


**Notice of Motion No. 9.8 Pedestrian Access and Safety:
Dalley/Tincogan Priority Change**

5 **File No:** I2021/1167

I move that Council:

- 10 1. **Seeks a variation to grant funding for the change of priority project at Tincogan and Dalley Streets Mullumbimby to be able to complete identified pedestrian safety and access upgrades at the intersection.**
- 15 2. **In the event that a variation is not forthcoming or if any variation does not provide sufficient funding to complete the pedestrian safety and access upgrades, approves funding from the Infrastructure Renewal Reserve to be able to complete the pedestrian safety and access upgrades.**
3. **Only undertakes priority change at the same time that pedestrian safety infrastructure and systems are implemented (Res 21-043).**

20 **Attachments:**

- 1 24.2020.19.1 - 20210709 OSK5378-TINCOGAN STREET 90% CONSTRUCTION, E2021/94655 

25 **Signed: Cr Basil Cameron**

Councillor's supporting information:

This Notice of Motion is about ensuring that we deliver on commitments we have made to the Community through extensive engagement and consultation.

30 Background is the Our Mullumbimby Masterplan where existing pedestrian access and safety issues were identified at the intersection of Dalley and Tincogan Streets Mullumbimby, in particular, pedestrian movement crossing Tincogan Street from the northern end of Dalley Street to access the town centre. Accordingly, the Masterplan identified the need to 'strengthen pedestrian connections' with 'intersection treatment' to improve access and safety.

35 The Masterplan also proposed a change of priority for traffic on Tincogan Street with give way signs removed and relocated to Dalley Street where traffic would no longer have priority. This would have a further negative impact on the pedestrian access and safety

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issues and as such the two issues have been linked. Safety and access upgrades are required now and must be completed before a priority change is made.

5 On 13 July, over 60 residents gathered at the intersection to advocate for pedestrian safety and access upgrades, concerned that the priority change may occur without these upgrades. Many residents present were older and using various mobility aids. Also present were three blind people who live in Dalley Street. A key message from the group is that the intersection is not currently safe.

The need to improve access and safety at this location has been discussed and acknowledged as follows.

- 10
- Identified at site visit and subsequent workshops with dozens of community representatives during development of the Masterplan
 - Adopted Masterplan - principles and project actions
 - Local Traffic Committee
 - Place Planning Collective
- 15
- Council resolution, Res 21-043
 - Engagement with Residents Association

20 Despite this clear direction and advice, a grant funded project has gone forward for the priority change only. These grant funds are time limited, and the project must be signed off by the end of August.

Following discussions with Staff, it may be possible to seek a variation to the funding agreement, however at the time of writing, it is not guaranteed.

25 The purpose of this Notice of Motion is to identify an alternative funding source for the pedestrian safety and access upgrades should a variation not be forthcoming and to ensure the project can proceed in accordance with Res 21-043.

- 30
- 1. That Council implement the priority changes to give way signs on Tincogan Street at the intersections of the Dalley Street and Stuart Street, Mullumbimby in order to provide priority to east-west traffic movements in Tincogan Street as amended by Committee comments.*
 - 2. That Council note the pedestrian safety issues raised by the Mullumbimby Residents Association and discussed in the Our Mullumbimby Masterplan.*
 - 3. That Council only undertake priority change at the same time that pedestrian safety infrastructure and systems are implemented.*
- 35
- 4. That Council proceed with a speed zone review request to reduce the speed along Tincogan Street between Dalley Street and Station Street. (Cameron/Lyon)*

Recommended priority relative to other Delivery Plan tasks:

40 As described above

Definition of the project/task:

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Provide funding certainty so that pedestrian access and safety upgrades can be completed, and a traffic priority change can be made at Tincogan and Dalley Streets intersection.

5 Source of Funds (if applicable):

Infrastructure Renewal Fund

Staff comments

10 **by James Flockton, Infrastructure Planning Coordinator, Infrastructure Planning:**

(Management Comments must not include formatted recommendations – resolution 11-979)

15 The absence of Zebra Crossings from the proposed intersection priority change works on Tincogan Street was not a consequence of funding constraints. Rather, Zebra crossings were not proposed at these locations due to the following considerations:

- During the design stage of the project, the site did not meet the TfNSW warrants for Zebra Crossings. Since the design stage was completed, TfNSW has revised its guidelines. Staff have confirmed with TfNSW that Zebra crossings may now be installed on local roads (but not arterial roads) without regard to the warrants.
20 However, if a Zebra crossing is to be installed it must still be reviewed by LTC for recommendations to approve or not.
- Staff submitted the current design to the LTC proposing 2m wide pedestrian refuges on all sides of each intersection. This was to provide a parent with a pram safe passage across all roads as a 2m wide refuge provides a wide protected place to stop while crossing, if required. The location and design of these refuges and footpath links
25 were reviewed and amended by the LTC to provide improved safety for pedestrians and address the agreed action from the Mullumbimby Masterplan to strengthen pedestrian connections' with 'intersection treatment' to improve access and safety.

