



W A V E R L E Y  
COUNCIL

## **STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING**

A meeting of the STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE will be held at the Boot  
Factory, Spring Street, Bondi Junction at:

**7.30 PM, TUESDAY 2 DECEMBER 2025**

A handwritten signature in black ink, appearing to read 'Emily Scott', is positioned above the printed name.

Emily Scott  
**General Manager**

Waverley Council  
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## Delegations of the Waverley Strategic Planning and Development Committee

On 18 March 2025, Waverley Council delegated to the Strategic Planning and Development Committee the authority to determine any matter other than:

1. The matters in s 377(1) of the *Local Government Act 1993*, 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.

## **Statement of Ethical Obligations**

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

## **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**

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

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

#### **4. Confirmation of Minutes**

PD/4.1/25.12	Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 4 November 2025.....	5
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#### **5. Reports**

PD/5.1/25.12	Waverley Business Forum Meeting - 18 August 2025 - Minutes .....	13
PD/5.2/25.12	Excavation Controls and Vibrations from Construction Sites .....	20
PD/5.3/25.12	Planning Agreement - 34 Military Road, North Bondi.....	29
PD/5.4/25.12	Emissions, Energy and Water - Annual Report .....	51
PD/5.5/25.12	Fingleton Reserve Playground Upgrade.....	56
PD/5.6/25.12	Bondi Local Area Traffic Management Project - Martins Avenue at Ocean Street and Denham Street at Edward Street, Bondi.....	92

#### **6. Urgent Business**

#### **7. Meeting Closure**

## CONFIRMATION OF MINUTES PD/4.1/25.12



**Subject:** Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 4 November 2025

**TRIM No:** A25/0079

**Manager:** Richard Coelho, Executive Manager, Governance

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### RECOMMENDATION:

That Council confirms the minutes of the Strategic Planning and Development Committee meeting held on 4 November 2025 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 - 4 November 2025 .



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING  
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON  
TUESDAY, 4 NOVEMBER 2025**

**Present:**

Councillor Michelle Stephenson (Chair)	Bondi Ward
Councillor Will Nemesh (Mayor)	Hunter Ward
Councillor Keri Spooner (Deputy Mayor)	Waverley Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Dov Frazer	Hunter Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Margaret Merten	Bondi Ward
Councillor Joshua Spicer	Waverley Ward
Councillor Lauren Townsend	Lawson Ward
Councillor Katherine Westwood	Lawson Ward
Councillor Dominic Wy Kanak	Bondi Ward

**Staff in attendance:**

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

*At the commencement of proceedings at 7.30 pm, those present were as listed above.*

*Crs Frazer and Wy Kanak attended the meeting by audio-visual link.*

## **PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The Chair 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**

There were no apologies.

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

The Chair called for declarations of interest and none were received.

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

- 3.1 D Garber – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.2 L Kosnetter (on behalf of the proponent) – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.3 K Miller – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.4 E de Cambiaire – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.5 D Francis – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.6 B Francis – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.7 M Ziegler (on behalf of A Moses) – PD/5.2/25.11 – Planning Proposal – 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach.
- 3.8 P Preller – PD/5.4/25.11 – Bondi Local Area Traffic Management Project – Martins Avenue at Ocean Street and Denham Street at Edward Street, Bondi.
- 3.9 J Nolan – PD/5.4/25.11 – Bondi Local Area Traffic Management Project – Martins Avenue at Ocean Street and Denham Street at Edward Street, Bondi.

**ITEMS BY EXCEPTION****MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That the recommendations for the following items be adopted as recommended in the business paper:

- PD/4.1/25.11 Confirmation of Minutes – Strategic Planning and Development Committee Meeting – 2 September 2025.
- PD/5.1/25.11 Sustainability and Transport Expert Advisory Panel Meeting – Minutes – 6 August 2025.
- PD/5.3/25.11 Flood Risk Management Study and Plan and Waverley Development Control Plan 2022 – Exhibition.

**4. Confirmation of Minutes**

- PD/4.1/25.11 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 2 September 2025 (A25/0079)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council confirms the minutes of the Strategic Planning and Development Committee meeting held on 2 September 2025 as a true record of the proceedings of that meeting.

**5. Reports**

- PD/5.1/25.11 Sustainability and Transport Expert Advisory Panel Meeting - Minutes - 6 August 2025 (A24/0996)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council notes the minutes of the Sustainability and Transport Expert Advisory Panel meeting held on 6 August 2025 attached to the report.

- PD/5.2/25.11 Planning Proposal - 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach (PP-1/2025)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council:

1. Does not support the planning proposal attached to the report (Attachment 1) that updates

schedule 1 of the *Waverley Local Environmental Plan 2012* (LEP) to add additional permitted uses of 'shop top housing' and 'residential flat building' respectively to 69-71 Roscoe Street and 49-59 Hall Street, Bondi Beach, for the following reasons:

- (a) The proposal would result in a cumulative increase in traffic in Roscoe Street that would create adverse environmental impacts in what is a quiet residential street.
- (b) The rezoning would isolate existing residential dwellings between the development site and the Adina development at 2-8 O'Brien Street, Bondi Beach, creating an undesirable transition and loss of cohesion within the residential streetscape.
- (c) The proposal would establish a precedent for commercial encroachment into Roscoe Street, undermining the strategic intent of Council's adopted LEP and the separation between commercial and residential zones.

2. Advises the proponent and relevant Precinct of this outcome.

#### **Division**

**For the Motion:** Crs Fabiano, Frazer, Lewis, Masselos, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend, Westwood and Wy Kanak.

**Against the Motion:** Nil.

*D Garber, L Kosnetter (on behalf of the proponent), K Miller, E de Cambiaire, D Francis, B Francis and M Ziegler (on behalf of A Moses) addressed the meeting.*

#### **PD/5.3/25.11 Flood Risk Management Study and Plan and Waverley Development Control Plan 2022 - Exhibition (A24/0331)**

#### **MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson  
 Seconder: Cr Nemesh

That Council:

1. Publicly exhibits for 28 days the draft Waverley Local Government Area Flood Risk Management Study and Plan attached to the report, including the associated draft amendments to the Waverley Development Control Plan 2022 (Appendix C of the Study).
2. Convenes a meeting of the Floodplain Management Committee to review the outcomes of the public exhibition.
3. Officers prepare a report to Council following the exhibition period.

#### **PD/5.4/25.11 Bondi Local Area Traffic Management Project - Martins Avenue at Ocean Street and Denham Street at Edward Street, Bondi (A24/0300)**

#### **MOTION**

Mover: Cr Stephenson  
 Seconder: Cr Spicer

That Council defers this item to the November Council meeting.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO THE MOTION.

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

### **UNANIMOUS DECISION**

That Council defers this item to the November Council meeting to allow officers to consider residents' submissions from tonight's meeting and to incorporate relevant suggestions.

*P Preller and J Nolan addressed the meeting.*

### **PD/5.5/25.11                    Public Domain Tree Damage Management Strategy - Adoption (A22/0383)**

#### **MOTION**

Mover:     Cr Stephenson  
Seconder: Cr Nemes

That Council:

1.    Notes:
  - (a)   The update on the outcomes of the Public Domain Tree Inventory Project, as set out in the report.
  - (b)   The current limited framework outlined in the Tree Management Policy for public domain tree removal and replacement.
2.    Adopts the Public Domain Tree Damage Management Strategy, as set out in the report, including defining a tree's extreme damage to public infrastructure or private property as equating to:
  - (a)   The value of the tree—for significant trees or trees with heritage, community or cultural value.
  - (b)   50% of the value of the tree—for all other trees.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 3 TO READ AS FOLLOWS:

'Trials the Public Domain Tree Damage Management Strategy for 12 months and officers prepare a report to Council on the outcome.'

#### **AMENDMENT**

Mover:     Cr Fabiano  
Seconder: Cr Wy Kanak

That clause 2 be amended to read as follows:

'Adopts the Public Domain Tree Damage Management Strategy, as set out in the report, including defining a tree's extreme damage to public infrastructure or private property as equating to the value of the tree for significant trees or trees with heritage, community or cultural value, and 50% of the value of the tree for all other trees, subject to the following amendments:

- (a)   Canopy and climate alignment – That Council ensures that implementation of the Strategy maintains a canopy-neutral or canopy-positive outcome, consistent with Council's forthcoming

### Urban Greening and Canopy Strategy.

- (b) Tree valuation methodology – That the valuation methodology formally incorporates both amenity value and ecological services value (including carbon storage, stormwater mitigation and habitat benefits) and that this be published in Council’s Tree Management Policy.
- (c) Transparency and reporting – That an annual public report be provided detailing all public domain tree removals, replacements and new plantings, together with canopy change data from the Discover database.
- (d) Equity and urban heat priority – That replacement and new tree plantings prioritise areas of low canopy cover and high heat vulnerability to improve urban cooling and environmental equity.
- (e) Community consultation on significant trees – That community consultation (not just notification) be undertaken prior to the removal of any Category 1 or Category 2 tree, except in emergency situations where immediate safety risks are present.
- (f) Infrastructure design review – That before any tree removal is approved, officers demonstrate that all reasonable infrastructure design or material alternatives have been assessed in accordance with the Statewide Mutual Best Practice Manual.
- (g) Preventative works allocation – That a defined portion of the proposed \$250,000 annual allocation be ring-fenced for proactive and preventative measures, including root mapping, root barrier installation and soil cell systems.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

### Division

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

### DECISION

That Council:

1. Notes:
  - (a) The update on the outcomes of the Public Domain Tree Inventory Project, as set out in the report.
  - (b) The current limited framework outlined in the Tree Management Policy for public domain tree removal and replacement.
2. Adopts the Public Domain Tree Damage Management Strategy, as set out in the report, including defining a tree’s extreme damage to public infrastructure or private property as equating to:
  - (a) The value of the tree—for significant trees or trees with heritage, community or cultural value.
  - (b) 50% of the value of the tree—for all other trees.

3. Trials the Public Domain Tree Damage Management Strategy for 12 months and officers prepare a report to Council on the outcome.

**Division**

**For the Motion:** Crs Frazer, Lewis, Masselos, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood

**Against the Motion:** Crs Fabiano and Wy Kanak.

**6. Urgent Business**

There was no urgent business.

**7. Meeting Closure**

**THE MEETING CLOSED AT 8.18 PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**2 DECEMBER 2025**

**REPORT**  
**PD/5.1/25.12**

**Subject:** Waverley Business Forum Meeting - 18 August 2025 - Minutes

**TRIM No:** A24/0997

**Manager:** Tim Sneesby, Acting Executive Manager, Urban Planning

**Director:** Fletcher Rayner, Director, Planning, Sustainability and Compliance

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**RECOMMENDATION:**

That Council notes the minutes of the Waverley Business Forum meeting held on 18 August 2025 attached to the report.

**1. Executive Summary**

This report provides information about Council's Waverley Business Forum meeting held on 18 August 2025. The minutes of the meeting are attached to this report.

**2. Introduction/Background**

The Waverley Business Forum (WBF) serves as a platform for local businesses, Council representatives and industry leaders to engage in discussions on economic development, innovation, sustainability and key local projects.

**3. Relevant Council Resolutions**

Nil.

**4. Discussion**

Minutes of the WBF meeting dated 18 August 2025 have been endorsed by panel members who were in attendance and are attached to this report for Council's noting.

**5. Financial Impact**

The operations of the Waverley Business Forum are covered in Council's operational budget.

**6. Risks/Issues**

Nil.

**7. Attachments**

1. Waverley Business Forum - 18 August 2025 - Minutes [↓](#) .

# Waverley Business Forum

## Panel Meeting



## Minutes

**Wednesday 18 August 2025**

**6:00pm to 7:15pm**

**Waverley Council**

**Cloud Room, Boot Factory**

**Level 2, 27-33 Spring St, Bondi Junction**

### Waverley Business Forum Committee Members

#### Councillors

Will Nemesh	Mayor / Chair
Keri Spooner	Deputy Mayor
Ludovico Fabiano	Councillor
Dov Frazer	Councillor
Dominic Wy Kanak	Councillor
Steven Lewis	Councillor
Paula Masselos	Councillor
Margaret Merten	Councillor
Joshua Spicer	Councillor
Michelle Stephenson	Councillor
Lauren Townsend	Councillor
Katherine Westwood	Councillor

#### Panel members

Anthony Brooks	Sydney Roosters
Luke Caleo	Scentre Group
Emmanuel Constantinou	Chamber of Commerce
Ross Dawson	Bondi Innovation
Jay Fink	S'wich
Miriam Guttman-Jones	Resident
Sarah Hudson	Hudson Bakery
Marina Makhlin	LJ Hooker
Victor Negrine	Richardson & Wrench Bondi Junction
Joshua Roach	Consume Planning
Fay Theiss	HR Seekers
Debbie Weiss	HelloBronte

**Staff**

Emily Scott General Manager  
 Fletcher Rayner Director Planning, Sustainability & Compliance

**Purpose**

The Waverley Business Forum will serve as a platform for local businesses, council representatives, and industry leaders to engage in discussions on economic development, innovation, sustainability, and key local projects.

**Minutes**

1	Agenda Item	Minute	Member
	<b>Welcome &amp; attendance</b>	In-person Cr Will Nemesh (Chair) Cr Keri Spooner Cr Margaret Merten Cr Joshua Spicer Cr Katherine Westwood Cr Michelle Stephenson Anthony Brooks, Easts Group Luke Caleo, Scentre Group Emmanuel Constantinou, Chamber of Commerce Ross Dawson, Bondi Innovation Sarah Hudson, Hudson Bakery Jay Fink, S'wich Victor Negrine, Richardson & Wrench Bondi Junction Joshua Roach, Consume Planning Marina Makhlin, LJ Hooker Debbie Weiss, HelloBronte Fletcher Rayner, Director, Planning, Sustainability and Compliance, Waverley Council  Apologies Miriam Guttman-Jones, Resident Cr Ludovico Fabiano Fay Theiss, HR Seekers	
	<b>Panel member Updates</b>	<ul style="list-style-type: none"> <li>Businesses have had a difficult time this winter. However, the \$5,000 community grant to reactivate certain aspects is excellent.</li> </ul>	Emmanuel Constantinou

		<ul style="list-style-type: none"> <li>• A lunch and learn for the grant and application process would be helpful for local businesses.</li> <li>• The outdoor dining changes have given businesses more flexibility and have been a welcome change.</li> <li>• The changes to trading hours should enable more offerings in the morning and are another welcome change.</li> <li>• The Bondi Junction Mall cosmetic upgrade is highly anticipated to increase light and subsequent safety.</li> <li>• Bondi Junction Vision and Masterplan has been well received, and providing as much information as possible is helpful.</li> <li>• Businesses have discovered they have more avenues to reach out to Council.</li> <li>• Streetscape upgrades are going well, which is great particularly Charing Cross, so businesses are happy.</li> <li>• Fast-tracking some parking zones for 15 minutes to help business community and their customers are useful and welcome.</li> <li>• The HelloBondi refresh is a great initiative and the team are excited.</li> </ul>	
		<ul style="list-style-type: none"> <li>• Outdoor dining policy updates have been adopted which are an improvement with further refining and updating planned.</li> <li>• Trading hours extended to support local businesses.</li> <li>• Outdoor dining policy being transitioned to new permit.</li> <li>• Share bikes first round have been zoned and geo-fenced and distributing e-bike use on the promenade.</li> </ul>	Mayor Will Nemes
		<ul style="list-style-type: none"> <li>• Regarding outdoor dining, if Council could arrange a zoom or instruction guide and info session to support local businesses that would be helpful.</li> </ul>	Marina Makhlin
		<ul style="list-style-type: none"> <li>• Will fees be charged from businesses if their approval is about to lapse, or will new permits have the fee waived?</li> </ul>	Councillor M Stephenson
		<ul style="list-style-type: none"> <li>• Future improvement will be needed as confirmed by Fletcher Rayner, as scheduled for outdoor dining and online services will enable these permits will streamline processes to make it easier.</li> </ul>	Joshua Roach
		<ul style="list-style-type: none"> <li>• The new commercial building (Vertical), building has been leased prior to completion with 3 key tenants. Range of commercial uses. Record rates for commercial for over \$1000/m2. Great result for developer</li> </ul>	Victor Negrine

		<ul style="list-style-type: none"> <li>The Supre store on Oxford St Mall. Option to continue operating was not taken up by the retailer for reason that big issues with homelessness, drinking, drugs, threatening behaviour along with petty crime. Perhaps regular visits from Mission Australia to encourage assistance for homeless, blue-chip tenants are being lost, which is a shame.</li> <li>The scale of the proposed build to rent development may get things moving from a retail perspective as it would remove the demolition clauses in properties along Oxford St Mall which has limited the type of businesses that seek to operate there.</li> </ul>	
		<ul style="list-style-type: none"> <li>Parking for free up to 15 minutes to support local business is considered a very good initiative.</li> </ul>	Sarah Hudson
		<ul style="list-style-type: none"> <li>The homelessness issue persists, with school parent representatives seeking the masterplan to address safety and behaviour.</li> </ul>	Mayor Will Nemesh
		<ul style="list-style-type: none"> <li>Regarding the policing issue and crime prevention, Westfield undertake a monthly exclusive forum for their retailers and scale out beyond the businesses. Management at Westfield Bondi Junction have received a lot of good feedback on anti-crime prevention measures including bag searches. Happy to open up the forum to share more in the interests of safety.</li> </ul>	Luke Caleo
		<ul style="list-style-type: none"> <li>The forum should extend an invitation to Jodi Radmore to join the panel to discuss the matter raised above.</li> </ul>	Mayor Will Nemesh
		<ul style="list-style-type: none"> <li>Roosters and Destination NSW – 24-hour economy working together on the first indigenous round to stimulate indigenous tourism.</li> </ul>	Anthony Brooks
2	<b>Waverley update</b>	<ul style="list-style-type: none"> <li>Summary of presentation which included an update from Waverley Council. The power point included updates one following: Waverley's economy, Waverley First Business Support initiative, Bondi Junction Update, Bondi Beach update, Curlewis Cycleway update, Charing Cross Update, Rose Bay Streetscape update, Outdoor dining update, EV Charging Rollout, business awards and Create Streets grant.</li> </ul>	Fletcher Rayner

	<ul style="list-style-type: none"> <li>• Question regarding slide 10. Confirmed how build to rent works and the proposal received will contain some affordable housing.</li> </ul>	Marina Makhlin
	<ul style="list-style-type: none"> <li>• Early feedback on build to rent. None yet as no feedback sought. Masterplan makes the case for change and State Significant Development application. How will that change be managed. Council, community will be asked to make submissions.</li> </ul>	Luke Caleo
	<ul style="list-style-type: none"> <li>• There is confusion in the community about what build to rent is, and the perception is that its negative and will be social housing yet it's residential and needs more clarity.</li> </ul>	Marina Makhlin
	<ul style="list-style-type: none"> <li>• The process bypasses us, and we as a Council do not know enough and lot is speculative at the moment.</li> </ul>	Mayor Will Nemesh
	<ul style="list-style-type: none"> <li>• In relation to Charing Cross upgrade, an issue about Macpherson St in terms of plantings, maintenance and overall cleanliness which will be followed up.</li> </ul>	Debbie Weiss
	<ul style="list-style-type: none"> <li>• Council will follow up on the matter above.</li> </ul>	Councillor Westwood.
<b>Bondi Chamber update</b>	<ul style="list-style-type: none"> <li>• Additional update from the Chamber of Commerce – our vibrant coffee morning catch-up with businesses are being delivered free to members, and part of education approach for attendees who can learn how to scale up their business via a 6-module program. Particularly targeting micro-businesses.</li> <li>• Thanking the Mayor for coming to speak to businesses recently too.</li> <li>• Also thanking the Mayor and Council who supported the chamber funding agreement for the Chamber.</li> <li>• Noted Dr Marjorie O'Neill for providing funding similar to the Spot and activating something similar through the mall via the State Government grant.</li> <li>• Business Awards have been well received as they are underway.</li> </ul>	Emmanuel Constantinou
<b>Bondi Innovation update</b>	<ul style="list-style-type: none"> <li>• Update from Bondi Innovation notes regular events on AI via meet ups are proposed.</li> </ul>	Ross Dawson

		<ul style="list-style-type: none"> <li>• Sydney Start-up hub next to Wynard Station has closed down and is looking for space at setting up shared office space. A group is trying to secure a space, including pop-up and empty spaces.</li> <li>• Mentor program will continue for entrepreneurial start-ups along with an Innovation breakfast.</li> <li>• Looking to take on another staff member.</li> <li>• Easts Group asked whether anyone had invited them to setup in Waverley however they are aiming to relocate to tech-central which is more about scale-up.</li> </ul>	
7	<b>Q&amp;A</b>	<ul style="list-style-type: none"> <li>• The panel were asked if there were any items anyone wished to raise for inclusion at the next forum. Nil items.</li> </ul>	Mayor Will Nemesh
8	<b>General Business</b>	<ul style="list-style-type: none"> <li>• Next meeting will be Thursday 23 October 2025, 6:15pm – 7:00pm</li> </ul>	
		Meeting Closed 7:13pm.	

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## REPORT

### PD/5.2/25.12



**Subject:** Excavation Controls and Vibrations from Construction Sites

**TRIM No:** A24/0031

**Manager:** Tim Sneesby, Acting Executive Manager, Urban Planning

**Director:** Fletcher Rayner, Director, Planning, Sustainability and Compliance

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#### RECOMMENDATION:

That Council does not make any changes to its local planning controls and processes regarding excavation, demolition and construction, as controls and processes are operating as intended and deemed fit for purpose.

#### 1. Executive Summary

Between 2021 and 2024 Council passed two resolutions (PD/5.1/24.05 and CM/8.1/21.07) relating to the management of excavation, demolition and construction in Waverley.

This report responds to these resolutions by:

- Evaluating the outcome of recent local planning policy changes relating to excavation.
- Investigating possible measures to further reduce the risks to neighbouring properties during excavation, demolition and construction works.

After completing this evaluation and investigation, it is recommended that Council's local planning controls relating to excavation are operating as intended and are considered fit for purpose. No further amendments are required to manage excavation, demolition or construction impacts.

Council's role in the development process is primarily limited to the planning approval stage. Recent updates to local planning controls address the concerns raised, and Council officers have no statutory role in inspecting engineering matters during construction.

#### 2. Introduction/Background

In NSW, most development requires planning approval followed by certification before, during and after construction.

Council's statutory responsibilities fall primarily at the planning approval stage. This includes assessing development applications and issuing consent with conditions that must be satisfied through subsequent certification and construction stages. Council's role after consent is limited, and applicants appoint a private principal certifying authority (PCA) to undertake certifications and inspections.

The changes to local planning controls and Council's standard conditions since 2022 were introduced to reduce unnecessary excavation and address concerns about structural stability, vibration impacts and safety.

These concerns arose after reports of excessive vibration during construction in Bondi Beach in 2021, and one instance of a building partially collapsing next to a construction site in 2020.

This report addresses the matter in the context of the development application pathway because this is where Council has the greatest involvement through assessment and conditioning of development. While similar issues can also arise under the complying development pathway, Council's role and influence in that setting is significantly more limited, as NSW Government policy governs the approval process and private certifiers perform the primary assessment and certification functions.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 7 May 2024	PD/5.1/24.05	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Adopts the Waverley Development Control Plan 2022 (Amendment No. 3) on excavation controls attached to the report.</li> <li>2. Develops a plain English fact sheet on the amendment for Council's website and distributes it to the Precincts.</li> <li>3. Officers prepare a report to Council in 12 months' time evaluating the changes and improvements.</li> </ol>
Council 20 July 2021	CM/8.1/21.07	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Officers prepare an urgent report into the reasons for recent collapses and excessive construction vibration levels at Bondi and other Waverley construction sites. The report should include a list of all current conditions that are placed on large-scale development, construction and demolition so Councillors can assess whether any further standard conditions should be included.</li> <li>2. Investigates and prepares a report on how to reduce the risks to neighbouring properties during excavation, demolition and construction works, including the following: <ol style="list-style-type: none"> <li>(a) Implementing processes for improved assessment and management of development sites in the Bondi sands area.</li> <li>(b) Considering the inclusion of provisions in all DA conditions of consent for the Bondi basin requiring placement of monitors at 3 metre intervals along all site boundaries prior to commencement of any work, for the purpose of detecting and measuring vibrations and any ground movement, all to be inspected by Council on a daily basis during demolition and excavation, cost of</li> </ol> </li> </ol>

		<p>inspections to be included in fees, and potential for movement to be subject of stop work provisions while solutions are resolved.</p> <p>(c) Considering the inspection of all construction certificates as lodged and before any work begins on site to verify engineering requirements for demolition and excavation, particularly regarding safety of neighbouring properties, and to establish credentials of private certifiers, and listing on the Services NSW register.</p>
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#### 4. Discussion

##### Council's role in managing excavation, demolition and construction

In NSW, most development requires planning approval, followed by certification before, during and after construction. The typical development process using the development application approval pathway is outlined in the following table.

