



W A V E R L E Y  
C O U N C I L

## STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING

A meeting of the STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE will be held at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

**7.30 PM, TUESDAY 2 AUGUST 2022**

Emily Scott  
**General Manager**

Waverley Council  
PO Box 9  
Bondi Junction NSW 1355  
DX 12006 Bondi Junction  
Tel. 9083 8000  
E-mail: [info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)

## Delegations of the Waverley Strategic Planning and Development Committee

On 10 October 2017, Waverley Council delegated to the Waverley Strategic Planning and Development Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
  - (a) The appointment of a general manager.
  - (b) The making of a rate.
  - (c) A determination under section 549 as to the levying of a rate.
  - (d) The making of a charge.
  - (e) The fixing of a fee
  - (f) The borrowing of money.
  - (g) The voting of money for expenditure on its works, services or operations.
  - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
  - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
  - (j) The adoption of an operational plan under section 405.
  - (k) The adoption of a financial statement included in an annual financial report.
  - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
  - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
  - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
  - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
  - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
  - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
  - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
  - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
  - (t) This power of delegation.
  - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. Despite clause 1(i) above, the Waverley Strategic Planning and Development Committee does not have delegated authority to accept any tenders.
3. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

### Live Streaming of Meeting

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

## AGENDA

### PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

*God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.*

*Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.*

#### 1. Apologies/Leaves of Absence

#### 2. Declarations of Pecuniary and Non-Pecuniary Interests

#### 3. Addresses by Members of the Public

#### 4. Confirmation of Minutes

PD/4.1/22.08	Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 5 July 2022 .....	4
--------------	--	---

#### 5. Reports

PD/5.1/22.08	Draft Waverley Development Control Plan 2022 - Exhibition .....	10
PD/5.2/22.08	Sustainability Expert Advisory Panel - Community Membership .....	15
PD/5.3/22.08	Temporary Outdoor Dining - Review .....	19
PD/5.4/22.08	Curlewis Street Streetscape Upgrade - Consultation Outcomes .....	23
PD/5.5/22.08	Off-leash Dog Area at Barracluff Park - Exhibition .....	72

#### 6. Urgent Business

#### 7. Meeting Closure

**CONFIRMATION OF MINUTES  
PD/4.1/22.08**

**Subject:** Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 5 July 2022

**TRIM No:** SF21/6065

**Author:** Al Johnston, Governance Officer

---

**RECOMMENDATION:**

That the minutes of the Strategic Planning and Development Committee meeting held on 5 July 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**Introduction/Background**

The minutes of committee meetings must be confirmed at a subsequent meeting of the committee, in accordance with clause 20.23 of the Code of Meeting Practice.

**Attachments**

1. Strategic Planning and Development Committee Meeting Minutes - 5 July 2022



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 5 JULY 2022**

**Present:**

Councillor Steven Lewis (Chair)	Hunter Ward
Councillor Ludovico Fabiano (Deputy Chair)	Waverley Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

**Staff in attendance:**

Emily Scott	General Manager
Sharon Cassidy	Acting Director, Assets and Operations
Meredith Graham	Acting Director, Community, Culture and Customer Experience
Mitchell Reid	Acting Director, Planning, Sustainability and Compliance
Richard Sheridan	Acting Director, Corporate Services

*At the commencement of proceedings at 8.21 pm, those present were as listed above.*

*Crs Fabiano, Goltsman, Kay, Keenan and Nemesh attended the meeting by audio-visual link.*

**PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The General Manager read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

*God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.*

*Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.*

**1. Apologies/Leaves of Absence**

Apologies were received from Cr Michelle Gray.

**2. Declarations of Pecuniary and Non-Pecuniary Interests**

- 2.1 Cr Lewis declared a less than significant non-pecuniary interest in item PD/5.1/22.07 – Planning Proposal – 34-36 Flood Street, Bondi, and informed the meeting his firm has previously provided legal advice to Meriton on matters unrelated to the planning proposal.

**3. Addresses by Members of the Public**

- 3.1 M Lennartz (on behalf of the proponent, Karimbla Properties (No. 10) Pty Ltd) – PD/5.1/22.07 – Planning Proposal – 34-36 Flood Street, Bondi.

**4. Confirmation of Minutes**

**PD/4.1/22.07 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 3 May 2022 (SF21/6065)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Murray

That the minutes of the Strategic Planning and Development Committee meeting held on 3 May 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

## 5. Reports

### PD/5.1/22.07 Planning Proposal - 34-36 Flood Street, Bondi (PP-1/2022)

*Cr Lewis declared a less than significant non-pecuniary interest in this item and informed the meeting that his firm has previously provided legal advice to Meriton on matters unrelated to the planning proposal.*

#### MOTION

Mover: Cr Lewis  
Seconder: Cr Masselos

That Council:

1. Does not support the planning proposal set out in the report to amend the *Waverley Local Environmental Plan 2012* in respect of 34–36 Flood Street, Bondi, Lot 1 DP 1094020, as the proposal lacks strategic merit and involves a change in Council's long-established policy in relation to SP2 Infrastructure Zones.
2. Investigates the strategic merit of amending the current zoning of SP2 Infrastructure 'Educational Establishment' to a more appropriate zoning that represents the existing use on the site in a future housekeeping planning proposal.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

#### UNANIMOUS DECISION

That Council:

1. Does not support the planning proposal set out in the report to amend the *Waverley Local Environmental Plan 2012* in respect of 34–36 Flood Street, Bondi, Lot 1 DP 1094020, as the proposal lacks strategic merit and involves a change in Council's long-established policy in relation to SP2 Infrastructure Zones.
2. Investigates the strategic merit of amending the current zoning of SP2 Infrastructure 'Educational Establishment' to a more appropriate zoning that represents the existing uses and considers potential future uses on the site in a future housekeeping planning proposal.

#### Division

**For the Motion:** Crs Betts, Burrill, Fabiano, Goltsman, Kay, Keenan, Lewis, Masselos, Murray, Nemesh and Wy Kanak.

**Against the Motion:** Nil.

*M Lennartz (on behalf of the proponent, Karimbla Properties (No. 10) Pty Ltd), addressed the meeting.*

### PD/5.2/22.07 Planning Agreement Policy 2014 (Amendment No. 4) - Adoption (SF21/4528)

#### MOTION

Mover: Cr Lewis  
Seconder: Cr Masselos

That Council adopts the Planning Agreement Policy 2014 (Amendment No. 4) and Public Benefit Register attached to the report, subject to the following amendments:

1. Voluntary planning agreements (VPAs) continue to be endorsed by the elected Council post-exhibition, as per the Planning Agreement Policy 2014 (Amendment No. 3).
2. Adjusting the Public Benefit Register to include suitable works subject to overview and approval by the elected Council.
3. Mandated VPA payments associated with planning proposals continue to be paid by developers prior to gazettal.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1.

**AMENDMENT (WITHDRAWN)**

Mover: Cr Nemesh

Seconder: Cr Kay

That clause 3 be deleted.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 3.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council adopts the Planning Agreement Policy 2014 (Amendment No. 4) and Public Benefit Register attached to the report, subject to the following amendments:

1. The removal of all proposed amendments within the Planning Agreement Policy 2014 (Amendment No.4) relating to the General Manager exercising their delegation to endorse planning agreements so that VPAs continue to be endorsed by the elected Council post-exhibition.
2. Adjusting the Public Benefit Register to include suitable works subject to overview and approval by the elected Council.
3. Mandated VPA payments associated with planning proposals continue to be paid by developers at gazettal.

**Division**

**For the Motion:** Crs Betts, Burrill, Fabiano, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.

**Against the Motion:** Cr Wy Kanak.

**PD/5.3/22.07 Sustainability Expert Advisory Panel - Community Membership (A10/0022)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan

Seconder: Cr Murray

That Council defers this item to the next Committee meeting so that officers can rectify an administrative error and update the report.



