



The image is an aerial perspective of a road safety upgrade project. It shows a multi-lane road with a central green median strip. On either side of the median are parking spaces and a red-paved pedestrian path. Several cars are parked or driving on the road. Pedestrians are walking on the paths. The road is bordered by green trees and a body of water on the left. The overall scene is a detailed rendering of the proposed safety improvements.

# Bronte Cutting Safety Upgrade Consultation Report 2020



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

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## Executive summary

The Bronte Cutting Safety Upgrade was a project outlined in Waverley's People Movement Places (2017) and Bronte Park and Beach Plan of Management (2017). The goal was to improve pedestrian safety and experience of the Coastal Walk and so in 2018 Waverley Council (Council) installed a pilot footpath along the eastern edge of Calga Place, also known as Bronte Cutting.

Before this community consultation Council carried out feasibility studies focused on the path's impact on the environment, maintenance, parking and cost. This round of community consultation focused on a proposed permanent footpath through the Bronte Cutting which would be extended to Macpherson Street.

Council's community consultation period was open between 23 November and 21 December 2020. Overall, 120 people provided feedback via an online form, 16 participated in online meetings, five sent long form submissions, 26 emailed or called the project manager and nine people spoke directly to Council Officers via a door-knocking exercise. Of these 176 people the majority were supportive of the proposed footpath upgrade and extension to Macpherson St. The proposed lighting was raised as the biggest concern particularly by neighbours of the site and in a long form submission, signed by 75 people, presented to Council.

The results of the consultation suggest Council should:

Progress with the permanent footpath through Bronte Cutting and continued to Macpherson St however they should also;

1. Reconsider using the lighting proposed. Either:
  - a. Remove lighting altogether
  - b. Consider low lighting
  - c. Turn lighting on between 5pm-9pm (as Review of Environmental Factors)
2. Include BIKEast requests:
  - a. A 1m gap in the middle of the speed humps for cyclists
  - b. PS-2 bicycle pavement symbols in the centre of the travel lane at regular intervals along the cutting to support safe bicycle travel.
3. Include historical references (subtle) through signage or plaques.

This community consultation was implemented through COVID-19 so the approach and methodology were tailored accordingly.

## Background

Recommended in Waverley's People, Movement and Places (WPMP) and Bronte Park and Beach Plan of Management (Bronte POM), the Bronte Cutting Safety Upgrade goal was to improve pedestrian safety and experience of the Coastal Walk. In 2018, Council installed a pilot footpath on the eastern side of Calga Place, known as Bronte Cutting. Since then, a number of feasibility studies on various path options were completed by external consultants GHD.

The final outcome chosen by Council was to install a permanent footpath. The purpose of this phase of consultation was for the community to provide feedback and to clarify elements of the design.

**Phase 1:** Bronte Cutting Safety Upgrade identified in Bronte POM and Waverley's People, Movement, Places as a priority project

**Phase 2:** Council consulted with the community on four different options

**Phase 3:** Trial footpath installed

**Phase 4:** External consultant completed feasibility studies on other options for the project

**Phase 5:** Footpath endorsed by Council as the preferred option

**Phase 6: Community consultation to clarify/change elements of the design [Current phase]**

**Phase 7:** Council endorses finalised plan into detailed design

**Phase 8:** Construction of permanent footpath

## Engagement approach and methodology

The community consultation was open for feedback 23 November to 21 December. A range of engagement methods were used to maximise the opportunity for community participation. Of particular note was the door knocking of houses on Calga Pl and Bronte Rd.

Council communicated the consultation using a variety of channels all outlined in the engagement methodology below. Stakeholders, including the community, were invited to take part in online Q&A sessions and provide feedback via Have Your Say Waverley.

Objectives for community consultation:

1. Inform the community about the upcoming project, its potential impact on them and ask them to sign up to be included in the consultation
2. Clearly outline the option and why it was chosen as the most viable concept
3. Gather and clarify specific feedback from the community

The engagement process aligned with the International Association of Public Participation (IAP2) model for community engagement, sitting at the 'Consult' level of the spectrum.

Method	Overview	Date	Response
<b>Bronte Cutting Safety Upgrade – Project page on Have Your Say Waverley</b>	Council's 'Have Your Say Waverley' website had a dedicated page for the project at <a href="https://haveyoursay.waverley.nsw.gov.au/bronte-cutting">haveyoursay.waverley.nsw.gov.au/bronte-cutting</a> . It included a feedback for and background documents.	23 Nov — 21 Dec	1.1k total visits 365 informed 351 document downloads
<b>Feedback form on Have Your Say</b>	There were three questions asked using Council's Have Your Say Waverley engagement	As Above	120 participants

<b>Waverley</b>	tool. A quantitative feedback form was provided to encourage detailed comments from the community,		
<b>Flyer drop</b>	One sided DL flyer encouraging participation in the consultation process.	23 November	1800 flyers delivered
<b>Media release</b>	Media release outlined the project including the widening of footpath and extension to Macpherson St.	23 November	1 x article in City Hub 1 x article in the Beast
<b>Social media posts (Facebook)</b>	1 x post announcing project 1 x post during consultation encouraging people to participate 1 x post alerting audience to consultation closing	23 November 7 December 20 December	Reach: 5505 Engagement: 339
<b>Social media posts (Instagram)</b>	1 x post announcing project 1 x post during consultation encouraging people to participate 1 x post alerting audience to closing consultation	23 November 7 December 20 December	Reach: 4730 Engagement: 133
<b>Joint precinct meeting</b>	Promoted via flyers, social posts and e-news. The agenda included a five minute presentation by a Council Officer and 55 min of Q&A. Bronte Beach and Bronte Precinct convenors were invited by Council's Community Liaison Officer.	2 December	10 x community attendees 1 x Councillor
<b>Online info session</b>	Offered to all community members, promoted through socials and Have Your Say Waverley with registration through Eventbrite. This occurred due to COVID-19, we would normally do face to face Have Your Say Day on site.	7 December 6—7pm online zoom session	6 x community attendees
<b>Advertising</b>	Paid content in the form of an article in the Wentworth Courier directing residents to Have Your Say Waverley.	2 Dec 2020 16 Dec 2020	Readership: 144,000+
<b>Waverley Weekly e-newsletter</b>	3 x mentions of the consultation in Waverley Weekly.	26 November	Reach: 1587 Clicks: 8
		3 December	Reach: 1595 Clicks: 1
		17 December	Reach: 1590 Clicks: 1
<b>Have Your Say Waverley engagement newsletter</b>	1 x mention in monthly e-news	1 December	Received: 4142
<b>Door knocking</b>	Council Officers visited 15 residents of Bronte Rd / Calga Pl to discuss the overall design.	9 December	Directly spoke with 9 households. Dropped letters to the remaining 6