Table 1. Typical development process.

Stage	Purpose	Key legislation	Primary responsible party
Development application (DA)	Obtain development consent	<ul style="list-style-type: none"> <li>NSW Environmental Planning and Assessment Act 1979</li> <li>NSW Environmental Planning and Assessment Regulation 2021</li> <li>Local Government Act 1993</li> <li>Waverley Local Environmental Plan 2012</li> </ul>	<p><b>Council</b> assess application against applicable planning controls.</p> <p><b>Council</b> issue development approval, with conditions that must be followed through the subsequent certification and construction stages.</p>
Construction certificate (CC)	Obtain permission to commence construction	<ul style="list-style-type: none"> <li>NSW Environmental Planning and Assessment Act 1979</li> <li>NSW Environmental Planning and Assessment Regulation 2021</li> </ul>	<p><b>Principal certifying authority (PCA)</b> confirms compliance with DA conditions for each stage, prior to issuing CC and OC, including structural and geotechnical input.</p>
Construction	Physical works		
Occupation certificate (OC)	Obtain permission to use the development	<ul style="list-style-type: none"> <li>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</li> <li>Building Legislation Amendment (Quality of Construction) Act 2002</li> </ul>	<p>Where bulk earthworks are proposed, the DA conditions will require the <b>PCA</b> to confirm that <b>geotechnical and structural engineers</b> have been involved as per the wording that council conditioned.</p>

		<ul style="list-style-type: none"> <li>• <i>Design and Building Practitioners Act 2020</i></li> <li>• <i>Home Building Act 1989</i></li> </ul>	<p>Mandatory <b>PCA</b> inspections at critical stages (e.g excavation support, waterproofing, structure) as required under the EP&amp;A Regulation and Building Legislation Amendment (Quality of Construction) act 2002.</p> <p><b>PCA</b> and <b>engineers</b> will carry out inspections as required. <b>Builders</b> will construct in accordance with legislation, the National Construction Code and Australian Standards.</p> <p>Pre-and post construction dilapidation reports required (where conditioned)</p> <p>NSW Government workplace health and safety regulator <b>SafeWork NSW</b> can investigate reports of construction misconduct. <b>Council’s compliance team</b> can also investigate reports of non-compliances with conditions of consent, however, the <b>PCA</b> and <b>builder</b> are ultimately responsible for engineering checks, which must be signed off by a qualified <b>engineer</b>.</p> <p><b>CC</b> and <b>OC</b> documentation is lodged with Council for record keeping purposes only. Council has no certification or approval role unless acting as <b>PCA</b>.</p>
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As per Table 1, Council’s legal responsibilities and skillset primarily fall within the planning approval stage of development. This involves the assessment of applications for development, and the granting of consent with conditions that must be followed by the applicant and various professionals’ post-approval. Council’s role in managing development after development consent is limited.

A council can also be involved as a PCA during later certification and construction stages; however, most applicants choose to appoint a private certifier as their PCA.

Except where appointed as the PCA, Council is not empowered under legislation to undertake engineering inspections during construction. These responsibilities lie with the PCA, builders and qualified engineers, as set out in the *Environmental Planning and Assessment Act 1979*, associated Regulations and the *Design and Building Practitioners Act 2020*.

## Evaluation of local planning policy changes relating to excavation

This section responds to the resolution of PD/5.1/24.05.

A council must use local and NSW Government planning policy to support its decisions and conditions of consent. Council has recently amended its local planning controls and standard conditions of consent to reduce unnecessary underground excavation, addressing structural stability and safety concerns associated with basement excavation.

When Council adopted these changes in May 2024, officers were asked to evaluate the changes after 12 months and report back.

The recent planning policy changes relating to excavation are summarised in Table 2.

Table 2. History of planning policy changes relating to excavation

Point in time	Waverley Local Environmental Plan	Waverley Development Control Plan
Prior to late 2022	Required Council to consider the impact of earthworks on the amenity of adjoining properties.	Encouraged avoiding excavation. Most controls were non-prescriptive.
Late 2022 –	Development standards were updated to include the need to explicitly consider the impacts of earthworks on the structural integrity of adjoining properties (September 2022).	Controls were updated to make controls more prescriptive, adopting an identical approach to Woollahra Council (December 2022). A post-implementation review found these controls were unreasonable for larger scale developments such as residential flat buildings.
May 2024 –	No further changes.	Controls were refined again to: <ul style="list-style-type: none"> <li>• Provide flexibility for large developments (such as apartments and commercial buildings) as excessive excavation is not typically proposed for such developments.</li> <li>• Only allow excavation for low density development (such as houses and dual occupancies) where there is no alternative location for parking or storage other than in an excavated area, and that the excavated volume is not excess to reasonable need.</li> </ul>

Over the 12 months following adoption of the 2024 amendments, 96% of approved development applications complied with the excavation controls. Of the more than 400 approvals issues, only 17 low-density applications involved variations, all supported by strong justification, such as topography, swimming pool excavation, or existing basements.

Excavation concerns and policy changes have mostly related to low density development, so development applications for dwelling houses, semi-detached dwellings and dual occupancies have been subject of this evaluation.

Given the high level of compliance, the quality justification for variations and positive feedback, the controls are operating effectively and no further policy changes are recommended.

Excavation controls will continue to be reviewed on a regular basis, as is the case with all local planning policy. Updates will be brought to Council for consideration where required.

### **Investigation of possible measures outside of planning controls to further reduce the risks to neighbouring properties during excavation, demolition and construction works**

After reports of excessive vibration during construction in Bondi Beach in 2021, and one instance of a building partially collapsing next to a construction site in 2020, Council resolved (CM/8.1/21.07) to investigate measures to reduce the structural integrity risks to neighbouring properties during excavation, demolition and construction works.

The subsequent investigations are detailed in Table 3.

*Table 3. Investigations responding to CM/8.1/21.07.*

<b>Matter to investigate</b>	<b>Response</b>
Reasons for recent collapses and excessive construction vibration levels at Bondi and other Waverley construction sites.	<p>The NSW Government workplace health and safety regulator, SafeWork NSW undertook an investigation of a partial building collapse at 19 Curlewis Street, Bondi Beach during excavation at 21 Curlewis Street. SafeWork NSW issuing a stop work Development Control Order (reference No-4689) on 10 December 2020 and undertook a site inspection on 17 February 2021.</p> <p>Council did not receive written confirmation from SafeWork NSW as to the reasons for the collapse as part of their investigation, but were advised by SafeWork NSW that rectification works had been undertaken in accordance with plans prepared by engineers engaged by the responsible builder and that the builder had complied with prohibition and improvement notices issued by SafeWork NSW.</p>
Processes for improved assessment and management of development sites in the Bondi sands area	<p>Alongside the local planning policy changes described in section (b) of this report, standard conditions relating to excavation, demolition and construction have been improved, including but not limited to requirements for:</p> <ul style="list-style-type: none"> <li>• The ongoing involvement, advice and management of a suitably qualified and practising Structural Engineer/Geotechnical Engineer.</li> <li>• Checks for the stability of land prior to installing ground anchors.</li> <li>• Independently certified construction management plans.</li> <li>• Pre and post-construction dilapidation reports.</li> </ul> <p>Attachment 1 details the list of conditions typically imposed as a condition of development consent for development involving bulk excavation.</p>

<p>The inclusion of provisions in all DA conditions of consent for the Bondi basin requiring placement of monitors at 3 metre intervals along all site boundaries prior to commencement of any work</p>	<p>The proposal to require monitors at 3-metre intervals inspected daily by Council is inconsistent with two fundamental principles of the NSW planning system. Firstly, unless Council is appointed as the PCA, it has no statutory power to conduct routine inspections or verify excavation supports or structural measures; this responsibility lies with the PCA.</p> <p>Second, such a condition would not meet the principle of reasonableness established in the Newbury test and NSW case law. A condition must be proportionate to its planning purpose and not impose a burden greater than necessary. As Council's updated conditions have applied since 2022 without challenge under the Newbury principle, further mandatory monitoring requirements are not recommended.</p>
<p>The inspection of all construction certificates as lodged and before any work begins on site to verify engineering requirements</p>	<p>This is a matter for the PCA as part of the issue of construction certificate documentation. Council does not have the statutory role or power to be checking every construction certificate that is lodged for compliance.</p>
<p>How these functions are the role of certified engineers and the appointed PCA</p>	<p>The building works are required to be inspected during construction by the PCA in accordance with the <i>Building Legislation Amendment (Quality of Construction) Act 2002</i>, Part 8 of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i> and the requirements of any other applicable legislation or instruments as per Table 1.</p>

## 5. Financial Impact

All actions in responding to the relevant resolutions discussed in the report have been completed using existing staff resources and existing budget.

Additional measures including the inspection of all construction certificates when lodged to verify engineering requirements prior to work commencing is not within Council's power to require.

## 6. Risks/Issues

There are no risks or issues associated with noting the findings of this report.

## 7. Attachments

1. Standard conditions for bulk excavation [↓](#) .

## Attachment 1

### List of standard conditions typically imposed on development consents for large-scale development involving bulk excavation

#### **DETAILS OF EXCAVATION, SHORING OR PILE CONSTRUCTION**

*A report shall be prepared by a suitably qualified and practising Structural Engineer/Geotechnical Engineer detailing the proposed methods of bulk excavation, shoring or pile construction, including details of vibration emissions and any possible damage which may occur to adjoining or nearby properties as a result of the proposed building and excavation works.*

*Any practices or procedures specified in the Structural Engineer's report in relation to the avoidance or minimisation of structural damage to adjoining properties are to be fully complied with and incorporated into the plans and specifications together with the Construction Certificate.*

*Condition reason: To ensure any excavation, shoring and pile construction is carried out in a safe manner.*

#### **ENGINEERING DETAILS**

*Structural details are to be prepared and certified by a practicing Structural Engineer in connection with all structural components of the approved works, prior to the issue of the relevant Construction Certificate.*

*Condition reason: To ensure the structural stability of work on site.*

#### **GROUND ANCHORS (WHERE EXCAVATION IS PROPOSED ON A BOUNDARY NEXT TO COUNCIL LAND)**

*(a) Where any ground anchors (i.e., rock or sand anchors) are proposed to extend beyond the property boundary beneath roadways and other Council property, details must be submitted to Council and approved by the Executive Manager, Infrastructure Services (or delegate) and will be subject to fees. For further information regarding this, please contact [assets@waverley.nsw.gov.au](mailto:assets@waverley.nsw.gov.au) at (02) 9083 8655.*

*(b) Separate approval will be required for ground anchors beneath roadways governed by the Transport for NSW (TfNSW).*

*Condition reason: To ensure the stability of land.*

#### **STRUCTURAL DOCUMENTATION (FOR SIGNIFICANT UNDERPINNING)**

*(a) A construction management plan must be submitted to an independent, third party structural engineer and the project geotechnical engineer for approval. The engineers must have relevant experience, have chartered status with the Institute of Engineers Australia and be registered on the National Engineers Register. The construction management plan must incorporate and reflect the intent of the following documents:*

*(i) Geotechnical Report and documentation prepared by [author] dated (xx/xx/xx), and received by Council on (xx/xx/xx).*

*(b) Satisfaction of the third party structural engineer and project geotechnical engineer that the construction management plan will provide for the retention of the building and its structural integrity must be demonstrated to the consent authority prior to the issue of the relevant Construction Certificate.*

*(c) The documentation provided by the principal structural engineer as part of the construction certificate should detail the follow:*

*(i) Design and documentation of the Strengthening and Stability requirements to ensure the existing building is suitable for the intended alteration and additions, and*

*(ii) Provide detailed procedure on the methodology and constructability of the proposed work within the existing / approved building envelope, in particular to the excavation works.*

*Condition reason: To ensure structural stability of work on site.*

**STRUCTURAL INTEGRITY OF RETAINED BUILDING ELEMENTS**

Prior to the issue of a Construction Certificate, a report or certification from a practicing structural engineer must be submitted to the Principal Certifying Authority to explain how the retained building elements, such as building facades or chimneys are to be retained, supported and not undermined by the proposed development and give details of any intervention or retrofitting needed.

Condition reason: To ensure structural stability of retained building elements

**PRE-CONSTRUCTION DILAPIDATION REPORT**

To ensure Council's infrastructure is adequately protected, a pre-construction dilapidation report on the existing public infrastructure in the vicinity of the proposed development and along the travel routes of all construction vehicles is to be submitted to Council. The report must detail, but not be limited to, the location, description, and photographic record (in colour) of any observable defects to the following infrastructure where applicable:

- (a) Road pavement
- (b) Kerb and gutter
- (c) Footpath
- (d) Drainage pits and lintels
- (e) Traffic signs
- (f) Any other relevant infrastructure

The report is to be dated, submitted to, and accepted by Council's Infrastructure Engineer, prior to any work commencing on the site. All fees and charges associated with the collation of this report must be borne by the Applicant.

Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

**DILAPIDATION REPORT**

- (a) Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land to the satisfaction of the Principal Certifying Authority. At minimum, the following properties are to be included:
  - (i) XXX Street, Suburb
  - (ii) XXX Street, Suburb
  - (iii) XXX Street, Suburb
- (b) Where access has not been granted to an adjoining property to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the Principal Certifying Authority that all reasonable steps were taken to obtain access to the adjoining properties.
- (c) The report is to be dated, submitted to, and accepted by the Principal Certifying Authority, prior to any work commencing on the site.
- (d) No less than 14 days before any site work commences, adjoining property owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.
- (e) Note: Any damage that may be caused is a civil matter. This consent does not allow or authorise any party to cause damage, trespass, or any other unlawful act and Council will not be held responsible for any damage that may be caused to adjoining buildings as a consequence of the development being carried out. Council will not become directly involved in disputes between the builder, owner, developer, its contractors and the owners of neighbouring buildings.

Condition reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

**EXCAVATION AND BACKFILLING**

- (a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards and must be properly guarded and protected to prevent them from being dangerous to life or property.
- (b) If an excavation associated with the erection or demolition of a building extends below the level of the footings of a building on an adjoining allotment of land, the excavation is to be managed by a practising structural engineer.

Condition reason: To ensure the structural stability of work on site and general safety.

## REPORT

### PD/5.3/25.12



WAVERLEY  
COUNCIL

**Subject:** Planning Agreement - 34 Military Road, North Bondi

**TRIM No:** SF25/3891

**Manager:** Tim Sneesby, Acting Executive Manager, Urban Planning

**Director:** Fletcher Rayner, Director, Planning, Sustainability and Compliance

### RECOMMENDATION:

That Council:

1. Approves the planning agreement attached to the report applying to land at 34 Military Road, North Bondi, offering a total monetary contribution of \$132,600 to be allocated to the Bondi Park, Beach Plan of Management and the Campbell Parade Streetscape Upgrade.
2. Authorises the General Manager to execute the agreement.

#### 1. Executive Summary

This report seeks Council's approval to execute the attached planning agreement associated with the approved development application DA-5/2021/A for 34 Military Road, North Bondi.

*Table 1. Approval for DA-5/2021 as modified by DA-5/2021/A*

Item	Approved DA-5/2021 as modified by DA-5/2021/A
Development description	Demolition of existing dual occupancy and construction of a new 4 storey residential flat building with 4 apartments and basement car park with car lift
Maximum permissible gross floor area (GFA) and floor space ratio (FSR)	374 sqm of GFA, equating to an FSR of 0.6:1
Approved GFA and FSR	400 sqm of GFA, equating to an FSR of 0.64:1
GFA exceedance	26 sqm GFA, equating to a variation of 7% over the permissible GFA

The draft planning agreement associated with the development application was placed on public exhibition in accordance with section 7.5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

#### 2. Introduction/Background

Council's Planning Agreement Policy provides a framework for managing the voluntary planning agreement (VPA) process. The policy is founded on the principle of 'value sharing' or 'value capture',

which reflects the expectation that developers benefiting from a value 'uplift' through increased development rights should share a portion of this uplift with the community.

In instances where a development exceeds established planning standards and can proceed without resulting in unacceptable impacts, the value sharing mechanism enables the community to derive a net benefit in the form of additional infrastructure and enhanced amenity.

VPA's are legal documents facilitated by the *Environmental Planning and Assessment Act 1979* (the EP&A Act) between developers and government agencies (including councils and the NSW State Government) for the provision of funds or works by the developer for infrastructure, services, or other public amenities. In Waverley, a VPA can be offered by a developer in conjunction with a DA that exceeds the maximum floor space ratio (FSR) permitted for a site.

If the consent authority is satisfied that the proposal is acceptable on planning grounds, a VPA offer will be received and a condition of development consent included in the determination requiring that the VPA be prepared and executed by Council prior to the commencement of work. Council will not approve a development application with a VPA unless it is satisfied that the proposed development is acceptable on planning grounds, having regard to the general heads of consideration set out in section 4.15 of the EP&A Act 1979. These considerations include 'the likely impacts of the development', 'whether a planning agreement has been entered into,' and 'the public interest'. Development that is unacceptable on planning grounds (i.e. creates additional adverse overshadowing impacts from the extra FSR) will not be approved because a developer has offered a VPA.

In Waverley, the VPA contribution amount is determined by the amount of floor space ratio (FSR) exceedance and the suburb of the development site and is intended to reflect 50% of the profit of the additional floor space that exceeds Council's controls. The contribution can include a monetary contribution to Council to fund a public benefit, or a physical in-kind public benefit.

Development standards outlined in the *Waverley Local Environmental Plan 2012* include matters such as maximum building height and maximum FSR. The EP&A Act permits an applicant to exceed their site's maximum building height or FSR (also known as obtaining development 'uplift') for a DA if the consent authority (typically the Council, local planning panel or NSW Land and Environment Court) considers that the variation does not have an unacceptable impact and meets the objectives of the FSR standard (clause 4.6 variation).

Council is not unique in dealing with variations (non-compliances with development standards) and VPA offers. All councils in NSW are required by the EP&A Act to assess and determine DAs that involve both.

### **3. Relevant Council Resolutions**

Nil.

### **4. Discussion**

#### **Planning agreement under DA-5/2021/A**

DA-5/2021/A was approved with a 26 sqm gross floor area exceedance above the maximum permissible floor space ratio for the site. With reference to Council's benchmark rates listed in the Planning Agreement Policy, a total monetary contribution of \$132,600 applies. The application was determined by the NSW Land and Environment Court.

## **Planning agreement's monetary contribution to a public purpose**

Section 7.4 of the EP&A Act requires that the monetary contribution from a planning agreement be allocated to a public purpose.

The draft planning agreement offers a total monetary contribution of \$132,600 to be allocated to the Bondi Park, Beach Plan of Management and Campbell Parade Streetscape Upgrade. The contribution is expected to support this public purpose.

## **Public exhibition of the draft planning agreement**

The draft planning agreement was drafted in accordance with section 7.5 of the EP&A Act, which requires an agreement to be exhibited for a period of 28 days. The draft planning agreement and explanatory note were exhibited from Monday 20 October 2025 to Monday 17 November 2025, and included:

- Advertising on Council's Have Your Say website.
- Email notice to Precincts and Councillors.

## **Submissions**

Three submissions were provided during the exhibition period, with one later retracted. Of the two remaining submissions, one did not support the VPA and one was critical of the VPA process. Feedback provided has been noted.

## **5. Financial Impact**

Once the planning agreement has been executed, the applicant will be required to pay a total monetary contribution of \$132,600 in accordance with Council's Planning Agreement Policy

## **6. Risks/Issues**

The Planning Agreement Policy guides the VPA process to recognise and mitigate risks such as ensuring planning agreements are underpinned by proper strategic land use and infrastructure planning carried out on a regular basis, do not improperly rely on its position in order to extract unreasonable public benefits from developers, and not used as a means of general revenue raising or to overcome revenue shortfalls.

The planning agreement document itself, as a legal contract between Council and the developer, also mitigates the risks associated with levying a development contribution, making provision for scenarios where the developer is unable to satisfy the contribution amount.

If Council decides to amend the VPA, then under s7.5(a) of the Act Council would be required to publicly exhibit the VPA again for 28 days, with officers to report back to the soonest available Council meeting. This may create a delay for the applicant in obtaining their construction certificate.

## **7. Attachments**

1. Planning agreement - 34 Military Road, North Bondi [↓](#) .

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**WAVERLEY COUNCIL**

**(Council)**

**AND**

**BONDI HEIGHTS DEVELOPMENTS PTY LTD**

**ACN 614 860 561**

**(Landowner)**

**AND**

**34 MILITARY ROAD PTY LTD**

**ACN 657 006 730**

**(Developer)**

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# **PLANNING AGREEMENT**

**(Development Contribution)**

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**WAVERLEY COUNCIL  
55 Spring Street  
BONDI JUNCTION NSW  
2022 DX 12006  
Phone: 02 9083 8000  
Facsimile: 02 9387 1820**

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**PLANNING AGREEMENT NO. \_\_\_\_\_****Section 7.4 of the Environmental Planning and Assessment Act, 1979**

**THIS AGREEMENT** is made on \_\_\_\_\_ 2025

**PARTIES**

**WAVERLEY COUNCIL** of Cnr Paul Street and Bondi Road, Bondi Junction NSW 2022  
ABN 12 502 583 608 ("**Council**")

**AND**

**BONDI HEIGHTS DEVELOPMENTS PTY LTD** of Level 9, 140 Arthur Street, North Sydney  
NSW 2060 ACN 614 860 531  
("**Landowner**")

**AND**

**34 MILITARY ROAD PTY LTD** of Level 2A, 120 Old Pittwater Road, Brookvale NSW 2100  
ACN 657 006 7630  
("**Developer**")

**BACKGROUND/RECITAL**

- A.** Bondi Heights Developments Pty Ltd is the registered proprietor of the Land and are referred to herein as the Landowner.
- B.** 34 Military Road Pty Ltd entered into a contract for the purchase of the Land from the Landowner dated 1 February 2024 and is referred to herein as the Developer.
- C.** The Council is the local authority constituted under the Local Government Act 1993 and the planning and consent authority constituted under the Act.
- D.** On 14 August 2024 the Developer lodged or caused to be lodged the Development Application with Council for development consent to carry out development on the Land.
- E.** The Developer subsequently lodged an appeal with the Land and Environment Court of NSW and made an offer dated 7 July 2025 by the Developer to enter into this Agreement to make the Development Contribution. The Development Contribution is to be applied

towards a public purpose in accordance with Council's Planning Agreement Policy if development consent was granted on the basis that the Development as proposed exceeds the gross floor area permissible for such a development upon the Land pursuant to relevant planning controls.

- F. The Land and Environment Court proceedings resulted in the determination of the Development Application by grant of the Development Consent DA-5/2021/A on 22 July 2025.
- G. This Agreement is consistent with the Developer's offer referred to in Recital E.

#### **OPERATIVE PROVISIONS:**

##### **1 PLANNING AGREEMENT UNDER THE ACT**

The parties agree that this Agreement is a planning agreement governed by Section 7.4 and Subdivision 2 of Division 7.1 of Part 7 of the Act.

##### **2 APPLICATION OF THIS AGREEMENT**

This Agreement applies to the Land and to the Development proposed in the Development Consent, as may be modified.

##### **3 OPERATION OF THIS AGREEMENT**

This Agreement shall take effect on and from the date of this Agreement. The parties must execute and enter into this Agreement prior to any Construction Certificate issuing for the Development.