**6. Urgent Business**

There were no items of urgent business.

**7. Meeting Closure**

**THE MEETING CLOSED AT 9.04 PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**2 AUGUST 2022**

**REPORT**  
**PD/5.1/22.08**

**Subject:** Draft Waverley Development Control Plan 2022 - Exhibition

**TRIM No:** A22/0091

**Author:** Emma Rogerson, Acting Senior Strategic Planner

**Director:** Mitchell Reid, Acting Director, Planning, Sustainability and Compliance

---

**RECOMMENDATION:**

That Council:

1. Publicly exhibits the draft Waverley Development Control Plan 2022 attached to the report (Attachment 1) for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the *Environmental Planning and Assessment Act 1979*.
2. Publicly exhibits the draft Waverley Inter-War Flat Building Heritage Design Guidelines attached to the report (Attachment 4) for a minimum period of 28 days.

**1. Executive Summary**

The draft Waverley Development Control Plan (WDCP) 2022 seeks to repeal and replace the current Waverley DCP 2012. Both housekeeping and more substantial updates are proposed to rectify minor issues and to implement recent strategies and guidelines.

The purpose of this report is to:

- Outline the key changes that are proposed as part of the draft WDCP 2022.
- Obtain Council approval to publicly exhibit the draft WDCP 2022.
- Obtain Council approval to publicly exhibit the draft Waverley Inter-War Flat Building Heritage Design Guidelines which are referenced in the WDCP 2022.
- Outline the consultation strategy proposed for the public exhibition of the draft WDCP 2022.

**2. Introduction/Background**

A Development Control Plan (DCP) contains detailed planning and design guidelines for a range of development types and land uses which complement the development standards contained in Local Environmental Plans (LEPs). While DCPs have legislative force under the *Environmental Planning and Assessment Act*, they are guidelines and cannot contradict objectives, or the development standards, set out in LEPs.

This report outlines the changes between the existing Waverley DCP (WDCP) 2012 and the proposed draft Waverley DCP (WDCP) 2022, which include but are not limited to amendments of the following nature:

- Housekeeping – Rectifying wording issues and inconsistencies and providing clarifications.
- Centre-based provisions – Implementing the Our Liveable Places Centres Strategy.

- Inter-War building provisions – Implementing the Inter-War Flat Building Heritage Design Guidelines
- Sustainability and waste updates.
- Alignment with the Local Strategic Planning Statement (LSPS) and LSPS Implementation Planning Proposal (WLEP 2022).

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 8 June 2021	PD/5.1/21.06	<p>EXTRACT</p> <p>That Council:</p> <p>...</p> <p>3. Prepares Inter-war Design Guidelines to guide future development in Urban Conservation Areas and inter-war buildings in the local government area (LGA). The Guidelines should:</p> <p>(a) Encourage the retention of core (internal and external), original and early fabric and streetscapes.</p> <p>(b) Provide appropriate colour palettes to help reinforce the heritage nature of the UCAs.</p> <p>(c) Provide guidance regarding appropriate modifications.</p>

### 4. Discussion

The preparation of the draft Development Control Plan 2022 involved Council staff across different teams and directorates to identify issues for review and opportunity to improvement. The key matters are addressed below, a summarised list of proposed changes is provided in Attachment 2, and the entire proposed WDCP 2022 with tracked changes showing the differences between the existing 2012 version and the proposed 2022 version is provided in Attachment 1.

#### Key Proposed Amendments to the Waverley Development Control Plan

Part	Change
B1 Waste	<ul style="list-style-type: none"> <li>• Updates seeking to improve waste storage, collection and presentation, responding to issues with each of these factors.</li> <li>• New wheel-in and wheel-out collection provisions added for when on-site collection is not possible. This responds to the growing issues relating to off-site waste collection obstructing vehicle and pedestrian access routes, and disrupting the visual quality of the streetscape.</li> <li>• Annexure B1-2 and B1-3 are being updated with waste generation rates and vehicle dimension requirements to ensure that development can accommodate for contemporary expected storage volumes and for the correct dimension of collection vehicle.</li> </ul>

B2 Ecologically Sustainable Development	<p>These changes seek to meet Council’s established long-term environmental targets for Council and Community, covering greenhouse emissions, transport, climate resilience, urban ecology, water management and the sustainable management of waste and materials.</p> <ul style="list-style-type: none"> <li>• Strengthened energy and water consumption provisions.</li> <li>• Strengthened passive design and thermal comfort provisions.</li> <li>• New ‘all-electric’ building provisions, including not allowing solid fuel and natural gas for cooking and internal heating.</li> </ul>
B3 Landscaping and Biodiversity	<ul style="list-style-type: none"> <li>• New requirement to plant two new trees (min 75 L pot size) where development removes an existing tree of 3m or more in height. This will help to protect the established leafy local character of portions of the local government area (LGA) and the quality of the natural environment.</li> <li>• Expansion of sites on the Habitat Corridor Map (Attachment 3) to include an area of adequate size to support both the existing and desired future network.</li> <li>• New requirement to obtain a Vegetation Clearing Permit to clear trees more than 3 m in height, with more than a 3 m canopy spread, or trees with a trunk diameter of more than 300 mm, responding to the concern of losing important tree canopy.</li> <li>• Annexure B2-1 updated with recommended plantings.</li> </ul>
B8 Transport	<ul style="list-style-type: none"> <li>• Strengthening the requirement to locate parking areas behind the front building line. This is in response to the findings of the draft Local Character Statements (LCS). 18 out of 23 areas identified within the draft LCA included a desired future character objective encouraging car parking to be located behind the front building line and/or in a location that does visually dominate the site.</li> <li>• Strengthened EV charging requirements to ensure that buildings are EV-ready to meet future demand.</li> </ul>
B14 Excavation	<ul style="list-style-type: none"> <li>• Requirement to tank basements and other in-ground structures to reduce the need to include on-going pumps where the water table is breached.</li> </ul>
B16 Public Domain	<ul style="list-style-type: none"> <li>• Public domain update requirements including street lighting to ensure that the public domain is adequately serviced for use by the expected increase of density by new large development.</li> </ul>
B17 Inter-War Buildings	<ul style="list-style-type: none"> <li>• Improved guidance on amendments to the built form of existing Inter-War buildings, encouraging alterations and additions to such buildings to protect their special architectural character.</li> </ul>
C2 Low Density Residential	<ul style="list-style-type: none"> <li>• Clarity around how to calculate LEP building height and DCP wall height on sites with existing basements. The clarification is provided in accordance with established case law.</li> <li>• Clarity around how to assess variations to front and rear setbacks of low-density buildings to increase the consideration of neighbouring amenity.</li> <li>• Simplified side setbacks to reduce confusion surrounding the interpretation of the existing ones. The physical outcome permitted under the revised side setbacks is generally unchanged.</li> <li>• Increase in minimum landscaped area from 15% to 20% of site to support the quality and extent of the natural environment.</li> <li>• New requirement for 50% of landscaped area to be deep soil to ensure that high quality plantings can be supported on sites.</li> <li>• New energy requirements for swimming pools to reduce energy consumption.</li> <li>• New requirement to weatherproof newly exposed common walls to protect the integrity of neighbouring sites.</li> </ul>
C3 Other Residential Development	<ul style="list-style-type: none"> <li>• RFB minimum site width: 15 m in R3 and 20 m in R4. Doing so ensures that residential flat building development is built on sites of an adequate size to accommodate a compliant building envelope.</li> <li>• New site isolation provisions to support the logical development of sites.</li> </ul>

E1 Bondi Junction	<ul style="list-style-type: none"> <li>• Introduction of 4 x character areas with objectives and controls in Bondi Junction, acknowledging and supporting the distinct different characters of the Bondi Junction centre.</li> </ul>
E3 Local Village Centres	<ul style="list-style-type: none"> <li>• Desired future character objectives for each of the 19 centres from the OLP strategy, implementing the findings of the Our Liveable Places Centres Strategy.</li> </ul>
F5 Horticulture	<ul style="list-style-type: none"> <li>• New section managing impacts of horticulture, in response to the addition of 'horticulture' as a permissible use in the WLEP 2022 Planning Proposal.</li> </ul>
Definitions	<ul style="list-style-type: none"> <li>• A number of clear, new definitions.</li> </ul>

### **Inter-War Flat Building Heritage Design Guidelines**

The Inter-War Flat Building Heritage Design Guidelines (Attachment 4) have been prepared in accordance with the relevant Council Resolution detailed earlier in this report. The Guidelines were prepared following a review of approximately 600 building plans from the Inter War period between 1917–1940 resulting in a document that will be a valuable resource for both Council and building owners.

