

ITEM NO: 9

SUBJECT: GREAT WESTERN HIGHWAY, MOUNT VICTORIA – TRUCK
PARKING OPPOSITE CALTEX SERVICE STATION

FILE NO: F01179 & C0112/2

Recommendations:

1. *The Council note this report and the Local Traffic Committee's considerations.*
 2. *That Council continue to pursue the establishment and adoption of a strategic plan with the RTA for heavy vehicle rest areas across the Blue Mountains.*
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Report by Group Manager Community and Corporate:

Reason for report

At its ordinary meeting of 11 November 2008 the Council adopted the following Notice of Motion,

“That a report comes to Council detailing;

1. *The efforts of Council, its Local Traffic Committee and the RTA to remedy the adverse impacts caused by trucks parked on the Great Western Highway at Mt Victoria, at an unofficial truck stop adjacent to the Caltex Service Station; and*
2. *Possible solutions and accompanying timeframes to consider for permanently solving this problem”.*

(11 November 2008, Minute No. 744)

Background

In October 2002 the Council granted consent (DA X/854/2002) for alterations and additions to an existing service station on the corner of Mount York Road and the Great Western Highway at Mt Victoria to establish an integrated service station, convenience store and restaurant with on site car parking. This business is now the Caltex Service Station, which operates 24 hours a day on this site.

A key issue of concern that has emerged at this location is the parking of heavy vehicles on the southern side of the Highway. The parking occurs when drivers use the facilities offered at the service station which include toilets, showers, food and rest.

The service station has a 24 hour operating permit and is used throughout the day and night as a stop for truck drivers heading east and west to refuel and rest. The restaurant section of the service station does not open between midnight and 5.00am; however food and beverages remain available for purchase during this time.

Trucks park in front of residential properties along the highway (near the Caltex Service Station) and many drivers leave their engines idling whilst they are parked. It has been

claimed that idling trucks remain parked in front of resident's homes for periods ranging from 15 minutes to several hours. Many drivers also take the opportunity to sleep at this unofficial truck stop and have advised residents that they need the "hum" of the engine in order to sleep.

Residents affected by the constant noise of idling engines, refrigeration units and the consequent garbage left behind on their verges by the truck drivers have campaigned for over five years to have this unofficial truck stop closed. Some residents also state that they have sought to sell their homes and move from the area, but have been advised by local real estate agents that their properties cannot be valued because of the well known truck noise problem.

Residents recognise the need for trucks to stop and for drivers to rest, however the location of the stopping is the problem.

RTA Position

Following representation made by the Member for Blue Mountains, the Hon. Phil Koperberg MP to the Minister for Roads on this matter, the RTA has stated that,

"Given the limited parking space and facilities for heavy vehicles at Mt Victoria Pass, the RTA considers it is reasonable that heavy vehicle drivers would continue to park along the Great Western Highway opposite the Caltex service station where they are able to use toilets, access shade and shelter and purchase food".

Council considers that this position fails to provide any strategic context for dealing with heavy vehicle parking at this particular location and other informal locations across the Blue Mountains, and is inappropriate given the scale of the issue.

Resident Complaints

The Council first became aware of this issue following correspondence from a local resident in August 2004. Since this time the Council has responded to several petitions and a series of emails and letters. The Council have responded on up to 30 occasions to individual residents and other effected parties on this issue. The most recent email dates from 8 February 2009.

Local Traffic Committee (LTC)

The Great Western Highway is a classified road under the care and control of the Roads and Traffic Authority (RTA). The Local Traffic Committee (LTC) is the technical advisory committee which gives advice and recommendations to the council to exercise its authority under the Transport Administration Act, 1988 on unclassified local roads under the care and control of the council.

The LTC does not have an official role in addressing traffic restrictions on classified roads such as the Great Western Highway. Nonetheless, the LTC on occasion may consider issues on the Great Western Highway or other classified roads, and make suggestions or requests. In this capacity the subject issue has been considered on numerous occasions by the LTC.

This matter was discussed at the LTC meeting of 26 October 2004, the meeting concluded that parking restrictions were not appropriate at his location. Instead, Council officers and the service station were requested to draft and implement a code of conduct for the heavy vehicle drivers using the area, to reinforce their awareness of the residents and reduce noise and rubbish. Recent discussions with the new management of this business have confirmed their willingness to continue the promotion of this voluntary code of conduct with its customers.