30 The Mullumbimby Master Plan also identifies the need to formalise alternative vehicular travel routes away from Burringbar Street and along Fern Street and Tincogan Street and identified Tincogan Street as a preferred primary route through Mullumbimby which potentially changes its road hierarchy status. Installing Zebra Crossings in Tincogan Street may have a negative impact on traffic flow and increase the potential for additional traffic congestion in Mullumbimby.

35 Upgrading the project from the Pedestrian Refuges currently approved and supported by LTC to Zebra Crossings may increase the lighting requirements for the project and this could have implications for the construction program and on the project budget. Additional lighting may also create a nuisance for residents adjacent to the intersections.

40 The community's desires for Zebra Pedestrian Crossings over Tincogan Street at the intersections is noted and if supported by Council, must be reviewed by LTC to ensure that:

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- Tincogan Street is not considered an arterial road or a road where warrants must be applied in relation to Zebra Pedestrian Crossings,
- Line marking and signage are appropriate and approved,
- Council takes on board the LTC recommendations prior to implementing works for Zebra Pedestrian Crossings if supported by LTC.

5 Council has a current grant deadline to meet for this project. Construction was to be completed by the end of August which requires the priority changes to be in place. Subject to further Council resolution and obtaining LTC recommendations on this project, it is extremely unlikely this deadline will be achieved and accordingly, Council will need to negotiate a new deadline. Should an alternative deadline not be approved by the grant provider, Council may be obliged to complete the works as per the current LTC approved drawings that include pedestrian refuges without pedestrian crossings or abandon this project and replace with another project that can be completed within the current deadline.

10 Should LTC support the installation of Zebra Crossings without the need to meet warrants and Tincogan Street is not considered to be arterial road, Council will need to review intersection lighting requirements and update design drawings to include line marking and signage for the crossings prior to commencing any construction activities. This will require an extension of time and budget amendment to the grant or an alternative funding source to cover any existing approved budget shortfall noting that it is not possible to quantify the extent of any shortfall at this time pending additional design investigation and estimation.

15 The current drawing set is provided at attachment 1.

Financial/Resource/Legal Implications:

Council is obliged to work within TfNSW guidelines and warrants, where required. Not working within TfNSW guidelines and warrants will risk legal implications to Council.

25 **Is the proposal consistent with any Delivery Program tasks?**

Yes

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Community Objective 1: We have infrastructure, transport and services which meet our expectations	1.1 ^a	Provide a road network which is safe, accessible and maintained to an acceptable level of service ^a	1.1.3 ^a	Prioritise road network asset renewal and upgrade programs in line with Community Solutions Panel values (SP) ^a	1.1.3.18 ^a	Design <u>Tincogan Street</u> - Intersection Priority Change at <u>Stuart Street</u> ^a
Community Objective 1: We have infrastructure, transport and services which meet our expectations	1.1 ^a	Provide a road network which is safe, accessible and maintained to an acceptable level of service ^a	1.1.3 ^a	Prioritise road network asset renewal and upgrade programs in line with Community Solutions Panel values (SP) ^a	1.1.3.19 ^a	Design <u>Tincogan Street</u> - Intersection Priority Change at <u>Dalley Street</u> ^a

Notice of Motion No. 9.9 Tincogan Street Safe Movement and Access

File No: I2021/1173

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I move that Council:

1. **Notes the concerns expressed by residents regarding safety, access and mobility issues for pedestrians and cyclists along Tincogan Street.**
- 10 2. **Notes the Councillor background notes attached to this Notice of Motion.**
3. **Supports a pedestrian (zebra) crossing on Tincogan Street between Dalley and Stuart Streets as a priority action.**
- 15 4. **Undertakes an outcomes focussed Safe Movement and Access Options Assessment ('Assessment') for Tincogan Street between Main Arm Road and Station Street with the following expected outcomes:**
 - 20 a) **Identify infrastructure, regulatory and other (e.g., education) improvements that can be made to improve safe access and mobility for pedestrians and cyclists at the 'key locations' referred to in the background notes.**
 - 25 b) **Strengthen north-south pedestrian connections over Tincogan Street as identified in the Our Mullumbimby Masterplan.**
 - 30 c) **Make application for a consistent speed of 40 kph along Tincogan Street from Main Arm Road to Station Street.**
 - 35 d) **Provide advice on a possible maximum speed of 40kph for a) town centre precinct, or b) town centre and residential precincts.**
 - e) **Ensure the Access Panel, TIAC and other key stakeholders (e.g., Disability Service) have opportunities to inform the Assessment and to consider identified improvements.**
5. **Provides a report to Council detailing these outcomes and a delivery plan.**

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Signed: Cr Basil Cameron

Councillor's supporting information:

Councillors

5 As elsewhere, Mullumbimby is facing ongoing challenges as vehicle numbers moving through the town continue to increase. In particular Tincogan Street, the key route to the north-west, is also the only town crossing of the Brunswick River at Federation bridge. It is the effective town centre bypass link to the M1 and thus in peak times has concentrated traffic flows. Pedestrian access between the town centre and both the northern and western residential precincts is currently hazardous at a number of crossing points and needs to be 'strengthened' as identified in the Our Mullumbimby Masterplan.

15 This motion tackles a number of access and safety issues along Tincogan Street from the intersection of Main Arm Road to Station Street. It is divided into two parts addressing a priority need for a pedestrian crossing between Dalley Street and Stuart Street and a Safe Movement and Access Options Assessment ('Assessment') aimed at significant improvements at a number of key locations along Tincogan Street.

Tincogan Street - key locations

20 *Intersection Main Arm Road*

25 As named, Tincogan Street/Murwillumbah Road begins at the 'T' intersection where Main Arm Road comes in from the west. Continuing north from this point, Tincogan becomes Coolamon Scenic Drive (CSD)/Murwillumbah Road and links to the Brunswick Valley Way at Ocean Shores. At peak times there is often traffic queued back to the Showgrounds on Main Arm Road waiting to turn right into Tincogan Street towards town. Sight lines to the left (CSD) are constrained. Pedestrian access is limited to the south side of Tincogan. Speed limit is 50 kph.

30 *School Zone St Johns*

35 Zone begins just past the Main Arm Road intersection with a current 40Kph during active zone periods. It continues to the eastern side of Federation Bridge. There is a marked pedestrian (zebra) crossing adjacent to St Johns in the middle of the school zone. It is important to note that this crossing is vital at all times, not just school zone periods, as pedestrian access via Federation Bridge to the western residential precinct requires crossing from the north side of Tincogan to the south side at this sole crossing point.

40 *Federation Bridge*

45 A traffic choke point as it is the only town crossing of the Brunswick River. Travel lanes are narrow and there is a curved approach on both ends that reduces sight lines and leaves virtually no margin of error, especially if encountering a large vehicle such as bus or truck at the turn on/off points of the bridge.

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Pedestrian access is provided on the northern side only. As such it means that the existing pedestrian route from town centre to Main Arm Road requires safe crossing of Tincogan Street at various points.

- 5 There is no formalised cycleway or infrastructure. Understandably given the narrow travel lanes and approaches, most cyclists can be observed using the pedestrian access.

Speed is either 50kph or 40kph during active school zone periods.

10 *Intersection - Brunswick Terrace*

- 15 At the foot of the eastern approach to Federation Bridge the intersection is at the midpoint of an 'S' bend with traffic sweeping on and off the bridge to the west and around a tight bend on Tincogan to the east. This point is highlighted by the community as of particular concern due to the wide field of vision required for any attempted crossing and the speed of traffic that inhibits safe crossing. It is poorly signed and largely unprotected.

- 20 An alternative pedestrian route from the south-western part of town is the shared path running along the riverside of Brunswick Terrace and terminating at the Tincogan Street intersection. At this point walkers and cyclists must negotiate this hazardous crossing to the north side of Tincogan to access the pedestrian pathway over Federation Bridge.

- 25 This connecting point of two key pedestrian routes is a significant location, however its potential amenity is locked up due to the conditions described. During AM peak and other busy times, it can be too difficult to attempt any crossing.

- 30 The school zone (40kph) ends between the east end of Federation Bridge and the intersection (50kph) which means that peak vehicles are often accelerating off the bridge through the intersection and into the S bend.

