

**WAVERLEY WARD  
BONDI HEIGHTS PRECINCT**

**0Waverley Council Response Report to requests from February 2024 Bondi Heights Precinct meeting**

Meeting Date	Motion	Council Officer Response	Directorate	Status
5 February 2024	<p><b>MOTION [202402M1] ADOPTION OF PREVIOUS MEETING MINUTES – THAT, THE TABLED DOCUMENT BEING THE MINUTES OF THE BONDI HEIGHTS PRECINCT MEETING HELD ON 11th DECEMBER 2023, IS ADOPTED AS BEING A TRUE RECORD OF THAT MEETING.</b></p> <p style="text-align: right;">Mover, Eva Varga. Secunder, Julia Lewthwaite.</p> <p style="text-align: center;">Decision; Carried unanimously.</p>	Noted.	Precinct	Complete
	<p>COMMUNITY ROOM PRECINCT SUBMISSION (See attachment 1 to these minutes):</p> <p><b>MOTION [202402M2] BONDI HEIGHTS SUBMISSION FOR DA-353/2023 – THAT, THE SUBMISSION ON DA-353/2023 AS DISCUSSED AT THE MEETING, IS APPROVED FOR LODGEMENT TO WAVERLEY COUNCIL AS SOON AS POSSIBLE ON BEHALF OF THE BONDI HEIGHTS PRECINCT.</b></p> <p style="text-align: right;">Mover, Bill Mouroukas. Secunder, Eva Varga.</p> <p style="text-align: center;">Decision; Carried unanimously.</p>	Noted.	Precinct	Complete
	<p><b>MOTION [202402M3] WAVERLEY PARK PLAYGROUND REOPENING, RESPONSE REPORT TO PRECINCT RE 202312Q3- THAT, THE BONDI HEIGHTS PRECINCT IS NOT SATISFIED WITH WAVERLEY COUNCIL'S RESPONSE REGARDING THE OPENING OF</b></p>	Council apologises that the Bondi Heights Precinct committee members did not receive a direct invitation to the soft re-opening of the Waverley Park Playground and will ensure the Precinct is invited to future opening events.	Assets & Operations	Complete

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	<p><b>THE NEW PLAYGROUND IN WAVERLEY PARK. COUNCIL HAD CONFIRMED BOTH THROUGH THE PRECINCT AND THROUGH THE COUNCIL'S SOCIAL MEDIA THAT THEY WOULD NOT ONLY NOTIFY THE PRECINCT AND COMMUNITY TO THE OPENING BUT WOULD INVITE THE WIROA SCHOOL COMMUNITY. ALL OTHER PLAYGROUND OPENINGS IN WAVERLEY HAVE INCLUDED A COMMUNITY INVITATION. CAN COUNCIL PLEASE PROVIDE A MORE APPROPRIATE RESPONSE AS WELL AS A DIRECT INVITATION TO THE WIORA SCHOOL?</b></p> <p style="text-align: right;">Mover, Julia Lewthwaite. Seconder, Eva Varga. Decision; Carried unanimously.</p>	<p>We're pleased to advise, based on the Precinct's advice, that Council have reached out to Wairoa Special School Principal, Carmel Seeto, about her students visiting the new playground. The school arranged a small class of students to visit the playground on Thursday 4 March as part of their Community Access Program. In addition to this, family and friends of the students were invited to attend at the same time. Members of the Bondi Heights Precinct committee were also invited to attend.</p> <p>We thank the Precinct again for your interest and support in delivering much needed upgrades that improve access, inclusion and participation at our parks and reserves.</p>		
	<p>The Waverley Traffic Committee met on 1st February 2024 however there were no significant items pertaining to Bondi Heights Precinct on the agenda.</p> <p>On the 13<sup>th</sup> of January a person was hit by a car at the intersection of Ewell St and Bennett St. The injury is reported as being minor, but the matter was referred to police.</p> <p><b>MOTION [202402M4] EWELL LANE REVERSAL OF ONE-WAY DIRECTION - THAT, THE BONDI HEIGHTS PRECINCT REQUESTS COUNCIL INVESTIGATES A REVERSAL OF THE ONE-WAY DIRECTION OF</b></p>	<p>Ewell Lane and Bennet Street safety was discussed recently at the 19 March Council Meeting, as well as the 28 March Traffic Committee Meeting.</p> <p>The minutes from the 19 March Council meeting declare the following unanimous:</p> <p><i>CM/5.3.1/24.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 February 2024</i> <i>TC/C.01/24.02(2) - Bennett Street and Ewell Lane, Bondi - Pedestrian Safety Improvements (A20/0069)</i></p>	Assets & Operations	In progress