##### **4 DEFINITIONS AND INTERPRETATION**

###### **4.1 Definitions**

In this Agreement unless the context otherwise requires:

**"Act"** means the *Environmental Planning and Assessment Act 1979* (NSW);

**"Agreement"** means this agreement;

**"Bank Guarantee"** means an irrevocable and unconditional undertaking by a trading bank approved by the Council to pay the Development Contribution amount on demand without an expiry or end date and containing terms and conditions acceptable to Council and in accordance with clause 9 of this Agreement;

**"Business Day"** means a day that is not a Saturday, Sunday or public holiday, on which banks are open for general services in Sydney, New South Wales;

**"Caveat Form"** means a completed form of caveat in respect to the Land that is properly endorsed with the Developer's consent as owner of the Land, noting Council as a caveator, in a form registrable at NSW Land Registry Services and otherwise acceptable to Council or such other form of consent as may be required by Council;

**“Certifying Authority”** means any accredited private certifier including where appropriate, a Principal Certifying Authority (PCA) appointed or to be appointed to certify the Development or any aspect of it;

**“Council”** means Waverley Council and herein includes any local government authority with which that Waverley Council may merge or any other local government authority responsible for a local government area that the Lot Burdened is located within;

**“Construction Certificate”** means any construction certificate as referred to in s 6.4 of the Act in respect of the Development Consent;

**“Development”** means the development the subject of the Development Application which is described in item 4 of the Schedule and being the modification to boarding house including additional boarding room, alterations to building footprint and building height;

**“Development Application”** means the development application number DA-5/2021/A and is referred to in item 4 of the Schedule;

**“Development Consent”** means the consent granted in respect of DA-5/2021/A dated 22 July 2025, as may be modified;

**“Development Contribution”** means the sum of \$132,600.00 and is referred to in item 6 of the Schedule;

**“Development Contribution Date”** means the time the Development Contribution is to be paid as referred to in item 8 of the Schedule and this is prior to the issue of any Occupation Certificate;

**“GST”** has the same meaning as in the GST Law;

**“GST Law”** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST;

**“Land”** means Lot 165 in DP 11758 known as 34 Military Road, North Bondi and is referred to in item 3 of the Schedule;

**“Occupation Certificate”** means any occupation certificate as referred to in s 6.4 of the Act in respect of the Development Consent;

**“Party”** means a party to this Agreement including their successors and assigns;

**“Public Purpose”** for the purpose of this Agreement means that described in item 7 of the Schedule and is towards the upgrade of parks, reserves and playgrounds in the Bondi Beach and/or North Bondi area and Affordable Housing under Waverley’s Affordable Housing Program;

**“Registration Application”** means an application for registration of this Agreement as a planning agreement on the title of the Land pursuant to Section 7.6 of the Act in a form approved by the Registrar General;

**“Schedule”** means the schedule to this Agreement.

## 4.2 Interpretation

In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney, New South Wales;
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day;
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars;
- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision;
- (f) A reference in this Agreement to any agreement, Agreement or document is to that agreement, Agreement or document as amended, novated, supplemented or replaced;
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement;
- (h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency;
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning;
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders;
- (k) References to the word 'include' or 'including' are to be construed without limitation;

- (l) A reference to this Agreement includes the agreement recorded in this Agreement;
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns; and
- (n) Any schedules and attachments form part of this Agreement.

## **5 DEVELOPMENT CONTRIBUTION TO BE MADE UNDER THIS AGREEMENT**

- 5.1 The Developer agrees to make, and the Council agrees to accept, the Development Contribution to be applied for the Public Purpose.
- 5.2 The Developer must pay the Development Contribution to the Council by bank cheque on or before the Development Contribution Date and time is essential in this respect.

## **6 APPLICATION OF THE DEVELOPMENT CONTRIBUTION**

- 6.1 The Council will apply the Development Contribution towards the Public Purpose as soon as practicable.

## **7 APPLICATION OF S7.11 AND S7.12 OF THE ACT TO THE DEVELOPMENT**

- 7.1 This Agreement does not exclude the application of Sections 7.11,7.12 or 7.24 of the Act to the Development.
- 7.2 The Development Contribution provided by the Developer will not be taken into consideration in determining any development contribution under Section 7.11 or 7.12 of the Act.

## **7A THE AFFORDABLE HOUSING CONTRIBUTION**

- 7A.1 Payment in accordance with clause 6.17 of Waverley Local and Environment Plan and Waverley Affordable Housing Contribution scheme of \$6,090.00 is also payable by the Developer in addition to the Development Contribution payable under this Agreement.

## **8 REGISTRATION OF THIS AGREEMENT**

- 8.1 The Parties agree this Agreement is to be registered by the Registrar-General as provided for in section 7.6 of the Act.
- 8.2 The Developer and Landowner warrant that they will do everything necessary to enable this Agreement to be registered under section 7.6 of the Act.
- 8.3 Without limiting clause 8.2, the Developer and Landowner warrant that they have obtained the express written consent to the registration of this Agreement under section 7.6 of the Act from:
  - (a) If this Agreement relates to land under the *Real Property Act 1900*, each person who has an estate or interest in the Land registered under that Act; or
  - (b) If this Agreement relates to land not under the *Real Property Act 1900*, each

person who is seized or in possession of an estate or interest in the Land.

- 8.4 As soon as possible after entering into this Agreement and in any event prior to the issue of a Construction Certificate, the Developer will do all things necessary to ensure registration of this Agreement under s7.6 upon the title to the Land and at their cost will:
- (a) deliver to the Council the Registration Application in registrable form noting the Council as applicant and executed by the Developer and any other person the subject of the warranty in clause 8.3;
  - (b) lodge or cause to be lodged the title deed with NSW Land Registry Services and advise Council of the production number;
  - (c) provide the Council with a cheque in favour of NSW Land Registry Services for the registration fees for registration of this Agreement; and
  - (d) provide the Council with a cheque in favour of the Council for its reasonable costs, expenses and fees incurred or to be incurred in connection with the preparation of this Agreement and any documents, form or instrument created or to be created in accordance with the provisions of this Agreement.
  - (e) and take any other necessary action so as to ensure this Agreement is registered on the title to the Land prior to the issue of any Construction Certificate.
- 8.5 Upon compliance with clause 8.4 by the Developer the Council will promptly lodge the Registration Application with the Registrar General.
- 8.6 The Parties will co-operate with each other to ensure that the Agreement is registered by the Registrar General.
- 8.7 Upon payment of the Development Contribution or surrender of the Development Consent, the Developer may request the removal of the dealing created by registration of the Agreement from the title to the Land. The Council will not withhold its consent to such removal, provided the Developer pays all reasonable costs, expenses and fees of the Council relating to such removal.
- 8.8 Should payment of the Development Contribution or surrender of the Development Consent occur upon the date of this Agreement and prior to issue of a Construction Certificate, then there will be no obligation to register this Agreement in accordance with this clause nor provide the Bank Guarantee in accordance with clause 9.1.
- 8.9 Upon registration of this Agreement by the Registrar General, this Agreement is binding on, and is enforceable against the owner of the Land from time to time as if each owner for the time being had entered into this Agreement.

## **9 BANK GUARANTEE**

### **9.1 Provision of Bank Guarantee**

- (a) Subject to clause 8.8 and prior to the issue of any Construction Certificate, the Developer must deliver to the Council a Bank Guarantee, which must be:
  - (i) in a form and from an institution approved by the Council;

- (ii) irrevocable and unconditional;
  - (iii) with no expiry date;
  - (iv) issued in favour of the Council;
  - (v) for an amount equivalent to the Development Contribution set out in Item 6 of the Schedule;
  - (vi) drafted to cover all of the Developer / Landowner's obligations under this Agreement; and
  - (vii) on the terms otherwise satisfactory to the Council.
- (b) The Developer acknowledges that the Council enters into this Agreement in reliance upon the Developer providing the Bank Guarantee as a security for the performance of all of the Developer's obligations under this Agreement, including without limitation the delivery of the Development Contribution to Council in accordance with this Agreement.

#### 9.2 **Calling on Bank Guarantee**

- (a) The Council may call on the Bank Guarantee in the event that the Developer:
- (i) fails to make a payment of any part of the Development Contribution in accordance with the Schedule or any other amount payable under this Agreement by its due date for payment; or
  - (ii) breaches any other term or condition of this Agreement,
- and fails to remedy the relevant failure or breach within 7 days after the Council's notice.
- (b) If the Council calls on the Bank Guarantee as a result of the Developer's failure to pay any amount due under this Agreement, then the Council will apply the amount received pursuant to its claim on the Bank Guarantee towards the Developer's obligation to pay the relevant amount and will deduct that amount from the amount payable. In those circumstances, the Developer will be required to pay to the Council the outstanding balance of the Development Contribution and other amounts payable under this Agreement.

#### 9.3 **Return of Bank Guarantee**

Subject to clause 9.2, provided that the Developer has complied with its obligations under this Agreement, to pay the Development Contribution or any other amount payable under this Agreement, the Council will return the Bank Guarantee to the Developer.

### 10 **REVIEW OF THE AGREEMENT**

Any amendment or review of this Agreement shall be by agreement in writing and in

compliance with section 7.5 of the Act.

## **11. DISPUTE RESOLUTION**

### **11.1 Notice of dispute**

If a Party claims that a dispute has arisen under this Agreement ("Claimant"), it must give written notice to the other Party ("Respondent") stating the matters in dispute and designating as its representative a person to negotiate the dispute ("Claim Notice").

No Party may start Court proceedings (except for proceedings seeking interlocutory relief) in respect of a dispute unless it has first complied with this clause.

### **11.2 Response to notice**

Within ten business days of receiving the Claim Notice, the Respondent must notify the Claimant of its representative to negotiate the dispute.

### **11.3 The nominated representative must:**

- (i) Meet to discuss the matter in good faith within five business days after services by the Respondent of notice of its representatives;
- (ii) Use reasonable endeavours to settle or resolve the dispute within 15 business days after they have met.

### **11.4 Further notice if not settled**

If the dispute is not resolved within 15 business days after the nominated representatives have met, either Party may give to the other a written notice calling for determination of the dispute ("Dispute Notice") by mediation under clause 11.5 or by expert determination under clause 11.6.

### **11.5 Mediation**

If a Party gives a Dispute Notice calling for the dispute to be mediated:

- (a) The Parties must agree to the terms of reference of the mediation within five business days of the receipt of the Dispute Notice (the terms shall include a requirement that the mediation rules and the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (b) The mediator will be agreed between the Parties, or failing agreement within five business days of receipt of the Dispute Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (c) The mediator appointed pursuant to this Clause 11.5 must:
  - (i) Have reasonable qualifications and practical experience in the area of disputes; and
  - (ii) Have no interest or duty which conflicts or may conflict with his function as mediator, he being required to fully disclose any such interest or duty before his appointment;

- (d) The mediator shall be required to undertake to keep confidential all matters coming to his knowledge by reason of his appointment and performance of his duties;
- (e) The Parties must within five business days of receipt of the Dispute Notice notify each other of their representatives who will be involved in the mediation.
- (f) The Parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement.
- (g) In relation to costs and expenses
  - (i) Each Party will bear their own professional and expert costs incurred in connection with the mediation; and
  - (ii) The cost for the mediator will be shared equally by the Parties unless the mediator determines a Party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full cost of the mediation to be borne by that Party.

#### 11.6 Expert Determination

If the dispute is not resolved under clause 11.3 or 11.5 the dispute may, by agreement between the Parties, both acting reasonably having regard to the nature of the dispute, be resolved by expert determination, in which event:

- (a) The dispute must be determined by an independent expert in the relevant field:
  - (i) Agreed upon and appointed jointly by the Council and the Developer; or
  - (ii) In the event that no agreement is reached or appointment made within 30 business days, appointed on application of a Party by the then current President of the Law Society of New South Wales;
- (b) The expert must be appointed in writing and terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the dispute by such expert will be made as an expert and not as an arbitrator and will be in writing and containing reasons for the determination;
- (d) The expert will determine the rules of the conduct for the process, but must conduct the process in accordance with the rules of natural justice;
- (e) Each Party will bear its own costs in connection with the process and the determination by the expert together with an equal proportion of the expert's fees and costs; and
- (f) Any determination made by an expert pursuant to this clause is final and binding upon the Parties except where the determination is in respect of, or

relates to, termination or purported termination of this Agreement by any Party, in which event the expert is deemed to be giving a non-binding appraisal and any Party may commence litigation in relation to the dispute if it has not been resolved within 20 business days of the expert giving his or her decision.

#### 11.7 **Litigation**

If the dispute is not finally resolved in accordance with this clause 11, either Party is at liberty to litigate the dispute.

#### 11.8 **Continue to Perform Obligations**

Each Party must continue to perform its obligations under this Agreement, notwithstanding the existence of a dispute.

### 12. **ENFORCEMENT**

12.1 Nothing in this Agreement prevents the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement (including the breach of this Agreement by the Developer / Landowner) or any matter to which this Agreement relates.

12.2 Until such time as the Development Contribution has been paid in full, an Occupation Certificate must not be issued. The Developer must:

- (a) notify the Council in writing of the name and contact details of any Certifying Authority to which it has applied for an Occupation Certificate at the same time that such application is made;
- (b) at the time it lodges any application for an Occupation Certificate notify the Certifying Authority in writing of the existence and terms of this Agreement; and
- (c) procure and provide to Council a written acknowledgement from the Certifying Authority addressed to Council confirming that the Certifying Authority will not issue an Occupation Certificate until Council provides written confirmation that the Development Contribution has been paid;
- (d) not rely on any Occupation Certificate in respect to the Development.

12.3 The Developer and Landowner acknowledge and agrees that:

- (a) the Land is charged with the payment to Council of the Development Contribution until the Development Contribution is paid in full to Council;
- (b) Council has a caveatable interest in the Land from the later of the date of the Development Consent and this Agreement until the Development Contribution is paid in full to Council;

- (c) Council has the right to lodge and maintain a caveat against the title to the Land to notify of and protect its interest created by this Agreement (including the charge in (a), until the Development Contribution is paid in full to Council; and
- (d) at the time of entering into this Agreement, the Developer shall provide Council with the Caveat Form, unless the Development Contribution is paid to Council by the Developer upon entering into this Agreement.

### **13. NOTICES**

- 13.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
- (a) delivered or posted to that Party at its address set out below in item 8 of the Schedule;
  - (b) faxed to that Party at its fax number set out below in item 8 of the Schedule;
  - (c) emailed to that Party at its email address set out below in item 8 of the Schedule.
- 13.2 If a Party gives the other Party 3 business days' notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 13.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
- (a) If it is delivered, when it is left at the relevant address.
  - (b) If it is sent by post, 2 business days after it is posted.
  - (c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.
- 13.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

### **14. APPROVALS AND CONSENT**

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

### **15. ASSIGNMENT AND DEALINGS**

Until the Development Contribution is paid in full, the Developer cannot sell, transfer, assign, novate, charge, encumber or otherwise deal with the Land or attempt or purport to do so.

## **16 COSTS**

Council's costs of and incidental to the preparation and execution of this Agreement and any related documents and registration of same shall be borne by the Developer. The Developer shall be responsible to pay its own costs and any stamp duty arising from this Agreement or its preparation.

## **17 ENTIRE AGREEMENT**

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

## **18 FURTHER ACTS**

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

## **19 GOVERNING LAW AND JURISDICTION**

This Agreement is governed by the law of New South Wales. The Parties submit to the nonexclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

## **20 JOINT AND INDIVIDUAL LIABILITY AND BENEFITS**

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

## **21 NON FETTER**

The Developer acknowledges and agrees that:

(a) in addition to its obligations under this Agreement the Council is also

responsible for the conduct and administration of local government in the Waverley Local Government Area;

- (b) this Agreement in no way affects Council's statutory obligations, functions or powers, including without limitation, its obligations, functions or powers in respect of the Development Application and Development Consent as modified by the Modified Development Consent and any other approvals required in respect of the works to be carried out under the Development Consent as modified;
- (c) nothing which the Council does or fails to do under this Agreement will limit or otherwise affect the Developer's obligations under the Development Consent as modified; and
- (d) nothing which the Council does, fails to do or purports to do in performing the Council's statutory functions or powers will constitute or amount to a breach of this Agreement.

## **22 REPRESENTATIONS AND WARRANTIES**

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

## **23 SEVERABILITY**

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

## **24 MODIFICATION**

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

## **25 WAIVER**

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other

occasion.

## **26 GOODS & SERVICES TAX**

- 26.1 The Parties agree and acknowledge, all amounts payable by one party to the other party in relation to a supply under this Agreement have been calculated exclusive of GST which may be imposed on the supply.
- 26.2 If any supply made under this Agreement is, or becomes, subject to GST, the party to whom the supply is made ("**Recipient**") must pay to the party making the supply ("**Supplier**"), as consideration, in addition to any consideration payable or to be provided elsewhere in this Agreement, subject to issuing a Valid Tax Invoice, an additional amount on account of GST, such amount to be calculated by multiplying the consideration by the applicable rate of GST.
- 26.3 Any amount in respect of GST payable under clause 26.2 must be paid to the Supplier immediately on receipt of the Valid Tax Invoice.
- 26.4 If any party is required to reimburse or indemnify the other party for a cost or expense ("**Cost**") incurred by the other party, the amount of that Cost for the purpose of this Agreement is the amount of the Cost incurred, less the amount of any credit for, or refund of, GST, which the party incurring the Cost is entitled to claim in respect of the Cost.
- 26.5 If GST is linked with the abolition or reduction of other taxes and charges, all amounts payable by the Recipient to the Supplier under this Agreement (excluding GST) must be reduced by the same proportion as the actual total costs of the Supplier (excluding GST) are reduced either directly as a result of the abolition or reduction of other taxes and charges payable by the Supplier or indirectly by way of any reduction in prices (excluding GST) charged to the Supplier.

## **27 EXECUTION IN TRIPLICATE**

- 27.1 The Parties shall execute this Agreement in triplicate so as to provide one original signed by both parties and a further copy for registration of the Agreement under s7.6 of the Act. This Agreement will be dated on the day of execution by all Parties.
- 27.2 If permitted at law and in accordance with the Council protocols, this agreement may be executed electronically by a party using Docusign (or a similar secure digital signature

platform), or by affixing an electronic signature.

27.3 Subject to clause 27.2, The parties agree to be bound by the electronic version of this agreement which has been signed in accordance with this clause.

27.4 Subject to clause 27.2, The parties agree they will be bound by, have complied with and will comply with the Electronic Transactions Act 2000 (NSW) and any terms and condition of Docusign (or similar secure digital signature platform), in relation to the execution of this Agreement.

DRAFT

**SCHEDULE**

<u>Item Number</u>		<u>Particulars/Description</u>
1	Developer	34 MILITARY ROAD PTY LTD ACN 657 006 730
2	Landowner	BONDI HEIGHTS DEVELOPMENTS PTY LTD ACN 614 860 561
3	Land	34 MILITARY ROAD, NORTH BONDI (LOT 165 IN DP 11758)
4	Development Application	DA 5/2021/A
5	Development (description)	DEMOLITION OF THE EXISTING DUAL OCCUPANCY AND CONSTRUCTION OF A NEW 4 STOREY RESIDENTIAL FLAT BUILDING WITH 4 APARTMENTS AND BASEMENT CARPARK WITH CAR LIFT
6	Development Contribution	\$132,600.00
7	Public Purpose	BONDI PARK, BEACH AND PAVILION PLAN OF MANAGEMENT AND CAMPBELL PARADE STREETScape UPGRADE
8	Development Contribution Date (Payment date for the Development Contribution)	PRIOR TO THE ISSUE OF ANY OCCUPATION CERTIFICATE FOR THE DEVELOPMENT
9	Developer Address	LEVEL 2A, 120 OLD PITTWATER ROAD, BROOKVALE NSW 2100

Developer Fax	N/A
Developer Email	<a href="mailto:accounts@buildingcorp.com.au">accounts@buildingcorp.com.au</a>
Landowner address	LEVEL 9, 140 ARTHUR STREET, NORTH SYDNEY NSW 2060
Landowner Fax	N/A
Landowner Email	<a href="mailto:ds@buildingcorp.com.au">ds@buildingcorp.com.au</a>
Council Address	CORNER PAUL STREET AND BONDI ROAD, BONDI JUNCTION NSW 2022
Council Fax	(02) 9387 1820
Council Email	<a href="mailto:info@waverley.nsw.gov.au">info@waverley.nsw.gov.au</a>

DRAFT

**EXECUTED by WAVERLEY COUNCIL under delegated authority in accordance with Section 377 of the Local Government Act, 1993**

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**EMILY SCOTT**

General Manager

**EXECUTED by BONDI HEIGHTS DEVELOPMENTS PTY LTD  
ACN 614 860 561**

In accordance with section 127 of the  
Corporations Act 2001

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**HENRY JAMES**

Director

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**JACK REUBEN**

Secretary

**EXECUTED by 34 MILITARY ROAD PTY LTD ACN 657 006 730**

In accordance with section 127 of the  
Corporations Act 2001

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**DIB SYMIN**

Sole Director/Secretary

**REPORT**  
**PD/5.4/25.12****WAVERLEY**  
COUNCIL

**Subject:** Emissions, Energy and Water - Annual Report

**TRIM No:** A20/0266

**Manager:** Suzanne Dunford, Acting Executive Manager, Environmental Sustainability

**Director:** Fletcher Rayner, Director, Planning, Sustainability and Compliance

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**RECOMMENDATION:**

That Council notes the progress towards its emissions reduction and water conservation targets for 2024–25, as set out in the report.

**1. Executive Summary**

Council has met the majority of its environmental targets. Greenhouse gas emissions decreased from 1,731 to 1,658 tonnes, as Council purchases 100% renewable energy through our retailer, ZEN energy. Gas consumption decreased by 35% compared to 2023-24, due to continued removal of gas appliances. Council's combined electricity and gas costs decreased by \$21,000. While mains water consumption and costs increased by ~23% when compared to 2023-24, Council achieved its water quality target, receiving 'good' ratings at all beaches, under the NSW Beachwatch program.

**2. Introduction/Background**

Environmental targets adopted by Council in successive Environmental Action Plans and Community Strategic Plans commit to achieving:

- Net zero Council greenhouse gas emissions by 2030 (based on 2003-04 levels).
- No increase in mains water consumption by 2030 (based on 2005-06 levels).

This requires continual improvement in the efficiency of Council assets and facilities, and rigorous measurement and monitoring of energy, gas and fuels consumption, and potable (mains) and recycled water use.

A Sustainable Resource Management Working Group, established in 2020, regularly reviews data, discusses projects and coordinates efforts across multiple assets and teams to optimise energy, fleet and water management to monitor and report Council's environmental commitments. This report has been prepared following the Group's meeting on 27 October 2025. Additional water and energy savings are identified and implemented through monthly meetings between the Environment and Facilities teams and the implementation of the Zero Emissions and Efficiency Action Plan (ZEEAP).

Achieving net zero emissions by 2030 means reducing greenhouse gas emissions as much as possible and offsetting any hard-to-abate, residual emissions. It requires rigorous measurement and monitoring of emissions sources, which are categorised into three scopes as shown in Table 1. Council has been measuring, reducing and reporting on our Scope 1 and Scope 2 emissions since 2009.

Table 1. Greenhouse gas emission scope. Scope 3 emissions are primarily calculated as a factor of Scopes 1 and 2 (Council's carbon and water accounting consultant).

Scope 1	Scope 2	Scope 3
Direct emissions that occur from sources owned or controlled by Waverley Council.	Indirect emissions from generation of purchased electricity consumed by Waverley Council.	Indirect emissions from Council authorised activities, but not owned or controlled Waverley Council.
e.g.: Fuel for vehicles, plant or equipment powered by fossil gas, petrol or diesel.	e.g. Council activities powered by electricity: heating, ventilation, and air conditioning (HVAC) and lighting, pumping stations and asset operations.	e.g. Staff travel to and from work, waste related emissions and events in Waverley, leased assets, and embodied emissions in materials we purchase and use.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 17 June 2025	CM/7.6/25.06	That Council adopts the Environmental Action Plan 2025-2035 attached to the report.
Strategic Planning and Development Committee 4 February 2025	PD/5.3/25.02	That Council: <ol style="list-style-type: none"> <li>1. Notes the achievement of Council's emission reduction and water conservation targets for the 2023-2024 financial year, as set out in the report.</li> <li>2. Notes that reducing fleet emissions and measuring and reporting Scope 3 emissions will become increasingly important to achieve Council's net zero by 2030 greenhouse gas emissions target.</li> <li>3. Reallocates future expenditure on carbon offsets to prioritise reducing Council emissions through energy efficiency, fleet transition, new renewables and the removal of gas appliances, as outlined in the Zero Emissions Efficiency Action Plan.</li> </ol>
Strategic Planning and Development Committee 1 December 2020	PD/5.3/20.12	That Council: <ol style="list-style-type: none"> <li>1. Adopts a 100% renewable energy target for Council by 2030 for Council's utility energy purchases.</li> <li>2. Does not install any new gas appliances or fittings on Council assets beyond those already designed and approved and that, where possible, current gas appliances and fittings be phased out when requiring replacement in favour of efficient electrical appliances leading up to 2030.</li> <li>3. Amends the current Waverley Environmental Action</li> </ol>

		Plan (EAP) to include this target, with relevant actions detailed in the 2022 EAP revision.
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**4. Discussion**

**Emission results**

Scope 1 (in blue) represent emissions sources directly controlled by Council, such as fuel and gas for fleet and plant operations, and totalled 1,329 tonnes. Scope 2 (in orange) represent emissions indirectly sourced through electricity generation. Since 2022, Council has purchased 100% renewable electricity with ZEN Energy, hence there are no emissions associated with electricity use.

Scope 3 (grey) represents indirect emissions generated through Council authorised activities but not owned or controlled by Council. For example, staff transport, embodied emissions in construction and waste emissions. Currently these are calculated as a factor of Scope 1 emissions. However, an improved Scope 3 monitoring and reporting framework is being developed to meet new accounting standards set by the Australian Accounting Standards Board (AASB).

