

Discussion Paper
Footway Parking

AUGUST 2002



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Footway* Parking

An issue of community concern

This discussion paper considers the issue of parking registered vehicles on footways highlighted by the introduction of the Australian Road Rules (ARRs) on 1 December 1999.

The same issue has been raised in representations to the Minister for Roads and the Roads and Traffic Authority (RTA) from Local Government, sections of the media, the Pedestrian Council of Australia Limited, and the public.

The purpose of this paper is not to provide guidelines but to present information for discussion about the difficulties associated with footway parking. Also presented for consideration at this stage are proposed dimensions for footways and related roads, kerbs and boundaries. These options were obtained from various engineering practices.

A focus on pedestrian needs

Clearly, pedestrian safety is an important aspect of the issue under discussion. Equally critical are the particular needs of people who use guide dogs, canes, wheelchairs or other aids to assist their mobility.

All pedestrians using footways, especially those with disabilities, need an unobstructed, clear path of travel. This need must be considered a priority when reviewing the issues covered within this paper.

Footway parking must accommodate the overall safety and the needs of all footway and road users, including access at all times for:

- all footway users
- emergency and service vehicles
- servicing public utilities

The topics under discussion include existing problems, definitions, regulations, current conditions, control, issues and legislative concerns in relation to footway parking.

*The meaning of footway as used in this discussion paper is defined in DEFINITIONS, page 24.

A list of existing problems

Footway parking is a widespread practice, and is illegal in most cases. The main problems with such parking occur because of narrow footways or narrow roads where vehicles park partially or wholly on the footway. Some examples:

- Some inner Sydney suburbs with little or no off-street parking have narrow roads and narrow footways. Depending on how vehicles are parked they may obstruct the passage of road users, footway users, or both.
- In outer Sydney suburbs some new residential roads are constructed with narrow road pavement and roll-top kerb, aimed at encouraging drivers to park wholly on wide footways. Parking partially or wholly on the road can obstruct road users in this case.
- On narrow roads, emergency vehicles can be left without room to drive past vehicles parked partially on the footway on one or both sides of the road. This practice can substantially affect response times.
- Access for footway users can become obstructed or even totally blocked by vehicles parked partially or wholly on the footway or in driveways. Access for wheel chair users becomes particularly difficult, or even impossible.
- A residual footway that has vegetation growth encroaching from either side can have its effective width reduced, exacerbating access problems. It is difficult to ensure vegetation growth is controlled to ensure that the minimum required width is always maintained.
- In some cases, footway parking has caused damage to grassed and paved areas, kerbs, and public utility covers, however there have been cases where vehicles were illegally parked on the footway for safety, access, or traffic capacity reasons and as a result owners were served infringement notices even though a vehicle is not causing an obstruction or safety problem. While the issue of an infringement notice is legally justified in these cases, it has resulted in people becoming intensely irritated because they have seen themselves as trying to avoid creating problems of safety, access, or capacity problems for road users without affecting footway users. For example, photograph 22 on page 11 shows a vehicle parked on the footway because it would be illegal to park adjacently on the road owing to the double barrier line. Although illegally parked on the footway, it is not obstructing access.

Regulations in force prior to 1/12/99

The Motor Traffic Regulations 1935, Clause 81 (2) stated:

"No person shall stand or cause or permit to stand any motor vehicle upon the carriageway of a public street if a portion of the street (any footpath, median strip, or traffic island excepted) not formed for vehicular traffic adjoins the carriageway and it is practicable to stand on any such portion of the street."

The Motor Traffic Regulations 1935, Clause 90A (1)(b) stated:

"The driver of a motor vehicle shall not drive the vehicle upon any such footpath unless the vehicle is driven directly across the footpath, as slowly as practicable, to or from a gateway or entrance"

The General Traffic Regulations 1916, Section 11A, Part 3, Clause 8D (2) stated:

"No person shall cause or permit any vehicle, horse or bicycle to stand upon the carriageway of a public street if a portion of the street (any footpath, median strip, or traffic island excepted) not formed for vehicular traffic adjoins the carriageway and it is practicable for the vehicle, horse or bicycle to be driven or ridden on to and allowed to stand upon any such portion of the street."

Australian Road Rules (ARR'S) 19/10/99

The ARR's came into effect in NSW on 1/12/99.

ARR 197 states:

"(1) A driver must not stop on a bicycle path, footpath, shared path or dividing strip or nature strip adjacent to a length of road in a built-up area, unless:

(a) the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the Australian Road Rules; or

(b) the driver is permitted to stop under another law of this jurisdiction.

(2) This rule does not apply to the rider of a bicycle or animal."

Offence provision: Penalty \$66, maximum Court fine \$2200.

The Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 does not provide a local jurisdiction rule for (b) above.

ARR 198 states:

"(2) A driver must not stop on or across a driveway or other way of access for vehicles travelling to or from adjacent land unless:

(a) the driver is dropping off, or picking up passengers; or

(b) the driver stops in a parking bay and the driver is permitted to stop in the parking bay under the Australian Road Rules."