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	<p><b>EWELL LANE TO MAKE THE INTERSECTION WITH BENNETT ST SAFE FOR PEDESTRIANS.</b> Mover, Eva Varga. Seconder, John Simpson. Decision; Carried unanimously.</p>	<p><i>That Council adopts the Traffic Committee’s recommendation subject to the deletion of clause 3 such that the recommendation now reads as follows:</i> <i>That Council:</i></p> <ol style="list-style-type: none"> <li><i>1. Installs a stop sign, associated stop line and a caution/beware pedestrian sign on the light post in Ewell Lane, Bondi, facing cars travelling westbound.</i></li> <li><i>2. Installs ‘piano key’ line marking in Ewell Lane immediately east of the footpath at the intersection of Ewell Lane and Bennett Street.</i></li> <li><i>3. Delegates authority to the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant refinements.</i></li> </ol> <p>This matter was furthermore discussed at the Waverley Traffic Committee on 28 March. The minutes of the meeting have not been uploaded to the website at the time that this report was completed (5/04/2024).</p> <p>Please view them at <a href="https://waverley.infocouncil.biz/">https://waverley.infocouncil.biz/</a></p>		
<b>ACTIONS</b>				
	<p>Attendees expressed concern at the proliferation and increased incidence of unlawful riding on our dedicated pedestrian only pavements (footpaths) of bikes, scooters, skateboards, food delivery all either powered by motors or by man power.</p> <p><b>REQUEST TO COUNCIL [202412R1] CONTROLLING UNLAWFUL RIDERS ON FOOTPATHS.</b></p>	<p>Riding on the footpath is enforced by NSW Police under the Road Rules.</p> <p>Council has no jurisdiction on this matter.</p> <p>Some detail below on legislation and what is in enforced by Polce.</p> <p><b>Riding on a footpath</b> Generally, bicycle riders must not ride on a footpath. However, children under the age of 16 years can ride on the footpath unless there is a NO BICYCLES sign.</p>	NSW Police / Compliance	Complete

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	<p><b>THE BONDI HEIGHTS PRECINCT REQUESTS COUNCIL INVESTIGATE AND REPORT BACK TO THE PRECINCT ON THE ISSUE OF CONTROLLING UNLAWFUL RIDERS ON OUR FOOTPATHS INCLUDING BIKES, SCOOTERS AND SKATEBOARDS.</b></p>	<p>Bicycle riders aged 16 years and over must not ride on a footpath unless they are:</p> <ul style="list-style-type: none"> <li>an adult supervising a child under the age of 16</li> <li>accompanying a child under the age of 16 where all children are under the supervision of an adult</li> <li>a postal worker riding a bicycle in the course of their work duties</li> <li>a rider carrying a child under 10 as a passenger</li> <li>a rider with a medical condition who is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath</li> <li>a rider accompanying a rider with a medical condition.</li> </ul> <p>Road Rules 2014</p> <p><b>250 Riding on a footpath or shared path</b>            (1) The rider of a bicycle who is 16 years old or older must not ride on a footpath unless—            (a) if the rider is an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath and the child is under the rider’s supervision, or            (b) if the rider is not an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath under the supervision of an adult and the rider is also under the supervision of the adult, or            (c) the rider is a postal worker who is riding the bicycle in the course of his or her duties as a postal worker, or</p>		