## Data overview

<b>Online feedback form</b>	<ul style="list-style-type: none"> <li>• 120 participants provided feedback through the online survey</li> <li>• 59.7% of participants were from Bronte</li> <li>• 56 participants were positive</li> <li>• 25 participants were negative</li> <li>• 20 participants were neutral</li> <li>• 37.5% of comments said they were supportive of the pathway, with many asking for Council to “hurry up” complete this project quickly and “start now”.</li> </ul>
<b>Online information night</b>	<ul style="list-style-type: none"> <li>• 6 participants</li> <li>• Overall they were supportive of the footpath</li> <li>• The main concerns were around the impact of proposed lighting</li> </ul>
<b>Online precinct meeting</b>	<ul style="list-style-type: none"> <li>• 10 attendees</li> <li>• All participants were supportive of the permanent footpath <ul style="list-style-type: none"> <li>○ Two-three participants wanted to see the scope extended to the two sets of stairs starting on Bronte Rd and continuing into Bronte Park.</li> </ul> </li> <li>• The proposed lighting was the most discussed topic. They were concerned about light pollution.</li> </ul>
<b>Long-form submissions</b>	<ul style="list-style-type: none"> <li>• 26 submissions</li> <li>• 34% said they were supportive of the footpath</li> <li>• 61% said they were concerned about the effects of the proposed lighting</li> </ul>
<b>Door knocking - Residents along Calga PI</b>	<ul style="list-style-type: none"> <li>• Council Officers visited 15 homes and spoke directly to nine residents on Bronte Rd whose properties backed onto Calga PI</li> <li>• Eight out of nine were supportive of the proposed permanent footpath</li> <li>• Almost all spoke about the impact of a morning jogging group and the noise they make</li> <li>• At the time of the visit, five were concerned about the impact of the lighting.</li> </ul>
<b>Signed submission against lighting</b>	<ul style="list-style-type: none"> <li>• Signed submission received 21 December</li> <li>• 75 signatures</li> <li>• Not supportive of lighting and documents presented by Council.</li> </ul>

## Detailed results – Feedback form

Hosted on Council's Have Your Say Waverley site, participants were asked to register to be involved and 120 people then provided detailed feedback. The form was open for the length of the consultation and has been separated into key themes.

Participants were provided the summarised explanation of the project before they filled in the feedback form:

To improve pedestrian and vehicle safety and experience, Council is finalising plans to extend and install a permanent footpath through Calga Place, Bronte Cutting and up to Macpherson Street.

Included in the works:

- upgrade existing footpath
- pilot path made into a permanent footpath
- extend footpath to Macpherson Street
- 1 x Bronte Surf Life Saving Club parking spot turned into motorcycle parking to create space for widened path – as agreed by the Club.
- sympathetic lighting installed along path, only to be used from late afternoon to evening.

Participants were asked:

1. Is there anything Council should know or consider if undertaking work on the Bronte Cutting project?
2. Which suburb do you live in?
3. Which option best describes you?
  - a. I live locally
  - b. Bronte Surf Club Member
  - c. I work at Bronte Beach
  - d. I like to visit Bronte Beach
  - e. Other, please specify

Question 1: Is there anything Council should know or consider if undertaking work on the Bronte Cutting project?		
Response sentiment	Percentage of participants	Frequent/most mentioned comments
<b>Positive</b>	46.7%	<ul style="list-style-type: none"> <li>• Start construction now / hurry up</li> <li>• Concern/questions about lighting impacts on the environment (natural and man-made)</li> <li>• Needs space between the speed humps for bicycle riders to fit through (without going over the bump)</li> <li>• Would like to see bicycle symbol on the road</li> </ul>
<b>Negative</b>	20.8%	<ul style="list-style-type: none"> <li>• Although supportive of the current path's footprint, they did not agree that it should be extended up to Macpherson St</li> <li>• Concern about reduced parking</li> <li>• Start construction now / hurry up</li> <li>• Concern about the impact of lighting on the environment (natural and man-made)</li> </ul>
<b>Neutral</b>	16.7%	<ul style="list-style-type: none"> <li>• Start construction now / hurry up</li> <li>• Concern about the impact of lighting on the environment (natural and man-made)</li> </ul>
<b>Mixed</b>	15.8%	<ul style="list-style-type: none"> <li>• Should not be extended up to Macpherson St but supportive of current footprint of the path</li> <li>• Concern about reduced parking</li> </ul>

		<ul style="list-style-type: none"> <li>• Start construction now / hurry up</li> <li>• Supportive of footpath, but raised concern about the impact of lighting on the environment (natural and man-made)</li> </ul>
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Overall each section had similar comments. The majority of participants were supportive of the project and the most frequent comment was to complete the project quickly. Those who did not agree with elements of the project raised still reiterated the theme “hurry up.”