Offence provision: Penalty \$66, maximum Court fine \$2200.

ARR 288 states:

“(1) A driver (except the rider of a bicycle) must not drive on a path, unless subrule (2) or (3) applies to the driver.

(2) A driver may drive on a path if the driver is:

(a) driving on a part of the path indicated by information on or with a traffic control device as a part where vehicles may drive: or

(b) driving on a path to enter or leave the road by the shortest practicable route, a road related area or adjacent land and there is not a part of the path indicated by information on or with a traffic control device as a part where vehicles may drive: or

(c) permitted to drive on the path under another law of this jurisdiction

(3) (This subrule relates to wheel chair drivers)”

Offence provision: Penalty \$123, maximum Court fine \$2200.

The Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 does not provide a local jurisdiction rule for (2) (c) above.

ARR 289 states:

“(1) A driver must not drive on a nature strip adjacent to a length of road in a built up area, unless the driver is:

(a) entering or leaving, by the shortest route, an area on the nature strip indicated by information on or with a traffic control device as an area where vehicles may drive; or

(b) driving on a part of the nature strip indicated by information on or with a traffic control device as an area where vehicles may drive; or

(c) driving on the nature strip to enter or leave, by the shortest route, a road related area or adjacent land and there is not a part of the nature strip indicated by information on or with a traffic control device as an area where vehicles may drive; or

(d) to (f) These subrules apply to riders of bicycles, animals, ride-on lawn mowers, and wheelchairs

(g) permitted to drive on the nature strip under another law of this jurisdiction”

Offence provision: Penalty \$118, maximum Court fine \$2200.

The Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 has a local jurisdiction rule, Clause 31, which applies to (g) above. This local jurisdiction rule applies to driving on nature strips adjacent to a road in a built-up area in regard to cutting grass, cleaning, and road construction and maintenance.

There are also other exemptions to driving or parking on the footway for emergency and authorised vehicles under ARR, Part 19.

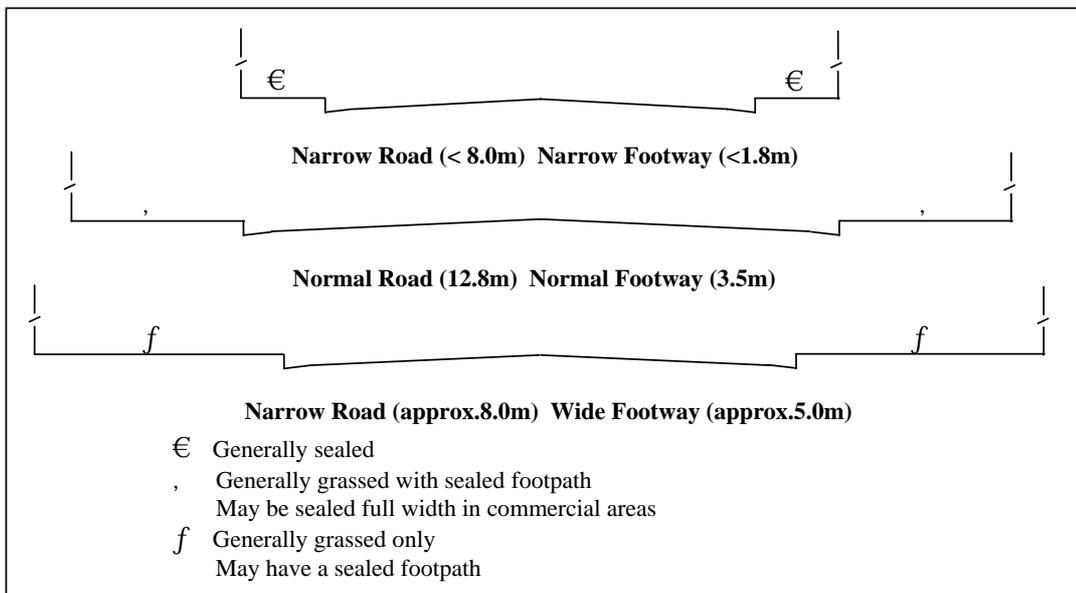
Illegal footway parking is currently common practice

The new Regulation has had little or no effect on footway parking which continues to occur in residential, commercial, and industrial areas as it did under previous traffic regulations. The following photographs demonstrate practice currently being adopted by some vehicle drivers.

There are many different configurations of footways and roadways. Briefly, the main ones are:

- (A) Narrow footway/narrow road
- (B) Narrow footway/normal road
- (C) Normal footway/narrow road
- (D) Normal footway/normal road
- (E) Wide footway/normal road
- (F) Wide footway/narrow road

Figure 1 Typical cross sections



1 A partially paved footway area with a longitudinal paved strip mainly for pedestrian use.



2 A totally paved footway area, with parking occurring between existing footway and new road boundary.



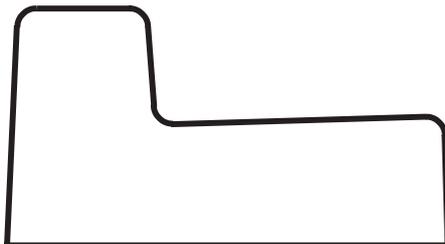
Two main types of kerb exist; these pictures typify the barrier kerb. In photo 3 note curved alignments and vehicles parked either side of driveway.



