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Contact: Bruce Phillips, Director City Development  
Our ref: D08/21850

29 May 2008

The Hon John Brumby MP  
Premier of Victoria  
1 Spring Street  
EAST MELBOURNE 3002

Dear Mr Brumby

### **Code of Practice for Clearways on Declared Arterial Roads**

At the ordinary meeting of Council 20 May 2008, Council resolved to write to you expressing its concern that on 29 April 2008, you and Minister for Roads and Ports publicly announced the Government's decision to extend clearway times from 1 July 2008, for arterial roads.

Council is concerned that you made this announcement, which affects roads in the City of Yarra, without application of the Code of Practice for Clearways on Declared Arterial Roads under Section 29 of the Road Management Act 2004.

This Code is intended to:

- (i) establish management and consultation processes with regard to the implementation of or alteration to clearways on arterial roads;
- (ii) support the principal road management role of VicRoads in providing a safe and efficient road network for use by all members of the public; and
- (iii) recognise the need for a consistent, transparent and consultative approach to the implementation of clearways on arterial roads.

The Code states that before a decision is made to create a clearway on an arterial road, or to amend existing clearway operating times, written notice of any such proposals be provided to the relevant municipal council, property owners and occupiers, and provides for consultation processes and dispute resolution procedures;

It would appear the Government has ignored the intention and principles of this code.

Council also seeks information relating to the Government's decision to extend clearway times, in particular:

- how a proposed VicRoads/MAV Implementation Committee on Extending Clearways relates to the procedures of the above Code in terms of the requirements to consult directly with relevant Councils, property owners and occupiers;

- what are the demonstrated benefits for public transport on the basis of principles of traffic flow, including impacts of congestion at intersections, vehicle convergence, and turns at intersections;
- how the proposal relates to design work over the past several years involving Council, VicRoads, Yarra Trams, DOI/DOT on implementation of Disability Access trams stops on key Arterial Roads in Yarra, which have the objective of assisting tram priority;
- what measures are proposed to deal with safety for pedestrians, cyclists, safe crossing points, access to schools, loading zones, other delivery access, disabled parking, and access to business and services;
- compensation by the State for development of alternative car parking arrangements for Activity Centres;
- apart from enforcing clearways, what are the proposals by the State to enforce tram fairways, bus only lanes and vehicles overtaking trams to ensure public transport priority, supported by cameras including on trams in order to provide evidence on prosecution of drivers of vehicles violating fairways, bus only lanes and overtaking trams;
- what are the proposals by the State to increase public transport "shoulder" services during any extended clearway hours;
- any directions with respect to clearways made by the Minister for Roads and Ports under section 22 of the *Road Management Act 2004* and the basis upon which such directions were made in terms of the required public interest criteria; and

As you would be aware, this matter is of extreme concern to our business groups, traders and residents alike, and your earliest response to this letter would be appreciated.

Yours Sincerely

CR JUDY MORTON  
**MAYOR**