To achieve net zero emissions by 2030 means reducing emissions as much as possible and offsetting any hard-to-abate, residual emissions. As Council still purchases gas and fuel, verified emission abatement credits would be required for Council to achieve net zero emissions by 2030.

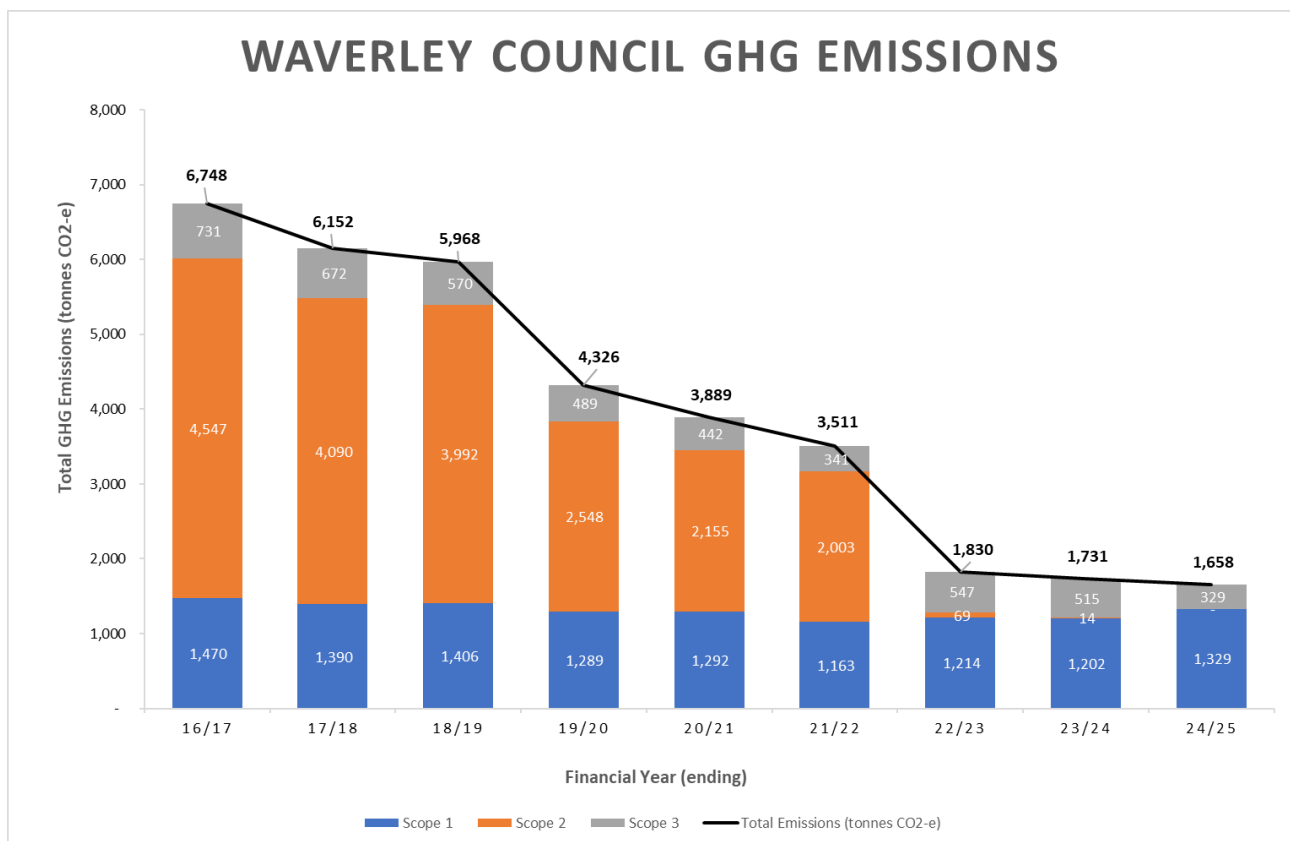


Figure 1. Council greenhouse gas emissions.

**Energy results**

Electricity consumption reduced by approximately 8% compared to 2023-24, primarily due to upgrading streetlights to efficient LEDs, through a program with Ausgrid. In addition, the closing of

Chambers, and targeted energy efficiency initiatives such as lighting upgrades at Eastgate and Hollywood car parks and Oxford Street Mall have all contributed to the energy savings.

Ausgrid network costs were increased up to 40% during this period. Proactive energy efficiency management and review and optimisation of network tariffs greatly assisted in minimising cost escalation.

Gas consumption decreased by 35% compared to 2023-24, due to concerted program of gas removals, in accordance with Council commitments in facilities, including the Margaret Whitlam Recreation Centre. Total energy costs savings for the year were \$21,000.

### **Fleet results**

Council's fuel use is responsible for almost all of Council's greenhouse gas (GHG) emissions at approximately 1,318 tonnes, an increase of ~12% compared to 2023-24. The electric vehicle fleet has expanded during 2024-25 to include an additional 15 operational vehicles for Parking Rangers, Building Compliance and Health and Community teams, bringing the total to 25 fleet vehicles. Council continues to monitor opportunities for EV light commercial utilities and light trucks and charging opportunities.

### **Water results**

Potable water use and costs increased by ~23% compared to 2023-24, at 62,996 kilolitres, thereby slightly exceeding our water target. This increase resulted from delayed billing at the Pavilion and a major leak at Marks Park, both of which have now been rectified. Parks and reserves constitute 67% of water usage, and irrigation for green spaces is the primary use, but rectifying pollution incidents and four coastal storm clean-ups also occurred in the reporting period. To reduce mains water consumption, Council maintains an extensive recycled water network that harvests, treats and supplies water for non-potable purposes. During the reporting period, a new 10-year groundwater access agreement was negotiated.

Council met its water quality target by maintaining a consistent rating of 'good' under the NSW Government's Beachwatch program, and following concerted advocacy by Council and others, Sydney Water has indicated they will not be seeking cost recovery for this program in near term. Council also upgraded the subterranean gross pollutant trap in South Bondi Park, doubling the capacity of the oil filtration, and supported the Sydney Water Refresh project in Diamond Bay, which has commenced construction, to remove the last untreated sewage outfall in the local government area.

## **5. Financial Impact**

Through sustained pursuit of tariff adjustments and efficiency upgrades, Council spent \$881,705 on energy, achieving a reduction of ~2% or \$21,000 compared to 2023-24. Anecdotally, Waverley is the only metropolitan council to have achieved a cost saving last year. Council has applied for grant funding to progress energy upgrades at key sites and forward long-term financial plans should consider environmental commitments and regulatory changes to ensure Council continues to be a sustainability leader and cost-effective organisation.

Via the Zen Energy electricity contract initiated in July 2022, retail tariffs have remained constant throughout the reporting period and will until December 2026. The electricity contract extension option is being exercised. However, retail tariffs are expected to increase by at least 25% from January 2027. Ausgrid network tariffs have continued to increase over the entire period, and these increases are passed through to Zen Energy and then to Council. Council continually reviews network tariffs to

ensure that the most cost-effective network tariff is applied to each site to minimise cost increases. However, it is estimated that Council energy costs will be between \$1.3-1.5 million per year by 2027.

## **6. Risks/Issues**

Reducing energy, gas and water use not only demonstrates sustainability leadership, it also saves operational costs. There are ongoing opportunities for continuous improvement through technological, behavioural and operational changes to continue to drive down costs and resource use, and continued monitoring is essential to minimise exposure to rising energy and network costs.

## **7. Attachments**

Nil.

## REPORT PD/5.5/25.12



**Subject:** Fingleton Reserve Playground Upgrade

**TRIM No:** SF25/6397

**Manager:** Nikolaos Zervos, Executive Manager, Infrastructure Services

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

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### RECOMMENDATION:

That Council:

1. Approves the design for the Fingleton Reserve Playground Upgrade attached to the report (Attachment 2) and proceeds to detailed design and construction.
2. Authorises the Director, Assets and Operations, to approve non-significant changes that may result during the detailed design, noting that any significant changes will require further Council approval.

#### 1. Executive Summary

Community consultation for Fingleton Reserve playground upgrade was undertaken from 10 October to 6 November 2025. An in-depth consultation summary report was completed at the end of the consultation period (see Attachment 1).

The proposed upgrades deliver on Council's adopted Play Space Strategy 2014-2029 (PSS). Positive results of the survey support the strategic aim to upgrade the park hierarchy of Fingleton Reserve from a pocket park to neighbourhood park by increasing the recreational amenity and play opportunities within the park.

Given the restricted budget, and in line with Metropolitan Greenspace Program Grant objectives that are co-funding the project, upgrades at this park have been concentrated on increasing the play value and opportunities within the existing playground.

Overall, the community supports the illustrative concept design, and it is recommended that the project proceeds to detailed design and construction.

#### 2. Introduction/Background

Fingleton Reserve is located at the corner of Waverley Crescent and Bondi Road, Bondi Junction. It is currently classified as a pocket park and caters to residents in the immediate area (5-10-minute walk) and passing foot traffic to other destinations, such as the Bondi Junction commercial area, Waverley Oval, schools and the beach. The park currently contains one swing set and has limited play experiences.

Fingleton Reserve has been identified in the PSS to be upgraded to a neighbourhood park to cater to the projected population increase in nearby dwellings. The increased park amenity and upgraded

playground will cater for a number of age ranges, typically up to 8 years and cater to residents within a 400m catchment area which typically represents an 8-15-minute walk from home.

The upgrades will implement the PSS strategic vision for play spaces within Waverley so that ‘children and young people are able to play freely, safely, have a diversity of play experiences and can choose where, how and when they play.’

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 November 2014	CM/7.8/14.11	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Receives and notes this report.</li> <li>2. Receives and notes the community consultation results from the exhibition period of the draft play Space Strategy, including Stephen Street Playground and Victoria Park Playground as part of the exhibition period for the draft Play Space (refer attachment 1).</li> <li>3. Adopts the Play Space Strategy (refer Attachment 2, distributed separately) subject to the following changes on pages 37 through 53 inclusive, as appropriate:               <ol style="list-style-type: none"> <li>(a) Retain the Play Space at Raleigh Reserve for at least one year after the Play Space at Rodney Reserve has been upgraded to a district level and then gauge the need for it in Dover Heights. At that time it may be decided to remove or modify it.</li> <li>(b) Retain the Weonga Reserve and Dover Road play spaces.</li> <li>(c) Retain the Play Space at Niblick Reserve, and once the ownership of the site is clarified, determine to secure its long term status.</li> </ol> </li> </ol>

### 4. Discussion

The Play Space Strategy (PSS) identifies Fingleton Reserve as a short-term priority for upgrade. With limited existing play opportunities and strong community expectations for high-quality, diverse play experiences, an upgrade and modest expansion of the playground is recommended to improve overall service standards.

The proposed upgrade directly responds to the strategic goals outlined in the PSS, including:

- A1 – Providing a range of play experiences—active, imaginative, creative, social, quiet, and unstructured.

- C2 – Designing play spaces that complement the natural landform, enhance site character, and improve the user experience.
- D1 – Delivering more child-friendly environments through a network of well-designed local play spaces aligned with community needs.

The upgraded play experience is intended to:

- Cater primarily to toddlers and early school-aged children.
- Improve diversity of play opportunities while retaining valued existing features such as swings and open grassed areas.
- Introduce social, nature-based, and exploratory play.
- Provide memorable and distinctive play experiences.
- Deliver a mix of quiet, free, and social play zones.

### **Strategic direction**

In line with the PSS, the playground at Fingleton Reserve should function as a neighbourhood park play space, serving residents within an 8-15-minute walk. Relevant PSS objectives for Fingleton Reserve include:

- Upgrading the space to a neighbourhood-level play space.
- Providing activities for young people in a visible, accessible location—potentially including challenging physical activities such as climbing, rebound walls, flying foxes, half-court basketball, table tennis, and informal ball games.

The concept design responds to these objectives by providing:

- A diverse range of play experiences—swinging, rocking, climbing, sliding, and balancing—appealing to various ages and abilities.
- Equipment that supports imaginative, active, quiet, social, free, and nature-based play.
- Supporting amenities including seating, bubblers, and bins.
- Universal access through continuous accessible paths, appropriate levels, and surfacing upgrades.
- Enhanced amenity through increased planting and the use of high-quality, natural finishes.

The proposed design focuses on toddlers to early school-age children, consistent with neighbourhood-park guidelines, and improves accessibility as part of Council’s broader commitment to universal design.

However, due to the reserve’s limited size, challenging topography, significant existing trees, proximity to residential properties, and the project budget, some larger-scale facilities identified in the PSS—such as flying foxes and half-court basketball courts—cannot be accommodated.

Future improvements or additional facilities can be explored through the draft Local Parks Plan of Management, scheduled to commence in early 2026 and to include further community consultation.

### **Consultation methodology**

Community consultation for the project ran from 10 October to 6 November 2025, enabling Council to gather feedback on the preliminary concept design and ensure it aligned with community expectations. Engagement activities included:

- Letterbox distribution of project flyers.

- Promotion on Council’s social media channels.
- Inclusion in the Waverley Weekly e-newsletter.
- On-site signage at Fingleton Reserve.
- A dedicated Have Your Say Day on 25 October 2025, attended by approximately 15 people.

Council officers held open discussions, captured feedback, and provided support for accessing online information.

In total, the online Have Your Say page received:

- 323 visitors.
- 52 quick poll responses.
- 39 long-form surveys.
- 3 project followers.

Materials available on the Have Your Say project page online and on-site included analysis diagrams, illustrative plans, play experience options, and materiality preferences (Attachment 2).

### **Consultation findings**

The survey asked respondents about reserve use, desired improvements, and their level of support for aspects of the draft concept design.

In a quick poll on the Have Your Say website received 52 votes with 43 (83%) of participants in support of the project. The remaining 9 (17%) of participants questioned the need for the playground or believed that the park should be left as is.

#### *Key usage insights*

- Attendance frequency: monthly (33%), weekly (28%), daily (26%).
- Typical visits lasted 30 minutes or less (85%).
- Most visitors accessed the reserve on foot (82%).
- Most common activities: playing (49%), followed by relaxing (15%) and walking (15%).
- Respondents were mostly aged 31–40 (28%) or 41–50 (26%).
- Children attending were most commonly aged 3–5 (33%), 6–8 (22%), and 0–2 (22%).

#### *Key design preferences*

- Natural materiality was preferred by 64% of respondents.
- Highest-ranked play equipment: a climbing unit with slide (average rank 1.7) and a spinner (average rank 3.1).

Council officers spoke with approximately 15 attendees during the Have Your Say Day, with 10 providing detailed comments.

#### *Key issues and opportunities*

The key issues and opportunities raised during the consultation period are outlined in the table below alongside their corresponding design outcomes and recommendations.

Table 1. Key issues and opportunities.

Issue Raised	Comment and Design Outcome
<p><b>Sports facilities/teenagers</b> 9 respondents noted that the proposed playground lacks items for teenagers such as sports courts or bike track.</p>	<p>The size, topography, existing trees, proximity to nearby residences, and the park hierarchy of Fingleton Reserve limits the number of recreational facilities that can be accommodated within the space.</p> <p>Larger recreational facilities such as sports courts are generally located within larger district parks, such as Waverley Park which is located 350m to the east.</p>
<p><b>Shade</b> 5 respondents requested that shade be considered and that no trees should be removed.</p>	<p>No trees are proposed to be removed.</p> <p>The existing large fig trees in the north of the park provide extensive shade to the playground.</p> <p>Existing trees along Waverley Crescent were planted in 2014 and as these continue to mature additional shade will be provided to the playground.</p> <p>The playground design includes additional tree plantings to provide dappled shade and a balance of shade and sun catering to seasonal change summer and winter.</p>
<p><b>Water Play</b> 4 respondents requested the inclusion of water play elements.</p>	<p>Water play equipment is not suited to a neighbourhood park and would typically be located in a larger scale, district park. The provision of water play is outside the budgetary constraints of this project.</p>
<p><b>Fencing</b> 3 respondents requested fencing to the playground.</p>	<p>A low garden fence is proposed to provide a barrier between the playground and Waverley Crescent.</p> <p>The playground extension has been located in the western corner of the park to be as far away from Bondi Road as possible.</p> <p>The provision of a fence along Bondi Road and to all park boundaries would be cost prohibitive and would significantly reduce the budget available for play equipment.</p>
<p><b>Toilets</b> 2 respondents requested toilets be built in the park.</p>	<p>The provision of toilets is not suited to a neighbourhood park. Neighbourhood parks are aimed at residents living locally and cater for visits of shorter durations.</p> <p>The provision of toilets would be cost prohibitive and would significantly reduce the budget available for play equipment.</p>
<p><b>Dogs</b> 2 respondents requested an area in the park where dogs can play.</p>	<p>Fingleton Reserve provides a valuable space for surrounding residents to walk their dogs. The playground extension has been located so that large, open grassed areas of the park have been retained and can continue to be used by on-leash dogs, away from the playground</p>

<p><b>Swings</b> 2 respondents requested that swings be included in the playground.</p>	<p>The existing swing set will be retained.</p>
<p><b>Seating</b> 1 respondent requested additional seating in the park.</p>	<p>An additional seat and platform bench is proposed in the playground upgrade.</p>
<p><b>Lighting</b> 1 respondent requested more lighting within the park.</p>	<p>Increased lighting around the playground is not supported as it may encourage active use after dark and may negatively affect the amenity of nearby residences.</p>

## Summary

The concept design has been reviewed in consideration of the above discussion (refer to Attachment 2), with particular attention given to the following:

- Consider all feedback provided as part of consultation for the concept design of Fingleton Reserve playground upgrade and incorporate into the final design where possible within the constraints of the site, project budget, ongoing maintenance and suitability for inclusion in a small pocket park.
- Close the loop with the community by making the consultation report for the Fingleton Reserve consultation publicly available and alert the community of any changes to the design.
- Construction methods that are sensitive to existing trees will be used.

Council officers will report back to the community on consultation findings and notify of the proposed improvements and expected construction timeframe following the outcomes of the Council meeting.

## 5. Financial Impact

The capital works budget for the upgrade is \$250,000. This includes grant funding of \$125,000 that Council has received from the NSW Government's Metropolitan Greenspace Program. The concept design cost estimate prepared by Council officers demonstrates the proposed design can be delivered within the existing budget.

## 6. Risks/Issues

In line with Council's Councillor consultation approval process, non-significant changes to the approved concept design that arise during detailed design, such as latent site conditions or minor changes to the playground layout to accommodate play equipment fall zones, are subject to the authorisation of the Director, Assets and Operations. Should significant changes arise, then the Director, Assets and Operations, will notify Councillors and determine whether further consultation, reporting and approval from Council is required.

Council has received \$125,000 in grant funding from the NSW Government's Metropolitan Greenspace Program to deliver the Fingleton Reserve playground upgrade. The project plan approved by the grant funding body requires construction to be completed by January 2027 or the program will be ineligible for funding. Council approval of the concept design is sought so that the project can progress to detailed design stage and procurement. This will ensure Council can meet the deadlines associated with the funding agreement.

**7. Attachments**

1. Fingleton Reserve Playground Upgrade - Consultation Summary Report - November 2025 [↓](#)
2. Fingleton Reserve Playground Upgrade - Concept plans [↓](#) .



WAVERLEY  
COUNCIL

# Fingleton Reserve Playground Upgrade

Consultation Summary Report: November 2025



## Table of Contents

Executive Summary	3
Background	4
Aims of the Engagement	5
Engagement Methodology	5
Have Your Say – Survey Results	7
Have Your Say Event – 25 October 2025	12
Community Engagement Conclusion	14
Appendix A – Concept Plans	15
Appendix B – HYS survey	18
Appendix C – Poster	20
Appendix D – Flyer	22
Appendix E – Social Media	24
Appendix F – e-newsletter	25

## Executive Summary

Waverley Council consulted with the public from 10 October to 6 November 2025 on the proposed concept design for the Fingleton Reserve playground upgrade. The aim was to capture community feedback on the design concept, prior to progressing to detailed design.

A range of engagement methods were used throughout the consultation period including the Have Your Say (HYS) website with dedicated project webpage, flyers, social media, Waverley Weekly e-newsletter and an on-site HYS day on 25 October 2025. Overall, there were 323 unique visitors to the website, 567 views and 39 direct survey responses.

The upgrade delivers on the Waverley Council adopted Play Space Strategy 2014-2029. As a result of the survey, we have strong feedback that supports the strategic aim to upgrade the park hierarchy of Fingleton Reserve from a pocket park to neighbourhood park by increasing the recreational amenity and play opportunities within the park.

A poll on the HYS website asked if respondents were in support of the proposed upgrades at Fingleton Reserve. From the 52 votes received, 83% of survey respondents supported the proposed upgrades.

The detailed survey responses on the HYS website revealed the following data:

- 54% of users frequently visit the park on either a daily or weekly basis.
- 82% of park users access the park on foot by walking.
- 49% of respondents go to the park to play and 10% of respondents go to the park to walk their dog.
- 64% of respondents preferred a natural look and feel for the play equipment and setting.
- A climbing unit with slide was ranked as the most preferred item of play equipment.

The majority of comments made by the community were around the following themes:

- Requesting sports facilities and more items for teenagers.
- Ensuring the playground is adequately shaded.
- Requesting fencing in the park.

The consultation response demonstrated overall support for the project. This report recommends that:

1. The Fingleton Reserve playground upgrade should proceed as shown in the concept plans.
2. In response to community feedback the playground equipment should include a climbing unit with slide and incorporate a natural look to the play items.
3. Council progresses the project to Phase 4 development of concept to construction documentation.

## Background

Fingleton Reserve is currently a small pocket park with limited play opportunities. The aim of the playground upgrade is to improve accessibility and increase the diversity of play experiences. This is supported in the Play Space Strategy 2014-2029 (PSS).

The upgrade will implement the PSS strategic vision for play spaces within Waverley so that “*children and young people are able to play freely, safely, have a diversity of play experiences and can choose where, how and when they play*”.

The improvements include addressing the following strategic goals identified within the PSS:

- A1: Provide a range of play experiences including active, imaginative, creative, social, quiet and free play.
- C2: Locate and design play spaces that complement the landform, enhance the site character and improve the user experience.
- D1: Create more child friendly environments by providing a network of places for play that respond to the needs of the community.

The PSS identifies Fingleton Reserve as suitable to be upgraded from a pocket park to a neighbourhood park to cater to the increasing local population. The increased park amenity and upgraded playground will cater for a number of age ranges, typically up to 8 years old and cater to residents within a 400m catchment area which typically represents an 8 -15-minute walk from home.

The play experience will:

- Be tailored to suit toddlers and school aged children.
- Include an increase in the diversity of play opportunities.
- Retain existing experiences, including the swing set and open grass areas.

Council is proposing to:

- Provide a range of play experiences including active, imaginative, and creative play.
- Create play spaces that are memorable and include distinctive ways to experience play.
- Include free, quiet and social play spaces.
- Include path connections throughout the playground to ensure equitable access to the play experiences.

## Staging

The project lifecycle for the upgrades to the playground follows a five-stage process from planning through to construction, illustrated at Figure 1.

- Phase 1: Fingleton Reserve identified for upgrade in Waverley Play Space Strategy.
- Phase 2: Concept design development for Fingleton Reserve (Refer to Appendix A).
- Phase 3: Consultation, engagement and feedback with the community for Fingleton Reserve.
- Phase 4: Development of concept designs for construction including specifications for playground equipment including Australian standards for construction.
- Phase 5: On ground construction of the playground.

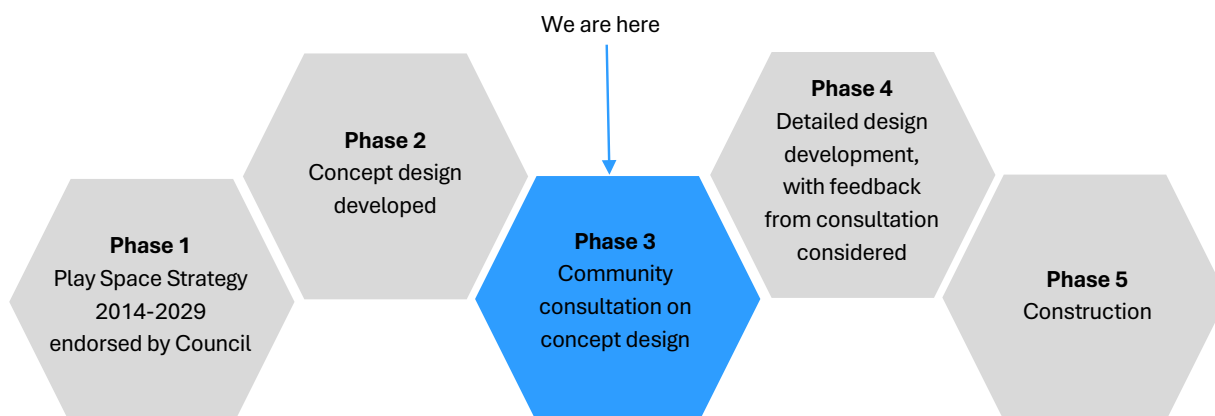


Figure 1: Project Lifecycle

## Aims of the Engagement

The aims of public engagement for the proposed Fingleton Reserve playground upgrade were to:

1. Gather demographic and usage information to understand what age groups visit the park and how the space is currently used.
2. Gain feedback on the draft concept design to ensure it aligns with what the community wants and needs.
3. Gauge community preferences on the type and look of the proposed play equipment.