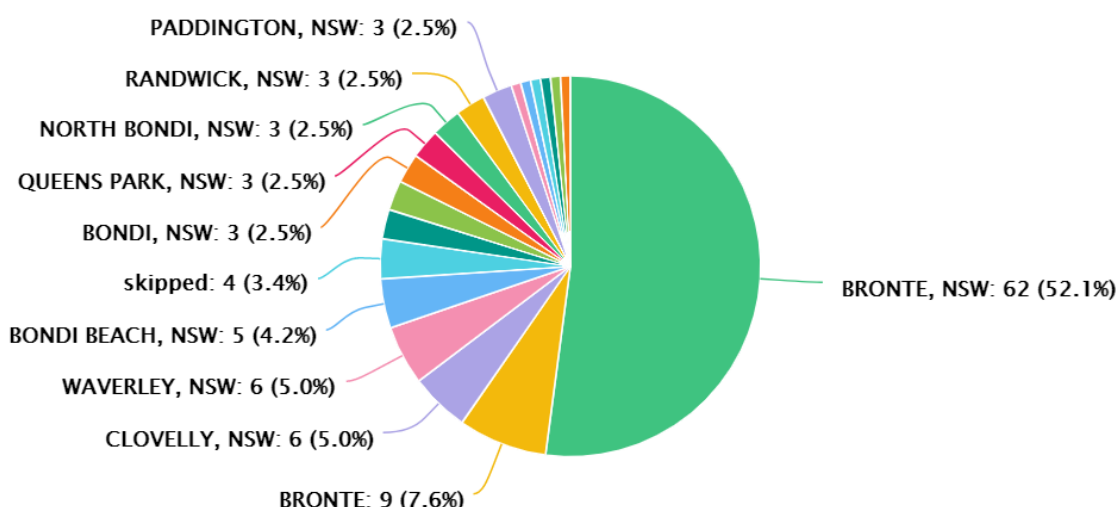
17.5% of participants highlighted the negative effects from the loss of parking. These losses had already occurred in the trial stage of the project. The lighting scheme was raised as an issue across all four sentiments. There were a range of reasons why people thought it should be revised or removed:

1. The effect on the natural environment
2. The effect on night time views
3. There has never been any safety issues
4. It may encourage:
  - a. antisocial behaviour
  - b. using the Cutting at inappropriate times
  - c. access to the rocks at night.

To address these concerns, several participations provided suggestions such as:

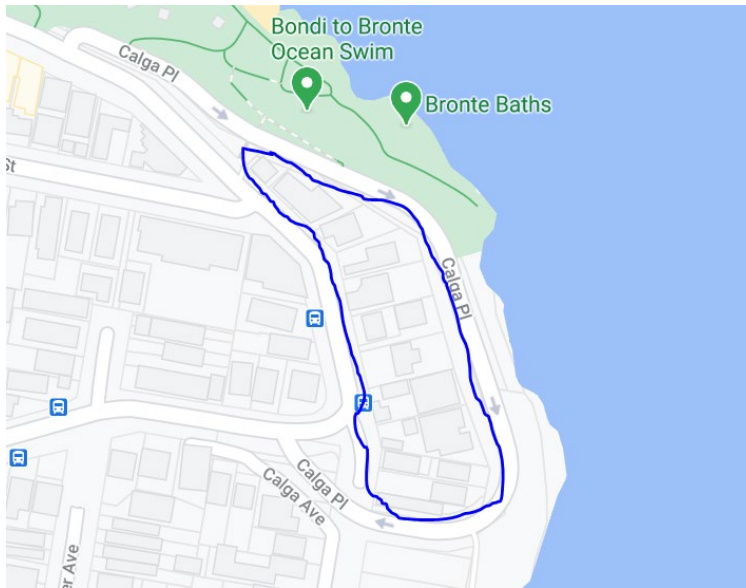
- remove it completely
- include lower lighting
- a combination of the two
- just turning it on for dusk and dawn but turning it off overnight.

Question 2: Which suburb do you live in?	
Top suburb	Percentage of participants
Bronte	59.7%





## Detailed results – Door knocking



Council Officers visited 15 properties at the locations highlighted on Wednesday 9 December 2020. These residences were selected due to their proximity to the site, to ensure they knew about the project and to gather their feedback. Council Officers dropped a letter to each property and spoke with those who were home and available to talk. The letter contained further details on the project, including the Project Manager's direct contact.

Feedback gathered has been summarised below:

### Doorknocking responses from 9 December

#### Residents of Bronte Rd that back on to Calga Pl.

- Eight supported the proposed permanent footpath however, most had major concerns about the proposed lighting. These included:
  - Light pollution and the impact on the night sky and views
  - Encouraging more groups of people exercising making excessive noise.
- At the time of the doorknocking five were concerned about the lighting impacts. However, afterwards one of these households contacted Council to express concerns around the impact of lighting the Cutting,
- Two people wanted to see the scope extended to upgrade the stairs from Bronte Rd to Calga Pl to Bronte Park.
- One asked if Council could better demonstrate how projects in the area are/are not connected.
- One had major concerns and questions about how far the kerb would move toward their back entrance.
- All the residents provided feedback about the impact of morning running groups and one asked if Council could install signage asking people to respect the residents and be silent early in the morning.
- One resident would like traffic calming or a reduction of the speed limit on Calga Pl as had observed motorists just speeding around the existing humps.
- One resident asked for a reduction in signage
- One resident said the footpath was not needed at all

## Stakeholder meetings – Bronte Beach and Bronte Precinct meeting and online information session

The info session and joint precinct meeting were hosted online by Council Officers via Zoom. Both meetings were run in the same format: a short presentation by the Project Manager and then a facilitated Q&A.

Below are the key themes from those meetings.

Meeting	Attendees	Key themes
<b>Joint precinct meeting</b>	10 x community members 1 x Councillor 3 x Council Officers	<ul style="list-style-type: none"> <li>• Supportive of permanent footpath.</li> <li>• Questions around the scope of the project and why the stairs from Bronte Rd, to Calga Pl into the park weren't included.</li> <li>• Lighting: Council's plan for the lighting was widely discussed and opinions were varied. The feedback included: <ul style="list-style-type: none"> <li>○ There should be no lighting – "it is a parking lot".</li> <li>○ Lighting should be responsive to the level of ambient light at the time.</li> <li>○ It should be solar powered.</li> <li>○ Timing: should not be on anytime between 11pm—5am.</li> <li>○ There has not been any serious break-ins or accidents so not sure why lights are needed.</li> </ul> </li> <li>• Highlight heritage items throughout the Cutting and Bronte Village with signage (similar to Marine Park Drive). There is no point protecting the heritage items if the community doesn't know they're there.</li> </ul>
<b>Community info session</b>	6 x community members 2 x Council Officers	<ul style="list-style-type: none"> <li>• Supportive of extending the footpath to Macpherson St and making the path permanent.</li> <li>• Lighting impacts: <ul style="list-style-type: none"> <li>○ It will block the night sky.</li> <li>○ Would be good to dim them at night-time</li> <li>○ Having lights on at night will encourage anti-social behaviour.</li> <li>○ "Scar on shoreline" and unnecessary intrusion</li> <li>○ The quiet and natural elements of Bronte are very important to residents and different to Bondi.</li> <li>○ The new lights may spill into our houses.</li> </ul> </li> </ul>

## Detailed results — Long-form and written submissions

Council received 26 written submissions, five of these were long-form and the others were in the form of emails sent to the project manager during the Bronte Cutting Safety Upgrade consultation. All of the submissions were considered and summarised below, feedback that did not exactly correlate to this project has been passed to the relevant project team within Council and be reviewed and potentiality incorporated in a separate project.