As a result of a request by the Mayor of Blue Mountains City Council and representations by the office of the Minister for Roads, the then Hon. Michael Costa to the RTA, the matter was referred to an Extraordinary LTC meeting on 25 May 2005 to re-assess the matter.

The LTC supported the use of this facility by heavy vehicle drivers to stop and rest. Safety programs for heavy vehicle drivers have stressed the requirement that long hauls need to be broken up by rest stops. Both the RTA and Police commented that truck drivers who do stop at this location are being responsible in their driving actions and consequently, reducing the occurrence of heavy vehicle crashes along the Highway.

While the safety improvements are real it is also appreciated that there are residents along this section of the Highway affected by the parking of trucks on the southern side, particularly at night. The Police advised that they have records of complaints over a number of years including from the time before the most recent upgrade of the service station.

The LTC put forward and discussed three possible options to improve the amenity for residents at night. A summary of these options and their likely impacts is listed below.

Option 1. Provision of 'No Stopping' restriction on the southern side (west bound) of the Highway for a distance of approximately 500m along between Fairy Dell Road (eastern end) and the front of the service station.

- Not considered a safety or traffic management issue;
- Complaints would continue to be referred to RTA, Police and Council;
- Police have limited resource to respond to complaints;
- Displaced parking to other locations will result in new complaints; and
- Residents would lose parking outside their homes.

Option 2. Restricting truck parking during night hours only on the southern side (west bound) of the Great Western Highway between Fairy Dell Road and the front of the service station.

- This action would result in the residents benefiting during the night hours only;
- Outside of the restricted hours, parking would still be available along the section of road and residents would have parking outside their residences;
- Police have limited resource to respond to complaints; and
- Displaced parking to other locations will result in new complaints;

Option 3. No change. Continue with the existing conditions.

- Residents will continue to forward complaints to the RTA, Council and Police;
- No heavy vehicles will be displaced to other unsafe locations resulting in new complaints; and
- Council officers would continue to work with the service station management to promote a voluntary code of conduct with truck drivers to reduce noise and keep the area clean of rubbish

In considering the three options, the LTC concluded that any changes made to restrict or prevent parking on the southern side of the Great Western Highway between the service station and Fairy Dell Road would result in a displacement of the issue to another location. In addition, the Police have advised that they would not be able to suitably enforce parking restrictions.

The use of the facilities at this location is supported by the Local Traffic Committee due to the benefit in reducing the number of heavy vehicle accidents attributed to fatigue. It was argued that safety on the Great Western Highway is an ongoing concern that could be detrimentally affected by the introduction of restrictions to parking outside this location. The LTC considered that heavy vehicle drivers should be able to use the facility at all available times.

It was recommended that existing parking conditions on the southern side (west bound) of the Great Western Highway are maintained.

At its ordinary meeting 21 June 2005 the Council resolved unanimously,

“That Council receive and note this report and advise the RTA of the Local Traffic Committee’s assessment”.

(21 June 2005, Minute No. 208)

A copy of this report is attached.

Noise Abatement Program

The installation of sound barriers along the Great Western Highway is currently funded under the NSW Government’s Noise Abatement Program (NAP). This program is administered by the Manager, Environment Services Branch, and RTA Client Services Directorate.

A Noise Abatement Program Registration was submitted by a local resident on 17th March 2004 to the RTA which was rejected, resulting in representations being referred to the Council as the governing authority regarding land development.

Development application

Development application No X/854/2002 seeking approval to effect alterations and additions to an existing service station was granted conditional approval on 15th October 2002. The rezoning of the land, to which this approval relates, is predicated on the use of the land for the purpose of an integrated service station, refreshment room and convenience store.

In determining this application, the Council had regard to the relevant matters that must be considered under the EP & A Act 1979, including the generation of noise and its impact on residential properties. Potential residential noise impact from this development was anticipated to be, by and large, consistent with that of the pre-existing 24 hour service station/workshop operation, notwithstanding the additional convenience store and restaurant uses.

Future Road Works – Mt Victoria to Lithgow By Pass

On 19 December 2008, the NSW Minister for Roads confirmed that an upgrade will bypass the village of Mount Victoria, replacing the steep grades of Victoria Pass and bypass River Lett Hill.