## Engagement Methodology

The engagement methodology for the Fingleton Reserve upgrade was designed to meet the engagement aims outlined in the previous section of this report and aligns with Waverley Council's adopted IAP2 model for community engagement. The methods used were sought to maximise opportunities for community participation and are detailed in the table below alongside key data.

Method	Overview	Date	Response
Have Your Say website	Council established a dedicated Have Your Say website for the project. Refer to Appendix B.	10 Oct 2025 to 6 Nov 2025	567 total views 323 visitors 39 survey respondents 3 project followers 12% of visits provided at least 1 contribution
Have Your Say event	Have Your Say pop up advertised via posters, flyers, social media, e-newsletters, and on Have Your Say website. Refer to Appendix C.	25 Oct 2025	The event ran for two hours 15 attendees

Method	Overview	Date	Response
Flyer drop	QR code featured in design, providing direct link to Have Your Say website. Refer to Appendix D.	10 Oct 2025	69 QR code scans to project website
Social media posts Facebook	Post brought awareness to concept design proposal and consultation period. Refer to Appendix E.	16 Oct 2025	4,745 viewers 22 interactions 13 likes 8 comments 20 link clicks to HYS website
Social media posts Instagram	Post brought awareness to concept design proposal and consultation period. Refer to Appendix E.	16 Oct 2025	378 views 5 interactions 5 link clicks to HYS website
Waverley Weekly e-newsletter	Inclusion in Waverley Weekly e-newsletter, to highlight consultation period for project and advertise feedback survey. Refer to Appendix F.	14 Oct 2025 28 Oct 2025	34,000 overall recipients 50 link clicks to HYS website 34,000 overall recipients 32 link clicks to HYS website

## Have Your Say – Survey Results

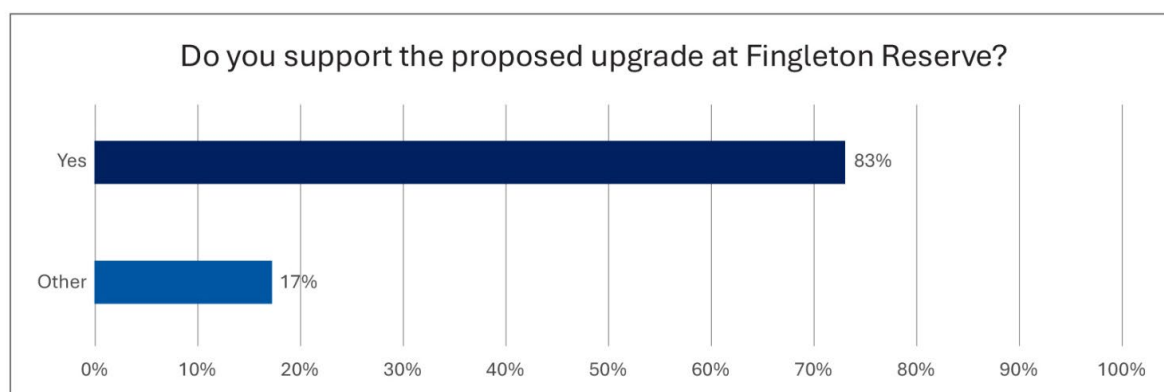
The online survey invited participants to respond to questions about their current use of the park as well as their thoughts on the proposed concept designs (refer to Appendix A). Qualitative responses were also sought by including a question box for long form responses, and this is detailed in the next section of this report.

Demographic information collected revealed the following:

- Respondents were aged between 18 to over 65 years with the majority falling in the 31-50 age group.
- 76% of visitors came with children aged between 0-8 years.
- 69% of respondents lived in Bondi Junction.

### Quick Poll Results

A quick poll was conducted to ascertain general support for the project:



The following verbatim comments were provided by respondents who chose 'other':

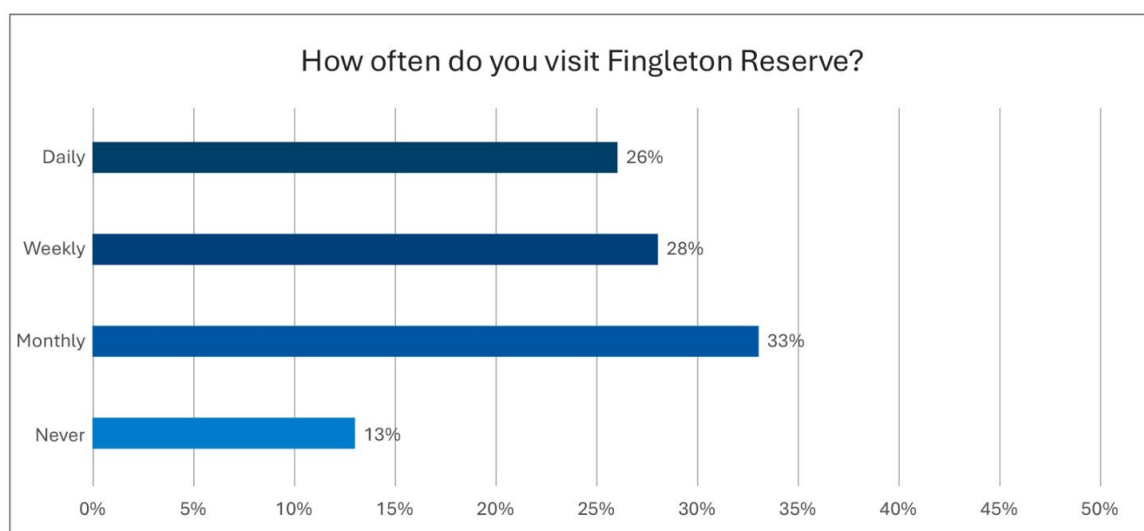
Respondent	Feedback
1	<i>This proposed upgrade is quite poor as do not include any specific area for teenagers' activities/gatherings, adults' exercises and elders' enjoyment even having enough area to consider better solutions for all levels of community not strict to children.</i>
2	<i>No, as it doesn't provide teenagers with anything.</i>
3	<i>No, leave as is – quiet and peaceful. This garish playground is not in congruence with the existing environment.</i>
4	<i>Seems ok. Is there demand for another playground in the area?</i>
5	<i>No. It's taking away too much greenery.</i>
6	<i>This is not supported because it makes no sense. There are almost no children in the surrounding streets with units in the vicinity mainly occupied by backpackers and older residents. Anyone in the area with kids would already go to the new Waverley Park Playground which is located well away from any roads / traffic. There are far more dogs in this area, and an enclosed dog play area makes more sense. Money would be better spent putting in lighting to stop the people who are going to the park at night to smoke and inhale nitrous oxide which Council would be well aware of given the number of used canisters which are constantly left in the park to be cleaned up by residents and Council.</i>

Respondent	Feedback
7	<i>This is one of the few spaces to take your dog for a quiet walk or enjoy the evening. We have enough play amenities at Waverley Park as it is. This park is on a main road and is not suitable for children's playgrounds.</i>
8	<i>Significant funds have been recently spent to upgrade the playground not far from here, at Waverley Oval. I'd like to propose Fingleton be fenced to become an off-leash dog park.</i>

## Long Form Survey Results

### Frequency and duration

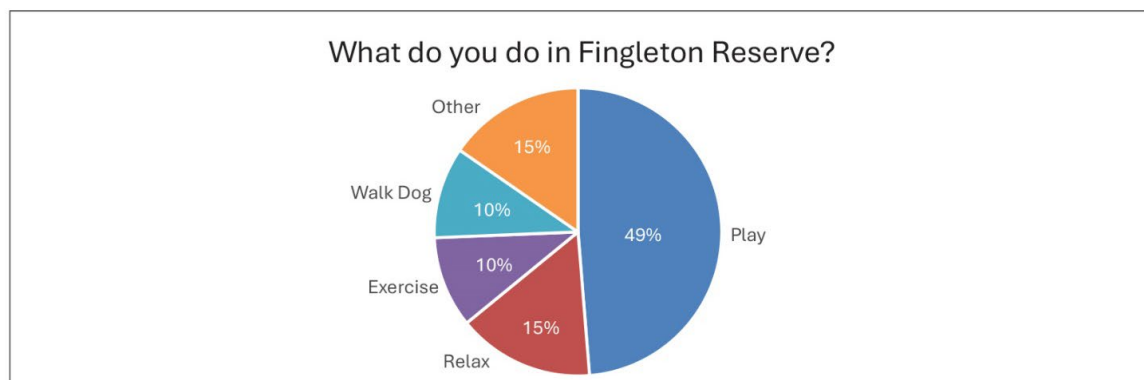
Participants were asked about how often they access the park, the duration of stay and their method of transportation:



- 54% of park users visit the park on a daily or weekly basis.
- Of the 39 contributors to the HYS form, only 5 responded that they had never visited Fingleton Reserve.
- 85% of respondents usually stay in the park for 10-30mins at a time.
- 82% of park users access the park on foot by walking.

### Park Uses

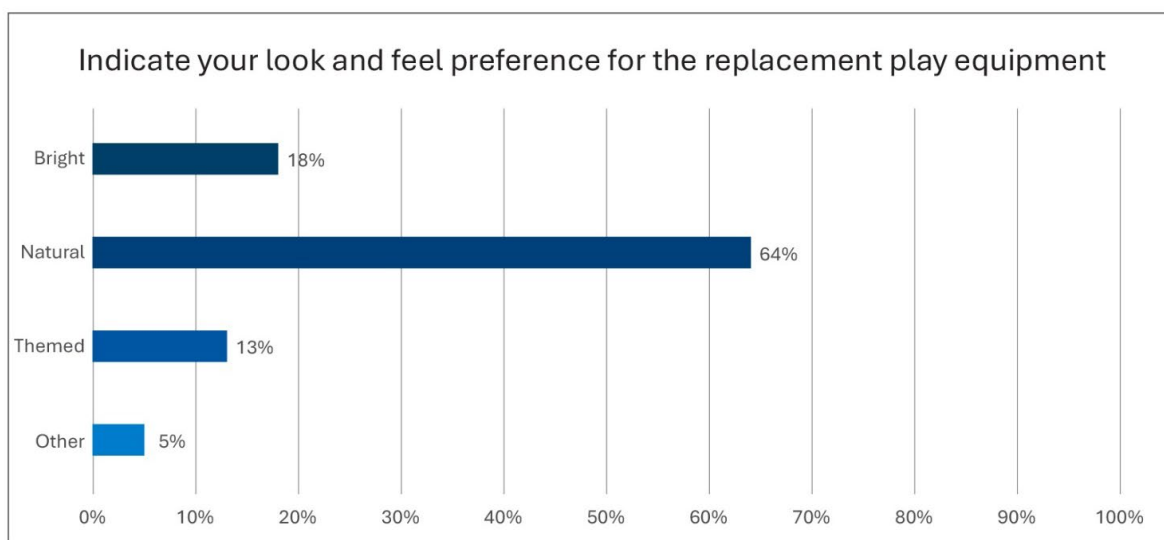
Participants were asked about how they use the park:



- The 3 most common reasons for visiting Fingleton Reserve are to play, relax or for other reasons.
- Walking through the park while travelling to another destination was the main reason noted under 'other'.
- No responses were received for ball games.

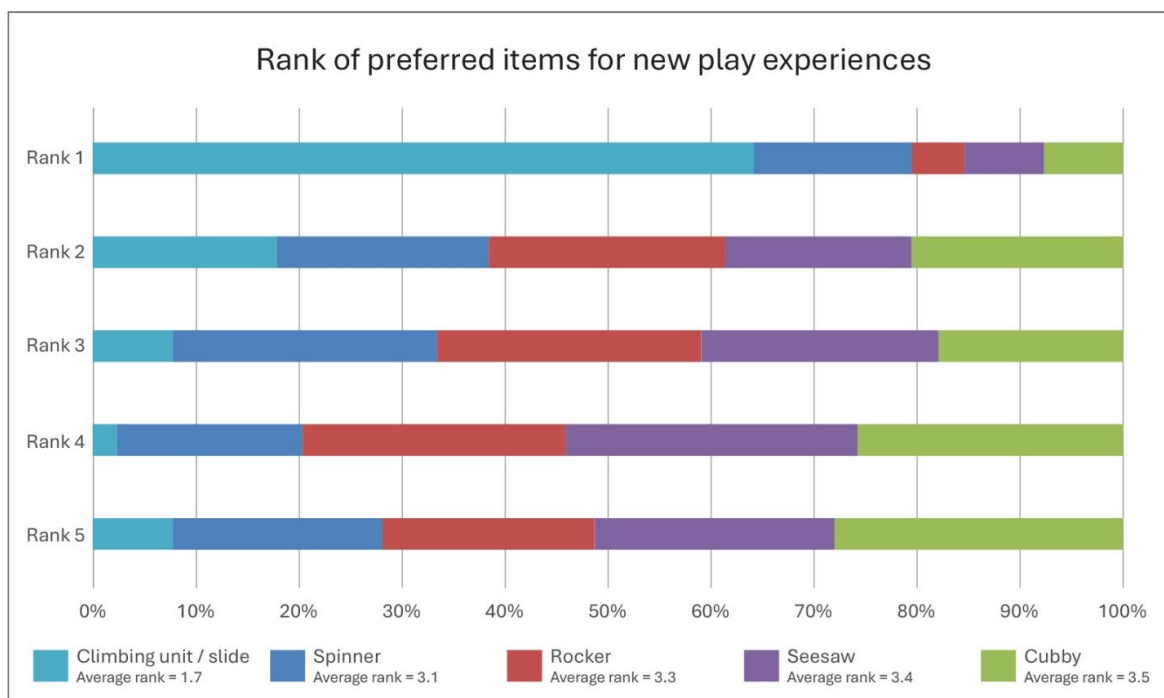
### Community Play Preferences

The community was asked about the character of the proposed playground and the preferred play experiences they would like to incorporate:



- 64% of respondents preferred a natural feel and look to the playground.

The community was provided with 5 options for play experiences and asked to rank preferences for equipment styles. Each option included an indicative image of the proposed equipment to aid respondents in deciding:



- The climbing unit with slide was the most popular item with an average ranking of 1.7.
- The remaining play items all received similar average rankings between 3.1 and 3.5.

## General Comments

Respondents were given the opportunity to provide any further information. 28 respondents provided comments. The verbatim comments below are collated by theme:

Theme	Feedback	Council comment
Sports Facilities / Items for Teenagers	<i>Tennis courts</i>	The size, topography, existing trees, proximity to nearby residences, and the park hierarchy of Fingleton Reserve limits the number of recreational facilities that can be accommodated within the space.  Larger recreational facilities such as sports courts are generally located within larger district parks, such as Waverly Park which is located 350m to the east.
	<i>Replace swings with badly needed tennis court</i>	
	<i>1/2 size basketball court, pickleball/handball court, or similar for older kids/teens. Similar to Barracluff Park. Shade sail would be great for sun protection, this park gets very hot</i>	
	<i>Put in a mini half pipe. Basketball half court too</i>	
	<i>Waverley needs to provide for teenagers! A mountain bike area would be fantastic.</i>	
	<i>Table tennis, Giant chalk board, Flying fox, Water play troughs with hand pump action to turn water on</i>	
	<i>It would be great to have a little bike track around the park, nothing too big or fancy. Just a flat place where neighbourhood kids can practice learning to ride a bike. Our closest is Centennial Park which is always very busy and big</i>	
	<i>Half basketball court hoop, grass area with gate, bbq, picnic tables</i>	
	<i>Check out Airlie Beach in QLD equipment as a guide for what is missing in the East. We need something for tweens/teens at Bondi Beach and Bondi Junction. They can't spend all their time shopping in Westfield</i>	
Water Play	<i>Water play!</i>	The provision of water play is not suited to a neighbourhood park and is outside the budgetary constraints of this project.
	<i>Splash area special when is summer for kids and little bbq area</i>	
	<i>Water play please!!!</i>	
	<i>Splash area</i>	

Theme	Feedback	Council comment
Shade	<i>Please consider shaded areas. If there is no shade from trees then the playground is essentially unusable in summer between 10am and 3pm due to the sun</i>	No trees are proposed to be removed. The existing large fig trees in the north of the park provide extensive shade to the playground. Existing trees along Waverley Crescent were planted in 2014 and as these continue to mature additional shade will be provided to the playground.
	<i>A shade cloth would be great to protect against sun.</i>	
	<i>Please keep existing trees and plant more shrubs, not palm trees please!</i>	
	<i>Less greenery taken away</i>	
	<i>Hedges or trees along the road side of Bondi Rd, much much nicer to play without at least seeing the road</i>	
Fencing	<i>Definitely need proper fencing to keep the play area contained. With such a busy main road it's very hazardous to have children running around with potential to run out of the park</i>	A low garden fence is proposed to provide a barrier between the playground and Waverley Crescent. The playground extension has been located in the western corner of the park to be as far away from Bondi Road as possible. The provision of a fence along Bondi Road and to all park boundaries would be cost prohibitive and would significantly reduce the budget available for play equipment.
	<i>Please make sure that there is a fence around the playground</i>	
	<i>Can't see if it's on the plans but is definitely needs fencing to keep children inside and safe</i>	
Toilets	<i>Toilet facilities. Lack of toilets means families think twice about the park &amp; may choose to go elsewhere</i>	The provision of toilets is not suited to a neighbourhood park. Neighbourhood parks are aimed at residents living locally and cater for visits of shorter durations. The provision of toilets would be cost prohibitive and would significantly reduce the budget available for play equipment.
	<i>Probably having some facilities as toilets could be great</i>	
Dogs	<i>Get rid of it it's a waste of space and put in better lighting and a dog play area</i>	Fingleton Reserve provides a valuable space for surrounding residents to walk their dogs. The playground extension has been located so that large, open grassed areas of the park have been retained and can continue to be used by on-leash dogs, away from the playground.
	<i>Play area for doggie</i>	
Swings	<i>Swings</i>	The existing swing set will be retained.
	<i>Swings</i>	
Seating	<i>More park bench seating in all park</i>	An additional seat and platform bench is proposed in the playground upgrade.
Lighting	<i>Lighting at night time for the walking path</i>	Increased lighting around the playground is not supported as it may encourage active use after dark and may negatively affect the amenity of nearby residences.

## Have Your Say Event – 25 October 2025

Two Council Officers were available on Saturday 25 October, from 9am – 11am to speak to residents and park users. This session format facilitates long form conversations to get to the root of any concerns, understand popular aspects of the proposed design as well as any additional opportunities that might have been missed. Overall, the experience and interaction between Council Officers and visitors to the park was positive and insightful.



Figure 2: Have Your Say Event

### Attendance and Discussion

Approximately 15 people (12 adults and 3 children) attended the Have Your Say event at Fingleton Reserve. Council's project team provided information on the constraints within the reserve, proposed play inclusions, the requirement to balance user needs, as well as key issues related to the retention of the existing trees and timeframe of the project.

10 people provided feedback on the day:

Respondent	Feedback
1	Individual was supportive of the playground upgrade and raised attention about nearby safety and maintenance issues at the damaged bus stop.
2	Individual was supportive and enquired to confirm whether all existing trees were to be retained.

Respondent	Feedback
3	Individual was supportive of the playground upgrade and requested that the open lawn areas outside the playground be maintained as is for passive recreation.
4	Individual was supportive of the playground upgrade in general, and requested consideration be given to pathway lighting as the park is used as a thoroughfare at night from bus stops on Bondi Road. Request for formalised dog off leash management or consideration of fencing here. Though they understood it was not a designated off leash park, the current use is still largely off leash in the absence of rangers.
5	Individual didn't engage with playground plans but enquired about the potential to fence the park adjacent to Bondi Road due to safety issues.
6	Individual raised concerns about potential reduction to space for dog walking within the park, with comments about the heavy use of the park in the morning by dog walkers.
7	Positive support for the upgrade.
8	Supportive of the upgrade and emphasised the importance of the retention of the existing swing.
9	Supportive of the playground upgrades, noting the current condition was 'sad'.
10	Supportive of the playground upgrade but made broader request for fenced dog off leash areas.

## Community Engagement Conclusion

The community response demonstrated overall support for the proposed Fingleton Reserve playground upgrade and Council's strategic aim, as outlined in the Play Space Strategy 2014-2029, to upgrade Fingleton Reserve from a pocket park to a neighbourhood park to cater to the increasing local population.

In a quick poll on the Have Your Say website, 83% of participants responded in support of the project. The remaining 17% questioned the need for the playground or believed that the park should be left as is.

### Key observations

Call outs from the data:

- 82% of park users access the park on foot by walking.
- The 3 most common reasons for coming to Fingleton Reserve are to play, relax, or to pass through on the way to other destinations.
- 64% of respondents preferred a natural look and feel of the play experience and setting.
- The most popular item of proposed play equipment is the climbing unit with slide.
- A number of respondents requested fencing and that spaces in the park be retained for dog walking.

### Recommendations

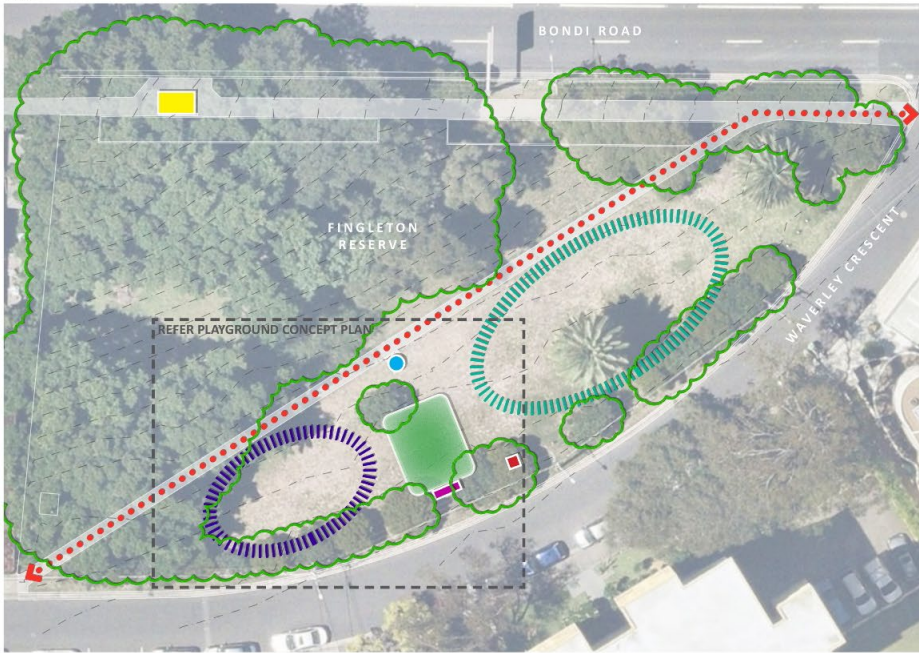
From the community feedback provided through the Have Your Say website and in person engagement the following recommendations are made:

1. The Fingleton Reserve playground upgrade should proceed as shown in the concept plans.
2. In response to community feedback, the playground equipment should include a climbing unit with slide and incorporate a natural look to the play items.
3. Council progresses the concept to Phase 4 development of concept to construction documentation.