The draft Guidelines reinforce the importance of Inter-War buildings in Waverley and help to inform and manage change for both applicants (individuals, strata and company title bodies) seeking to modify their ageing building stock, and for the Council's Development Assessment Team, undertaking assessment of any proposed alterations and additions.

The Guidelines will be exhibited alongside the WDCP.

### **Future housekeeping**

Annual housekeeping DCP updates are proposed to continue, providing additional opportunity for any DCP-related matters to be considered on an ongoing basis. Councillors and internal staff can raise items for investigation to the Strategic Town Planning team throughout the year for consideration within these annual reviews.

## **5. Financial impact statement/Time frame/Consultation**

### **Financial impact statement**

There are no direct financial impacts to Council as a result of the proposed changes.

### **Timeframe**

Public exhibition of the draft WDCP 2022 is expected to run for six weeks between 8 August and 19 September 2022. Officers will conduct a post-exhibition review of the document in September and October 2022 and schedule the post-exhibition draft WDCP 2022 to Council for adoption at Strategic Planning And Development Committee meeting on 1 November 2022.

### **Consultation**

A thorough community consultation process is proposed to run for 6 weeks between 8 August and 19 September 2022, comprising of the following:

- Have Your Say Page advertisement with open submission box.
- Wentworth Courier advertisement directing readers to our Have Your Say page.
- Presentation at Combined Precincts meeting.
- Drop-in 'open house' and Have Your Say information days.

- Posters and flyers at key Council locations.
- Email to:
  - Respondents of recent strategic work.
  - Have Your Say Subscribers.
  - Internal staff newsletter.

Feedback received during this exhibition period will be reported back to Council and inform any changes prior to finalising the draft.

## **6. Conclusion**

The draft Waverley Development Control Plan 2022 will repeal and replace the existing WDCP 2012, and guide future development within the Waverley LGA. The draft WDCP 2022 seeks to action housekeeping amendments as well as more substantial updates to align with the Local Strategic Planning Statement, the LSPS Implementation Planning Proposal and a number of other local strategies and guidelines.

Placing the draft WDCP 2022 and Inter-War Flat Building Heritage Design Guidelines on public exhibition will provide opportunity to obtain community feedback and inform future changes to the subject documents.

## **7. Attachments**

1. Draft WDCP 2022 (under separate cover)
2. Draft WDCP 2022 - Amendment summary (under separate cover)
3. Draft WDCP 2022 - Updated Habitat Corridor Map (under separate cover)
4. Draft Inter-War Flat Building Heritage Design Guidelines (under separate cover)

**REPORT**  
**PD/5.2/22.08**

**Subject:** Sustainability Expert Advisory Panel - Community Membership

**TRIM No:** A10/0022

**Author:** Sam McGuinness, Executive Manager, Environmental Sustainability

**Director:** Mitchell Reid, Acting Director, Planning, Sustainability and Compliance

---

**RECOMMENDATION:**

That Council appoints the following community members to the Sustainability Expert Advisory Panel (SEAP) until the end of the Council term in September 2024:

1. Danny Cameron.
2. Stephanie Carrick.
3. Anthea Fawcett.
4. Corinne Mullet.
5. Robin Mellon.
6. Charles Scarf.

**1. Executive Summary**

This report proposes that six community members be appointed to the Sustainability Expert Advisory Panel for the period of this Council term.

**2. Introduction/Background**

The role of the Sustainability Expert Advisory Panel (SEAP) as outlined in the Terms of Reference is to:

- Work with Council to promote sustainable practices, focusing on the Waverley Community Strategic Plan and Environmental Action Plan.
- Assist Council and the community to implement and achieve the environmental targets of the EAP.
- Assist Council to integrate environmental sustainability into Council policy, plans and operations.

The Panel is proposed to convene to workshop environmental problems and solutions to improve the environmental sustainability of Council and the Waverley community more broadly.

Following an open application process in May and June 2022, Council received 10 applications from the community to be members of the Sustainability Expert Advisory Panel (SEAP). All members of the previous ESAC were informed of the new panel. Three Council officers reviewed the applications. Based on the evaluation criteria, Council officers evaluated and recommended the following candidates to be appointed:

- Danny Cameron.
- Stephanie Carrick.
- Anthea Fawcett.
- Corinne Mullet.
- Robin Mellon.
- Charles Scarf.

These applicants have extensive and diverse applied expertise in relevant environmental fields as well as a deep understanding of the local community and government work. They are independent and will be able to contribute expertise that Council does not currently have. As such, the proposed Panel members will help guide Council's work towards achieving its environmental targets as specified in Council's new Community Strategic Plan and Environmental Action Plan. This report proposes that the community members be appointed for the period of this Council term so that this Panel will continue until September 2024.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 5 July 2022	PD/5.3/22.07	That Council defers this item to the next Committee meeting so that officers can rectify an administrative error and update the report.
Strategic Planning and Development Committee 5 April 2022	PD/5.4/22.04	That Council: <ol style="list-style-type: none"> <li>1. Changes the name of the Environmental Sustainability Advisory Committee to the Sustainability Expert Advisory Panel.</li> <li>2. Adopts the terms of reference for the Sustainability Expert Advisory Panel attached to the report.</li> <li>3. Invites expressions of interest for the appointment of community sustainability experts to take place in April 2022.</li> </ol>
Council 15 February 2022	CM/7.1/22.02	EXTRACT  That Council:  ...  3. Appoints Councillors/delegates to the following committees/organisations until the next mayoral election on 19 September 2023:  Environmental Sustainability Advisory Committee:  Crs Keenan (Chair), Masselos (Deputy Chair), Fabiano and Nemesh.



#### 4. Discussion

Expressions of interest for the SEAP were advertised through Council's environmental newsletters, emails to local community groups, the Mayor's Column in the Wentworth Courier and Council's Have Your Say webpage. The original date for submissions was extended as there were some website issues. Applications were reviewed by three Council officers from the Environmental Sustainability team. The criteria below were used to evaluate applications:

- Live or work in the Waverley local government area.
- Have the capacity to contribute views and perspectives that represent, as far as is possible, a diverse range of environmental issues.
- Have significant professional experience in environmental sustainability.
- Have specific expertise relevant to Waverley Council such as in the areas of climate resilience, water, biodiversity or waste.
- Be available to attend meetings out of business hours. Council received 10 applications. The six local professionals listed in the table below were selected as the candidates that best fit the evaluation criteria for the committee.

*Table 1. Recommended community members.*

<b>Name</b>	<b>Background/expertise</b>
Danny Cameron	Sustainability professional with a focus and experience in running very large events and ensuring that they are sustainable across all areas of sustainability.
Stephanie Carrick	Sustainability professional with advanced digital communication skills and involvement with local environment groups.
Anthea Fawcett	Extensive professional experience with sustainability in the built environment, solar and food systems and corporate communication.
Corinne Mullet	Detailed technical experience with the built environment, energy rating tools and government which is very relevant to Council's net zero targets.
Robin Mellon	Extensive experience in sustainability with detailed understanding of supply chains, built environment, environmental funding and urban sustainability.
Charles Scarf	Trained and accredited sustainability professional with a focus on major infrastructure projects.