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		<p>(d) the rider is carrying a person who is under 10 years old as a passenger on the bicycle or in or on a bicycle trailer towed by the bicycle and the bicycle is not a pedicab. Maximum penalty—20 penalty units.</p> <p><b>Note 1—</b> <i>Bicycle trailer</i> is defined in rule 257 and <i>footpath</i> and <i>postal worker</i> are defined in the Dictionary.</p> <p><b>Note 2—</b> Subrule (1) is not uniform with the corresponding subrule in rule 250 of the <i>Australian Road Rules</i>. However, the corresponding subrule in the <i>Australian Road Rules</i> allows another law of this jurisdiction to prohibit a rider of a bicycle who is 12 years old or older from riding on a footpath. Different rules may apply in other Australian jurisdictions.</p> <p><b>Note 3—</b> A rider of a bicycle who is under 16 years of age may ride on a footpath unless such a rider is prohibited from doing so under rule 250–1 or rule 252.</p> <p>(1A) A rider of a bicycle does not have to comply with subrule (1) if—</p> <ul style="list-style-type: none"> <li>(a) the rider is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath because of a medical condition the rider has, and</li> <li>(b) the rider is complying with any conditions stated in the medical certificate, and</li> <li>(c) no other law of this jurisdiction states that this subrule does not apply.</li> </ul> <p><b>Note—</b> <i>Medical certificate</i> and <i>medical practitioner</i> are defined the Dictionary and <i>medical condition</i> is defined in subrule (3).</p> <p>(1B) Also, a rider of a bicycle does not have to comply with subrule (1) if the rider is accompanying another person who is exempt under subrule (1A).</p>		

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		<p>(1C) However, the rider is exempt under subrule (1A) or (1B) only if the rider who is carrying the medical certificate immediately produces the medical certificate when an authorised person asks to see the certificate.</p> <p><b>Note—</b> <i>Authorised person</i> and <i>medical certificate</i> are defined in the Dictionary.</p> <p>(1C–1) A rider is not exempt under subrule (1A) or (1B) if there is a bicycle path or shared path available near the footpath.</p> <p><b>Note 1—</b> <i>Bicycle path</i> is defined in rule 239.</p> <p><b>Note 2—</b> This subrule is an additional NSW subrule. There is no corresponding subrule in rule 250 of the <a href="#">Australian Road Rules</a>.</p> <p>(2) The rider of a bicycle riding on a footpath or shared path must—</p> <p>(a) keep to the left of the footpath or shared path unless it is impracticable to do so, and</p> <p>(b) give way to any pedestrian on the footpath or shared path.</p> <p>Maximum penalty—20 penalty units.</p> <p><b>Note 1—</b> <i>Pedestrian</i> is defined in rule 18, and <i>shared path</i> is defined in rule 242.</p> <p><b>Note 2—</b> For subrule (2), <i>give way</i> means the rider must slow down and, if necessary, stop to avoid a collision—see the definition in the Dictionary.</p> <p>(3) In this rule—</p> <p><i>adult</i> means an individual who is 18 years old or older.</p> <p><b>Note—</b> There is no corresponding definition for this term for the purposes of rule 250 of the <i>Australian Road Rules</i>. The definition is required for the purposes of subrule (1)(a) and (b).</p> <p><i>footpath</i> does not include a separated footpath.</p> <p><i>medical condition</i> means a medical condition that makes it impractical or unsafe for a person who has the condition to ride a bicycle on the road.</p>		

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		<p><b>Note—</b> There is no corresponding definition for this term for the purposes of rule 250 of the <a href="#">Australian Road Rules</a>. The definition is required for the purposes of subrule (1A).</p> <p><b>Note—</b> <b>Separated footpath</b> is defined in rule 239.</p> <p><b>245–1 NSW rule: riding a bicycle negligently, furiously or recklessly</b> (1) The rider of a bicycle must not ride the bicycle— (a) negligently, or (b) furiously, or (c) recklessly. Maximum penalty—20 penalty units. (2) An offence against subrule (1) is not a strict liability offence.</p>		
	<p><b>REQUEST TO COUNCIL [202412R2] EBIKE RENTAL CLUTTERING OUR FOOTPATHS – EBIKES ARE BEING LEFT BY USERS IN PLACES THAT CAUSE OBSTRUCTION TO PEDESTRIANS AND DRIVEWAY USERS. RESIDENT STATED THAT IN THE CANADIAN CITY OF MONTREAL, EBIKE RENTAL COMPANIES ARE REQUIRED TO ESTABLISH PICK UP AND DROP OFF STATIONS AND USERS ARE PENALISED WHEN BIKES ARE NOT RETURNED TO THE STATION. COULD COUNCIL INVESTIGATE AND REPORT BACK ON WHAT MEASURES SUCH AS THAT UNDERSTOOD TO BE EMPLOYED IN</b></p>	<p>Council is actively working with Share Bike operators, neighbouring Councils and TfNSW on this matter. Council has previously installed and worked with bike share providers with the principle of fixed “hub” style areas. Unfortunately, this has not worked. Bike users did not follow the requirement of placing their bikes within the designated zones. Council is in ongoing discussions with bike share operators on how to improve the placement of bikes. Similarly, enforcement and impounding is continually being discussed with the providers. We have found that under the legislation it is difficult to impound bikes because we need to substantiate that they have been abandoned for 7 days or more. This is still an option that we are investigating. Council is working to find solutions to these matters and will investigate the suggestion the Precinct has made. Council will provide an update as soon as possible.</p>	Assets & Operations	In progress