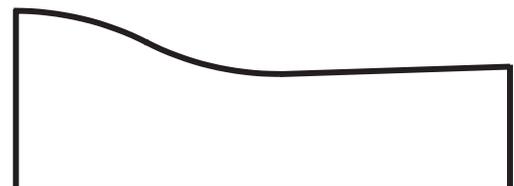
Footways may contain paved bays that are being used for parking. Photo 6 shows storage gaps where driveways are adjacent. Photos 7 to 9 show roll-top kerbs.



Examples of roll-top kerbs are illustrated here. Photo 12 also shows a concrete or sealed footway.



Barrier Kerb



Roll Top Kerb

Profiles of the two kerb types are illustrated here.

Roll-top kerb may encourage illegal footway parking as it is easily traversed. This type of kerb is very common in many newer sub-divisions and generally accompanies narrower road pavements. Also in some local government areas, paved areas/bays have been provided within the footway (see photos 6, 7, 8 and 9) for the parking of vehicles. Barrier kerb is meant to be a deterrent but does not completely prevent footway parking occurring in these areas.

On very narrow roads, parking on both sides causes problems for emergency and service vehicles where insufficient residual roadway width hinders access even if vehicles are parked partially on the footway, ie. straddling the kerb.



A barrier kerb with narrow fully sealed footway.



A barrier kerb with totally unsealed footway except where there are driveways.



A barrier kerb with a fully unsealed footway with vegetation occupying most of the space.



A barrier kerb with a fully unsealed footway except where there are driveways. Gardens also protrude onto the footway.



A barrier kerb with a wide fully unsealed footway except where there are driveways.



A barrier kerb with a wide fully sealed footway.



Examples of unkerbed roads.



A vehicle parked on the footway induced by the double barrier line which makes it illegal to park on the road.

An example of a mountable or roll-top kerb showing a vehicle parking on a concrete footpath and grassed area.

Footway parking also occurs on realigned land, see Figure 4, where part of the road reservation has been widened. Generally, this practice does not obstruct the footway even though it has to be crossed to access a parking space.

In some instances on roads with high traffic volumes, footway parking occurs in peak times. This action leaves the kerb side lane available for moving traffic where there is no clearway to the detriment of pedestrians. One car parked on the roadway can cause traffic delays in this case.

What are the options?

Several options are presented here for consideration and to generate discussion on the issues associated with footway parking.

Prohibit Footway Parking

(A) No Change

Retain the current situation where the road rules prohibit parking on footpaths and nature strips in a built-up area, unless signposted otherwise. Although no signposting will be allowed, it is worth noting that parking on specifically designed paved areas behind the kerb would remain allowable. The current prohibition on parking on or across a driveway will also be retained.

(B) Introduce total prohibition

Specifically designed existing paved parking areas on the footway could not be used and may have to be removed.

Allow Limited Footway Parking

Footway parking would be allowed in specifically defined instances.

There appear to be two main categories if footway parking is permitted in certain instances. Variations would occur within the categories depending on site conditions. There are also a number of ways of controlling such parking, (see page 16, *Methods to control footway parking*).

(A) Vehicle parked straddling the kerb line

This category denies use of part of the footway and part of the road at the same time. Sufficient residual width must remain on both the footway and the road to maintain effective use, see Figures 2 and 3 (a) and (b).

The minimum residual footway width should be in accordance with that proposed in Table 1, page 18.

For emergency vehicle access a minimum residual roadway width of 3.0 metres must be provided between a vehicle parked straddling a kerb line and:

- a dividing or lane line, see Figure 3 (c)
- the opposite kerb line (one-way road), see Figure 2 (a).

Where vehicles can park on both sides of a road, the minimum residual roadway width must not be less than 3.5 metres for:

- one-way traffic, see Figure 2 (b).
- two-way traffic if there are adequate storage gaps, see Figure 3 (b)

For two-way traffic, where storage gaps don't exist or are inadequate, the minimum residual roadway width must be 6.0 metres, see Figure 3 (a).