Percentage	Comments
<b>61.5%</b>	Concerned about proposed lighting <ul style="list-style-type: none"> <li>○ 27% were against because of light pollution</li> <li>○ 27% were against due to effect on the heritage area</li> <li>○ 19% of those said if there had to be lights change the plan and make them subtle</li> </ul>
<b>34%</b>	Supportive of the proposed footpath

**Long-form submissions:** One, sent by the Bronte Beach Precinct was extremely similar to a resident submission so have been reviewed/summarised together.

Stakeholder	Comments summarised
<b>Bronte Cutting Anti-Light Group</b>	<ul style="list-style-type: none"> <li>• To install such lighting is inconsistent with Council's own policies, and will give rise to additional problems both for residents and the Council</li> <li>• The areas of Bronte Cutting along Calga Place and Calga Avenue have not been lit by artificial light in the history of their use, and we are aware of no reported incidents or issue in relation to the area being unlit by artificial light.</li> <li>• The proposed lighting, would among other things:               <ul style="list-style-type: none"> <li>○ demonstrate the incompatibility of the Bronte Cutting proposal and the Creative Lighting Strategy requirements in relation to the Coastal Walk;</li> <li>○ disturb the existing land and seascape for visitors, residents, Council and other local users of the area;</li> <li>○ light pollution;</li> <li>○ potential increased night-time foot traffic which may lead to an increase of night-time cliff rescue and recovery requirements, training for the same, night time parties and Council resourcing; and</li> <li>○ over-expenditure on lighting which is unnecessary, inconsistent with Council policy, contrary to resident interest, and inconsistent with neighbouring lighting solutions across the coastal walk and the local government area generally.</li> </ul> </li> <li>• Council's proposal for the installation of lighting, particularly light poles, will derogate from existing Council policy, amenity of the area, and add little or nothing to safety as is outlined in the Proposal.</li> <li>• Council may opt to install no lighting on the coastal walk along the Bronte Cutting, given no lighting has historically been required, and its absence has had no impact upon safety of pedestrians.</li> <li>• The Proposal will not be affected by the absence of lighting, but would maintain the current status quo while still allowing safe passage for pedestrians by converting the Pilot Footpath into a permanent footpath.</li> </ul>
<b>BIKeast</b>	<ul style="list-style-type: none"> <li>• Supports the plan</li> <li>• Would like to see a 1.0m gap in the centre of each of the plastic speed humps along Calga Place. A gap in the centre of the speed hump is preferable to gaps at the sides as this puts cyclists in a safe and visible road position clear of vertical kerbs and parked vehicles.</li> <li>• Recommended placing PS-2 bicycle pavement symbols in the centre of the travel lane at regular intervals along the cutting to support safe bicycle travel.</li> </ul>

	<ul style="list-style-type: none"> <li>Calga Place cutting roadway is an important and safer uphill bicycle route. It is preferred by the general cycling community as an uphill route than the much steeper Bronte Rd below McPherson St which also carries substantial traffic.</li> </ul>
<b>Bronte Beach Precinct</b>	<ul style="list-style-type: none"> <li>The footpath is keeping pedestrians safe</li> <li>The POM has not been mentioned or followed</li> <li>The POM proposed to make safe the stairs accessing Bronte Beach and Pool and the stairs next to 502 Bronte Rd. It needs a new handrail.</li> <li>Northwest side has a heritage wall that needs low scale planting</li> <li>Strongly oppose the proposed lighting in the Cutting</li> </ul>
<b>Local resident</b>	<ul style="list-style-type: none"> <li>Widening the path will negatively impact: <ul style="list-style-type: none"> <li>native bird life and flora</li> <li>parking</li> </ul> </li> <li>Does not support the widening of the footpath between the disabled parking spot and the top of the stairs</li> </ul>

## Conclusion

The consultation outlined community support for the proposed solution to the Bronte Cutting Safety Upgrade. Installing a permanent footpath permanent and to extend it to Macpherson St would align with overall feedback. With this in mind, recommendations have been provided as a summary of the detailed comments provided:

### Recommendations:

4. Reconsider using the lighting proposed. Either:
  - a. Remove lighting altogether
  - b. Consider low lighting
  - c. Turn lighting on between 5pm-9pm (as REF explained)
5. Include BIKEast requests
  - a. A 1m gap in the middle of the speed humps for cyclists
  - b. PS-2 bicycle pavement symbols in the centre of the travel lane at regular intervals along the cutting to support safe bicycle travel.
6. Include historical references (subtle) through signage or plaques.

Waverley Council would like to thank everyone who took the time to consider the project and provide feedback. Please note if the input provided did not correlate to this project it has been passed to the relevant project team.

The next phase of the project, detailed design will be guided by this round of community consultation. This document will be used by Council Officers to recommend changes to the final project.



# Appendix A —Submissions

## Bronte Cutting Anti-Light Group - 75 signature submission

Bronte Cutting Anti-Light Group

PO Box 644  
WAVERLEY NSW 2024

21 December 2020

**Ross McCleod** General  
Manager Waverley City  
Council PO Box 9

**BONDI JUNCTION NSW 1355**

Dear Mr McLeod

### Waverley Council - Bronte Cutting Lighting

On behalf of many residents of Bronte Road, I write to you in relation to the public consultation for the Bronte Cutting Safety Upgrade Proposal (**Proposal**). The Proposal seeks to address perceived safety concerns of pedestrians on the Bronte Cutting by way of lighting installation.

While residents welcome the concept of a footpath, those living in and around the area are concerned by the Council's proposed lighting component of the Proposal. The concerns primarily relate to the detriment anticipated by the lighting to be installed in the Bronte Cutting.