The RTA is currently consulting the community on corridor options while also completing field studies to examine if feasible routes can be located within those corridors. This process is expected to be completed by approximately mid 2009.

If the proposed by-pass is implemented, then it can be reasonably expected that a substantial number of the heavy vehicles which currently use this site would be diverted along the new section of highway. The community stakeholder workshops have clearly identified the need for an alternate site for a truck stop/rest area to replace this existing facilities and services provided at the Caltex site.

Truck Rest Areas

The RTA are currently undertaking a major rest area strategy review which is due for completion by mid 2009. The draft strategy has not identified any locations within the Blue Mountains LGA for a major truck rest area. The nearest locations identified are River Lett Hill in the Lithgow LGA and a number of possible sites in the Penrith LGA.

There are currently two minor rest areas along the highway, these being at Faulconbridge (west bound) near the fruit market; and Soldiers Pinch (east bound) near the Mt Boyce checking station. Both these sites are maintained by the RTA. However, concerns remain with the limited facilities provided at these sites and their qualifications as minor rest areas. There are also a number of unofficial locations currently used by heavy vehicles.

The ongoing use of these sites is compounded by the RTA's publication titled '*NSW truck rest road map*' which indicates these sites for use. Council is currently pursuing this with the RTA, together with seeking contributions for their maintenance as part of our broader intention to establish an agreed and adopted strategic approach to this issue.

Sustainability Assessment (Triple Bottom Line Reporting):

An assessment of the LTC's recommendation (ie. do not alter the parking restrictions at this location) is as follows.

Effects	Positive	Negative
Environmental	Nil	<ul style="list-style-type: none"> • Air pollution from idling trucks. • Noise pollution from running trucks and refrigeration units. • Rubbish dumped by drivers on footpath and verge areas.
Social	Rest area remains for heavy and light vehicle drivers which results in reduction in fatigue related crashes.	<ul style="list-style-type: none"> • Impact on local residents from noise and air pollution.
Economic	<ul style="list-style-type: none"> • Does not reduce the viability of the service station and the services and employment it provides. 	<ul style="list-style-type: none"> • Impact on house values.

Financial implications for the Council

There is no direct financial cost to the Council.

Legal and risk management issues for the Council

There are no legal or risk management issues for the Council.

External consultation

Reference to previous correspondence with the residents and the RTA where reviewed for this report.

Conclusion

The issues of noise complaints and vehicle movements at this site has been investigated thoroughly in the intervening years since the matter was first reported to Council in August 2004. The Council's current position on this matter has not changed since it was reported to the Council meeting on the 21 June 2005.

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Attachment - Item 19, Ordinary Meeting 21 June 2005

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TRANSPORTATION & ROADS

Ordinary Meeting, 21/6/05

ITEM NO: 19

SUBJECT: LOCAL TRAFFIC COMMITTEE

FILE NO: C00534

Recommendation:

That Council receive and note this report and advise the RTA of the Local Traffic Committee's assessment.

Report by Group Manager, City Solutions:

Attached to this Report are the Minutes of the extraordinary meeting of the Local Traffic Committee held on 25 May 2005. The recommendations of the Committee are now submitted to Council for approval.

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TRANSPORTATION & ROADS**Item 19 - Ordinary Meeting, 21/6/05**

Attachment

EXTRAORDINARY LOCAL TRAFFIC COMMITTEE MEETING**25 MAY 2005**Attendance:

The meeting was held at the Lawson Police Station on Wednesday 25 May 2005 at 3.00pm. The attendees were:

Mr. John Derum	Representative for the Hon. Bob Debus MP
Mr Glenn Sherlock	BMCC Chair
Ms Lyn Van Putten	RTA
Sgt. Andrew Spencer	Police
Snr. Const. David Cogno	Police
Snr. Const. D. Adams	Police
Ms Janina Olmos-New	BMCC Minutes

Great Western Highway, Mount Victoria.**Truck Parking Opposite Caltex Service Station****Background**

The Great Western Highway is a classified road under the care and control of the Roads and Traffic Authority (RTA). Issues regarding the Highway may be addressed by the Local Traffic Committee (LTC) and the RTA advised for their action.