Where the above conditions occur on curved horizontal alignment, the minimum width of residual roadway will need to be greater. For example a 30 metre road radius requires a 5 metre residual road width. To guide practitioners, a table of

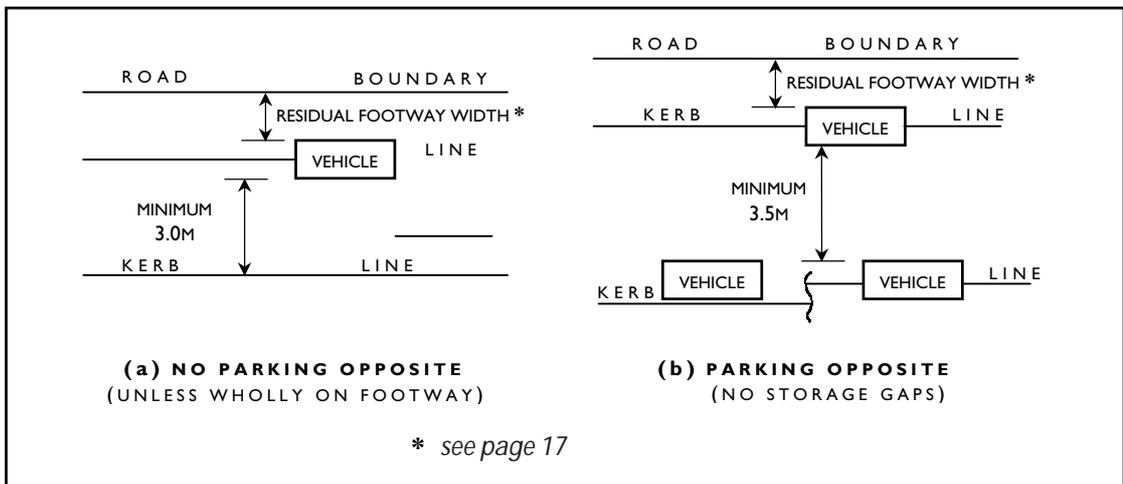


Figure 2 Proposed minimum clearances for vehicle row parked straddling the kerb line (one-way road).

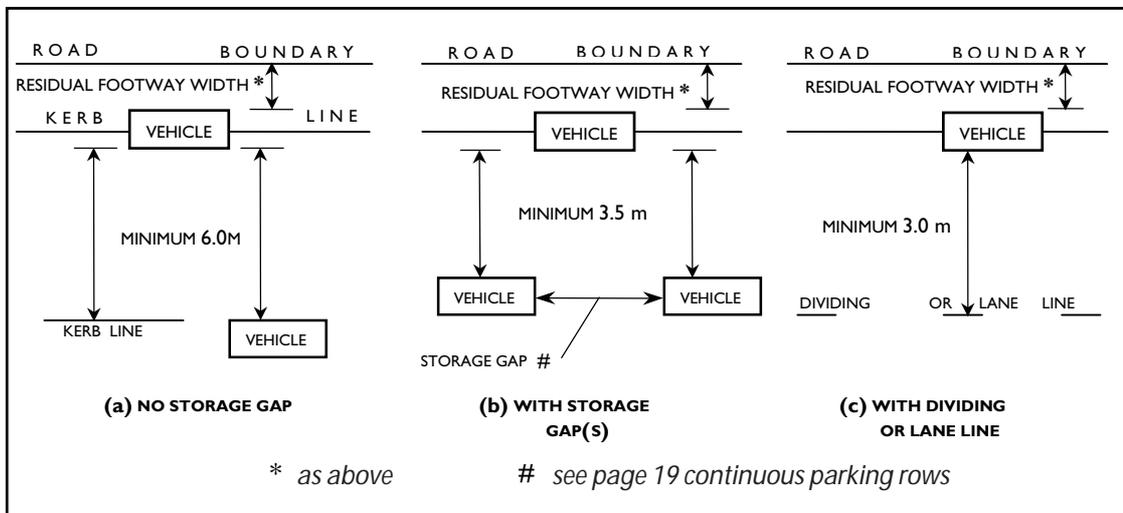


Figure 3 Proposed minimum clearances for vehicle row parked straddling the kerb line (two-way road).

radii and widths could be prepared using a swept path computer program.

(B) Vehicle parked wholly on the footway.

(i) Parked adjacent to kerb line.

This alternative denies access by footway users along part of the footway, see Figure 4 (a). Sufficient residual width must remain on the footway for other users see Table 1 page 18.

Vehicles parked wholly on the footway must not be locked in by vehicles parked near them on the road. Parking on the road should be banned where this would occur.

Where three or more vehicles are parked end to end on the footway, roll-top or similar trafficable kerb would be required to allow intermediate vehicles to move to and from a parking space, see *Kerb Types* under *Issues for the future*, page 17.

(ii) Parked on re-aligned land.

Generally, this alternative allows the full width of the footway to be used by others, see Figure 4 (b). Many arterial roads are widened under re-alignment schemes. When properties affected by re-alignment are redeveloped the existing road boundary is set back to the new road boundary line. This leaves an additional area of land, which is currently used for parking, between the existing footway and the new road boundary. This option is available only until the road carriageway is widened, see photos 2 and 19.

Vehicles must drive across the footway, preferably by the shortest direct route, to access the realigned strip. Where a number of spaces are available, roll top kerb may need to replace barrier kerb. This will avoid having vehicles drive along the footway to access or leave parking spaces.

