted in Council ultimately resolving the following at its Meeting held on 27 January 2009:

- “(1) That the Grevillea Way Project be deferred for a period of at least 12 months from 27 January 2009.*
- (2) That appropriately worded signs be installed to replace existing signage at both ends of the unsealed section of Grevillea Way to ensure that all efforts are made to advise and warn the community of the change in road surface conditions and the steep gradient of this section of Grevillea Way.*
- (3) That a notification process be undertaken to inform the local community including information in the local newspapers, Mitcham Matters and on the Council website regarding the appropriate use of the unsealed section of Grevillea Way.*
- (4) That Council continues with the regular maintenance program, regular inspections and grading of the unsealed section of Grevillea Way, as required.*
- (5) That the local residents be advised of the Council decision regarding this matter.*
- (6) That the Ombudsman be formally advised of Council’s decision regarding this matter.”*

Thereafter the administration sent out correspondence to action the above resolution and arranged signage accordingly.

Since that date arrangements have been made to routinely inspect and as required conduct maintenance on the unsealed road surface.

STRATEGIC OBJECTIVES / POLICY POSITION

Strategy 2.1.2 Accessible City: Utilise a range of urban design, infrastructure and transport management activities to improve community access to services and facilities

DISCUSSION

In terms of due diligence a review of the signage, delineation and management regime of the “*unsealed section*” of Grevillea Way has been conducted and some improvements are planned to increase road safety for users of this link.

Although the inspection and routine maintenance of the driving surface has been vigilant, it has been established that warning signage, guide posts and other means of delineation could be improved. Accordingly, the administration has prepared a scheme which updates the site conditions to make it comply with current best practice manuals and relevant Australian Standards. These details have also been shared with Council’s Insurers who is satisfied with the approach and details being proposed.

To compliment the above, it is considered that the “*level of service*” can also be improved with the provision of improved target lighting at either end of the unsealed section of Grevillea Way. Accordingly, discussions have been taking place with ETSA to determine the scope of work involved to implement such a change. It is hoped that additional lamps can be added to existing infrastructure wherever possible to avoid capital expense. However, this is currently unresolved and the administration is working with ETSA to find a cost effective solution.

This management approach is consistent with Council’s previous resolution of retaining a link albeit an “*unsealed*” roadway.

Community Implications

The proposed action promotes the safe and responsible use of this unsealed road and assists the response to potential bushfire and other emergencies.

Economic Implications

Not apparent at this stage.

Environmental / Heritage Implications

Planned work can be implemented without an impact on the existing vegetation and there is no evidence of any negative Heritage Implications.

Cost Shifting Implications

This proposed activity is not a responsibility of a State or Federal Government.

Impact on Budget

The budget requirement for the installation of the signage and delineation is estimated at \$10,000 which is intended to be a commitment within the *'Minor Traffic Works'* during the 2011 / 2012 Works Program.

When resolved the additional target lighting costs will be considered as part of the *'Lighting Maintenance General'* Budget during the 2011/2012 Works Program. This matter will be the subject of a subsequent report.

Life Cycle Costing

The additional signs and delineators are projected to be an additional life cycle cost of \$550 per annum.

Staffing Implications

Subject to Council's determination arrangements will be made to schedule the manufacture and installation of the signage and delineators within Council's engineering resources.

Risk Management / OHS Assessment

Both the objective and scope of work intended for the unsealed section of Grevillea Way has been discussed in detail with the Mutual Liability Scheme and the **attachment ppx** provides our Insurers comments.

Engagement

Advice has been sought from Council's solicitors related to the administrative tasks as a result of the *"cancelled road closure process"* including liaison with the Ombudsman's Office. A strategy of community information or notification has been developed and discussed with the Ombudsman's Office which supports the intent and format.