# Appendix A – Concept Plans

## Site Analysis

PLAN



### EXISTING ELEMENTS

- Swing set with rubber softfall
- Existing trees
- Open, flat grassed area
- Shaded, flat grassed area
- Green Grid link
- Bondi Junction to Bondi Beach
- Park bench with backrest
- Drinking fountain
- Bin enclosure
- Bus stop



Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

Drawing Name: **Existing Conditions**  
Drawing No: **SK-01**

Date: September 2025  
Drawn by: NB  
Scale: 1:250 @ A3



## Playground Concept

PLAN



### PROPOSED ELEMENTS

- 1 Older children play area incorporating:
  - Slide / climbing structure
  - Ground level play items for inclusive play
- 2 Toddler play area incorporating:
  - Cubby house for imagination play
  - Rocker / spinner for cooperative play
  - Musical panel for inclusive play
- 3 Nature play area incorporating:
  - Timber / sandstone balancing and sculptural items
- 4 Existing triple seat swing set retained
- 5 Park bench with backrest
- 6 Platform bench seating
- 7 Sandstone log seating
- 8 Garden fencing to road
- 9 Existing drinking fountain retained
- 10 Existing bin enclosure relocated
- 11 Existing tree transplanted away from swings

### LEGEND

- Rubber softfall
- Mulch softfall
- Concrete pavement
- Turf
- Garden fence
- Palm tree planting
- Existing tree
- OH E- Existing overhead power line
- W- Existing potable water line

Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

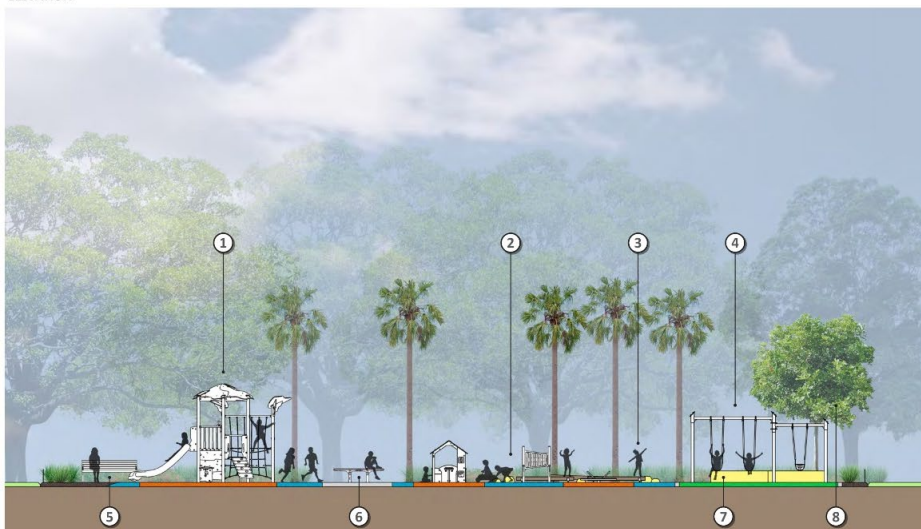
Drawing Name: **Playground Plan**  
Drawing No: **SK-02**

Date: September 2025  
Drawn by: NB  
Scale: 1:100 @ A3



### Playground Concept

ELEVATION



#### PROPOSED ELEMENTS

- ① Older children play area incorporating:
  - Slide / climbing structure
  - Ground level play items for inclusive play
- ② Toddler play area incorporating:
  - Cubby house for imagination play
  - Rocker / spinner for cooperative play
  - Musical panel for inclusive play
- ③ Nature play area incorporating:
  - Timber / sandstone balancing and sculptural items
- ④ Existing triple seat swing set retained
- ⑤ Park bench with backrest
- ⑥ Platform bench seating
- ⑦ Sandstone log seating
- ⑧ Existing tree transplanted away from swings

Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

Drawing Name: **Playground Elevation**  
Drawing No: **SK-03**

Date: September 2025  
Drawn by: NB  
Scale: 1:100 @ A3



### Play Options

LOOK AND FEEL



① Bright (lots of colour)

② Natural (timber and earthy materials)

③ Themed play (eg. beach / city / jungle)

PLAY EQUIPMENT



① Spinner

② Rocker

③ Cubby

④ Seesaw

⑤ Climbing Unit with Slide

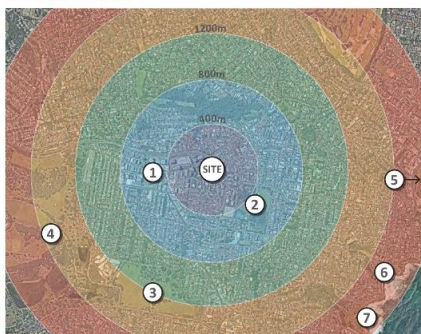
Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

Drawing Name: **Playground Options**  
Drawing No: **SK-04**

Date: September 2025  
Drawn by: NB  
Scale:



**Site Context**



**LOCALITY**

- 1 Bondi Junction
- 2 Waverley Park
- 3 Queens Park
- 4 Centennial Park
- 5 Bondi Beach
- 6 Tamarama Beach
- 7 Bronte Beach

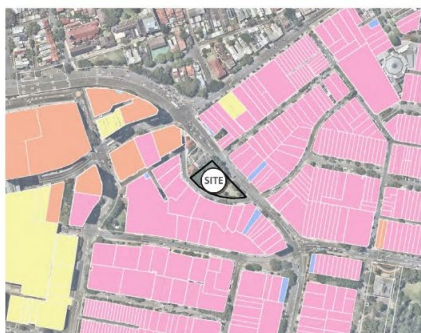
Fingleton Reserve is located within walking distance of the commercial centre of Bondi Junction and provides an important recreational space within Waverley's open space matrix.



**ZONING**

- E2: Commercial Core
- MU1: Mixed Use
- R2: Low Density Resi.
- R3: Medium Density Resi.
- R4: High Density Resi.
- RE1: Public Recreation
- SP2: Infrastructure

The adjacent mixed use and high density residential areas places high demand on the site and it's role in the provision of public open space and recreational facilities.



**EXISTING LAND USE**

- Commercial
- Mixed
- Other
- Residential

The playground upgrade will turn an existing 'Pocket Park' into a better equipped 'Neighbourhood Park' that will better support the additional future supply of high density housing in the area.



**EXISTING TREES**

- Tree Canopy Cover

Fingleton Reserve is located along the Bondi Junction to Bondi Beach Green Link identified in the Greater Sydney Green Grid. Additional tree plantings as part of the upgrade works will contribute to the urban forest and tree canopy layer.

Project Title: **FINGLETON RESERVE PLAYGROUND UPGRADE**

Drawing Name: **Site Context**  
 Drawing No: **SK-05**

Date: September 2025  
 Drawn by: NB  
 Scale: -



## Appendix B – HYS survey

### Quick Poll

**Do you support the proposed upgrade at Fingleton Reserve?**

- Yes
- Other (please specify)

### Fingleton Reserve Community Consultation Survey

**How often do you visit Fingleton Reserve?** Required

- Daily
- Weekly
- Monthly
- Never

**How long do you spend at Fingleton Reserve?** Required

- 10mins
- 30mins
- 1hr
- 2hrs or more

**How do you access Fingleton Reserve?** Required

- Walk
- Bike
- Bus
- Car

**What do you do in Fingleton Reserve?** Required

- Play
- Relax
- Ball Games
- Exercise
- Walk Dog
- Other (please specify)

**Please indicate your look and feel preference for the replacement play equipment:** Required

- Bright (lots of colour)
- Natural (timber and earthy materials)
- Themed (eg. beach / city)
- Other (please specify)

**Please rank your preferred items for new play experiences (drag across) Required**

Spinner	1
Rocker	2
Cubby	3
Seesaw	4
Climbing Unit with Slide	5

**Do you have any further ideas for the playground?**

You have 255 characters remaining

**What is your age range? Required**

- Under 20
- 21-30
- 31-40
- 41-50
- 51-60
- 61-70
- Over 70

**If you visit with children, how old are they? Required**

- 0-2
- 3-5
- 6-8
- 9-11
- 12-15
- 16-19

**How did you hear about this project? Required**

- Flyer
- Poster
- Social media
- Waverley Council eNewsletter
- Word of Mouth
- School Newsletter
- Other (please specify)

**What is your postcode? Required**

- 2022
- 2024
- 2026
- 2029
- 2030
- Other (please specify)

## Appendix C – Poster



**Have your say**

# We're upgrading Fingleton Reserve!

As part of our Play Space Strategy, we're improving the accessibility and play experience at Fingleton Reserve.



SCAN TO HAVE YOUR SAY

How to have your say:

👤 Come along to our Have Your Say day in the park on Saturday 25 October, 9 – 11 am, to find out more and speak to Council Officers about the upgrade.

Complete the survey by scanning the QR code or visit [bit.ly/fingleton-reserve](https://bit.ly/fingleton-reserve)

**Have your say by Thursday 6 November 2025**



WAVERLEY COUNCIL

Proudly funded by the NSW Government in association with Waverley Council



Posters installed on-site

## Appendix D – Flyer



**Have your say**

### We're upgrading Fingleton Reserve!

As part of our Play Space Strategy, we're improving the accessibility and play experience at Fingleton Reserve.



SCAN TO HAVE YOUR SAY

How to have your say:

 Come along to our Have Your Say day in the park on Saturday 25 October, 9 – 11 am, to find out more and speak to Council Officers about the upgrade.

Complete the survey by scanning the QR code or visit:

[bit.ly/fingleton-reserve](https://bit.ly/fingleton-reserve)

**Have your say by Thursday 6 November 2025**

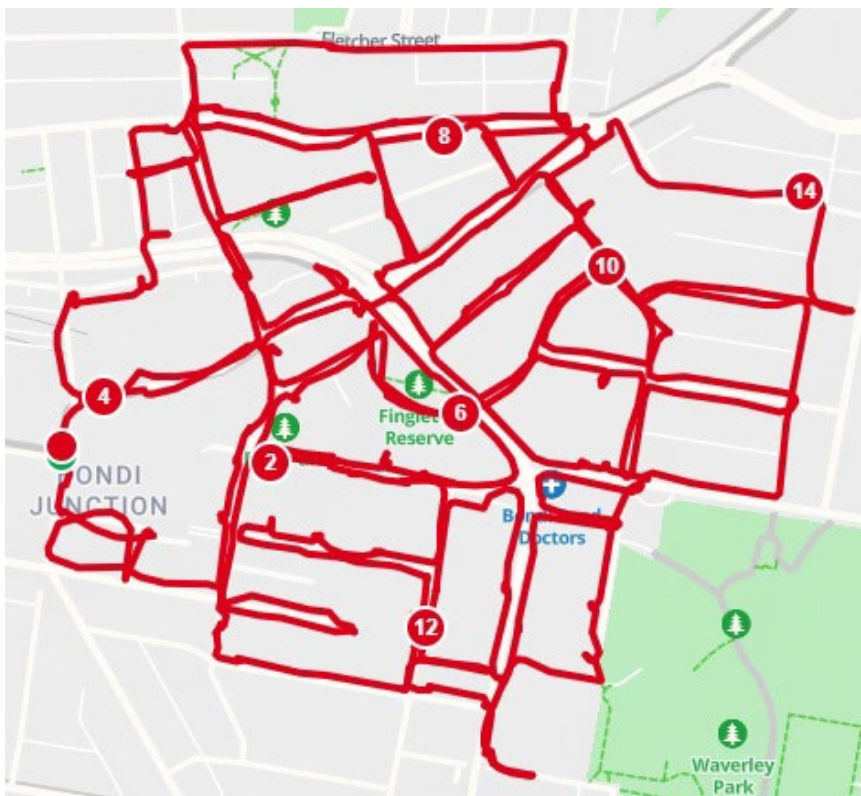


WAVERLEY COUNCIL

Proudly funded by the NSW Government in association with Waverley Council



Flyer distribution map indicating 400m radius to Fingleton Reserve



Flyer delivery GPS tracking data

## Appendix E – Social Media

Facebook:



Big changes are coming to Fingleton Reserve!

We're upgrading the playground to create a safer and more fun and accessible space for kids of all ages. Expect exciting new play equipment, natural play elements and areas for imaginative, active and social play - all designed with the community in mind.

You can help shape the final design! Complete our online survey by Thursday 6 November or join us on-site at Fingleton Reserve on Saturday 25 October from 9am-11am to share your ideas with Council officers.

Learn more and have your say through the link below.

<https://haveyoursay.waverley.nsw.gov.au/fingleton-reserve-playground-upgrade>

#FingletonReserve #PlaygroundUpgrade #WaverleyCouncil #CommunityEngagement



13 likes

13 likes

8 comments



Posted 16 October 2025

Instagram:




Posted 16 October 2025

# Appendix F – e-newsletter

Waverley Weekly:

**Have Your Say**



**We're upgrading another of Waverley's pocket parks!** 🌱

Following recent upgrades to a [few local favourites](#), we've got our eyes set on **Fingleton Reserve!** Find out about our designs to improve the accessibility and play experience of Fingleton Reserve and Have Your Say via our online survey or at our in-person event on **Saturday 25 October**.

[More info](#)

Posted 14 October 2025



**Fingleton Reserve playground upgrade** 🌱

Open for feedback until **6 November**

We're upgrading the playground at Fingleton Reserve to bring it up to date with the latest Australian standards for safety. With this upgrade, we aim to broaden the range of play experiences available to cater to many ages, as well as creating spaces that encourage play in natural environments.

[More info](#)

Posted 28 October 2025

# Site Analysis

PLAN



## EXISTING ELEMENTS

-  Swing set with rubber softfall
-  Existing trees
-  Open, flat grassed area
-  Shaded, flat grassed area
-  Green Grid link  
Bondi Junction to Bondi Beach
-  Park bench with backrest
-  Drinking fountain
-  Bin enclosure
-  Bus stop



Project Title: **FINGLETON RESERVE PLAYGROUND UPGRADE**

Drawing Name: **Existing Conditions**  
 Drawing No: **SK-01**

Date: November 2025  
 Drawn by: NB  
 Scale: 1:250 @ A3



# Playground Concept

## PLAN



### PROPOSED ELEMENTS

- ① Older children play area incorporating:
  - Slide / climbing structure
  - Ground level play items for inclusive play
- ② Toddler play area incorporating:
  - Cubby house for imagination play
  - Rocker / spinner for cooperative play
  - Musical panel for inclusive play
- ③ Nature play area incorporating:
  - Timber / sandstone balancing and sculptural items
- ④ Existing triple seat swing set retained
- ⑤ Park bench with backrest
- ⑥ Platform bench seating
- ⑦ Sandstone log seating
- ⑧ Garden fencing to road
- ⑨ Existing drinking fountain retained
- ⑩ Existing bin enclosure relocated

### LEGEND

-  Rubber softfall
-  Mulch softfall
-  Concrete pavement
-  Turf
-  Garden fence
-  Palm tree planting
-  Existing tree
-  Existing overhead power line
-  Existing potable water line

Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

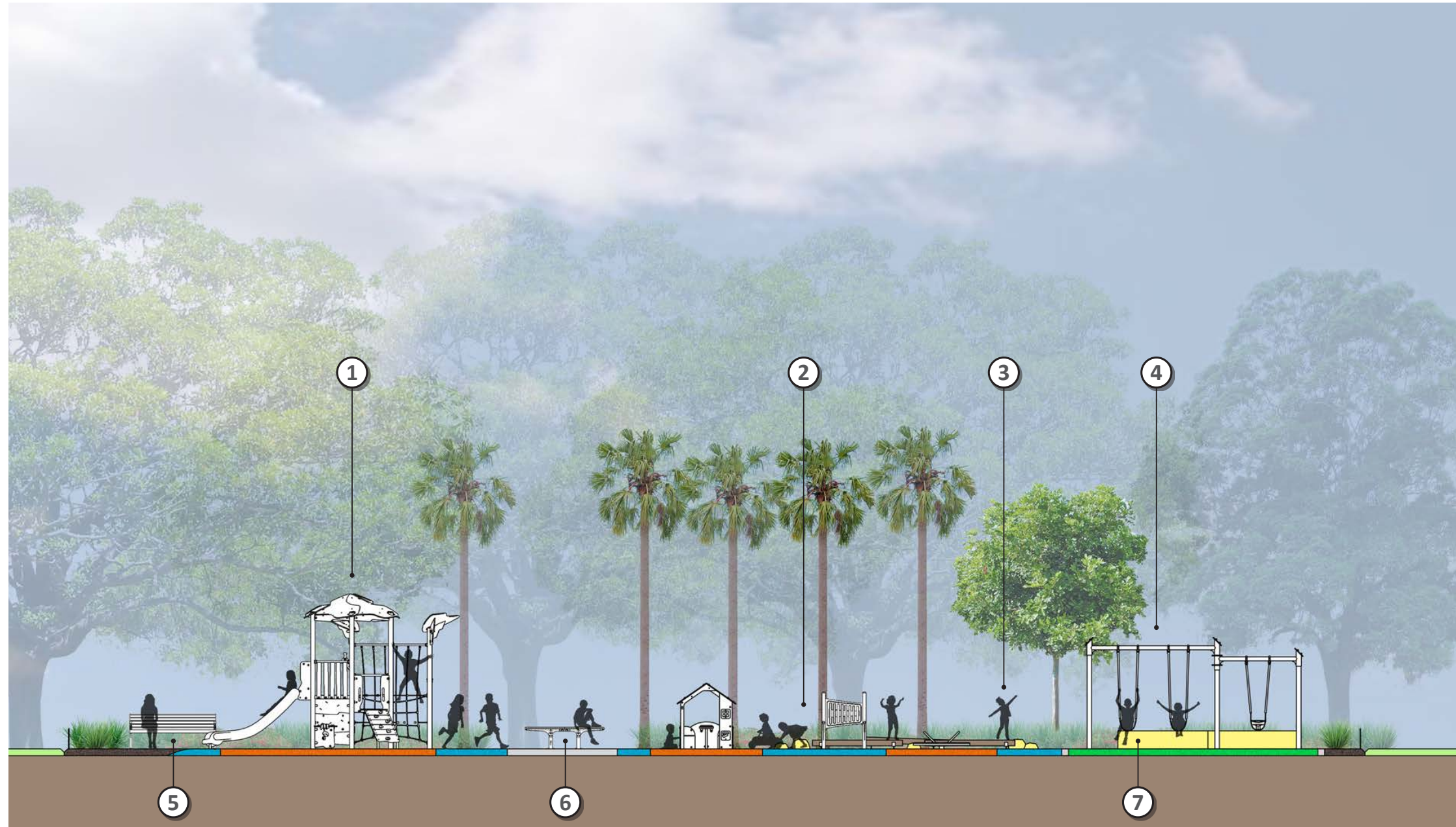
Drawing Name: **Playground Plan**  
Drawing No: **SK-02**

Date: November 2025  
Drawn by: NB  
Scale: 1:100 @ A3



# Playground Concept

## ELEVATION



## PROPOSED ELEMENTS

- ① Older children play area incorporating:
  - Slide / climbing structure
  - Ground level play items for inclusive play
- ② Toddler play area incorporating:
  - Cubby house for imagination play
  - Rocker / spinner for cooperative play
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- ③ Nature play area incorporating:
  - Timber / sandstone balancing and sculptural items
- ④ Existing triple seat swing set retained
- ⑤ Park bench with backrest
- ⑥ Platform bench seating
- ⑦ Sandstone log seating

Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

Drawing Name: **Playground Elevation**  
Drawing No: **SK-03**

Date: November 2025  
Drawn by: NB  
Scale: 1:100 @ A3



# Playground Concept



## PROPOSED ELEMENTS

- ① Older children play area incorporating:
  - Slide / climbing structure
  - Ground level play items for inclusive play
- ② Toddler play area incorporating:
  - Cubby house for imagination play
  - Rocker / spinner for cooperative play
  - Musical panel for inclusive play
- ③ Nature play area incorporating:
  - Timber / sandstone balancing and sculptural items
- ④ Existing triple seat swing set retained
- ⑤ Park bench with backrest
- ⑥ Platform bench seating
- ⑦ Sandstone log seating
- ⑧ Existing bubbler

Project Title: **FINGLETON RESERVE  
PLAYGROUND UPGRADE**

Drawing Name: **Playground Imagery**

Drawing No: **SK-04**

Date: November 2025

Drawn by: NB

Scale: -



**REPORT**  
**PD/5.6/25.12**

**Subject:** **Bondi Local Area Traffic Management Project -  
Martins Avenue at Ocean Street and Denham Street  
at Edward Street, Bondi**

**TRIM No:** A24/0300

**Manager:** Nikolaos Zervos, Executive Manager, Infrastructure Services

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

---

**RECOMMENDATION:**

That Council:

1. Approves the amended designs for traffic management treatments in Martins Avenue at Ocean Street and Denham Street at Edward Street, Bondi, as set out in the report and addressing the further community feedback on Denham Street at Edward Street.
2. Proceeds to procurement for the construction phase of the treatments at Martins Avenue at Ocean Street, funded from the current budget.
3. In respect of the treatments in Denham Street at Edward Street:
  - (a) Proceeds to detailed design, including engagement with residents as required.
  - (b) Applies for grant funding to deliver the works.
  - (c) Proceeds to procurement for the construction phase, once funded.
4. Authorises the Executive Manager, Infrastructure Services, to modify the designs should detailed design information and on-site circumstances warrant changes.

*This item was deferred from the Strategic Planning and Development Committee meeting on 4 November 2025.*

**1. Executive Summary**

This report provides an update on the progress of the Bondi Local Area Traffic Management (LATM) project for two locations: Martins Avenue at Ocean Street and Denham Street at Edward Street, Bondi.

Community consultation concluded at both locations in August 2025 and this report provides a summary of the consultation and recommendations for amendments to the proposed concept designs.

Further feedback was received at the 4 November 2025 Strategic Planning and Development Committee and following the deferral has been considered in the discussion below and will be factored into the detail design.

## 2. Introduction/Background

The Bondi LATM project originated from a Council resolution in May 2021, which noted the commencement of a LATM scheme to start in late 2021. Initial planning and preliminary investigations were undertaken. Subsequently, in August 2022, Council requested to expand the scope of the LATM study area to address broader traffic and pedestrian concerns.

Following this decision, community consultation was conducted throughout November and December 2022. This consultation provided residents within the expanded study area with the opportunity to provide feedback regarding specific pedestrian and traffic issues impacting their local area. The feedback received during the period has been instrumental in shaping the development of the proposed LATM solutions presented in this report.

In 2023, Council officers issued tenders to the market to engage a consultant to carry out the LATM study. Following a competitive process, GHD Pty Ltd was engaged in late 2023 to undertake the work.

The study investigated the existing road network and traffic management facilities and provided recommendations to improve the road environment for vulnerable road users, manage traffic operations, as well as increase the quality, amenity and safety of community space.

Following the background report provided by GHD in March 2024, an initial treatments report was submitted to Council officers in July 2024. That report outlined potential traffic management interventions for the study area, considering the community feedback received, and the technical analysis conducted by GHD.

In August 2024, Council officers reviewed the initial treatment options provided by GHD and commenced a series of workshops to further develop concept plans and specific options for the locations identified in the GHD reports. These workshops focused in refining the proposed treatments, considering practical implementation challenges and ensuring alignment with Council's broader objectives.

At the April Strategic Planning and Development Committee meeting, Council approved proceeding to community consultation with the initial concept designs for all locations, with officers to prepare a report to Council on the outcome of each community consultation and the recommended treatments for implementation.

The first two community consultations, Martins Avenue at Ocean Street and Denham Street at Edward Street, were carried out in July-August 2025.

This report was deferred at the Strategic Planning and Development Committee on 4 November 2025 to allow officers to consider residents' submissions provided at the meeting and incorporate relevant suggestions. This feedback has been considered in the discussion below and will be factored into the detail design.

## 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 4 November 2025	PD/5.4/25.11	That Council defers this item to the November Council meeting to allow officers to consider residents' submissions from tonight's meeting and to incorporate relevant suggestions.

Strategic Planning and Development Committee 1 April 2025	PD/5.3/25.04	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Prepares refined concept plans for the Bondi Local Area Traffic Management treatments for community consultation, in accordance with the attachments to the report.</li> <li>2. Seeks grant funding from State and Federal sources to implement the treatments.</li> <li>3. Officers prepare a report to Council on the outcome of each community consultation and the recommended treatments for implementation.</li> </ol>
Council 16 August 2022	CM/7.9/22.08	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Defers this item to the August 2022 Traffic Committee meeting for officers to present alternative options for the Glenayr, O'Brien and Hall Street intersection and Roscoe Street to allow better two-way access to the Hub Hall Street Retail Precinct car park and Roscoe Street from O'Brien Street.</li> <li>2. Officers prepare a report to the September 2022 Finance, Operations and Community Services Committee on the alternative options.</li> <li>3. Brings forward, as a matter of urgency, an expanded local area traffic study bounded by Warners Avenue, Campbell Parade, Francis Street and Old South Head Road, with officers to prepare a report to Council.</li> </ol>
Council 25 May 2021	CM/8.1/21.05	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Commences plans to extend the current 40 km/h pedestrian zone in Bondi Beach to cover the area: <ol style="list-style-type: none"> <li>(a) Up to but not inclusive of Bondi Road.</li> <li>(b) Up to but not inclusive of Wellington Street.</li> <li>(c) Up to and including a section of Blair Street at an appropriate location.</li> <li>(d) Inclusive of the Ben Buckler streets of Hastings Parade, Bay Street, Brighton Boulevard and Ramsgate Avenue.</li> </ol> </li> <li>2. Contacts Transport for New South Wales at the appropriate time to seek support and funding for this project.</li> </ol>

		3. Notes that a local area traffic management study is planned to commence in the second half of 2021.
--	--	--

#### 4. Discussion

##### Martins Avenue at Ocean Street

###### *Community consultation*

From 7 July-5 August 2025, residents in Martins Avenue and Ocean Street and surrounds were invited to comment on a proposed design for this intersection. Thirty submissions were received.