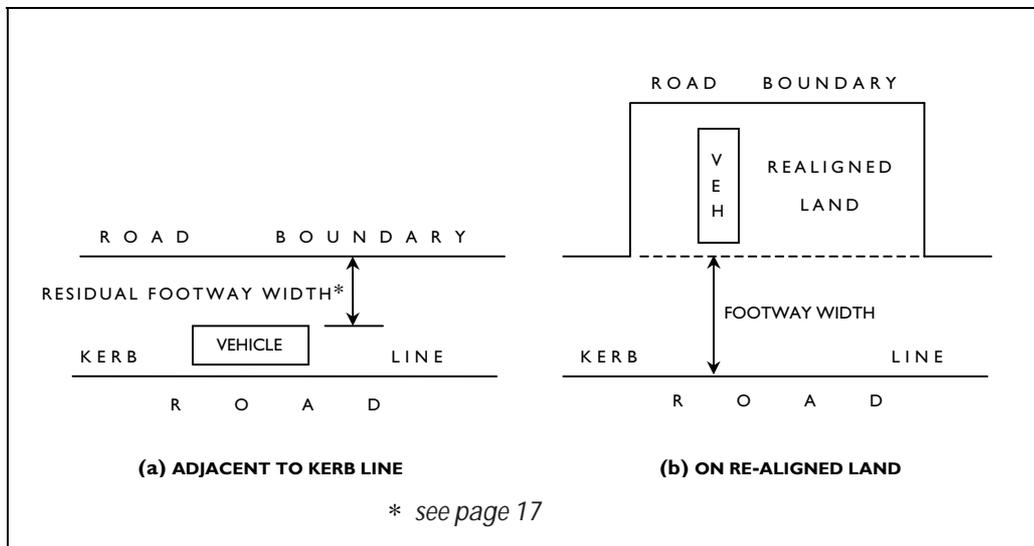


Figure 4 Vehicle parked wholly on footway

For alternatives 1 or 2 (i) sufficient residual footway width must be provided between the parked vehicle and the road boundary for footway use. Refer to *Residual footway width* under *Issues for the future*, page 17.

(iii) Parked on driveway.

This alternative denies access by footway users along part of the footway, see Figure 5. Sufficient residual width must remain on the footway for other users see Table 1 page 18.

It should be noted that, whilst largely unenforced, it is currently an offence to park a vehicle briefly on a driveway for the purpose of allowing the driver of the vehicle to open a gate to a residence. Parking briefly for that specific purpose could be allowed if changes were made to existing ARR.

Vehicles parked in driveways must not be locked in by vehicles parked near them on the road. Parking on the road should be banned where this would occur. Either sign posting or legislative change would be required for these situations.

ARR 198 prohibits drivers from stopping on or across driveways. The National Road Transport Commission is responsible for the ARRs. Before changes are made to the ARRs, a majority of all States and Territories must agree to the change.

Vehicles parked in driveways effectively block access to other vehicles. Proponents of this option have suggested that it be available only to residents of the premises to which the driveway provides access. This option introduces a number of operational difficulties including:

- (a) the ability of enforcement officers to determine whether vehicles parked in a particular driveway belong to the residents of the dwelling accessed by the driveway
- (b) the treatment of resident visitors' vehicles
- (c) the treatment of driveways which access multiple residences such as villas and town house units.

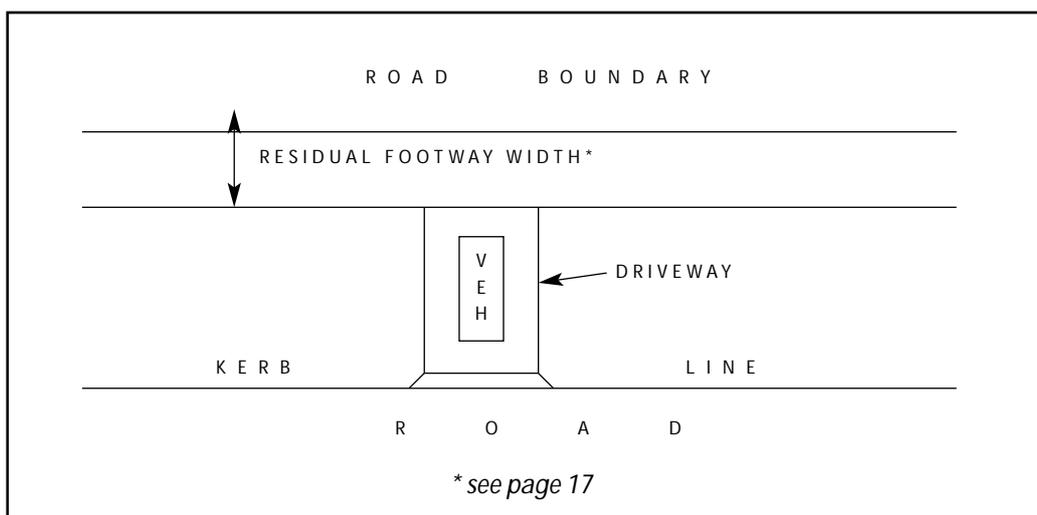


Figure 5 Vehicle parked on driveway contained within footway

Methods to control footway parking

If limited footway parking were to be allowed there are a number of methods which could be used to control its use.