The selected applicants all met the criteria as outlined in the Terms of Reference and chosen as the recommended Committee members.

The other applicants for the Committee were:

- Peter Colacino.
- Jon Owen.
- Olivia Stein.
- Charles Hunter.
- Barbara Schaffer.

These applicants all had useful experience and skills, although only six community members have been recommended for the Committee in accordance with the Terms of Reference.

**5. Financial impact statement/Time frame/Consultation****Financial impact**

Officer involvement in facilitating and supporting the SEAP is covered through operational budgets. Recommendations from the SEAP may be considered by Council on a case-by-case basis to determine resource allocations.

**Time frame**

The appointment of community members will take effect upon adoption by Council. The first SEAP meeting of the year will be scheduled following this Council meeting, with two meetings in to be held in 2022 followed by three in 2023 and 2024.

**6. Conclusion**

The Sustainability Expert Advisory Panel and its predecessor, the Environmental Sustainability Advisory Committee, has been operating since 2008. Following an open application process, Council received 10 applications from the community to be members of the SEAP. This report recommends that Council appoints six community members to the Panel as per the Terms of Reference.

**7. Attachments**

Nil.

**REPORT**  
**PD/5.3/22.08**

**Subject:** Temporary Outdoor Dining - Review

**TRIM No:** A21/0513

**Author:** Tamara Haque, Economic Development Strategist

**Director:** Mitchell Reid, Acting Director, Planning, Sustainability and Compliance

---

**RECOMMENDATION:**

That Council:

1. Notes that the temporary alfresco dining measures trialled from 1 December 2021 to 18 April 2022 have concluded, with six applications received.
2. Does not implement the trial as a permanent measure.
3. Evaluates options for expanding its Parklet Program to provide additional public seating and/or outdoor dining opportunities in designated locations, with officers to prepare a report to Council.

**1. Executive Summary**

This report provides an overview of the temporary outdoor dining trial undertaken by Council. The trial formed part of the NSW Government's Alfresco Restart Package. Applications were accepted from 1 December 2021 until 28 February 2022. The initiative and temporary permits concluded on 18 April 2022.

**2. Introduction/Background**

The Alfresco Restart Package offered eligible business a \$5,000 grant towards outdoor dining equipment, while also encouraging Councils to support temporary outdoor dining permits. Eligibility of local businesses relied on them operating as a food premises and/or a licence under the *Liquor Act 2007*.

The temporary alfresco dining initiative aimed to help activate public spaces in the Waverley local government area (LGA) over summer, and support food and drink retail premises recover more quickly after extended lockdown restrictions. This support aligned with the Community Strategic Plan 2018–2029 goal 4.2 to 'ensure Bondi Junction and Waverley's villages continue to have a diverse range of businesses, local jobs and services.'

Council developed guidelines and an approval process to accept applications for a temporary outdoor dining permit from any eligible business. Applications were accepted from 1 December 2021 until 28 February 2022 and concluded 18 April 2022.

An overview of the applications is provided in the discussion below.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 23 November 2021	CM/7.9/21.11	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Endorses the temporary outdoor dining initiative as set out in the report as part of the Alfresco Restart Package announced by NSW Government.</li> <li>2. Charges no fee for applications for temporary outdoor dining permits lodged with Council for the trial period.</li> <li>3. Charges the normal footpath lease fee that applies under Council's Pricing Policy, Fees and Charges.</li> <li>4. Notes that the use of the footpath for temporary outdoor dining is exempt under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and there is no notification requirement.</li> <li>5. Officers prepare a report to Council following the conclusion of the initiative in April 2022.</li> </ol>
Council 26 October 2021	CM/6.1/21.10	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes: <ol style="list-style-type: none"> <li>(a) The NSW State Government's temporary measures to support alfresco dining.</li> <li>(b) Initiatives by the City of Sydney, Inner West and Woollahra Councils to provide alfresco dining opportunities.</li> </ol> </li> <li>2. Understands there is confusion in the business sector about the process to gain Council approval for alfresco dining activities.</li> <li>3. Officers prepare a report for submission to the next Council meeting that: <ol style="list-style-type: none"> <li>(a) Outlines a policy for alfresco dining, drawing upon initiatives from other Sydney councils.</li> <li>(b) Clarifies the process for businesses to apply to Council for such approvals.</li> </ol> </li> </ol>

### 4. Discussion

#### Temporary approval process and guidelines

The Department of Planning and Environment (DPE) guidelines encouraged outdoor dining in public spaces across the Waverley LGA. A review by staff determined to allow temporary permits in designated areas

including along roads and parking spaces. Council staff developed assessment criteria, guidelines and a fast-tracked approval process that removed the need for notification.

### Liquor licence approvals

Businesses with existing liquor licences were required to liaise with the Service NSW business concierge for any boundary amendments to their licence. Businesses without liquor licences that wished to serve alcohol still required approval from NSW Liquor and Gaming (via Service NSW business concierge) prior to commencing any temporary outdoor dining. Any venue that already had a liquor licence and offered outdoor dining was still required to comply with their usual liquor licence conditions, as well as any specific conditions that applied to the outdoor area.

### Preferred locations

Applications were reviewed on a case-by-case basis for locations across Waverley. There were four preferred areas to help activate local community centres:

- Campbell Parade, Bondi Beach.
- Oxford Street Mall, Bondi Junction.
- Waverley Street Mall, Bondi Junction.
- Roscoe Street Mall, Bondi Beach.

Given the short notice period between NSW Government announcement of the trial and establishing temporary permit approval process, it was not feasible for a review and determination by Council on the use of parking spaces to be used for temporary outdoor dining in Waverley.

### Fees

The temporary outdoor dining permit holders were required to pay the same footpath lease fees and security deposit as existing premises. This approach was considered appropriate after taking into consideration the aims of the new legislation and assistance package, as well as fairness for existing footpath dining permit holders. Application fees however were waived for businesses applying for temporary outdoor dining permits for the trial period.

### Number of applications

Council received a total of six applications during the trial period. Four of these were approved and one of them was refused. The sixth one was still under assessment due to two separate development assessment applications. The number of applications by suburb is set out below.

*Table 1. Applications by suburb.*

Suburb	Applications
Bondi Beach	4
North Bondi	1
Waverley	1

The uptake of fast-tracked applications by businesses was lower than expected particularly over the summer period. This could possibly have been due to financial constraints of businesses, the timing close to Christmas period, or limited options for businesses within the preferred locations. It was noted that the number of existing outdoor dining permits had declined during the COVID-19 period.

**NSW Government permanent measures**

The DPE has introduced permanent policy changes that support pubs and small bars across the state to implement outdoor dining as exempt development. The Waverley Development Control Plan (DCP) only permits outdoor seating for cafes, restaurants or food and beverage providers—not small bars and pubs. These permanent measures therefore have no impact on Council’s footpath seating applications and development assessment approval processes.

**Parklets**

Parklets have been part of Council’s Urban Intervention Program for some time. Urban interventions are short term projects in the public realm which are intended to create longer term change and encourage place activation and vibrancy. Council has successfully been delivering the Parklet Program since 2015 and there has been considerable interest from businesses. There is an opportunity for Council to design concepts for permanent and semi-permanent footpath extensions in key locations which provide the opportunity for additional public seating and/or outdoor dining opportunities.

This proposal will further be explored by the Urban Design team and findings will be presented to Council at future meeting.

**5. Financial impact statement/Time frame/Consultation**

Nil.

**6. Conclusion**

There were only a small number of temporary alfresco outdoor dining applications received. Additional permanent policy changes introduced by DPE on Council processes will have little impact on the existing outdoor dining approach by Waverley. It is recommended that the trial is not implemented as a permanent measure at Waverley.