The communication and engagement approach to enlist feedback included resident letters, a Have Your Say (HYS) online survey and emails to HYS subscribers, Councillors, relevant Precinct representatives and key staff. Communications to promote awareness focussed on social media, electronic newsletters and the Wentworth Courier.

At the close of the consultation, a majority did not support the upgrade design (77.6%) and a minority supported the design (22.4%). Many of those that ‘supported’ and ‘did not support’ the design, included major or minor change suggestions, which are detailed in Attachment 1 to this report.

Those opposed raised concerns that the design does not adequately address existing traffic issues and is likely to increase congestion and pressure on local streets. Respondents also highlighted potential reductions in liveability, safety, and amenity, noting that the current plan prioritises vehicle movements over residents’ quality of life.

###### *Recommendations for Martins Avenue at Ocean Street*

Given the significant proportion of community members opposed to the proposal, Council officers carefully reviewed both individual and collective concerns. Officers recommend design amendments for the intersection and that a separate project be carried out for this location and extended area.

The following is a summary of the main issues and feedback received:

- Traffic congestion: the change to a left-turn-only movement from Wellington Street onto Bondi Road has led to an increase in traffic volume in Ocean Street.
- Speed and safety: feedback indicates that vehicles travel too fast around the corner, and a reduction in the speed limit is desired. There is a general need for more traffic calming measures.
- Pedestrian and cyclist infrastructure: the current shared path is considered inadequate. Concerns were also raised about fast-traveling cyclists. The installation of a new pedestrian crossing and an investigation into a bi-directional cycleway in Martins Avenue were suggested.

Council officers recommend that between Ocean Street and Wellington Street, in Martins Avenue and Edward Street, a larger scope review is required as a separate project to the LATM. Council recently approved the Bike Strategy, which re-establishes Martins Avenue as the key link between Bondi Junction and Bondi Beach. As such, a separate project should be considered within the context of the implementation of the Bike Strategy. The scope would need to consider the bicycle route, vehicle speeds, parking, and pedestrian improvements.

Considering the feedback that was received during the consultation, Council officers recommend that the existing Martins Avenue intersection with Ocean Street configuration is retained, with no change to vehicle movements and access.

To address concerns about vehicle speeds at this intersection, officers propose installing rubber speed cushions, as shown in Figure 1, and reviewing the current line markings to visually narrow the road. These measures are expected to effectively slow vehicles and improve safety for pedestrians and cyclists.

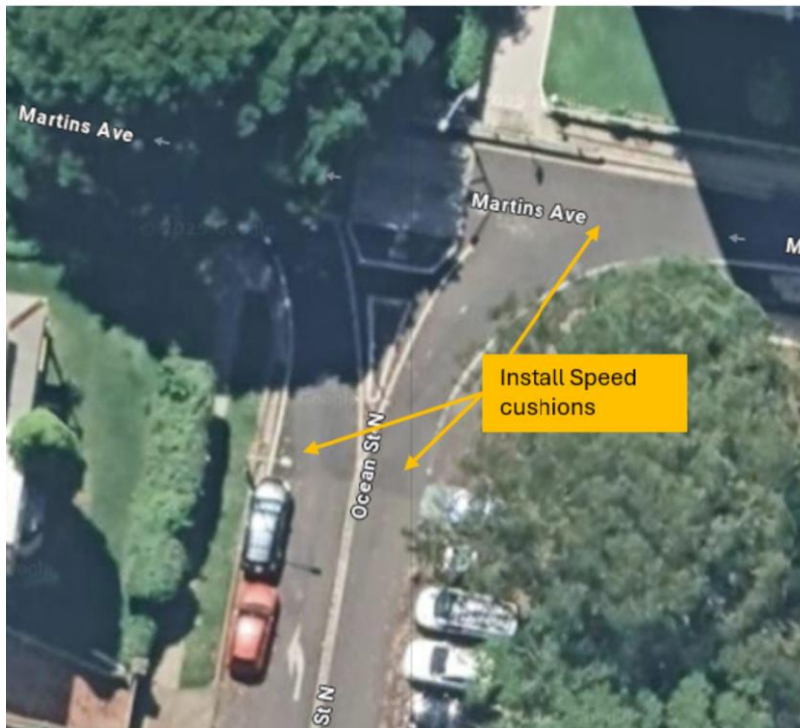


Figure 1. Martins Avenue at Ocean Street design proposal.

### Denham Street at Edward Street

#### Community consultation

From 7 July-5 August 2025, residents in Denham Street, Edward Street and surrounds were invited to comment on a proposed design for this intersection. 107 submissions were received.

The communication and engagement approach to enlist feedback included resident letters, a Have Your Say (HYS) online survey and emails to HYS subscribers, Councillors, relevant Precinct representatives and key staff. Communications to promote awareness focussed on social media, electronic newsletters and the *Wentworth Courier*.

At the close of the consultation a slight majority did not support the upgrade design (53%) and a minority supported the design (43%). Many of those that 'supported' and 'did not support' the design, included major or minor change suggestions, which are detailed throughout Attachment 2 to this report.

Opponents of the upgrade cited concerns about safety, vehicle speed and the design's effectiveness in achieving its goals. Specific feedback included objections to the removal of the pedestrian refuge, suggestions to lower the speed limit to 40 km/h and to install speed humps to slow traffic. Positive feedback often focused on improvements for cyclists.

### *Recommendations for Denham Street at Edward Street*

As a solution and considering the feedback that was received during the consultation and post-consultation, Council officers have incorporated a number of amendments to the refined design shown in Attachment 3 of this report. These amendments include:

- Retaining the pedestrian refuge in Denham Street.
- Installing rubber speed cushions in Denham Street at both sides of the intersection to slow vehicles and to maintain lane discipline.
- Retaining the existing mode specific line marking such that no localised cycle lane will be demarcated. Instead bicycle traffic will be encouraged to use the general travel lane as required, with spatial provision for passing movements for vehicles if lane space permits.
- Retaining existing vehicle parking spaces along Denham Street east of Edward Street. Reallocation of parking at this location was not proposed as part of the design at any time; however, some residents were concerned, as this may not have been clear. To further clarify, some of the nominal on-street parking spaces in that location exist as a result of Council's long-standing enforcement protocol. These spaces officially provide driveway access.
- An additional on-street vehicle parking space is proposed in front of 62 Denham Street. Swept path assessment has been performed for vehicles to both enter and exit this access. Access will not be impeded as a result of this parking space.
- Minor further refinements to kerb alignments to retain geometric integrity.

### **Time frame**

#### *Next stage of the project*

Once approved, Council officers will proceed to procuring a contractor to carry out the works at Martins Avenue at Oceans Street and proceed to detailed design phase for Edwards Street at Denham Street.

#### *Overall project delivery*

Concurrently, Council officers continue to refine concept designs, develop community consultation plans and carry out community consultations for the remaining locations.

Wellington Street and Penkivil Street consultations were completed on 21 October 2025 and the outcomes and recommendations will be reported back to Council early 2026.

O'Brien Street at Barracluff Avenue and Blair Street at Wairoa Avenue consultations will commence early 2026, followed by O'Brien Street at Hall Street/Glenayr Avenue.

Wairoa Avenue at Blair Street is included in the LATM scope, concept options are developed and a Review of Environmental Factors with a heritage statement has been prepared.

The Glenayr Avenue at Warners Avenue pedestrian crossing proposal is currently on hold while the Seven Ways area is investigated for flooding issues.

Due to competing priorities for consultation on projects, some consultations have been delayed and the revised date for engagement completion will be June 2026.

## 5. Financial Impact

Council has numerous road safety initiatives that are under review and in the priority action status. The quantum of these projects and their estimated costs outweigh the budgeted Council available funds of \$200,000 per annum over the Long Term Financial Plan (LTFP).

In development of the LTFP, it was determined that significant funds need to be allocated to deliver the actions of the Walking Strategy and this was accounted for in the unfunded category of the LTFP.

Funding of the program (\$200,000 for 2025-26) will be through the road safety budget allocation in the LTFP (\$2.5m over 11 years) and will also be supplemented with the ongoing annual budget bids, including applying for grants to accelerate the rollout of the projects.

These safety projects can be funded under grant programs such as the Active Transport Program, the Road Safety Program and the Blackspot Program. Council officers will apply for these grants once the projects are approved.

### *Martins Avenue at Ocean Street*

The cost to install speed cushions and line marking is estimated to be \$17,500 (excluding GST). Given the relatively small scale of this proposed treatment, drawdown of the \$200,000 capital works budget will be used to cover the cost of installation.

### *Denham Street at Edward Street*

The existing road safety and traffic calming budget line item within Council's 2025-2026 budget is unable to cover the expected capital cost to deliver the Denham Street at Edward Street concept design. As such, funding for this project will be sought through grants, such as the Safer Local Road Infrastructure Program (SLRIP) and Get NSW Active. Council has already included the project in the most recent SLRIP funding tranche, which if successful would provide up to 50% funding. Depending on the outcome, funding the project in the 2026-27 Capital Works Program will be considered.

## 6. Risks/Issues

As noted above, and subject to approval, the Denham Street at Edward Street project is currently unfunded. Council officers continue to submit projects under multiple applicable grant programs. The programs are typically oversubscribed and are highly competitive. Unfortunately, most grant funding program evaluation criteria also defer to crash history as a key prioritisation parameter or otherwise defer to higher-level Council strategic policy to understand network-level contributions. This project satisfies the latter condition of being identified in a strategic document and as such may be viewed favourably. The delivery schedule is unknown at this stage.

## 7. Attachments

1. Bondi LATM - Martins Avenue and Ocean Street - Consultation Report - August 2025 [↓](#)
2. Bondi LATM - Denham Street and Edward Street - Consultation Report - August 2025 [↓](#)
3. Denham Street at Edward Street Refined Concept Design [↓](#) .

# BONDI LATM

## MARTINS AVENUE AND OCEAN STREET



# Community Consultation Report

August 2025



WAVERLEY  
COUNCIL

Waverley Council acknowledges the Bidjigal, Birrabirragal and Gadigal people, who traditionally occupied the Sydney Coast, and we pay respect to all Aboriginal and Torres Strait Islander Elders both past and present.

## Contents

Executive Summary.....	2
Project Background.....	2
Community Engagement and Communications .....	3
Engagement – Have Your Say (HYS) Survey Questions.....	4
Engagement – Have Your Say (HYS) Survey Results .....	4
Respondents and referrers .....	6
Social Media.....	7
Conclusions and Recommendations.....	7
Resident Letter.....	8

This report was prepared by Charlie Baker, Engagement Officer

## Executive Summary

Since May 2021, there has been a Council directive to address community concerns regarding traffic and safety in around the Bondi area.

As a result of initial planning, preliminary investigations, community consultation, and further technical work completed by GHD, (a professional services company that specializes in engineering, architecture & construction), as well as council staff to workshop possible solutions - seven locations were identified as priorities for traffic calming. This included the intersection of **Martins Avenue and Ocean Street**.

Therefore, from 7 July – 5 August 2025, residents in Martins Avenue and Ocean Street and surrounds, were invited to comment on a proposed design for this intersection. 107 submissions were received.

The communication and engagement approach to enlist feedback included resident letters, a Have Your Say (HYS) online survey and emails to HYS subscribers, councillors, relevant precinct representatives and key staff. Communications to promote awareness focussed on social media, electronic newsletters and the Wentworth Courier.

At the close of the consultation a majority did not support the upgrade design (77.6%) and a minority supported the design (22.4%). Many of those that ‘supported’ and ‘did not support’ the design, included major or minor change suggestions which are detailed throughout the report.

Based on the feedback from the community, it is recommended that Council investigate the opposing concerns of residents - to see if any suggestions are viable to implement - while also seeking to consider the comments of those in support of the upgrade.

## Project Background

We want our local streets to be safe and fit for purpose. They need to meet the needs of residents and other users, whether you are a pedestrian, bike rider, public transport user, have a personal vehicle, or drive a service/delivery vehicle.

To help us achieve this goal, the Bondi Local Area Traffic Management (LATM) Project began following a Waverley Council resolution in May 2021.

Some initial planning and preliminary investigations were completed. Then in August 2022, to address broader traffic and pedestrian concerns within Waverley, a community consultation was conducted in November that year.

Residents were asked for feedback on road safety, parking, pedestrian movements and bike riding in the local area.

Around 350 responses were submitted to Council. This valuable feedback then formed part of a subsequent study and treatment report by GHD Consultancy Group.

Last year, council staff reviewed and workshopped the traffic calming recommendations by GHD Consultancy Group. These workshops refined the proposed treatments, considered how implementing these practically would work, and ensured any changes would align with Council’s broader objectives.

Engagement in the Bondi LATM will be rolled out in stages - starting July 2025, with Denham and Edward Streets to be the first community consultation to commenced, followed by **Martins Avenue and Ocean Street**.

## Community Engagement and Communications

In accordance with Waverley Council's adapted IAP2 model of engagement, three methods were employed to gather community feedback: Inform, Consult, Involve.

1. Online survey on the *Have Your Say* (HYS) platform
2. Emails to [latm@waverley.nsw.gov.au](mailto:latm@waverley.nsw.gov.au)
3. Resident letters

A multi-communication channel approach was used to reach and encourage residents to participate.

ENGAGEMENT	AUDIENCE	OVERVIEW
<b>Have Your Say Online Survey</b>	250 page views	The engagement method was primarily aimed at directing people to the survey on Have You Say. There were <b>107</b> online completed surveys and <b>878</b> unique visitors to the HYS page. There are <b>80</b> followers of the Bondi LATM overall project.
<b>Emails From Community</b>	10	<b>10</b> emails were received at <a href="mailto:latm@waverley.nsw.gov.au">latm@waverley.nsw.gov.au</a> during the Ocean and Martins engagement.
COMMUNICATIONS	AUDIENCE	OVERVIEW
<b>Resident Letters</b>	1125	<b>2257</b> non-addressed resident letters were distributed via APA (Advertising Printing Australia) GPS tracking was provided. The letters contained a QR code for the <i>Have Your Say</i> Bondi LATM landing page, with <b>125</b> scans in total. This was during the consultation periods for both Denham/Edward and Martins/Ocean.
<b>Social Media</b>	Total views 7616	A general Bondi LATM launch campaign was conducted: <b>Facebook Post</b> – Impressions 5,797, Engagements 58, Links clicked 50. <b>Instagram Story</b> – Impressions 1,819, Engagements 13 and Links clicked 59. Engagements 7.
<b>Wentworth Courier</b>	36,000	An article as part of the Mayor's Message was included in the 16/7/25 edition.
<b>Waverley Weekly (WW)</b>	29,878	An article was included in the 15/7/25 digital edition. WW impressions:29,878, Overall WW clicks, 245 Bondi LATM clicks,167. More information is on page 7.

\*\* The promotion of the initial two consultations were grouped together and promoted minimally across our channels. However the Waverley Weekly feature was the most clicked feature of the week and the Facebook post generated much more engagement than an average post. The sentiment of comments on the Facebook post was negative, generating complaints about other dangerous roads across the LGA (which could potentially be captured as part of the consultation. In upcoming LATM consultations we will proactively monitor comments, encouraging residents to use HYS to share feedback and pass on queries and comments to the project team as they come up.

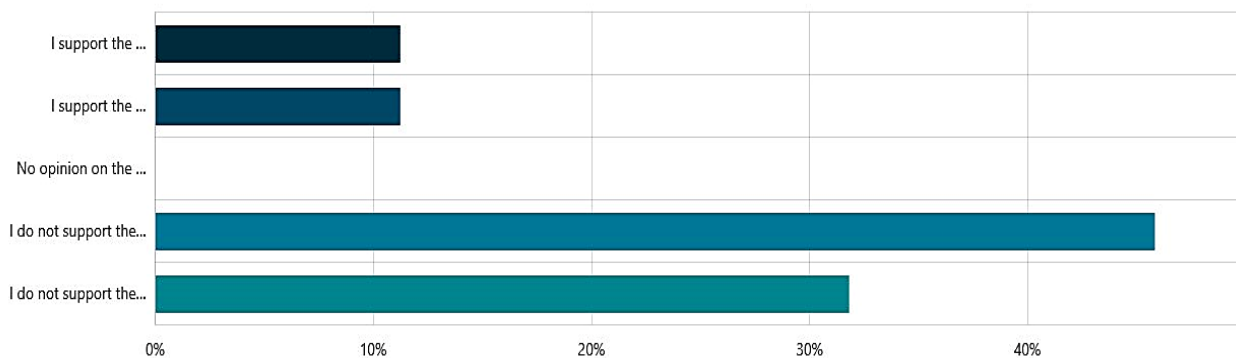
## Engagement – Have Your Say (HYS) Survey Questions

### 1. Please take a few moments to complete this short survey on the proposed design for Martins Avenue and Ocean Street. *Required*

- I support the design. No changes
- I support the design. Minor changes needed
- No opinion on the design
- I do not support the design. Major changes needed
- I do not support the design with or without changes

### 2. General comments on the proposed design. *Optional*

## Engagement – Have Your Say (HYS) Survey Results



**77.6%** of respondents did not support the design

- 32% did not support the design either with or without changes
- 46% of respondents had major change suggestions.

**22.4%** of respondents supported the design

- 11.2% of respondents had no change suggestions
- 11.12% making suggested changes.

### Survey respondents **NOT SUPPORTIVE** of the proposed design

Overall, 77.6% respondents were ‘not supportive’. They thought the proposed design did not address the key issues of concern to the community. Respondents believe that it would create additional traffic pressures and minimal capacity for overflow that will make it more difficult for residents to travel.

Some residents raised concerns that the proposed changes “...will further intensify congestion, particular during peak hours and push local traffic onto smaller resident streets instead of using the appropriate main roads like Wellington and Penkivil Streets.”

“Increased traffic on Martins Avenue and adjacent streets will inevitably raise noise levels, especially during early mornings and evenings. The new layout also reduces the efficiency of on-street parking, and although it adds one new space, this is negligible compared to the broader disruption and congestion it will cause. Residents are already facing parking challenges, and this change will make that worse.”

“These changes will erode the liveability of the area. Residential streets like Martins Avenue should not serve as alternative thoroughfares for vehicles avoiding Bondi Road congestion. The current plan prioritises car movements without adequate regard for the quality of life, safety, and convenience of residents.”

Another respondent commented that the proposed design appears to be a “...well-meaning attempt at traffic calming, but it will divert and intensify traffic where it doesn't belong, worsen existing congestion, and reduce local safety and amenity. I urge the Council to reconsider this design and to work collaboratively with the community on a solution that genuinely improves safety and traffic flow without creating new, avoidable problems for residents.”

Another commented that “...the removal of the existing pedestrian refuge and kerb ramps, combined with altered traffic flows and vehicle behaviour, will make Ocean Street less safe for both pedestrians and cyclists. The changes may also confuse drivers unfamiliar with the new layout, increasing the likelihood of near-misses or accidents. Raised intersections and modal filters alone are not sufficient to guarantee cyclist or pedestrian safety when car volumes increase because of misdirected traffic.”

**\*\* Transcript of all comments is available in the Excel spreadsheet.**

### **Survey respondents SUPPORTIVE of the proposed design**

Of the 22.4% submissions supportive of the proposed design, six respondents contributed minor change suggestions. Most of the supportive respondents agreed to adding PS-2 bicycle symbols to the vehicle lanes to make it very clear that bikes and vehicles need to share the road. For example, “The bicycle symbols in the centre of the Martins Ave westbound travel lane, between Simpson and Ocean Streets North need to be restored.”

“The bicycle symbols in the centre of the Martins Avenue westbound travel lane, between Ocean Street North and Penkivil Street, need to be restored.”

“A bicycle expected sign should be installed below the Left Turn Only sign - for westbound travel entering the separated bike lane.”

Another respondent suggested “...introducing introduce a 30 km/h speed limit to improve cyclist safety and reduce vehicle speeding travelling uphill from Wellington Street up towards Martins Avenue safer.

Another respondent highlighted that Council should “...consider using the gained parking space to create an on-street parking corral for shared bikes, or secure storage for bicycles owned by residents living in apartments.”

Interestingly one commenter who is in favour of the proposed design, suggested that “...Council expanding Residents Parking Area Zone 4 to include Martins Avenue. Alternatively create a new Residents Parking Zone.”

**\*\* Transcript of all comments is available in the Excel spreadsheet.**

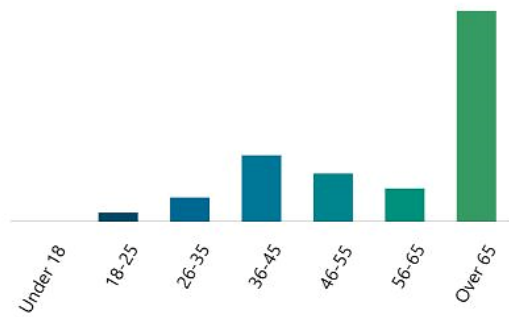
### **Emails**

A small number of emails were received both supportive, - but largely unsupportive, of the proposed design. It is recommended that these be considered along with the quantitative data submitted via the Have Your Say survey. BIKEast and Bicycle NSW sent submissions on the project via email. These organisations were supportive of the proposed changes, while adding specific suggestions for improvements. BIKEast noted that the intersection of Martins Avenue and Ocean Street was a critical part of area's bike route. (See attachments to this report.)

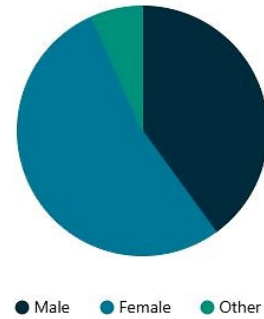
It is recommended that these submissions are considered with this project and forwarded to the project team working on the *Bike Strategy and Action Plan*, for review.

## Respondents and referrers

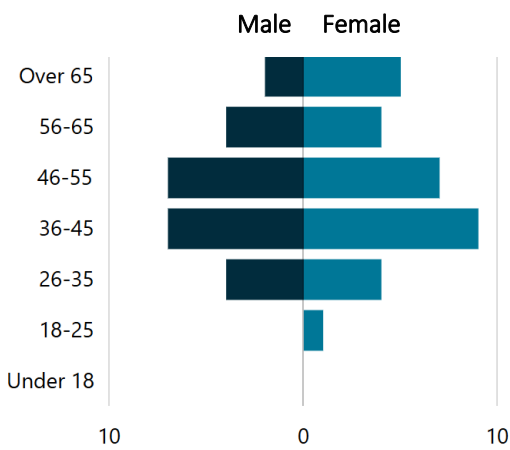
Age groups



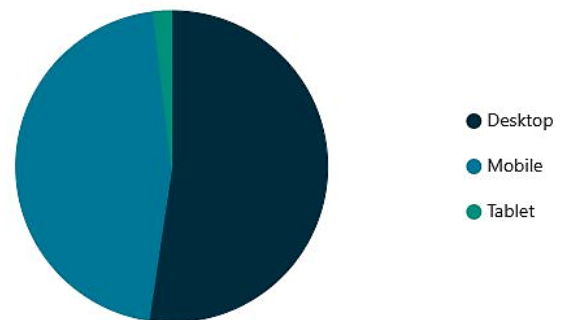
Gender



Member gender by age



Referrers



The data on this page is helpful to know the gender and age breakdowns of respondents. It can also help to inform project discussions and considerations.

Referrer types show what was used to complete the survey directly.

## Social Media

The initial two consultations (Martins Avenue & Ocean Street and Denham & Edward Streets) were grouped and promoted minimally across our channels.

However, the Waverley Weekly feature was the most clicked (245) of the week (15/7/25) and the Facebook post generated much more engagement than an average post.

The sentiment of comments on the Facebook post was negative, generating complaints about other dangerous roads across the Local Government Area (which could potentially be captured as part of the consultation).

In upcoming LATM consultations we will proactively monitor comments, encouraging residents to use HYS to share feedback and pass on queries and comments to the project team as they come up.

## Conclusions and Recommendations

Community feedback indicates that most respondents (77.6%) did not support the proposed design upgrade for Martins Avenue and Ocean Street, with only (22.4%) in favour.

Those opposed raised concerns that the design does not adequately address existing traffic issues and is likely to increase congestion and pressure on local streets. Respondents also highlighted potential reductions in liveability, safety, and amenity, noting that the current plan prioritises vehicle movements over residents' quality of life.

Given the significant proportion of community members opposed to the proposal, it is recommended that Council officers carefully review and respond to both individual and collective concerns, before progressing to detailed design phase.

It is recommended that the Have Your Say web page include a project update when available. There currently 80 followers on the Bondi LATM landing page, indicating a reasonable level of interest in the project.

# Resident Letter



Our ref: A23/0730

**Re: Bondi Local Area Traffic Management Community Consultation –  
Martins Avenue and Ocean Street (intersection)**

Dear resident / business owner

Waverley Council invites you to 'Have Your Say' during the Bondi Local Area Traffic Management (LATM) Community Consultation – Martins Avenue and Ocean Street (intersection). Feedback is open from **7 July to 5 August 2025**.