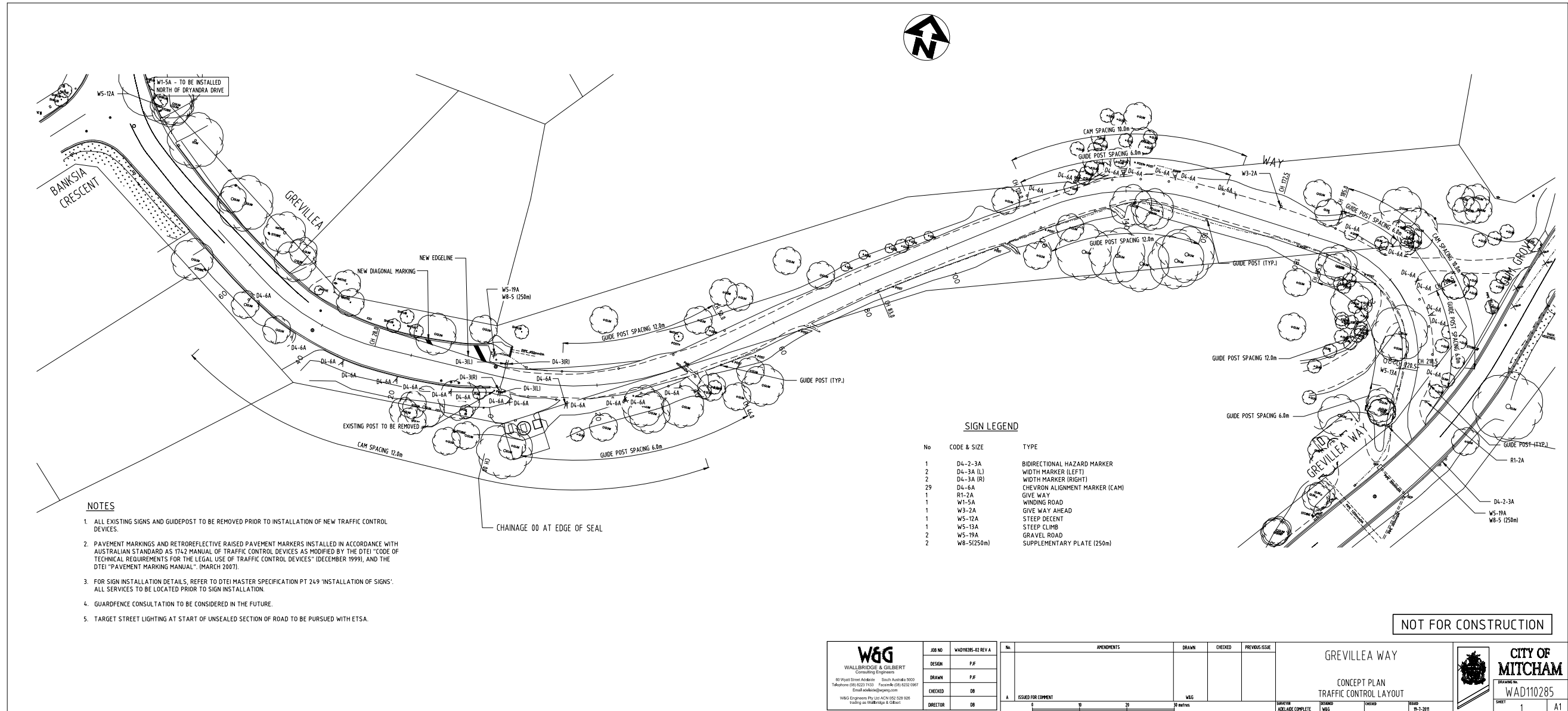
CONCLUSION

This management approach is consistent with Council's previous resolution of retaining a link albeit an "*unsealed*" roadway.

Unless specifically requested by Council to revisit the potential development of a formally constructed local road to current engineering standards, or alternatively revisit the potential closure of the unsealed section of Grevillea Way, the administration will continue to manage an unsealed road in accordance with the latest best practice manuals and relevant Australian Standards.

STAFF RECOMMENDATION TO COUNCIL

That the report be received for information only.



NOT FOR CONSTRUCTION

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| <p>W&G WALLBRIDGE & GILBERT Consulting Engineers 80 West Street Adelaide South Australia 5000 Telephone 08 8223 7123 Facsimile 08 8223 7087 Email w&g@wag.com.au W&G Engineers Pty Ltd ACN 052 128 828 Trading as Wallbridge & Gilbert</p> | JOB NO | WAD110285-02 REV A | No. | AMENDMENTS | DRAWN | CHECKED | PREVIOUS ISSUE | GREVILLE WAY | <p>CITY OF MITCHAM DRAWING NO. WAD110285 SHEET 1 A1</p> |
| | DESIGN | P.F. | | | | | | CONCEPT PLAN | |
| | DRAWN | P.F. | | | | | | TRAFFIC CONTROL LAYOUT | |
| | CHECKED | DB | | | | | | | |
| DIRECTOR | DB | | | | | | | | |