The Urban Design team will evaluate the options of expanding the Parklet Program by way of providing temporary outdoor dining solutions in designated locations, and present findings to Council in the next Council meeting.

**7. Attachments**

Nil.

**REPORT**  
**PD/5.4/22.08**

**Subject:** Curlewis Street Streetscape Upgrade - Consultation Outcomes

**TRIM No:** A21/0397

**Author:** Rodhan Haughton, Acting Executive Manager, Major Projects

**Director:** Sharon Cassidy, Acting Director, Assets and Operations

---

**RECOMMENDATION:**

That Council:

1. Notes that 69% of respondents to the community consultation on the Curlewis Street Streetscape Upgrade were supportive of the overall proposal.
2. Endorses Option 1, as set out in the report, at the eastern end of the project, for the bike path to be located on the northern side of Curlewis Street between Gould Street and Campbell Parade.
3. Endorses Option 1, as set out in the report, at the western end of the project, which includes the removal of the slip lane from Old South Head Road into Curlewis Street, subject to confirmation of the traffic impacts and support from Transport for NSW.
4. Progresses to detailed design, noting the following will be addressed in development of the design:
  - (a) Continue to review the design to minimise impacts to parking loss, and where possible include offset parking on nearby streets.
  - (b) Review the design to minimise shared paths where possible.
  - (c) Advocate for improved connectivity of the bike path (e.g. onto Birriga Road and O'Sullivan Road) with both Transport for NSW and Woollahra Council.
  - (d) Review the number and extent of localised narrowings of the bike path surrounding retained trees.
  - (e) Continue to update key stakeholders of design changes as the detailed design phase progresses.
  - (f) Provide more information to the community about how and why Curlewis Street was selected for a two-way separated bike path.
5. Notes that traffic-related design elements will be developed further and presented to the Waverley Traffic Committee for review after completion of detailed design, with subsequent consideration by Council.

## 1. Executive Summary

The purpose of this report is to provide an update on the Curlewis Street Streetscape Upgrade project consultation and seek endorsement to proceed to detailed design phase while addressing key issues identified during the consultation.

## 2. Introduction/Background

Curlewis Street is a key eastern village centre within the Waverley local government area, linking Bondi Beach to Old South Head Road. The street has a mixture of medium residential and commercial buildings that supports the daily needs of local residents as well as providing amenities to people visiting the area. Curlewis Street serves as a local commercial strip as well as a major transport route, including bike route, high pedestrian movements and servicing school and a high season public bus route.

Curlewis Street has a strong community-base and local focus, providing a valuable social role and meeting place for residents and visitors. The street also provides an interesting and intriguing area for commuters and school children travelling to their destinations.

### Project background

At present, the public domain contains dated, ageing and failed road infrastructure assets including road pavements, footpaths, stormwater drainage, end of life trees and failing streetlighting. This project proposes a streetscape upgrade to the length of the street to renew existing infrastructure, promote active transport, increase safety and update material finishes to enhance the sense of belonging for all users.

A key element of the project is to formalise the existing link for active transportation by incorporating a separated bike path. This is identified in the 2013 Waverley Bike Plan and was previously endorsed by Council as a pop-up cycleway as part of the COVID-19 response by TfNSW identified as the Bay to Beach Pop-up Cycleway connecting Bondi Beach to Rose Bay Wharf.

The endorsement of investigation into a bike path between Bondi Beach was previously considered in November 2017 where Council resolved to investigate the building of a separated bike path between Bondi Beach and Rose Bay Wharf. At that time Woollahra Council resolved to develop the route as a joint initiative and to seek funding from TfNSW (then RMS) to develop the proposal.

In May 2020, Council resolved to apply for a grant to the Department of Planning for the development of a bike path along Curlewis Street as part of the Bondi Beach to Rose Bay Wharf bike route.

As per Council's endorsed strategic asset management principles, the assets in Curlewis Street are considered condition 4 and require renewal within 12–24 months to meet the agreed service levels as defined in SAMP 6 with the community. Moreover, the street has a high number of utility service (communications, gas, water and electricity) trenches, which has led to a patchwork of finishes throughout.

Considering the above, it is warranted to carry a renewal of existing assets as well as incorporate improvements/upgrades to the streetscape in line with Council plans and policies, including the provision of a separated bike path.

In May 2022, Council approved the concept design of the Curlewis Street Streetscape Upgrade to be publicly exhibited for 28 days.

### Previous engagement

In September and October 2019, officers undertook community consultation for the Our Liveable Places Centres Strategy.



Through the consultation outcomes, the following key items have been identified and considered in the design principals.

- Safe movement of pedestrians.
- Places for arts and creativity.
- Night-time entertainment and trading.
- Pedestrian through-site links.
- Wide footpaths.
- Accessibility of people of all abilities.
- Trees, planting and greenery.
- Public recycling facilities.
- Community and verge gardens.

The project is further informed by the following Council plans and strategies:

- Community Strategic Plan.
- Environmental Action Plan.
- Strategic Asset Management Plan.
- Public Domain Technical Manual.
- Street Design Manual.
- People, Movement and Places.

As part of the unique circumstance around the delivery of the pop-up cycleways, in September 2020 Transport for NSW (TfNSW) notified residents and businesses along and adjacent to Curlewis Street and O’Sullivan Road that a pop-up cycleway would be installed on Curlewis Street and O’Sullivan Road.

This notification included 10,000 letterbox notifications across the Bondi Basin and Rose Bay, and a reach of 53,000 via Facebook. The Facebook responses included 122 reactions (109 likes and 13 dislikes)—that is, 92% positive—and there were an additional 137 written comments on Facebook (85% positive, 15% negative). TfNSW established a triage service established to respond to enquiries received 26 calls (10 positive, one neutral and 15 negative); however, only two negative calls related to Curlewis Street and were specifically about the temporary construction zone Parking at 78 Curlewis Street that is now removed.

Whilst the pop-up was not installed, TfNSW’s position remains that ‘TfNSW and Council are working together to deliver the project’.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 May 2022	CM/7.10/22.05	That Council: <ol style="list-style-type: none"> <li>1. Approves the Curlewis Street Streetscape and Cycleway Upgrade concept design attached to the report for 28 days’ public exhibition.</li> <li>2. Notes that the community consultation report will be circulated to Councillors following the exhibition period with an update on the revised concept design, in accordance with Step 5 of the Councillor Engagement Process for Capital Works Projects.</li> <li>3. Notes that traffic-related design elements will be presented to the Waverley Traffic Committee for review,</li> </ol>

		<p>with subsequent consideration by Council.</p> <p>4. Notes that Transport for NSW has granted Council \$165,000 in funding to develop the design and a further \$835,000 for the construction of the cycleway.</p> <p>5. Notes that officers have applied to Transport for NSW for an additional \$2,000,000 grant funding for the construction of the cycleway.</p>
Council 15 September 2020	CM/5.2.1/20.09	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Approves the concept design for a temporary pop-up cycleway along Curlewis Street between Campbell Parade and Old South Head Road as documented in Attachment 1 (Curlewis Street Pop-up Cycleway for August TC), subject to detailed design.</li> <li>2. Delegates authority to Executive Manager, Infrastructure Services, to modify the design following preparation of detailed plans by TfNSW with input from Council officers.</li> <li>3. Notes that Transport for NSW: <ol style="list-style-type: none"> <li>(a) Notified residents and businesses along Curlewis Street of the proposed pop-up cycleway on Saturday, 5 September 2020, and intends to consider any community feedback when developing the detailed design.</li> <li>(b) Intends to issue a follow up notification at least five days before construction works commence. Minutes of Council Meeting 15 September 2020 This is page 6 of the Minutes of the Ordinary Council Meeting held on 15 September 2020</li> <li>(c) Is estimating that construction will start in late October 2020.</li> </ol> </li> <li>4. Officers conduct broad community consultation from February 2021 on the pop-up cycleway and the possibility of the cycleway becoming permanent following the temporary pop-up scheme.</li> <li>5. Requires that the detailed design process to be undertaken includes a road safety assessment for the following three options: <ol style="list-style-type: none"> <li>(a) A safe north-south crossing of Curlewis Street at the pedestrian crossing on the western side of Gould Street.</li> <li>(b) A safe north-south crossing of Curlewis Street at</li> </ol> </li> </ol>