Brunswick Terrace to Dalley Street and Childcare Centre

- 35 Rapidly changed conditions from the bend moving from predominately residential character to town centre periphery with tree lined shady light and increased roadside parking on gravel shoulders. There is a childcare centre on the corner of Gordon Street and a pedestrian refuge is provided at this point, however this can sometimes be harder to see under dappled light and also crosses to the south side where there is no formed pedestrian access.

- 40 The old Civic Centre housing the Neighbourhood Centre is located on the south-west corner of the intersection. The Neighbourhood Centre coordinates a number of services including disability services, to clients who largely do not drive and have to access by foot. Pedestrian conditions for crossing on the western side of the intersection remain poor and will require further improvement, particularly if there is a change of priority.

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Speed through this section is 50kph.

The problematic conditions along this section and at Brunswick Terrace intersection make the crossing of Tincogan at Dalley and Stuart Streets critical pedestrian pathways.

Dalley Street to Stuart Street to Station Street

The 'town bypass' providing access to the M1 via Station and Argyle Streets.

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Conditions between Dalley and Stuart Street are difficult. The poor access and safety of crossing at Dalley Street is addressed in another Notice of Motion at this meeting, however conditions are made more challenging as there is a turn in to the service station virtually at the intersection of Dalley where cars cut across the road to access. Formed access is limited along part of the southern side, however it is very narrow with a great deal of clutter from businesses operating in the road reserve and angled parking. The result is that there is no real pedestrian access provided other than walking on the road. There is a disability service operating at the midpoint along the northern side of this section with a need for better access and disabled parking.

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Strengthened connections over the Dalley and Stuart intersections are vital, however with the concentrated traffic flows and the conditions described above there will continue to be times when crossing at these points is not a realistic option. As such there is a need for a formal pedestrian crossing along this section.

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A speed reduction to 40kph has been approved for this section.

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Between Stuart and Station Street the road narrows with no pedestrian access on the south side where there is also an intersection with busy McGougans Lane. Sight lines are poor and turning tight for vehicles exiting the lane. Current priority at Station Street is give way. Despite the narrowing and constraints, speed through this section is 50Kph.

Pedestrian Crossing

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As noted, there is a critical need for crossing points over Tincogan Street as part of existing pedestrian pathways and to improve access and safety. The most pressing need is between Stuart and Dalley Streets as the main connector of residential areas to the town centre as well as identified existing issues and the presence of the disability service. The need for strengthening pedestrian connections has been identified in the Masterplan and a formal pedestrian crossing should proceed as a matter of urgency.

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Safe Movement and Access Options Assessment

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The above description of challenging conditions faced by pedestrians and cyclists identifies a number of key locations where improvements need to be made. These are best addressed holistically through an outcomes focussed assessment as they are interconnected. Expected outcomes of the Assessment include

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- Identifying infrastructure, regulatory and other (eg. education) improvements that can be made to improve safe access and mobility for pedestrians and cyclists at the 'key locations' referred to above.

- Strengthen north-south pedestrian connections over Tincogan Street as identified in the Masterplan
- 5 • Making application for a consistent speed of 40 kph along Tincogan Street from Main Arm Road to Station Street.
- Providing advice on a maximum speed of 40kph for a) town centre precinct, or b) town centre and residential precincts.
- 10 • Ensuring the Access Panel, TIAC and other key stakeholders (eg Disability Service) have opportunities to inform the Assessment and to consider identified improvements.
- Providing a report to Council detailing these outcomes and a delivery plan.

15 The Assessment is not intended to be a major study to identify known issues. It is intended to identify options for improvement. Conditions are apparent and there is substantial information provided in these notes and within the Community. Local Traffic Committee has discussed many of the issues at 'key locations' in recent times and provided advice to Council. The Our Mullumbimby Masterplan/Access and Movement has
20 already identified consistent principles and actions applicable to this precinct. The key task of the Assessment should be to step through the 'expected outcomes', identify further solutions and report to Council.

Our Mullumbimby Masterplan

25 Excerpts from the Mullumbimby Masterplan

Access and movement Pg 22.

30 *In addition, an ageing population will mean that Mullumbimby will have to look for more ways to become truly accessible, for people of all abilities. This will involve embedding inclusivity into any development in the public realm.*

Principle 3: Ensure Mullumbimby is accessible and well connected Pg 28.

35 *The town will also need to ensure an inclusive environment for all people through design that chooses to think of the experience of people living with a disability.*

Walkable Town Centre Pg 28.

