

**WAVERLEY WARD
BONDI HEIGHTS PRECINCT**

0Waverley Council Response Report to requests from August Bondi Heights Precinct meeting

Meeting Date	Motion	Council Officer Response	Directorate	Status
August 2024	MOTION [202408M2] COUNCIL NEWSLETTER PROMOTES EXPIRED EVENTS – THAT, THE BONDI HEIGHTS PRECINCT RECOMMENDS COUNCIL NEWSLETTERS ARE DELIVERED BEFORE THE PROMOTED ACTIVITIES ARE SCHEDULED TO TAKE PLACE.	Can the Precinct please advise which Newsletter they are referring to? I will inform the Communications team of the error in regard to all printed and mailed communications.	Community, Culture and Customer Service	In progress
	QUESTION TO COUNCIL [202408Q1] UNLAWFUL RIDING ON PEDESTRIAN ONLY FOOTPATHS – WHAT IS COUNCIL GOING TO DO ABOUT UNLAWFUL RIDING ON FOOTPATHS?	Riding on the footpath is enforced by NSW Police under the Road Rules. Council has no jurisdiction on this matter. Some detail below on legislation and what is enforced by Police. Riding on a footpath Generally, bicycle riders must not ride on a footpath. However, children under the age of 16 years can ride on the footpath unless there is a NO BICYCLES sign. Bicycle riders aged 16 years and over must not ride on a footpath unless they are: <ul style="list-style-type: none"> • an adult supervising a child under the age of 16 • accompanying a child under the age of 16 where all children are under the supervision of an adult • a postal worker riding a bicycle in the course of their work duties • a rider carrying a child under 10 as a passenger • a rider with a medical condition who is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath 	Planning, Sustainability and Compliance	Complete

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		<ul style="list-style-type: none"> • a rider accompanying a rider with a medical condition. <p>Additional Information can be sourced under Road Rules 2014</p> <p>250 Riding on a footpath or shared path</p> <p>(1) The rider of a bicycle who is 16 years old or older must not ride on a footpath unless—</p> <p>(a) if the rider is an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath and the child is under the rider’s supervision, or</p> <p>(b) if the rider is not an adult—the rider is accompanying a child under 16 years of age who is riding on the footpath under the supervision of an adult and the rider is also under the supervision of the adult, or</p> <p>(c) the rider is a postal worker who is riding the bicycle in the course of his or her duties as a postal worker, or</p> <p>(d) the rider is carrying a person who is under 10 years old as a passenger on the bicycle or in or on a bicycle trailer towed by the bicycle and the bicycle is not a pedicab.</p> <p>Maximum penalty—20 penalty units.</p> <p>Note 1— <i>Bicycle trailer</i> is defined in rule 257 and <i>footpath</i> and <i>postal worker</i> are defined in the Dictionary.</p> <p>Note 2— Subrule (1) is not uniform with the corresponding subrule in rule 250 of the <i>Australian Road Rules</i>. However, the corresponding subrule in the <i>Australian Road Rules</i> allows another law of this jurisdiction to prohibit a rider of a bicycle who is 12 years old or older from riding on a footpath. Different rules may apply in other Australian jurisdictions.</p> <p>Note 3—</p>		

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		<p>A rider of a bicycle who is under 16 years of age may ride on a footpath unless such a rider is prohibited from doing so under rule 250–1 or rule 252.</p> <p>(1A) A rider of a bicycle does not have to comply with subrule (1) if—</p> <p>(a) the rider is carrying a medical certificate that states a medical practitioner believes the rider should be allowed to ride on the footpath because of a medical condition the rider has, and</p> <p>(b) the rider is complying with any conditions stated in the medical certificate, and</p> <p>(c) no other law of this jurisdiction states that this subrule does not apply.</p> <p>Note—</p> <p><i>Medical certificate</i> and <i>medical practitioner</i> are defined in the Dictionary and <i>medical condition</i> is defined in subrule (3).</p> <p>(1B) Also, a rider of a bicycle does not have to comply with subrule (1) if the rider is accompanying another person who is exempt under subrule (1A).</p> <p>(1C) However, the rider is exempt under subrule (1A) or (1B) only if the rider who is carrying the medical certificate immediately produces the medical certificate when an authorised person asks to see the certificate.</p> <p>Note—</p> <p><i>Authorised person</i> and <i>medical certificate</i> are defined in the Dictionary.</p> <p>(1C–1) A rider is not exempt under subrule (1A) or (1B) if there is a bicycle path or shared path available near the footpath.</p> <p>Note 1—</p> <p><i>Bicycle path</i> is defined in rule 239.</p> <p>Note 2—</p> <p>This subrule is an additional NSW subrule. There is no corresponding subrule in rule 250 of the Australian Road Rules.</p> <p>(2) The rider of a bicycle riding on a footpath or shared path must—</p>		

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		<p>(a) keep to the left of the footpath or shared path unless it is impracticable to do so, and (b) give way to any pedestrian on the footpath or shared path. Maximum penalty—20 penalty units.</p> <p>Note 1— <i>Pedestrian</i> is defined in rule 18, and <i>shared path</i> is defined in rule 242.</p> <p>Note 2— For subrule (2), <i>give way</i> means the rider must slow down and, if necessary, stop to avoid a collision—see the definition in the Dictionary.</p> <p>(3) In this rule— <i>adult</i> means an individual who is 18 years old or older.</p> <p>Note— There is no corresponding definition for this term for the purposes of rule 250 of the <i>Australian Road Rules</i>. The definition is required for the purposes of subrule (1)(a) and (b). <i>footpath</i> does not include a separated footpath. <i>medical condition</i> means a medical condition that makes it impractical or unsafe for a person who has the condition to ride a bicycle on the road.</p> <p>Note— There is no corresponding definition for this term for the purposes of rule 250 of the Australian Road Rules. The definition is required for the purposes of subrule (1A).</p> <p>Note— <i>Separated footpath</i> is defined in rule 239.</p> <p>245–1 NSW rule: riding a bicycle negligently, furiously or recklessly (1) The rider of a bicycle must not ride the bicycle— (a) negligently, or (b) furiously, or</p>		

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		<p>(c) recklessly. Maximum penalty—20 penalty units. (2) An offence against subrule (1) is not a strict liability offence.</p>		
	<p>MISC – <u>eMail received: Parking outside no 10 Ocean Street North , Bondi 2026.</u> The following is an excerpt from an eMail received on this matter and read at the meeting. <i>“As discussed with you over the months, one of the issues we highlighted were the boats and trailer that have not been moved in months. I am once again sending the pictures to you that were taken yesterday, of the same vehicles.</i></p> <p><i>Secondly, I know you sent the issue to another party interested in traffic flow, re the Martin/Ocean intersection where the cars have to accelerate up the hill and turn sharply into Ocean St North. This could result in a serious accident with the cars parking in the street, as they park or leave the space. I do hope the wardens/ the meeting will shed some light on the situation.”</i></p>	<p>Boat and Trailers - Rangers have inspected this street numerous times over the past few years. The vehicles are owned by local residents, the registration on these vehicles are still valid, and they are parked in unrestricted locations.</p> <p>Traffic Flow re: Martin / Ocean Intersection - This location has been identified as an area of concern as part of a recent Local Area Traffic Management Plan consultant study. Council have a few preliminary ideas and treatments for the intersection however more work is required. There is currently no funding for this. As such, it will need to be considered as part of our on-going Capital Works program and prioritised against other locations around the LGA. Council will also continue to explore existing and new grant opportunities.</p>		<p>Complete</p> <p>In progress</p>

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Next meeting: 14 October 2024				