		<p>the Glenayr Avenue signalised intersection.</p> <p>(c) No crossing of Curlewis Street with the cycleway to run along the northern side of Curlewis Street between Gould Street and Campbell Parade.</p> <p>6. Requires that the detailed design includes an examination of potential conflict between traffic westbound on Curlewis Street turning right into Old South Head Road and cyclists crossing Old South Head Road. The assessment is to consider the potential need to introduce a right-turn arrow for the turn from Curlewis Street within the signal design.</p> <p>7. Requires that the 40 km/h speed limit on the eastern end of Curlewis Street is extended to Old South Head Road upon opening of the cycleway.</p> <p>8. Officers complete a detailed review of cyclist transition to and from the cycleway at Campbell Parade.</p> <p>9. Officers investigate the implications of the cycleway along Curlewis Street upon deliveries to and from commercial premises and loading/truck zones.</p> <p>10. Receives a briefing report at the Strategic Planning and Development Committee meeting on 3 November 2020, or as appropriate, which includes any changes to the current concept design along Curlewis Street, and an updated timetable for construction and operation of both the Waverley and Woollahra components of the Beach to Bay pop-up cycleway.</p>
<p>Waverley Traffic Committee 28 May 2020</p>	<p>TC/V.07/20.05</p>	<p><i>Council adopted the Traffic Committee's recommendation</i></p> <p>That Council:</p> <p>1. Approves in-principle the concept design for a fully separated pop-up cycleway along Curlewis Street between Campbell Parade and Old South Head Road as documented in Attachment 1 (Curlewis Street Pop-up Cycleway), for the purpose of:</p> <p>(a) Applying for funding.</p> <p>(b) Undertaking site survey and commencing detail design.</p> <p>2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the designs should on-site circumstances warrant changes.</p> <p>3. Following confirmation of funding:</p>

		<p>(a) Requires detailed plans to be prepared showing modification to signs and line-markings and any changes to infrastructure to be submitted to Council's Traffic Committee for review.</p> <p>(b) Requires Council Officers undertake community consultation as part of the detailed design process.</p>
Council 19 May 2020	CM/8.1/20.05	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Note the recent announcement by Planning and Public Spaces Minister Rob Stokes for grants for Council for immediate pilot projects for cycleway and pedestrian widening and longer term projects.</li> <li>2. Notes the unanimous decision in November 2017 that Council investigates building a separated bicycle path from Bondi Beach (to our local government area boundary) to Rose Bay Wharf as part of Waverley's People, Movement and Places study – Signature Project 11 (Cycling Superhighways).</li> <li>3. Immediately apply for a grant for the Bondi Beach, Bondi (to Waverley's LGA boundary) to Rose Bay Wharf cycleway.</li> <li>4. Staff liaise with Woollahra Council to co-ordinate the development and implementation for the Old South Head Road to Rose Bay Wharf section of the cycleway.</li> <li>5. Investigates other projects, including opportunities (up to \$1 million) for longer term projects such as extra crossing points and trialling lower speed limits, which have also been considered by Waverley Council.</li> </ol>
Council 21 November 2017	CM/8.6/17.11	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Investigates building a separated bicycle path route from Bondi Beach (to our LGA boundary) to Rose Bay wharf as part of the Waverley's People, Movement and Places study – Signature Project 11 (Cycling Superhighways).</li> <li>2. Notes that Woollahra Council has agreed to write to Mayor of Waverley Council seeking their support to deliver this route as a joint initiative.</li> <li>3. Requests staff to liaise with Woollahra Council as appropriate, and prepare a report on the implementation of a separated route (including budget implications) for the Old South Head Road to Bondi Beach section of this route. The report to also consider any additional stormwater drainage that may be</li> </ol>

		identified by the flood mitigation mapping project, and a joint Waverley Woollahra application for a funding grant from the RMS to prepare a feasibility study for the route.
--	--	---

#### 4. Discussion

Council held an open community consultation on the proposed concept design for the Curlewis Street Streetscape Upgrade from 18 May to 15 June 2022. The overall concept design package was presented for feedback alongside specific design options for two key intersections along Curlewis Street. Various engagement methods were implemented and are further detailed in the attached Consultation Report.

There was significant interest in this project with the consultation, generating a total of 283 submissions. For a detailed review of community feedback, refer to the attached Consultation Report.

Feedback from the community can generally be split into two themes: feedback on the overall streetscape upgrade, and feedback specific to the design options presented to the community for two key intersections along Curlewis Street.

##### Streetscape Upgrade feedback

The community response demonstrated overall support for the project, with 69% of respondents supportive of the overall proposal for the Streetscape Upgrade. Key items raised include:

##### *Parking*

Some respondents expressed concern for loss of parking along Curlewis Street, with some of the belief there would be no parking alongside the separated bike path. It is important to note that the concept design results in a net loss of approximately five spaces only along the length of Curlewis Street. These losses are predominantly due to changes to regulations and standards requiring 'no stopping' setbacks at intersections and at prescribed traffic control devices like pedestrian crossings. During detailed design, further assessment is to be undertaken to minimise the amount of parking loss on Curlewis Street, and where possible provide offset parking on nearby streets.

##### *Separated bike path route*

Some respondents queried the bike path route and the demand for the bike path on Curlewis Street. Curlewis Street has been identified by Transport for NSW as a priority route (within a strategic corridor) for a bike path. Further the route has also been highlighted in Waverley's Bike Plan adopted in 2013 as it provides an alternative connection from Bondi Beach to Rose Bay. During detailed design, it is proposed to provide more information to the community around how and why Curlewis Street was selected for a two-way separated bike path.

##### *Planting and greenery*

The community expressed desire to have native planting along the streetscape upgrade, and additional greenery within the project. The concept design maintains and protects existing viable trees. The design includes the planting of 45 new trees throughout the project, with the removal of 18 unhealthy trees. Further introduction of traffic calming devices with planting and trees is also incorporated. The detailed design phase will identify suitable native species to enhance the streetscape and compliment the location of Curlewis Street.

### *Interaction of bike path with retained trees*

Some respondents expressed concern for the localised narrowing of the proposed bike path around existing trees being retained on the northern side of the street. While the technique is endorsed by Transport for NSW and is implemented on other bike paths elsewhere in Sydney such as Wilson Street in Newtown, further review will be undertaken during detailed design into the continuity and number of localised narrowing areas along the route.

### **Old South Head Road intersection**

The community was presented with two options at this intersection. Refer to Attachment 2 for details.

Both options included a raised pedestrian crossing at Simpson Street and inclusion of a shared path on Curlewis Street. There was large support for the construction of a raised pedestrian crossing on Simpson Street (76%) and there was support for replacement of the existing bike lane with a shared path (50% supportive vs 27% unsupportive).

Option 1 removes the existing left turn slip lane from Old South Head Road into Curlewis Street, with the left turn movement still permitted but controlled by the traffic signals. This creates additional public space at the corner of Old South Head Road and Curlewis Street facilitating additional parking and a raingarden/public space.

Option 2 retains the existing slip lane, resulting in a narrower shared path and smaller turfing/landscaped areas than Option 1. Further, pedestrians would still need to cross onto the existing traffic refuge in order to cross the street.

In general, there was large support for the establishment of a rain garden (75%) and support for the removal of the slip lane (50% supportive vs 28% unsupportive).

The feedback from the community indicates Option 1 is the preferred option. Key items raised include:

- Connectivity of the bike path.