**Background information**

During 2022, residents in and around Bondi and Bondi Beach were asked to identify issues and concerns regarding traffic safety, parking, pedestrian and bike riding movements. This community consultation resulted in quality feedback that was used in a subsequent Local Area Traffic Study Management study commissioned by the Council.

This study investigated the existing road network and traffic management facilities and provided recommendations - at locations of high concern and need - to improve the road environment for vulnerable road users and manage traffic operations, as well as increase the quality, amenity and safety of community space. In conjunction with this, traffic calming measures in seven locations in and around Bondi were also recommended to the Council for review.

Designs for these seven areas have now been developed, and we invite you to visit the Bondi LATM Have Your Say webpage and give feedback about the proposed design for Martins Avenue and Ocean Street (intersection), one of the key locations identified for Council attention.

**Key concerns in this location include:**

- General safety and movement for pedestrians, bike riders and vehicles
- High volumes of vehicular traffic
- Vehicle speed negotiating the intersection

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**Waverley Council**

PO Box 9, Bondi Junction NSW 1355  
ABN: 12 502 583 608

**Customer Service Centre**

55 Spring Street, Bondi Junction NSW 2022  
**Bondi Pavilion Customer Service (Welcome Centre)**  
Queen Elizabeth Drive, Bondi Beach NSW 2026

**Contact us**

9083 8000  
info@waverley.nsw.gov.au  
waverley.nsw.gov.au

**Connect with us**

f waverleycouncilofficial  
@ waverleycouncil

**Proposed design and traffic calming**

The proposed traffic calming measures and safety upgrade for the Martins Avenue and Ocean Street (intersection) include:

- Removal of existing pedestrian refuge island, kerb ramps and speed hump
- Narrowing travel lanes to slow vehicles and increase safety for pedestrians crossing the intersection
- Construction of a raised intersection treatment
- Modification of traffic flow on Martins Avenue to left only at Ocean Street with a modal filter for bike users to continue west along Martins Avenue. (A modal filter is traffic calming measure that restricts certain types of pass-through movements from vehicles. Typically, it will improve safety and amenity for pedestrians and bike riders.)
- New median and 'No U-turn' sign in Ocean Street
- Three additional street parking spaces on Martins Avenue
- New landscaping and beautification work including garden beds, plants and trees

Visit Have Your Say (<https://haveyoursay.waverley.nsw.gov.au/bondi-latm>) to see the concept design, more details and complete the survey. You can also scan the QR code below. For further enquiries email [latm@waverley.nsw.gov.au](mailto:latm@waverley.nsw.gov.au) or call 9083 8000.

We look forward to your feedback.

Amanda Tipping  
Senior Project Manager  
Infrastructure Services  
Waverley Council

To submit your  
feedback, please scan  
the below QR code.

**Waverley Council**

PO Box 9, Bondi Junction NSW 1355  
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# BONDI LATM

## DENHAM STREET AND EDWARD STREET



# Community Consultation Report

August 2025



WAVERLEY  
COUNCIL

Waverley Council acknowledges the Bidjigal, Birrabirragal and Gadigal people, who traditionally occupied the Sydney Coast, and we pay respect to all Aboriginal and Torres Strait Islander Elders both past and present.

## Contents

Executive Summary.....	2
Project Background.....	2
Community Engagement and Communications .....	3
Engagement – Have Your Say Survey Questions .....	4
Engagement – Have Your Say Survey Results .....	4
Respondents and referrers .....	7
Conclusions and Recommendations .....	8

This report was prepared by Leigh Pitkethly, Engagement Officer

## Executive Summary

Since May 2021 there has been a Council directive to address community concerns regarding traffic and safety around the Bondi, Bondi Beach and North Bondi areas.

As a result of initial planning, preliminary investigations, community consultation, and further technical work completed by GHD, (a professional services company that specializes in engineering, architecture & construction), as well as council staff to workshop possible solutions - seven locations were identified as priorities for traffic calming. This included the intersection of Denham Street and Edward Street.

Therefore, from 7 July – 5 August 2025, residents in Denham Street, Edward Street and surrounds, were invited to comment on a proposed design for this intersection. Thirty submissions were received.

The communication and engagement approach to enlist feedback included resident letters, a Have Your Say (HYS) online survey and emails to HYS subscribers, councillors, relevant precinct representatives and key staff. Communications to promote awareness focussed on social media, electronic newsletters and the Wentworth Courier.

At the close of the consultation a slight majority did not support the upgrade design (53%) and a minority supported the design (43%). Many of those that 'supported' and 'did not support' the design, included major or minor change suggestions which are detailed throughout the report.

Based on the feedback from the community, it is recommended that Council investigate the opposing concerns of residents - to see if any suggestions are viable to implement - while also seeking to consider the comments of those in support of the upgrade.

## Project Background

We want our local streets to be safe and fit for purpose. They need to meet the needs of residents and other users, whether you are a pedestrian, bike rider, public transport user, have a personal vehicle, or drive a service/delivery vehicle.

To help us achieve this goal, the Bondi Local Area Traffic Management (LATM) Project began following a Waverley Council resolution in May 2021.

Some initial planning and preliminary investigations were completed. Then in August 2022, to address broader traffic and pedestrian concerns within Waverley, a community consultation was conducted in November that year.

Residents were asked for feedback on road safety, parking, pedestrian movements and bike riding in the local area.

Around 350 responses were submitted to Council. This valuable feedback then formed part of a subsequent study and treatment report by GHD.

Last year, council staff reviewed and workshopped the traffic calming recommendations by GHD. These workshops refined the proposed treatments, considered how implementing these practically would work, and ensured any changes would align with Council's broader objectives.

Seven locations were identified as priority areas for traffic calming and proposed designs have been completed. Community engagement was identified as the next step.

Engagement in the Bondi LATM will be rolled out in stages - starting July 2025 - and the community has been invited to submit feedback on locations open for consultation during this time.

## Community Engagement and Communications

In accordance with Waverley Council's adapted IAP2 model of engagement, three methods were employed to gather community feedback:

1. Online survey on the *Have Your Say* (HYS) platform
2. Emails to [latm@waverley.nsw.gov.au](mailto:latm@waverley.nsw.gov.au)
3. Resident letters

A multi-communication channel approach was used to reach and encourage residents to participate.

ENGAGEMENT	AUDIENCE	OVERVIEW
<b>Have Your Say Online Survey</b>	250 page views	The engagement method was primarily aimed at directing people to the survey on Have You Say. There were <b>30</b> online completed surveys and <b>250</b> unique visitors to the HYS page. There are 30, page followers.
<b>Emails From Community</b>	22	<b>22</b> emails were received at <a href="mailto:latm@waverley.nsw.gov.au">latm@waverley.nsw.gov.au</a>
COMMUNICATIONS	AUDIENCE	OVERVIEW
<b>Resident Letters</b>	1125	<b>1125</b> non-addressed resident letters were distributed via APA (Advertising Printing Australia) GPS tracking was provided. The letters contained a QR code for the Have Your Say page with <b>125</b> scans in total.
<b>Social Media</b>	Total views 7616	A general Bondi LATM launch campaign was conducted: <b>Facebook Post</b> – Impressions 5797, Engagements 58, Links clicked 50 <b>Instagram Story</b> – Impressions 1819, Engagements 13 and Links clicked 59. Engagements 7
<b>Wentworth Courier</b>	36,000	An article in the Mayor's Message was included in the 16/7/25 edition.
<b>Waverley Weekly</b>	29,878	<b>167</b> unique clicks

\*\* The promotion of the initial two consultations were grouped together and promoted minimally across our channels. However the Waverley Weekly feature was the most clicked feature of the week and the Facebook post generated much more engagement than an average post. The sentiment of comments on the Facebook post was negative, generating complaints about other dangerous roads across the LGA (which could potentially be captured as part of the consultation. In upcoming LATM consultations we will proactively monitor comments, encouraging residents to use HYS to share feedback and pass on queries and comments to the project team as they come up.

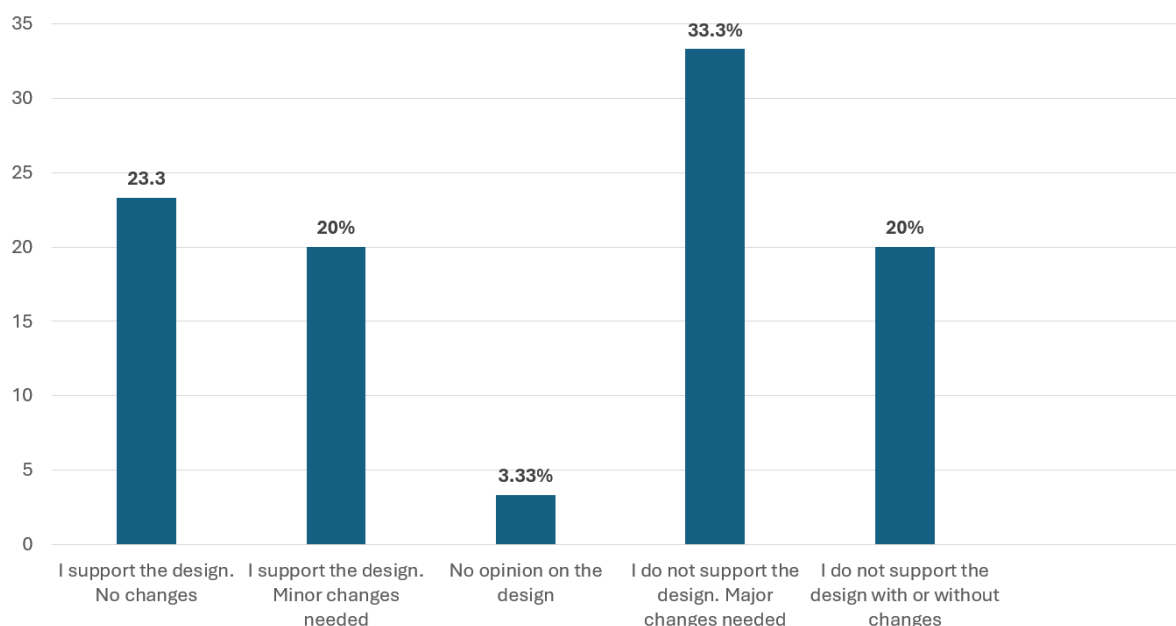
## Engagement – Have Your Say Survey Questions

### 1. Please take a few moments to complete this short survey on the proposed design for Denham Street and Edward Street (intersection). *Required*

- I support the design. No changes
- I support the design. Minor changes needed
- No opinion on the design
- I do not support the design. Major changes needed
- I do not support the design with or without changes

### 2. General comments on the proposed design. *Optional*

## Engagement – Have Your Say Survey Results



53.3% of respondents did not support the design.

- 20% did not support the design either with or without changes
- 33.3% of respondents had major change suggestions.

43.3% of respondents supported the design

- 23.3% of respondents had no change suggestions
- 20% making suggested changes.

3.33% had no opinion on the design

Bondi LATM – Denham and Edward Streets, Community Consultation Report

Page 4 of 11

### Survey respondents NOT SUPPORTIVE of the proposed design

Overall, respondents 'not supportive', said that the proposed design did not address the key issues of concern to the community. They did not support the removal of the pedestrian island, believed that vehicle speeds would not be addressed by the changes, and did not agree with the location of the crossing, which is proposed for Edward Street. Others believed generally that the traffic situation could be made worse.

Some residents thought that the more pressing safety concerns were with Denham Street. For example, *"I can see you propose a new pedestrian crossing on Edward St. However, Edward Street is not an issue. It's the crossing over Denham Street that needs a safer pedestrian pathway."* And *"I don't support the location of the proposed crossing on Edward St. A new crossing is required on Denham St that has good sight lines to oncoming vehicles."* *"These measures do not address the major problem of speed on Denham Street, something that would seriously affect any users of a new cycle."*

Pedestrian safety is a concern and there were mixed views on the removal of the pedestrian island. For example, *"Removing the pedestrian refuge will likely increase the speed at which cars drive down the hill and cut the corner."* And *"It looks like you wish to remove the traffic island, which was the only refuge for our kids, as they were navigating poor visibility and speeding cars on Denham St downhill."* Conversely, another said, *"I support the removal of the existing pedestrian crossing sitting on the bend of Denham St - such a hazard as cars come around the bend and can't see you in time."*

Vehicle speed is a major concern of respondents with some viewing the design as not addressing the speed for example: *"Without the island, how can anyone cross safely. The intersection at the top of the hill should be addressed at the same time."* And *"These measures do not address the major problem of speed on Denham Street, something that would seriously affect any users of a new cycle (path)."* *"Please maintain some form of traffic slowing device on Denham Street heading north down the hill. Removing the pedestrian refuge will likely increase the speed at which cars drive down the hill and cut the corner."*

Parking and cycle lanes /activity were mentioned briefly in these comments: Though not to the extent or with the detail of other concerns. It is recommended that council staff consider the parking and bicycle comments as they also relate to other traffic projects. For example, the *Bike Strategy and Action Plan* and the *Resident Parking Scheme Review*.

### Emails

Most emails to the project email inbox were from people that did not support the proposed traffic upgrade.

The residents of properties from 62 – 70 Denham Street were strongly opposed to the proposed design and submitted their responses to Council through the survey and via individual and collective email feedback documenting their concerns in detail. They also seek to speak with council officers in person.

The residents of 68 Denham Street also reviewed the GHD report, Bondi Local Area Traffic Methodology Study, and provided a review of this as it relates to the proposed changes.

**Survey respondents SUPPORTIVE of the proposed design**

Of the 43.3% submissions supportive of the proposed design, six respondents contributed minor change suggestions.

Interestingly, the majority of these included supportive bicycle /bike considerations. For example, *“Add more PS-2 bicycle symbols to the vehicle lanes to make it very clear that bikes and vehicles need to share the road. The uphill bicycle lane should be widened to make it more comfortable to use.”*

*“The uphill-only bike lane is a major improvement for safety. Encouraging bike riders out of the door zone in the downhill direction and giving them enough space in the uphill direction is very important. Well done.”*

And *“A bicycle symbol should be added to the centre of the Denham St vehicle lane before the Edward St intersection. The bicycle lane and parking lane marking on Denham St should extend to the intersection with Francis St intersection. Council should investigate the possibility of widening the uphill bicycle lane in Denham St. Council should consider creating an on-street parking corral for dockless shared bikes in one of the spaces gained for parking.”*

Another respondent thought that the design offered overall improvement but, *“...it offers no safety for pedestrians crossing Denham St parallel to Edward on the north side of Edward. I have occasionally assisted elderly people cross there and it's hairy - and that is with the pedestrian island.”*

Another commenter considered the aesthetics of the upgrade. *“The proposal will make the intersection much more attractive and improve safety.”*

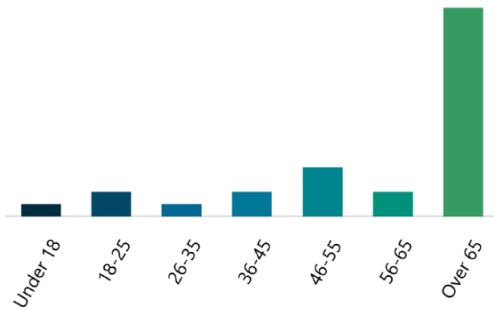
**Emails**

BIKEast and Bicycle NSW also sent submissions on the project via email. These organisations were supportive of the proposed changes, while adding specific suggestions for improvements.

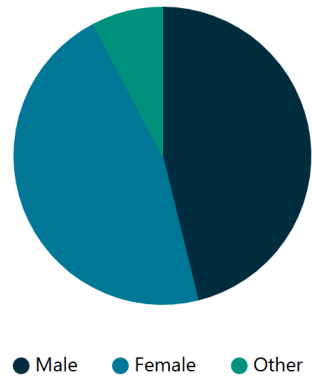
It is recommended that these submissions are considered within this project and forwarded to the project team working on the *Bike Strategy and Action Plan* for review.

## Respondents and referrers

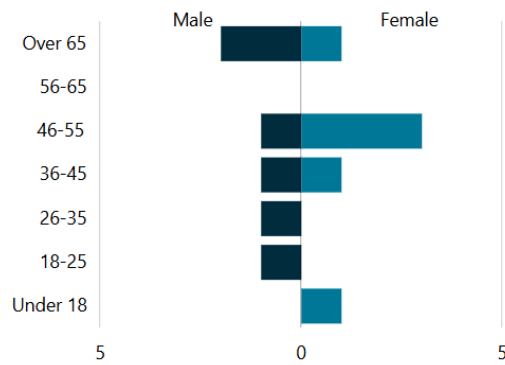
Age groups



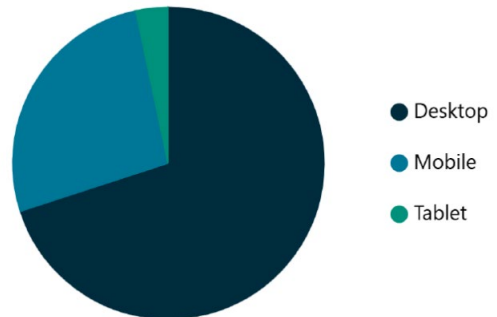
Gender



Member age



Referrers



The data on this page is helpful to know the gender and age breakdowns of respondents. It can also help to inform project discussions and considerations.

Referrer types show what was used to complete the survey directly. In this case a desktop was the primary tool used to access the Have Your Say survey.

## Conclusions and Recommendations

A slight majority of respondents do not support the proposed design upgrade for the Denham and Edward Streets intersection. This is not a large disparity, with **53.3% unsupportive** and, conversely, **43.3% in favour** of the plans

Those that object to the upgrade, cite safety, speed and limitations on the design to achieve the desired outcome. Removing the pedestrian refuge concerned some respondents. Some feedback noted that Denham was the primary street of concern and not Edward Street which incorporates the raised CFT.

Based on community feedback, there is slightly less support for the upgrade than there is agreement with the proposed designs.

It is recommended that Council officers review and consider the individual and collective concerns of locals and prepare a report to council with relevant amendments to the proposed design



Our ref: A23/0730

**Re: Bondi Local Area Traffic Management Community Consultation –  
Denham Street and Edward Street (intersection)**

Dear resident / business owner

Waverley Council invites you to 'Have Your Say' during the Bondi Local Area Traffic Management (LATM) Community Consultation – Denham Street and Edward Street (intersection). Feedback is open from **7 July – 5 August 2025**.

**Background information**

During 2022, residents in and around Bondi and Bondi Beach were asked to identify issues and concerns regarding traffic safety, parking, pedestrian, and bike riding movements. This community consultation resulted in quality feedback that was used in a subsequent LATM study commissioned by the Council.

This study investigated the existing road network and traffic management facilities and provided recommendations - at locations of high concern and need - to improve the road environment for vulnerable road users, manage traffic operations, as well as increase the quality, amenity, and safety of community space. In conjunction with this, traffic calming measures in seven specific locations in and around Bondi were also recommended to the Council for review.

Designs for these seven areas have now been developed, and we invite you to visit the Bondi LATM Have Your Say webpage and give feedback about the proposed design for Denham Street and Edward Street (intersection), one of the key locations identified for Council attention.

**Key concerns in this location:**

- A combination of higher traffic volume and speeds compared to surrounding areas
- Higher fatality and serious injury probability risk (FSI) compared to surrounding areas
- Poor visibility of pedestrians potentially crossing using the median treatment are present
- Poor visibility for the right-hand turn into and turn out of Edward Street

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**Waverley Council**

PO Box 9, Bondi Junction NSW 1355  
ABN: 12 502 583 608

**Customer Service Centre**

55 Spring Street, Bondi Junction NSW 2022  
**Bondi Pavilion Customer Service (Welcome Centre)**  
Queen Elizabeth Drive, Bondi Beach NSW 2026

**Contact us**

9083 8000  
info@waverley.nsw.gov.au  
waverley.nsw.gov.au

**Connect with us**

f waverleycouncilofficial  
@ waverleycouncil

**Proposed design and traffic calming**

The proposed traffic calming measures and safety upgrade for the Denham Street and Edward Street intersection include:

- New continuous footpath on Edward Street (north) and new reinforced concrete footpath
- Narrowing of travel lanes with new line marking to slow traffic speeds
- Removal of existing pedestrian island and kerb islands
- New separated bicycle lane line marking for the intersection
- New landscape and beautification work including rain gardens, planting, and trees
- Two additional street parking spaces.

Visit Have Your Say (<https://haveyoursay.waverley.nsw.gov.au/bondi-latm>) to see the concept design, more details and complete the survey. You can also scan the QR code on this page. For further enquiries email [latm@waverley.nsw.gov.au](mailto:latm@waverley.nsw.gov.au) or call 9083 8000.

We look forward to your feedback.

Amanda Tipping  
Senior Project Manager,  
Infrastructure Services  
Waverley Council

To submit your  
feedback, please scan  
the below QR code.



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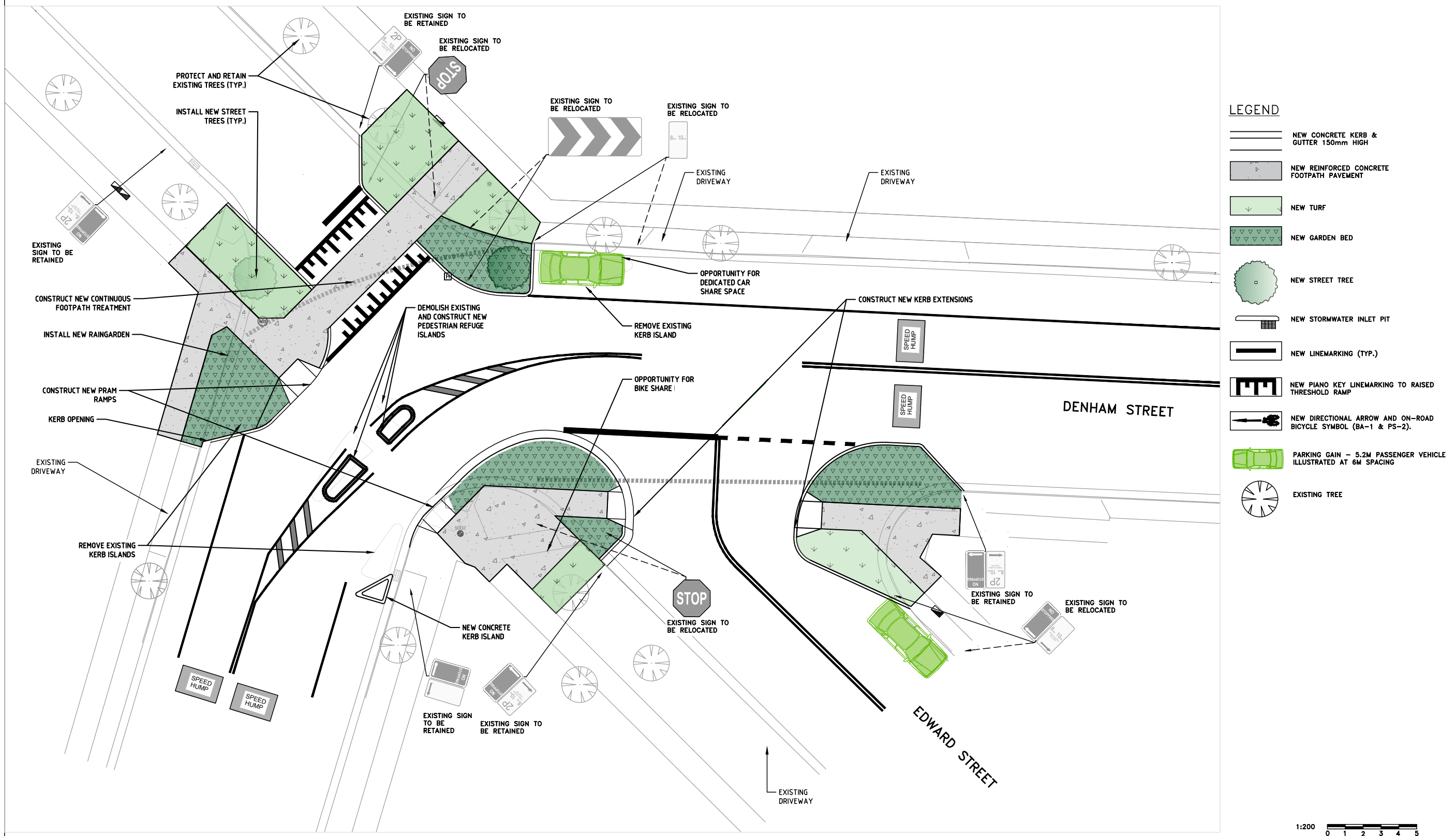
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# DENHAM STREET AT EDWARD STREET, BONDI LOCAL AREA TRAFFIC MANAGEMENT WORKS



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