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	<b>MONTREAL, MIGHT BE TAKEN TO ADDRESS THE EBIKE RENTAL CLUTTER/DUMPING ISSUE?</b>			
	<b>REQUEST TO COUNCIL [202412R3] PAUL STREET AT OSHR RAISED BIKE PATH ROAD SURFACE – ATTENDEES AT THE BONDI HEIGHTS PRECINCT MEETING HAVE OBSERVED RIDERS TRAVELING AT HIGH SPEED ON THE OSHR SHARED PATH OVER THE PAUL STREET INTERSECTION RAISED ROAD SURFACE. DANGEROUS BEHAVIOUR AT THIS INTERSECTION IS CONCERNING AS RIDERS BELIEVE THEY CAN JUST SPEED THROUGH. CARS ATTEMPTING TO ENTER OSHR ARE HESIDENT TO POSITION CORRECTLY FOR ENTRY FROM PAUL ST CAUSING DELAYS. THE BONDI HEIGHTS PRECINCT RAISES THIS CONCERN AND REQUESTS COUNCIL INVESTIGATE AND REPORT BACK TO THE PRECINCT ON WHAT MEASURES CAN BE TAKEN TO ADDRESS THESE MATTERS.</b>	<p>Council appreciates the ongoing feedback and concerns that help us understand where design improvements and future improvements may be contemplated. The crossings meet safety standards and with any larger-scale transport project, new mobility patterns and interactions can take some time for all users to become accustomed to. The increased activity is also anticipated to promote mutual awareness amongst street users, and to further humanise the street. We will continue to monitor safety concerns, including TfNSW collision statistics.</p> <p>Electric bikes that meet legal criteria are permitted to use cycleways. E-scooters are currently not permitted on public roadways. TfNSW regulates these modes, so it is outside of Council’s jurisdiction to permit or restrict use of ebikes.</p> <p>Council does not currently have a policy to promote policing on cycleways. Streets and user behaviours can be complex, and there is evidence that this may inadvertently lead to undesired outcomes and targeting of marginalized community members. All users are expected to abide by state laws. However, we would also seek to avoid sending a message that more vulnerable street users are at fault in the event that there is a collision with a vehicle, based upon their use of protective safety equipment.</p>	Assets & Operations	Complete



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	<p><b>REQUEST TO COUNCIL [202412R4] COUNCIL WASTE BIN PLACEMENT AFTER COLLECTION</b></p> <p>-</p> <p><b>THE BONDI HEIGHTS PRECINCT REQUESTS COUNCIL INSTRUCT WASTE COLLECTION STAFF TO ENSURE BINS ARE RETURNED TO THE AREA FROM WHENCE THEY WERE COLLECTED. BINS SHOULD NOT BE LEFT IN SUCH A MANOR THAT THEY OBSTRUCT THE FOOTPATHS OR ARE NOT NEAR THE COLLECTION LOCATION.</b></p>	<p>Feedback has been shared with Council’s Waste, Cleansing and Fleet team. The waste collection supervisor has reminded the collection crews to return bins to the point of collection. The supervisor will monitor.</p> <p>Request ID is <b>2406190</b>.</p>	<p>Assets &amp; Operations</p>	<p>Complete</p>

**Next meeting: 8 April 2024**