

## Item 10.1 Park Street Streetscape Improvement Project - Release of draft concept design for consultation

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### Questions from Councillor Crawford

1. What is our legal obligation as a Council around blackspots? We've identified that there have been a number of accidents, where do we stand if we were not to install a bike path in this area?
2. Councillor Crawford: Given there has been a lot of time and energy going into this particular strip, is it feasible to include a bike path any other way? Or is there potential for a redesign?

### Response

1. Councillor Crawford: What is our legal obligation as a Council around blackspots? We've identified that there have been a number of accidents, where do we stand if we were not to install a bike path in this area?

Council as a responsible road authority owes a duty of care to road users (including drivers, cyclists, passengers, pedestrians), and adjoining land users. Subsequently, Council may assume greater liability for any future crashes resulting from known and untreated safety risks.

In any claim against a Road Authority (for Park Street this is Council) for damages, it is a defence that the Road Authority had taken such care as in all the circumstances was reasonably required to ensure that the relevant part of the public road was not dangerous for road users.

With respect to the Park Street Streetscape Improvement Project, the proposed design aims to address a number of identified safety risks and aligns with Council's strategic policies including its Move Connect Live (ITS strategy) 2018 and Domain Precinct Public Realm Masterplan 2019.

2. Councillor Crawford: Given there has been a lot of time and energy going into this particular strip, is it feasible to include a bike path any other way? Or is there potential for a redesign?

At the Ordinary Council Meeting held 3 March 2021, Council Requested officers to redesign the Park Street Streetscape Improvement Project to provide Loading bays on Park Street within the vicinity of commercial premises and residential buildings located on Park Street.

Officers are currently investigating the feasibility of redesigning the draft design to include loading zones on Park Street and will provide a subsequent report back to Council, consistent with the Council resolution of 3 March 2021.

*\*Please note: answers to any questions in Public Question Time which were answered at the meeting are included in the minutes of that meeting.*