Delineation

Parking spaces could be defined by paved areas where the existing footway is not fully paved. Where a fully paved footway exists, parking spaces should be defined by contrasting paving or pavement markings. The use of roll-top kerb or driveway laybacks would be required.

Delineation of all footway parking spaces might allow the possibility, in full time parking situations, for legislation to control parking in lieu of signs. This would help to minimise sign usage.

Signposting

As allowed under ARR rule 197(1)(a), a sign could be used to indicate where footway parking is allowed. This would require both the development of an appropriate sign and guidelines for its use. Approval to use the sign could be delegated to councils as with some other regulatory signs. This could apply to both paved and unpaved footway areas.

Legislation

A Regulation could be developed creating 'another law of jurisdiction' as allowed under rule 197(1)(b). This approach would allow parking on footways in specifically defined instances. Both the methods outlined above allow selected parking.

Problems could eventuate with the location and proliferation of parking signs and access to and from footway parking spaces. To avoid proliferation of parking signs, new legislation could be considered to prohibit footway parking except in delineated spaces, eg. spaces delineated by contrasting pavement or pavement marking.

Legislation may also be required to ban parking on a length of road adjacent to footway parking spaces where vehicles were allowed to park wholly on the footway. See page 12 under *Prohibit Footway Parking: Introduce total prohibition*.

Another legislative alternative is for the Minister for Roads to allow footpath parking by excluding sections of footway from the road rules using Section 9 of the Road Transport (General) Act 1999.

Issues for the future

The following issues will need to be addressed if limited footway parking is introduced.

Residual footway width

Proposed residual footway widths as shown in Table 1 must have full width clearance for a minimum height of 2.0 metres at all times.

The entire width of residual footway must be trafficable, and preferably paved, for all footway users under all normal circumstances. This width must not include areas that cannot be trafficked by footway users. Sometimes unpaved areas of footway are landscaped or unsuitably graded. Loading or unloading activities associated with footway parking must not obstruct use of the residual footway. There must not be any encroachment within the residual footway width below the two metre height limit. This includes uncontrolled vegetation.

The minimum width of residual footway will depend on its use. Possible uses include:

No bicycles

Access for all users except bicycles. Legislation would require the erection of NO BICYCLE (R6-10-3) signs.

Shared - no signposting

Access for all users including bicycles. The ARR's allows bicyclists to ride on the footpath in this case unless a local jurisdiction rule states otherwise. The NSW Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999 local jurisdiction rule allows a child under 12 years of age (in this case) and postal workers in the course of duty to ride on the footpath. An adult can ride on the footpath only when accompanying and supervising a child under 12 years of age. A person from 12 years to under 18 years of age can ride on the footpath only if accompanying a child under 12 years of age and its accompanying adult.

Shared - signposted (no dividing line)

Access for all users including bicyclists but the footway would not have a dividing line separating opposing flows of users. Legislation would require the erection of SHARED PATH (R8-2) signs.

Shared - signposted (dividing line)

This is a similar situation to the previous option except a dividing line separates opposing flows of users.

Separated (dividing line)

Access for all users including bicyclists but the footway would have a dividing line separating bicycle use from other users. Legislation would require the erection of SEPARATED PATH (R8-3) signs.

Suggested minimum widths for these residual footway uses are shown in Table 1.

TYPE OF USE	MINIMUM WIDTH (m)
No bicycles - signposted	1.5
Shared - unsignposted	2.0
Shared - signposted (no dividing line)	2.0
Shared - signposted (dividing line)	2.5
Separated (dividing line)	3.0

Table 1 Proposed minimum residual footway widths

The widths in Table 1 for shared and separated uses are based on widths given in AUSTRROADS Guide to Traffic Engineering Practice, Part 14, Bicycles 1999.

For shared unsignposted footways there may be a case for allowing a minimum residual footway width of 1.5 metres. This could be considered where footway traffic is light, eg. minor local streets.

The above widths will need to be increased where concurrent use by pedestrians and bicyclists is frequent or heavy. AUSTRROADS GTEP Part 14, Section 6.3 may be of some guidance here.

Residual roadway width

The minimum residual roadway width between a vehicle parked straddling the kerb line and a dividing line, lane line, or opposite kerb line should be 3.0 metres, see Figures 2 (a) and 3 (c). The minimum residual roadway width between two adjacently parked vehicles should be 3.5 metres to allow additional clearance for rear vision mirrors on 2.5 metre wide vehicles, see Figures 2 (b) and 3 (b). Curved alignments as in photo 3 would require additional width.

Parking space location and frequency

(i) Legislative clearances

There are longitudinal limits (legislative and signposted) from intersections, road crossings, and traffic signals. These distances should be applied to footway parking where vehicles straddle the kerb line. Where vehicles park wholly on the footway consideration could be given to relaxing these distances in some cases without compromising sight distance and safety. There are also lateral legislative clearances to allow access along a road.