40 *There is great potential to integrate more active transport infrastructure and improve upon the existing network to expand it to other areas. In addition, the accessibility for people with a disability could be improved by utilising the existing benefits of the natural environment, and a relatively flat town centre.*

45 *Precinct 1 - Town Centre Pg 35.*

*Upgrade intersections to increase safety, particularly for pedestrians and cyclists.
Re-align the intersections at Stuart and Dalley Streets to improve safety and traffic flow.
Improve the intersection safety along Tincogan Street for pedestrians and cyclists.
5 Include traffic calming devices to minimise noise and speed.*

Precinct 2 - North and South Heritage Areas Pg 40.

- 10 • *Make crossing Tincogan Street safer for pedestrians.*
- *Prioritise pedestrians and cyclists to encourage active transport.*
- *Undertake a traffic study to test the feasibility of this action.*
- *Consult with local community to understand the long-term implications of any such action.*

15 Disability Discrimination Act 1992 (Cth)

Definition of direct disability discrimination - S.5

Direct disability discrimination

20 (1) *For the purposes of this Act, a person (the discriminator) **discriminates** against another person (the aggrieved person) on the ground of a **disability** of the aggrieved person if, because of the **disability**, the discriminator treats, or proposes to treat, the aggrieved person less favourably than the discriminator would treat a person without the **disability** in circumstances that are not materially different.*

25 (2) *For the purposes of this Act, a person (the discriminator) also **discriminates** against another person (the aggrieved person) on the ground of a **disability** of the aggrieved person if:*

- 30 (a) *the discriminator does not make, or proposes not to make, **reasonable adjustments** for the person; and*
- (b) *the failure to make the **reasonable adjustments** has, or would have, the effect that the aggrieved person is, because of the **disability**, treated less favourably than a person without the **disability** would be treated in circumstances that are not materially different.*

35 ...

Recommended priority relative to other Delivery Plan tasks:

40 Our Mullumbimby Masterplan actions, principles and priorities.
NoM actions are required for safe delivery of current capital works projects.

Definition of the project/task:

- 45 1. Council approval for a pedestrian crossing on Tincogan Street between Dalley and Stuart Streets.
- 2. Speed review for consistent speed of 40kph on Tincogan Street from Main Arm Road to Station Street.
- 3. Provide a report to Council detailing options assessment at key locations in Tincogan Street with a delivery plan.

Source of Funds (if applicable):

Operational

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Signed: Cr Basil Cameron

Staff comments

by James Flockton, Infrastructure Planning Coordinator, Infrastructure Planning:

10 (Management Comments must not include formatted recommendations – resolution 11-979)

Councillor comments are noted and staff will need to complete further investigations into the issues raised in this area prior to providing suitably detailed advice.

A further report following further investigations is supported. This would be a report to the new Council in November 2021.

15 It is noted that the proposed Zebra Crossing over Tincogan Street between Dalley and Stuart Streets is being covered by a separate NOM and separate project.

A further report to Council would look to address the various issues on Tincogan that are outside the scope of the existing Tincogan Street intersection priority projects, being:

- Potential future options for the Intersection of Tincogan and Station Street
- 20 • Current and alternative speed limit options for the length of Tincogan Street and Brunswick Terrace
- Safe Movement and Access for Tincogan Street between Main Arm Road and Station Street, including costs for any further investigation that would be required to support the design and construction of any solutions.
- 25 • Identify infrastructure options at key locations that could improve safe access and mobility for pedestrians and cyclists along and over Tincogan Street
- Potential future options for the Intersection of Main Arm Road and Brunswick Terrace*
- Potential improvements to the school zone outside St Johns
- 30 • Access and speed adjacent the child care centre on Tincogan Street
- How the above fit with the Mullumbimby Master Plan, PAMP and Bike Plan actions that Council have previously endorsed
- All processes required to achieve any recommended solutions.

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*It is noted that Council is currently designing minor improvements to the Intersection of Main Arm Road and Brunswick Terrace as part of the Main Road – Road Safety Program. The works are minimal as the main constraint and choke point is the bridge over Chinbible Creek. A widening in this area would likely require a new or altered bridge.

- 5 Federation Bridge is not a Council asset, the bridge is owned and maintained by TfNSW. Any changes to this bridge would need to be supported and completed by TfNSW.

Financial/Resource/Legal Implications:

- 10 The actions and works proposed in this NOM are currently unfunded and not planned for this financial year. A further report can be provided by current staff resources. However, detail design and construction will require a funding source.

Further details on financial, resources and legal implications will be provided in detail when reporting back to Council.

Is the proposal consistent with any Delivery Program tasks?

No