#### 1. Executive Summary

- 1.1 Noting the Council's 21 December 2020 deadline for submissions, for the sake of expediency we have set out our concerns in the following executive summary. A more detailed explanation of those concerns, and our reasoning, follows in the body of this submission.
- 1.2 We understand the Council has proposed that tall light posts of approximately 4m to 5m in height are proposed to line the Bronte Cutting. The Proposal to install such lighting is inconsistent with Council's own policies, and will give rise to additional problems both for residents and the Council.
- 1.3 The areas of Bronte Cutting along Calga Place and Calga Avenue have not been lit by artificial light in the history of their use, and we are aware of no reported incidents or issue in relation to the area being unlit by artificial light.
- 1.4 The lighting element of the Proposal, if accepted, would give rise *inter alia* to:
  - (a) incompatibility of the Bronte Cutting proposal and the Creative Lighting Strategy requirements in relation to the Coastal Walk;
  - (b) disturbance of the existing land and seascape for visitors, residents, Council and other local users of the area;

- (c) light pollution;
- (d) potential increased night-time foot traffic which may lead to an increase of night-time cliff rescue and recovery requirements, training for the same, night time parties and Council resourcing; and
- (e) over-expenditure on lighting which is unnecessary, inconsistent with Council policy, contrary to resident interest, and inconsistent with neighbouring lighting solutions across the coastal walk and the local government area generally.

**1.5 It is our submission that:**

- (a) On this issue, we submit that Council's proposal for the installation of lighting, particularly light poles, will derogate from existing Council policy, amenity of the area, and add little or nothing to safety as is outlined in the Proposal.
- (b) Council may opt to install no lighting on the coastal walk along the Bronte Cutting, given no lighting has historically been required, and its absence has had no impact upon safety of pedestrians.
- (c) The Proposal will not be affected by the absence of lighting, but would maintain the current status quo while still allowing safe passage for pedestrians by converting the Pilot Footpath into a permanent footpath.

**2. Waverley City Council *Creative Lighting Strategy***

**Coastal Walk**

- 2.3 The Strategy outlines specific requirements for lighting along the Coastal Walk, particularly with respect to the tier of lighting that would be appropriate. The requirements stipulate:

*'Due to the environmental considerations and desired night time atmosphere **Tier 1 lighting elements including pole lighting applications are not suitable for the Coastal Walk.**'<sup>4</sup>*

**Bronte Cutting Proposal**

- 2.4 According to the Proposal's own Review of Environmental Factors, any proposed lighting for the Bronte Cutting will:

*'have a similar specification to what is set out in the Waverley Creative Lighting Strategy and would alter the aesthetic signification of the area through the contemporary addition of lighting elements'.<sup>5</sup>*

- 2.5 The Proposal's Review of Environmental Factors also contemplates the Construction Environmental Management Plan (**CEMP**). Under the CEMP, Council must ensure that:

*'Design and materials of service components such as poles, signage and lighting will contribute positively to the visual amenity of the proposal site'.<sup>6</sup>*

- 2.6 As outlined further below, the Proposal to install pole lights of 4m (or of any type) is internally inconsistent with Council's own Strategy, and the CEMP.
- 2.7 We have also considered the Gutteridge Haskins Davey (**GHD**) report entitled *Review of Environmental Factors*, which sets out that the proposed lighting:

*'would have a similar specification to what is set out in the Waverley Creative Lighting Strategy and would alter the aesthetic signification of the area through the contemporary addition of lighting elements'.<sup>7</sup>*

- 2.8 However, the Bronte Cutting project proposes 'lighting poles' as the central component of the lighting for the Calga Avenue area. The Strategy clearly classifies lighting poles as 'Tier 1' lighting. They are inconsistent with the specific Coastal Walk lighting guidelines provided for in the Strategy and as outlined above.<sup>8</sup>

The proposed height of the lighting poles has also been raised with regard to the heritage of the area, the Advisian report included in the *Review of Environmental Factors* rates the addition of freestanding lighting poles as having a *'moderate negative impact on the physical elements of the LCAs and alter the aesthetic significance of the area through the contemporary addition of lighting elements'.<sup>9</sup>* Concluding that this option *'would have negative impacts on the elements of the LCA that are graded as having high to exceptional heritage value'.<sup>10</sup>* This conclusion makes it clear that the stated purpose of both the Bronte Cutting project and the Strategy are not achieved through the use of lighting poles.

2.9

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<sup>4</sup> *Creative Lighting Strategy*, Waverley City Council, page 17. (emphasis added)

<sup>5</sup> *Review of Environmental Factors*, Waverley City Council, [7.7.3], 52.

<sup>6</sup> *Ibid*, 53 & 62.

<sup>7</sup> *Review of Environmental Factors*, Waverley City Council, [7.7.3], 52.

<sup>8</sup> *Strategy* pg 17.

<sup>9</sup> *Ibid*, Advisian 26

### **3. Discrepancies between Council documents**

- 3.1 In addition to the points above, we consider Council may benefit from our observations in relation to certain other discrepancies amongst the documents tendered for the Proposal. Those are, *inter alia*:

(a) Height of proposed lighting fixtures

- (i) The exact lighting proposal for the Bronte Cutting area is not clear in the documents made publicly available by the Council as part of the public consultation.
- (ii) The proposed height of the lights is inconsistent between documents, with the height varying between four metres, as listed in the Lighting Fact Sheet,<sup>11</sup> and five metres, as provided in the Bronte Cutting Safety Upgrade Review of Environmental Factors.<sup>12</sup>
- (iii) The various Council documents describe the proposed lighting fixtures as either 'LED

pole lighting'<sup>13</sup> or 'pedestrian lighting poles'.<sup>14</sup>

(b) Duration of light operation

- (i) Another discrepancy that is apparent between the documents made publicly available is the proposed duration for which the lights will be activated on a daily basis.
- (ii) The *Review of Environmental Factors* provides that the project will '*provide light to an area that is currently unlit in the late afternoon to evening. The new LED pole lighting will be operational between the hours 5:30pm to 9pm daily*'.<sup>15</sup>
- (iii) However, the *Lighting Fact Sheet* provides that *we are proposing lighting to be automatically activated at dusk and de-activated at dawn*'. With it being specifically noted that '*this is particularly important to the Coastal Walk where higher lighting levels may be required at peak hours of use in the early morning and early evening but may not be required to the same level for the other hours of the night*'.
- (iv) The information provided in the *Lighting Fact Sheet* would appear to indicate that the lights will remain on at some level throughout the night up until dawn, not 9pm as stated in the *Review of Environmental Factors*.
- (v) Further, if the operation of the lights were to be throughout the night as stated in the *Lighting Fact Sheet*, then it would appear that there would be environmental impacts that have not adequately been considered, as the *Review of Environmental Factors* evaluated the proposal on the basis of the lighting ceasing at 9pm.<sup>16</sup>