(ii) Positioning

Vehicles parked on the either side of a driveway as in photo 3 will present some sight distance problems for vehicles entering the roadway via the driveway. This problem already exists when vehicles are parked on the shoulder or roadway adjacent to the kerb either side of a driveway.

It is not anticipated that the problem would be any worse by allowing vehicles to park in similar locations on the footway adjacent to the kerb (or shoulder) or straddling the kerb (or shoulder).

Vehicles should not be allowed to park over any part of:

- the residual footway width on either a fully paved or unpaved footway
- any part of a paved footpath strip on a footway
- a public utility pit cover or valve.

(iii) Continuous parking rows

A continuous row of vehicles parked straddling the kerb may occur on one or both sides of a street leaving only one lane width available for moving traffic, see Figures 2 and 3.

The width between a row of parked vehicles and:

- an adjacent row of parked vehicles must not be less than 3.5 metres
- the opposite kerb line must not be less than 3.0 metres (no parking allowed on the road next to or straddling that kerb)

In this case a length of residual roadway which is less than 6.0 metres wide should have regular intervals available in the row of parked vehicles to provide enough width for two vehicles to pass. If this cannot be achieved the roadway should be made a one-way street. Where this distance is measured to the opposite kerb line vehicles must be prohibited from parking on the road adjacent to or straddling that kerb line.

In a two-way street where the width is less than 6.0 metres, conditions apply as above providing there are storage gaps:

- in any row of parked vehicles, see Figure 3 (b), to store a car (say minimum 10.0 metres) in residential areas, or a truck (say minimum 20.0 metres) in industrial areas
- at approximately 50 metre intervals, and on either side of the road where parking is on both sides.

A convenient position for storage gaps is where driveways are adjacent as in photo 6. Less parking space would be lost through utilising the combined driveway widths and the space between them as a storage gap.

Storage gaps may not be necessary where the street is less than, say, 100 metres long and a driver entering at one end of the street is able to see a vehicle entering at the opposite end of that street.

The above widths would need to be greater on curved alignments. This would depend on the radius of road curvature.

Type of vehicle

Restrictions on the type of vehicle permitted to park may be needed in some areas. This would depend on the land use and vehicle weight. In residential areas delivery vehicles up to 12.5 metres long are likely to park on the footway where parking spaces for two cars or more adjoin.

Delineation of footway parking spaces

Delineation of footway parking spaces would be worthwhile to:

- define the size and location of parking space
- prevent wear and tear on grassed areas

Where the footway is fully paved, footway parking spaces should be re-paved in contrasting material or defined by painted edge line. Paved spaces should be capable of supporting a fully loaded 12.5 metre single unit vehicle if there is sufficient room for one to park.

Residual footway and road widths should be maintained, see *Issues for the future Residual footway width and Residual roadway width*.

Kerb types

Kerb profiles are shown on page 9.

Barrier kerb (Type SA) would seem suitable adjacent to footway parking spaces that have direct access via a driveway. This would limit parking to one space, or two end-to-end parking spaces between driveways. Parking spaces would need to be in close proximity to a driveway to discourage driving along the footway to access or leave the parking space.

Roll-top kerb (Type RT) would seem appropriate where parking spaces are between driveways and not directly accessible from either of them.

Alternating short lengths of different kerb types along a kerb line should be avoided. This practice may be acceptable if the kerb types were separated by driveways.

No kerbs

Where roads are not kerbed as shown in photos 20 and 21, the minimum residual roadway and footway widths would still apply, see Figures 2, 3 and 4 (a). The only exception would be where footway parking was permitted on realigned land, see Figure 4 (b).

Parking time limits

(i) No parking on the footway at any time.

The regulation already covers this option unless a sign is erected stating otherwise.

The main problems that can occur if vehicles then park on the road are:

- traffic delays on some thoroughfares during peak traffic periods

- emergency vehicles may experience difficulty in gaining access along narrow streets unless parking restrictions are applied to one or both sides of the road
- commercial vehicles may experience pick-up and delivery problems.

(ii) Part-time footway parking.

This option would allow part-time parking on the footway during peak traffic flows when a kerb side lane is in use, eg. AM or PM peaks.

In residential areas this option would require policing. Once part-time parking was permitted it would be difficult to prevent it occurring at other time periods during the day. It is unlikely that parking restriction signs would be effective or appropriate for this purpose. Once an off-road parking space was provided on the footway it is likely to be seen and probably used as a full-time facility. Part-time parking may be difficult to enforce.

(iii) Full-time footway parking.

This may be appropriate for:

- 24 hour clearways
- narrow local streets with very limited (one or two) or no off-street parking spaces
- areas where parking on the road is considered unsafe and parking in the immediate vicinity is a necessity.

For 24 hour clearway situations a vehicle must be parked wholly on the footway.

For narrow local streets a vehicle can be parked wholly on the footway or straddling the kerb line.

In both the above cases at least minimum residual road and footway widths must be maintained.

(iv) Signs.

Permissive parking signs for footway parking would need to be developed for parking scenarios and to maintain message consistency. Appropriate new legislation could minimise sign use.