The community raised the importance of ensuring quality connections linking the bike path to e.g., Birriga Road and O'Sullivan Road. The Curlewis Street bike path is the Waverley component of the Bay to Beach (B2B) bike path. During detailed design, officers will continue to advocate for improved connectivity of the bike path with both Transport for NSW and Woollahra Council. The detailed design phase will also review feasibility to minimise the extent of shared path within the design, and the safety of crossing point across Blair Street.

- Removal of the slip lane.

The community raised concerns regarding traffic delays at the Old South Head Road and Curlewis Street intersection should the slip lane be removed, including maintaining two through lanes from O'Sullivan Rd. During the detailed design phase, the modelling of the traffic impacts will be completed and coordinated with Transport for NSW for review and approval, maintaining two through lanes.

### **Gould Street to Campbell Parade section**

The community was presented with two options for this section of Curlewis Street. Refer to Attachment 2 for details.

Both options included a separated two-way bike path connecting Curlewis Street with Campbell Parade, and new raised pedestrian crossings on Curlewis Street (west of Gould Street) and on Gould Street (northern side of Curlewis Street). There was large support for the new raised pedestrian crossings (>75%).

Option 1 keeps the new bike path on the northern side of Curlewis Street, crossing the pedestrian crossing near Gould Street for a short distance at right angles, and retains the existing parking on the southern side of Curlewis Street.

Option 2 sees the new bike path cross to the southern side of Curlewis Street at the pedestrian crossing near Gould Street, and then continue on the southern side until Campbell Parade. This reduces the existing parking on the southern side of Curlewis Street.

There was overall support for the bike path on the northern side of Curlewis Street (67%) and support for maintaining the existing parking on the southern side of Curlewis Street (50% support vs 23% unresponsive).

The feedback from the community indicates Option 1 is the preferred option. Key additional considerations include:

- Continuous footpath treatments.

The concept design shows a continuous footpath treatment on the northern side across Gould Street. Feedback received shows interest in replicating this treatment on the southern crossing as well. Officers will consider this during the detailed design phase.

## **5. Financial impact statement/Time frame/Consultation**

### **Financial Impact**

The funding for any bike path related components of the Streetscape Upgrade has already been partially funded by TfNSW to an approximate amount of \$1 million (\$165,000 for design and \$835,000 pending for construction). In addition, officers are seeking an additional \$2 million of construction grant funding that would be contingent on Council's endorsement of this project.

The draft Long Term Financial Plan includes a budget of \$4.5 million across 2022–23 and the 2023–23 financial years.

### **Timeframe**

It is anticipated that detailed design development will take three to four months, pending Council and Authority approvals. Given the scale of the project, subsequent procurement of a head contractor could take a further two months. Construction commencement targeted for Q3 of financial year 2022–23.

### **Consultation**

As part of detailed design development, Council officers will engage with key stakeholders including local residents, local businesses, the Chamber of Commerce, Precincts, TfNSW, Woollahra Council, BIKEast and Bicycle NSW, and members of the community that have shown significant interest in the project.

## **6. Conclusion**

It is recommended that Council endorses Option 1 for both the Old South Head Road and Campbell Parade ends of the project, and progresses to detailed design.

**7. Attachments**

1. Curlewis Street Streetscape Upgrade - Consultation Report - July 2022 [↓](#)
2. Curlewis Street Streetscape Upgrade - Design options [↓](#)

























































































## REPORT

### PD/5.5/22.08



**Subject:** Off-leash Dog Area at Barracluff Park - Exhibition

**TRIM No:** A06/0357

**Author:** Neal Ames, Recreation and Open Space Planner  
Carl Nugent, Senior Landscape Architect

**Director:** Sharon Cassidy, Acting Director, Assets and Operations

#### RECOMMENDATION:

That Council:

1. Publicly exhibits the Feasibility Study options and master plans for an off-leash dog area at Barracluff Park attached to the report (Attachments 1 and 2) for 28 days.
2. Officers prepare a report to Council following the exhibition period.

#### 1. Executive Summary

The purpose of this report is to present to Council the feasibility, scoping and options available for the provision of an off-leash dog area in the North Bondi area. Further, that the options identified in this report be made public to seek community feedback on those options.

#### 2. Introduction/Background

The current state of Barracluff Park, specifically the training/junior sports field has meant that a number of sports clubs have ceased to use the field and have gone to other sports fields. The state of the field has been caused by overuse by dogs. This report presents a Feasibility Study into what steps could be taken to both address the state of the sports field, and to provide an effective long-term solution for dog owners.

The outcomes of the report support actions in the adopted Open Space and Recreation Strategy (OSRS) and two Council resolutions as outlined further below.

#### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 20 April 2021	CM/7.6/21.04	That Council: <ol style="list-style-type: none"> <li>1. Notes the feedback received on the draft Open Space and Recreation Strategy during the public exhibition period between September and November 2020.</li> <li>2. Adopts the Open Space and Recreation Strategy attached to the report (Attachment 1) subject to the following amendment:               <ol style="list-style-type: none"> <li>(a) Page 216 of the attachments under separate cover,</li> </ol> </li> </ol>



		<p>after the first paragraph – Insert the following:  ‘Section 2 of the NSW Constitution Act 1902 recognises that Aboriginal people, as the traditional custodians and occupants of the land in New South Wales have a spiritual, social, cultural and economic relationship with their traditional lands and waters, and have made, and continue to make, a unique and lasting contribution to the identity of the State.’</p>
<p>Council 20 July 2021</p>	<p>CM/8.3/21.07</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Investigates introducing a dog off-leash period in Barracluff Park that does not conflict with sporting activities and could be separated from the sports ground and playground by a fence and/or plantings.</li> <li>2. As part of the investigation, considers any other necessary upgrades, such as dog poo bag dispensers and dog bubbler facilities.</li> <li>3. Undertakes community consultation and officers prepare a report to Council following the investigation and consultation process.</li> </ol>
<p>Strategic Planning and Development Committee 1 December 2020</p>	<p>PD/5.6/20.12</p>	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the outcomes of the community consultation as mainly supporting an off-leash dog area at Mackenzies Bay.</li> <li>2. Endorses Option 3 outlined in the report, including: <ol style="list-style-type: none"> <li>(a) Maintaining the dog prohibition at Mackenzies Bay.</li> <li>(b) Installing new signage.</li> <li>(c) Increasing ranger surveillance of the area, while monitoring work health and safety processes.</li> <li>(d) Launching an education campaign to inform the community about the dog prohibition.</li> </ol> </li> <li>3. Officers investigate the opportunity to provide an off-leash dog area with water play at a suitable location to address the shortage of off-leash areas in the Bondi Basin.</li> </ol>

#### 4. Discussion

##### Strategic Context

The Waverley Open Space and Recreation Strategy (OSRS) 2021–2031 is a strategic document which examines existing services and current demand to guide our approach to planning and managing open space and recreation facilities, to best meet the community’s open space and recreation needs over the next 10 years.

There are approximately 10,857 registered dogs in Waverley local government area (LGA). Residents with dogs value the open flat space that parks and reserves provide for their dogs to get some activity, particularly off-leash. Within the LGA, there are seven dedicated off-leash areas and two timed dog off-leash areas.

Consultation findings from the OSRS identified the need for more dog off-leash areas, particularly in the North Bondi area. The Strategy states that 'There is a gap in the provision of dog off-leash areas in the Bondi Basin area. Currently Barracluff Park is being used to exercise dogs. This is reflective of a need for off-leash areas in this neighbourhood.'

### **Barracluff Park**

Barracluff Park is a valuable multi-use recreation park. It contains a training/junior size sports field, new District level playspace and areas for passive recreation such as picnic, relaxing and socialising. It is the largest area of inland public open space in the North Bondi area. Unauthorised dog walking, mainly off-leash, is the dominant activity at the park, besides visitation to the play space and sports training.