#### 4. Legal requirements regarding lighting

- 4.1 The *Bronte Cutting Safety Upgrade project- Lighting Fact Sheet* includes the question 'is there a legal requirement to implement lighting along Calga Place?'.<sup>17</sup> However, it should be noted that this is the only question from the index that is not answered in the document.
- 4.2 There is a further reference made to 'legal requirements' in the *Advisian Report* which forms part of the *Review of Environmental Factors*. The report traverses a series of options regarding the Bronte Cutting proposal, including 'Option 3 - Do nothing'. In consideration of Option 3, the report provides limited consideration, only noting the following:
  - (a) It should be noted that in relation to Option 3, it appears no reasonable consideration is given to the definition of 'safe access'. As addressed in the Proposal, the safety concern regards pedestrians sharing a walking space with motor vehicles. While we appreciate Council considers lighting contributes to this it is unclear if the '*responsibility to provide safe pedestrian access*' that is referred to only applies to the creation of a footpath or alternatively a shared zone in the Bronte Cutting area or whether it further includes the lighting proposals.
- 4.3 The limited references made to 'responsibility' and 'legal requirement' are not elaborated on in any sufficient detail in any of the publicly available documentation on this proposal. We understand that Council has suggested that it had obligations under the *Civil Liability Act 2002 (NSW) (CLA)* in relation to lighting, and that Australian Standards applied to lighting in order to meet those obligations.
- 4.4 With respect, neither the CLA nor the Australian Standards as to lighting require Council to install lights in the Bronte Cutting, let alone lights greater than low-level LED or bollard lighting. It is settled



law in New South Wales that the CLA is a statute enacted to give statutory effect to common law rules of negligence. Council will also be aware that the CLA affords statutory authorities such as Council a defence under section 42 and 43 of the CLA. The CLA modifies the common law position on liability in negligence, and the Australian Standard but does not impose any obligations on Council to install pole lighting at the Bronte Cutting.

- 4.5 To the extent Council is concerned by civil liability matters, we note that safety statistics in the area suggest that the Bronte Cutting is substantially safe and that, if anything, the inclusion of a footpath would obviate the perceived risk of pedestrians sharing the road with cars. However, there is no circumstance of which we are aware which would suggest that the installation of a footpath would require lighting, let alone pole lighting.

<sup>10</sup> Ibid Advisian 8

<sup>11</sup> *Bronte Cutting Safety Upgrade project- Lighting Fact Sheet*, Waverley City Council. page 2.

<sup>12</sup> *Bronte Cutting Safety Upgrade - Review of Environmental Factors*, GHD page 9.

<sup>13</sup> *GHD Report for Waverley Council - Bronte Cutting Safety Upgrade* pg 9

<sup>14</sup> *Lighting Fact Sheet* pg 2.

<sup>15</sup> *Review of Environmental Factors*, Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Index lighting fact sheet

## Submission

- 4.6 As outlined at the outset, it is our submission that:

- (a) the Council abandon the lighting component of the Bronte Cutting Proposal, given the unnecessary and cost of the installation, coupled with the currently satisfactory natural lighting along the Bronte Cutting;
- (b) in the alternative, the Council adjust the lighting component of the Bronte Cutting project such that it is consistent with the principles laid out in the *Creative Lighting Strategy*, through the use of low-impact ground LED lighting or bollard lighting, as proposed at 3.3.2 on page 25 of the GHD Report for Waverley Council.
- (c) it is Council's charter to manage the interest of the residents within the municipality. There is no evidence within Council's proposal that residents have stipulated the requirement that Bronte Cutting should have lighting.

- 4.7 If Council is unable to determine the Proposal based on the information to hand, we invite Council reopen their public consultation period to allow for public consideration of consistent plans. This option would be highly appropriate having regard to the number of discrepancies in the various documents the Council has provided as part of the public consultation. The updated documents for public consultation should include a remedy to the following inconsistencies that have been identified:

- (a) further detail on the environmental impact of the lighting proposal, providing a specific focus on the impact on local flora and fauna;
- (b) explanation of the relevant legal obligations the Council determines they have in relation to the provision of lighting in this proposal;

- 4.8 Our main argument is that the instalment of lighting in the Bronte Cutting will attract the public at night for the reason to party which will provide added security issues for Council.
- 4.9 With respect to the above, we note that these are preliminary submissions in relation to the lighting proposal at Bronte Cutting. We reserve the right to add or amend to this proposal, as well as to provide further commentary or answer any queries in response to the above submission.

If you would like to discuss any of the above, please do not hesitate to contact us by return email.

Yours faithfully

**Bronte Cutting Anti-Light Group**

A handwritten signature in black ink, appearing to read 'Per Georgina Suttor'. The signature is stylized with loops and is positioned above the printed name.

Per Georgina Suttor



Representing the community's interests in getting around  
on bikes in Sydney's eastern suburbs

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## Waverley Council - Bronte Cutting Safety Upgrade

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20 December 2020

General Manager  
Waverley Council  
PO Box 9  
Bondi Junction NSW 1355  
[info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)

BIKEast Incorporated  
[www.bikeast.org.au](http://www.bikeast.org.au)  
[contact@bikeast.org.au](mailto:contact@bikeast.org.au)

BIKEast is pleased to make a submission on the Bronte Cutting Upgrade project: [Bronte Cutting Upgrade Proposed Concept Design](#)

We strongly support the proposed concept design and believe that it will improve the safety and amenity of the cutting for pedestrians and motor vehicles. This proposal is consistent with NSW and Local Government strategies to realise the considerable individual and public benefits of increasing the mode share of active travel (walking or cycling).