Utilities

Access to public utilities such as pit covers or valves should not be obstructed by footway parking. Spaces should be located so that this problem is eliminated.

Steel covers of large pits may not be trafficable. If so, vehicles must not be expected to traverse these covers in order to access or leave a footway parking space.

Other utilities may be subject to damage if traversed by vehicles accessing or leaving a footway parking space. In these cases some form of surrounding support may be required.

Utility poles could restrict positioning and access to and from footway parking spaces. The location of footway parking spaces in relation to utility poles needs to be defined to suit the relevant Authority.

Trees/shrubs in footway

Trees and shrubs planted in the footway could affect positioning and access to and from footway parking spaces, depending on the location and size of the tree or shrub. A safety issue to be considered is whether driver sight distance may be obstructed.

An advantage of planting trees/shrubs in the footway is that they prevent vehicles driving along the footway. However, vegetation growth will need maintenance to prevent it encroaching over a residual footway below the 2.0 metre height limit.

Parking controls

Footway parking spaces could be managed similarly to on-street parking spaces:

- unrestricted
- time limit controlled (sign only)
- metered (fee)
- permit.

Footway parking fines

If limited footway parking is introduced in specifically defined instances, an increase in the present level of penalty (\$63.00) may need to be considered where footway parking remains prohibited.

Right of way

ARR 74 applies here. Vehicles entering or leaving a footway parking space are required to give right of way to other footway users when entering or leaving adjacent land.

Footway parking space guidelines

Clear guidelines would be needed as to where footway parking is appropriate, or unsuitable, to avoid proliferation or incorrect installation of the facility and to ensure consistent and appropriate installation.

Summary

Footway parking could be appropriate in specifically defined instances:

- on local streets due to a deficiency of on-street or off-street parking
- on some carefully selected thoroughfares to maintain traffic capacity
- in other circumstances for safety reasons

Provided:

- safety of road and footway users is not compromised
- residual footway width adequately accommodates the needs of all users
- residual road width adequately accommodates the needs of emergency and service vehicles
- unobstructed access to and from the road is available for each parking space
- vehicles do not drive along a footway for more than a few metres to access or leave a parking space
- parked vehicles do not obstruct access to public utility pit covers and valves
- precautions are taken to avoid damage to public utilities
- parking space treatment is appropriate for the type and size of vehicle

Corollary

Written submissions should be forwarded to the General Manager, Bicycles and Pedestrians, PO Box K198, Haymarket, NSW, 1238 no later than 5:00pm on Friday 1 November, 2002.

Stakeholders will be informed of the decision.

Should footway parking in specifically defined instances be introduced, guidelines and any necessary legislative changes would be prepared and stakeholders asked for comment prior to final publication.

DEFINITIONS

The definitions shown in italics were extracted from the Australian Road Rules.

Built-up area

In relation to a length of road, means an area in which there are buildings on land next to the road, or there is street lighting, at intervals not over 100 metres for a distance of at least 500 metres or, if the road is shorter than 500 metres, for the whole of the road.

Dividing line

Dividing line means a road marking formed by a line, or two parallel lines, whether broken or continuous, designed to indicate the parts of the road to be used by vehicles travelling in the opposite directions.

Dividing strip

A dividing strip means an area or structure that divides a road lengthways, but does not include a nature strip, bicycle path, footpath or shared path.

Footpath

The footpath means an area (except a road related area) open to the public that is designated for, or has as one of its main uses, use by pedestrians.

Footway

For the purpose of this discussion paper the footway is the area between the road boundary and the kerb line or nearest edge of road shoulder.

Nature strip

A nature strip means an area between a road (except a road related area) and adjacent land, but does not include a bicycle path, footpath or shared path.

Residual footway width

For the purpose of this discussion paper the residual footway width is the distance between a vehicle parked partially or wholly on the footway and the road boundary.

DEFINITIONS continued

Residual roadway width

For the purpose of this discussion paper the residual roadway width is the distance between a vehicle parked straddling the kerb and:

- (i) a dividing or lane line, or
- (ii) a kerb line on the opposite side of a road without a dividing line, or
- (iii) an adjacently parked vehicle on the opposite side of a road without a dividing line.

Road

A road is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles.

Road related area

A road related area is any of the following:

- (a) *an area that divides a road;*
- (b) *a footpath or nature strip adjacent to the road;*
- (c) *an area that is not a road and that is open to the public and designated for use by cyclists or animals;*
- (d) *an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles*
- (e) *a shoulder of a road*
- (f) *an area legally declared to be a road related area*
- (g) *any other area that is a footpath or nature strip as defined in the ARR's"*

Shoulder

The shoulder of the road includes any part of the road that is not designed to be used by motor vehicles in travelling along the road, and includes:

- (a) *for a kerbed road - any part of the kerb; and*
- (b) *for a sealed road - any unsealed part of the road, and any sealed part of the road outside an edge line on the road;*

but does not include a bicycle path, footpath or shared path.