### **Trends in dog activity**

The management of dogs has become a major management issue for many councils. As a nation, we own more dogs per head of population than any other country. In the Waverley LGA, the following dog issues apply:

- The OSRS speaks extensively about dogs on 80 specific references.
- There is no dedicated fenced dog off-leash park in Waverley.
- Dogs are permitted on-lead everywhere in the public domain throughout Waverley.
- Council's open space portfolio is limited, but needs to be for everyone.
- Waverley has a population of more than 75,000 residents, compared with 10,587 registered dogs.
- Dog management in Waverley is about density and not the number of dogs.
- It is a balancing act between different user groups.
- On-leash or off-leash are not solutions; they are management strategies

Waverley residents are permitted to walk their dogs, on-leash, at almost all public spaces in Waverley. Dog management issues are therefore not about on-leash dog walking, but rather off-leash. Timed off-leash dog areas are one strategy to address dog off-leash issues, especially clashes with other users. However, experience has shown limited success with this management strategy. Council resolution CM/8.3/21.07 stipulated timed off-leash. The Feasibility Study found that timed off-leash would not solve the issues at Barracluff Park, and also would not address clause 3 of resolution PD/5.6/20.12.

### **Current state of the sports field**

Council commissioned the production of the Sports Field Improvement Program in the first half of 2021. This plan outlined the state of all Waverley sports fields, identified issues and made recommendations to improve their surfaces. The plan, when addressing Barracluff Park, acknowledged that high impact off-leash dog walking was causing the majority of the damage to the playing surface. This has resulted in the resident junior club, the Maccabi-Hakoah Juniors Football Club moving their activities to another facility in Woollahra. In communicating with Council, the Club representative stated:

*'I need to let you know that we are trying to move kids off Barracluff for term 2 - the potholes are too dangerous and the dog situation is unbearable for our coaches - they can't even do any passing drills etc without dogs running everywhere and we know you guys have tried to help us but we will lose our members if we stay there.'*—Maccabi-Hakoah Juniors FC, 11 April 2022

Just recently two other clubs, Waverley Old Boys Football Club and UTS Bats have contacted Council to cancel their hire agreement at Barracluff Park due to the condition of the field caused by dogs.

Council has undertaken a number of field rectification measures, including topdressing to try to manage the impact of dog use. These measures provide short-term solutions only. Without a permanent solution to manage the dog issue at Barracluff Park the field will remain unviable.

### **Barracluff Park dog off-leash area options – Feasibility Study**

During 2021, a Feasibility Study was undertaken on what areas would be suitable to accommodate dog off-leash use at Barracluff Park, or in proximity to the park, to service the needs of the North Bondi area residents.

The Feasibility Study included site analysis, master planning, and option consideration with pros and cons for each option (refer to Attachment 1). The Feasibility Study considered the following options:

- Option 1 – Barracluff Park fenced sports field and timed off-leash.
- Option 2 – Barracluff Park dog off-leash area (excluding sports field).
- Option 3 – Beach Road Reserve fenced off-leash area (FOLA).
- Option 4 – Beach Road Reserve and Simpson Street closure – 2 x FOLAs.
- Option 5 – New dog off-leash area in another park.

Option 5 has been discounted as unfeasible. It is recommended that Option 1 to 4 be tested with the community. Review of other areas within Barracluff Park were also assessed and discounted due to their passive recreation use and their proximity to the playground area.

Refer to Attachment 2 for the master plans, Attachment 3 for a risk matrix for the project and Attachments 4 and 5 for further information on FOLAs.

### **5. Financial impact statement/Time frame/Consultation**

Funding for the sports field upgrade is covered in the Long Term Financial Plan 6 – SAMP Recreational Asset Renewal, with \$589,000 allocated in 2023–24. If the community supports a management solution for dogs at Barracluff Park, it is recommended this funding be brought forward to enable field upgrade works to be undertaken before the beginning of the 2023 winter sports season.

A fence around the sports field and/or a FOLA are currently unfunded projects.

The following project estimates are provided. Indications of cost estimates for the sports field upgrade are included. Even though both projects will have inter-locking benefits they can be progressed separately if budget limitations apply. However, undertaking the sport field upgrade first, without a FOLA, will result in degradation of the upgraded field.

The cost of the overall project will depend on the option chosen. Costs estimates for each option are detailed in Table 1 below.

Table 1. Cost estimates for each option.

<b>Option 1 - Barracluff Park fenced sports field and timed off-leash.</b>	
Sports field upgrade	\$589,000
Fencing around sports field	\$100,000
<b>Total</b>	<b>\$689,000</b>
<b>Option 2 - Barracluff Park dog off-leash area (excluding sports field).</b>	
Sports field upgrade	\$589,000
Fencing around sports field	\$100,000
<b>Total</b>	<b>\$689,000</b>
<b>Option 3 - Beach Road Reserve fenced off-leash area (FOLA).</b>	
Sports field upgrade	\$589,000
Beach Road Reserve FOLA	\$250,000
<b>Total</b>	<b>\$839,000</b>
<b>Option 4 - Beach Road Reserve and Simpson Street closure – 2 x FOLAs.</b>	
Sports field upgrade	\$589,000
Beach Road Reserve FOLA – Big Dog	\$250,000
Simpson St Road Closure FOLA – Small Dog	\$100,000
<b>Total</b>	<b>\$939,000</b>

### Time frame

The following project timelines are applicable.

Table 2. Project timelines.

	<b>Task</b>	<b>Time</b>
1	Business Case development	Nov 2021
2	Feasibility study and option identification	Oct 21 - Feb 2022
3	Community engagement for option	Sep - Oct 2022
4	Report back to Council on engagement outcomes	Oct 2022
5	Identify funding source for preferred option	Jan – Jun 2023
6	Identify funding source for field upgrade	Jan – Jun 2023
7	Dog option construction	23/24 FY
8	Upgrade of sports field surface	23/24 FY

### Consultation plan

The community consultation process will be in accordance with Council's adopted Community Engagement Policy and Strategy. Participants from previous consultations at Barracluff Park, residents who live near the park, businesses across from the park, park users including clubs, the Precincts, Bondi Mizrahi Synagogue and the general community will be consulted to confirm the concept design is aligned with their expectations.

During consultation, the master plans will be made available for community feedback. An online survey and webinar will take place to allow residents to ask questions and provide comment. A Have Your Say day will be arranged in the park to allow the community and park users to ask questions and provide comment. The consultation will be promoted through Council normal channels including:

- Emails to Stage 1 participants.
- Council websites and Have Your Say.
- Have Your Say e-newsletter.
- Waverley Weekly e-newsletter.
- Council Social Media Platforms.
- Posters on-site.
- Australia Post letterbox drops to surrounding residents/owners and business
- Email to surrounding Precincts within the park catchment including Rose Bay, North Bondi, Bondi and Bondi Beach Precinct, with an offer for a meeting.

## 6. Conclusion

Barracluff Park is a key component of the overall Waverley open space portfolio. Its location, multi-purpose offering and recent playspace upgrade indicates that the park would be currently experiencing more than 750,000 visitations per year.

The sports field is only one of seven ovals (one of only four with lighting) available for local clubs to train and play. These are highly valued spaces that need to be sustainably managed versus the desire for dog off-leash use.

The Open Space and Recreation Strategy, as well as relevant Council resolutions, highlight the need for the management of dogs in the park.

The recommendation of this report is to take the dog off-leash area options to the community for feedback and to identify the community's preferred option.

## 7. Attachments

1. Barracluff Park Feasibility Study [↓](#)
2. Barracluff Park Dog Off-leash Area Options Plans [↓](#)
3. Barracluff Park Dog Off-leash Risk Matrix [↓](#)
4. Fenced Off-leash Dog Park (FOLA) Design Guide [↓](#)
5. Paws4Life FOLA Presentation [↓](#)

































































































