In supporting this proposal BIKEast submits the following additional comments regarding uphill bicycle use in the cutting:

- In order to ensure adequate cyclist safety on this popular uphill bicycle route, we recommend that Council provide a 1.0m gap in the centre of each of the plastic speed humps along Calga Place. The current speed humps are provided to reduce car speeds, however these humps can be destabilising for cyclists who are travelling uphill at very slow speeds of between 8 and 15km/h. A gap in the centre of the speed hump is preferable to gaps at the sides as this puts cyclists in a safe and visible road position clear of vertical kerbs and parked vehicles.
- We recommend the placement of PS-2 bicycle pavement symbols in the centre of the travel lane at regular intervals along the cutting to support safe bicycle travel.

The Calga Place cutting roadway is an important and safer uphill bicycle route. It is preferred by the general cycling community as an uphill route than the much steeper Bronte Rd below McPherson St which also carries substantial traffic.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Anish Bhasin".

**Anish Bhasin**  
Advocacy Coordinator - Waverley

## Bronte Beach Precinct – Submission

### BRONTE BEACH PRECINCT

Attention Emily Scott  
Director Waverley Renewal  
Waverley Council  
Bondi Junction  
December 21<sup>st</sup>.

Dear Emily, Re. The Cutting

First the Bronte Beach Precinct would like to acknowledge the new pedestrian walkway on the eastern side of The Cutting. It is keeping pedestrians safe and out of the path of vehicles and is a safe and practical option for providing access to and from The Cutting. However, it appears making this access walkway permanent has not been proposed by the consultants.

It further appears that the Bronte Beach and Park Plan of Management (POM) finalized and agreed upon in 2017 has not been considered in the consultants' report. This is the working document that should be followed by the consultants. There is little point having the POM if it is not being considered and followed.

The POM proposes to make safe the stairs accessing Bronte Beach and Pool. These include the stairs from The Cutting on the western side adjacent to the most northern house on The Cutting at 502 Bronte Rd. This is not covered in the consultants' report. A new handrail here would be appropriate as no handrail currently exists. And this has been proposed in the POM.

In addition the bank on the northwestern side supported by a heritage listed wall could be improved by low scale planting of local indigenous plants to attract birds to that area and improve its presentation to the street and Cutting.

The proposal to install lighting in The Cutting is strongly opposed as it will create a precedent for the rest of the Coastal Walk, it involves greater use of energy at a time when we are trying to reduce energy consumption, it is not needed, it will considerably impact on those living down at The Cutting and it will disrupt the fauna living down there which are impacted by Lighting. And it is not a recommendation in the POM.

For all of the above reasons, the consultants' recommendations should be rejected and the recommendations of the POM should be responded to and followed as the overarching document for any works to be undertaken in this area.

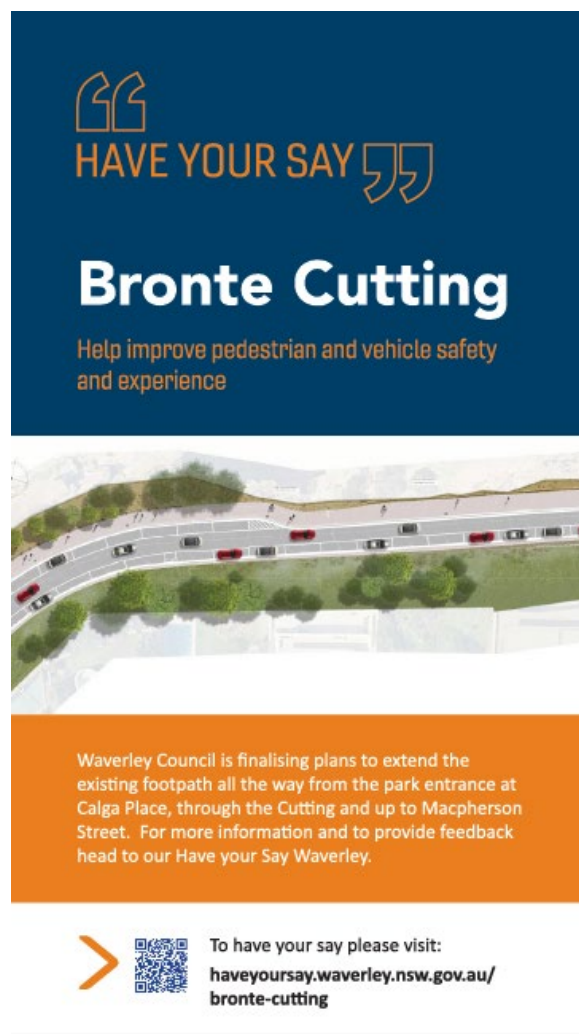
Thankyou for the opportunity,

With kind regards

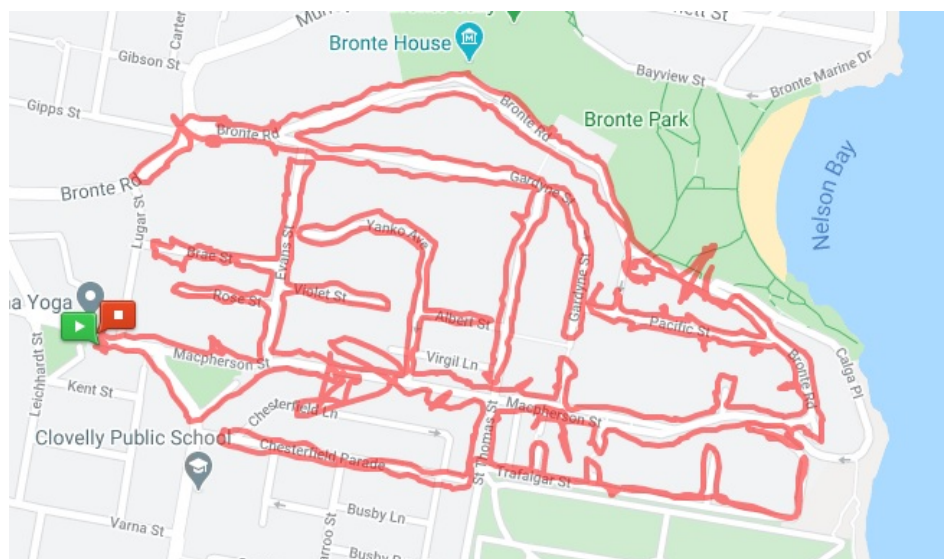
Virginia Milson  
For Bronte Beach Precinct



## Appendix B – Flyer distributed to local residents



## Appendix C – Flyer distribution map



# Appendix D – Print advertising Wentworth Courier the Beast, City Hub

## Have Your Say

Interested in having your voice heard on Council projects? Head to [haveyoursay.waverley.nsw.gov.au](https://haveyoursay.waverley.nsw.gov.au) to see the list of projects seeking your feedback. We also provide project updates and show how your feedback informs the final decisions made.