This matter was discussed at the LTC meeting of 26 October 2004 and it was considered that parking restrictions were not appropriate at this location. Instead, Council officers and the Caltex Management would draft and implement a code of conduct for the heavy vehicle drivers using the area to reinforce their awareness of the residents and reduce noise and rubbish.

An extra-ordinary meeting was called on the 25 May 2005 to re-assess the matter of the truck parking opposite the Caltex Service station at Mt Victoria. This has resulted from a request made by the Mayor of Blue Mountains City Council and further representations having been made by the office of the Minister for Roads, The Hon. Michael Costa to the RTA.

The issue that was addressed at the meeting is the parking of heavy vehicles opposite the Caltex Service Station on the southern side of the Highway. The parking occurs when drivers use the facilities offered at the Caltex Service station including toilets, showers, food and rest.

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Attachment

The Caltex service station has a 24 hour operating permit and consequently is used throughout the day and night as a rest stop for truck drivers heading east and west to refuel and rest. The restaurant section of the service station does not open between midnight and 5.00am, but food and beverages are still available for purchase during this time.

The Local Traffic Committee supports the use of this facility by heavy vehicle drivers to stop and rest. Safety programs for heavy vehicle drivers have stressed the requirement that long hauls need to be broken up by rest stops. Both the RTA and Police commented that truck drivers who do stop at this location are being responsible in their driving actions and consequently, resulted in a decrease of heavy vehicle accidents along the Highway.

While the safety improvements can be assessed and measured it is also appreciated that there are residents along this section of the Highway that are affected by the parking of trucks on the southern side, particularly at night. The Police advised that they have records of complaints from the time before the current upgrade of the service station facility was done. While it has been an issue, there has been an operational service station at this location for a number of years and that as a consequence residents could expect that vehicles would park at this location from time to time.

The committee put forward and discussed three possible options to improve the amenity for residents at night. These options were assessed regarding benefits and detriments.

1. Provision of 'No Stopping' restriction on the western side of the Highway for a distance of approximately 500m along between Fairy Dell Road (eastern end) and the front of the service station.

This action was not supported because it is not primarily a safety or traffic management issue. The RTA further advised that this action is not considered appropriate and if completed the issue would not be resolved and likely return to the Police and Council in the future as complaints from other affected parties.

The Police advised that it would be difficult to enforce due to the limited available patrols. This action would also result in the displacement of heavy vehicle parking along the highway. Trucks would likely park further west on the Great Western Highway at an unsafe location.

It was agreed that while certain residents may benefit, other residents would not due to the trucks moving along to another location. It would also result in the existing residences permanently losing the parking outside their homes.

2. Restricting truck parking during night hours only on the southern side of the Great Western Highway between Fairy Dell Road and the front of the service station.

The manager of the service station has advised that they would accept restricted parking hours on the southern side of the highway during the night hours. His advice has been that their business is not high during that time and thus would not be adversely affected if implemented.

TRANSPORTATION & ROADS**Item 19 - Ordinary Meeting, 21/6/05**

Attachment

This action would result in the residents benefiting during the night hours only. Outside of the restricted hours, parking would still be available along the section of road and residents would have parking outside their residences.

Unfortunately, the enforcement of the night hour restrictions would still be difficult for the Police due to the limited patrol. Heavy vehicles may be displaced to other locations with new complaints.

3. No change. Continue with the existing conditions.

The result of this will be that some residents will continue to forward complaints to the RTA, Council and Police.

However, no heavy vehicles will be displaced to other unsafe locations resulting in fresh complaints from newly affected residents. Additionally the Police would not be required to commit to enforce restrictions that they cannot resource.

Council officers are continuing to work with the service station management to promote a voluntary code of conduct with truck drivers to reduce noise and keep the area clean of rubbish.

Conclusion

Any changes made to restrict or prevent parking on the western side of the Great Western Highway between the service station and Fairy Dell Road would result in a displacement of the perceived issue from it's current location to another location. In addition, the Police has advised that they would not be able to suitably enforce parking restrictions.

The use of the facilities at this location is supported by the Local Traffic Committee due to the benefit that it has achieved in reducing the number of heavy vehicle accidents attributed to fatigue. Safety on the Great Western Highway is an ongoing concern that would be detrimentally affected by the introduction of restrictions to parking outside this location. The heavy vehicle drivers should be able to use the facility at all available times.

Recommendation

That existing parking conditions on the southern side of the Great Western Highway are maintained.