Projects on consultation:

- Draft Community Engagement Policy and Strategy
- Bondi Story Room and community radio station in Bondi Pavilion
- Housing Committee Expression of Interest
- Draft Local Character Statements
- Bronte Cutting Safety Upgrade

## Have Your Say

### Bronte Cutting

To improve pedestrian and vehicle safety and experience, Council is finalising plans to extend and install a permanent footpath through Calga Place, Bronte Cutting and up to Macpherson Street.

Let us know your feedback by 21 December. You can also register on the website to attend an online information session on 7 December at 6pm.

## Bronte Cutting upgrades



The Bronte Cutting before the temporary walkway was added in 2008. Photo: Waverley Council

By ALLISON HOPE

Upgrades have been proposed to improve pedestrian safety along a historic town cutting which makes up part of the popular Beach to Bronte coastal walk.

Waverley Council are finalising plans to replace the temporary walkway along a 500 meter stretch of the Cutting where pedestrians would typically have to walk out on a road shared with vehicles accessing beach parking. Improving pedestrian access along the road is significant, as over one million people use the Coastal Walk from Bronte to Bondi every year and as many as 500 people per hour use this section of the walkway during peak periods, according to council estimates.

"The popularity and the flow of traffic through this narrow section of road has given rise to safety concerns for those using it and a permanent footpath is the most appropriate solution," Waverley Mayor, Paula Moscoso, said.

The decision to proceed with construction of permanent path comes at the conclusion of a two-year pilot period of a temporary walkway. The trial involved replacing the 21 car parking spaces, and some parking meters, on one side of the Cutting with a pedestrian walkway.

While there have been no recorded cases of crashes between vehicles and pedestrians in the last two years, Waverley Council said pedestrians having to contend with open car doors and cars trying to parallel park along the narrow road decreases the amenity of the road.

Council says the new walkway will increase safety for both pedestrians and motorists.

Upgrades will include replacing the pilot footpath with a permanent one, extending the footpath to Macpherson street and installing lighting along Calga

Place. Existing footpaths on Calga Place to the north of the cutting will also be widened.

### TROUBLED ROAD

The Cutting was built in 1910 to provide access for the train line to Bronte which opened in 1911. The sandstone walls were put up a few years later to stop beach sand from blowing up onto the train lines. Trains along the line were decommissioned in 1960 and were replaced with a bus service.

The busway cutting is now used as a long, narrow car park for Bronte Beach. Since the council acquired the Bronte Cutting car park from the surf club saving club it has proved troublesome to the council.

From failed attempts to monetise the carpark with automatic boom gates to numerous council rangers refused to fine people parking illegally due to the workspace health and safety risks posed by the lack of footpaths, the pedestrian safety concerns for leisure walkers was just one issue the historic thoroughfare has faced.

**"You wouldn't want to fall through someone's windscreen"**

Motorists and pedestrians aren't the only people making use of the Cutting. Some rock climbers note the spot is excellent for bouldering, with popular rock climbing and bouldering websites, The Crag, recommending the spot as "best avoided when the parking lot is full, as you wouldn't want to fall through someone's windscreen."

People who wish to have their say on the upgrades can register for an online info session through the Waverley Council's website. The consultation period will run through until December the 21st.

## Appendix E – Facebook post



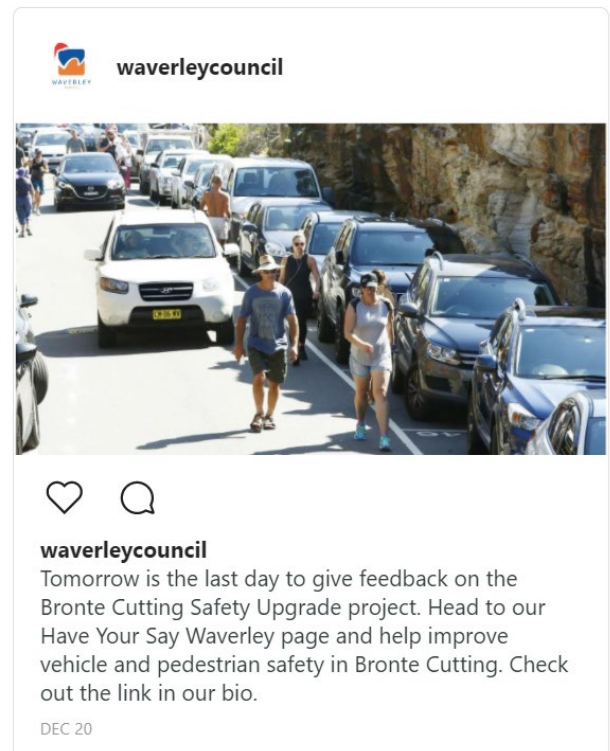
Safety first 🚧

Council is working on improving pedestrian and vehicle safety at Bronte Cutting. To give feedback on this project, head to our Have Your Say Waverley page: [haveyoursay.waverley.nsw.gov.au](http://haveyoursay.waverley.nsw.gov.au)





## Appendix F – Instagram posts



## Appendix G – e-newsletters



### Bronte Cutting Safety Upgrade

To improve pedestrian and vehicle safety and experience, Council is finalising plans to extend and install a permanent footpath through Calga Place, Bronte Cutting and up to Macpherson Street.

For your opportunity to give feedback, please visit [haveyoursay.waverley.com.au/bronte-cutting](https://haveyoursay.waverley.com.au/bronte-cutting)

Other projects open for feedback:

- [Draft Community Engagement Policy and St](#)
- [Bronte Cutting Footpath Upgrade](#)
- [Pick Up/Drop Off \(PUDO\) Bays](#)
- [Draft Local Character Statements](#)
- [Bronte House Intention to Lease](#)

- We're finalising plans to extend and install a permanent footpath through [Bronte Cutting](#) to improve pedestrian and vehicle safety and user experience. Let us know what we need to consider before undertaking this work. You can also attend our info session on Monday 7 December, [register here](#). Submissions close 21 December.