



27 March 2019

Ref No: F2005/00497

Dear Clovelly Precinct

Clovelly Precinct Meeting 4 March 2019

Thank you for the minutes of the Clovelly Precinct, 4 March 2019. The Council notes the contents of these minutes and I am able to provide you with the following information in response to resolutions of the meeting.

Resolution 04032019(2): *The precinct thanks Council for its response and appreciates the advice given in regards to this matter. We understand Council in its capacity can't do much to help us. Can you advise where do we go from here to get the regulatory change we are after for short-term tenants. There are limitations to the legislation that allow the owner to avoid any repercussions from the occupants' behaviour. Are there any other mechanisms apart from the police and changing legislation that can be used to address this behaviour at council or state level?*

The noise regulations that Council administer under the Protection of the Environment Operations Act 1997 are the State's environmental protection laws. Part of these laws are aimed at controlling "pollution" (including noise pollution). Pollution control in this context are processes, including regulation, that limit or prevent the emission of 'substances' that are harmful to human health and the environment. There is no doubt that certain types of human activities are responsible for pollution which, in particular circumstances, can attract criminal sanctions (e.g. a company or business through an act or omission pollutes a waterway or a person who uses power tools or music equipment outside of permitted hours after being directed not to). These laws do not, however, regulate human behaviour that society considers anti-social, offensive or just inconsiderate.

An option available to affected residents is to contact the Community Justice Centre (CJC). The CJC provide a mediation service for neighbour disputes including disputes regarding noise. The CJC can be contacted on 1800 990 777 or for further information about their disputes resolution services visit: <http://www.cjc.justice.nsw.gov.au>

Another option, as advised in previous correspondence to the Precinct Committee, is the availability of a Local Court process whereby residents can seek a "Noise abatement order". However, prior to doing so, residents are advised to seek advice from a legal practitioner in NSW Environmental Law as the Court may award costs against any party to noise abatement order proceedings.

There may be other legal remedies available to residents that Council officers are not aware of and in this regard residents should seek their own legal advice in respect to addressing these matters.

Resolution 04032019(3): *Could council look into having lifeguards attend Gordons Bay on public holidays and for appropriate amenities/shelter for the lifeguards.*

Randwick City Council has 29 kilometres of coastline, used by a wide range of people including recreational swimmers, nippers, board riders, rock-fisherman and numerous clubs. Given the vast area of coastline, there is a limit to the number of locations it is possible for Council lifeguards to patrol. As a result, Council has understandably decided to patrol the beaches and bays where there is the greatest usage by the public – Maroubra and Coogee Beaches year round, and Clovelly during the summer season. These areas not only have the greatest attendance, but they also represent locations where beach safety can be best managed for the protection of all beach goers. These locations are well advertised, so the public can make an informed decision about where they choose to visit along the Randwick coastline.

Gordons Bay, while popular at certain times of the year, attracts far less attendance than other unpatrolled beaches such as Malabar and Little Bay. Based purely on the usage of those sections of our coastline, Malabar and Little Bay would demand a lifeguard presence ahead of Gordons Bay. That said, Randwick City Council currently has no plans to change the nominated areas that are patrolled.

Resolution 04032019(4): *Could council ensure that concrete support for manhole covers are restored and black bitumen removed when NBN is installed. We've noticed they are replaced with black bitumen in Boundary St, Keith St, Clovelly Rd, Bernie St, Ellen Ave and Surfside Ave when the manholes are excavated.*

Council understands that the bitumen surrounds are a temporary restoration and that the pavements will be restored permanently to match the surrounding surfaces.

Resolution 04032019(5): *A resident has noticed the green electronic bikes on footpaths in the local area. Could council please advise what are the legalities of leaving bikes on footpaths?*

Council is committed to working with bike share operators to establish fair use of public space that maximises transportation options and the health and wellbeing of residents and visitors. We continue to work with NSW Government, neighbouring councils and the bike share operators to encourage respectful and lawful behaviour by users.

The Office of Local Government website has information about recent developments regarding legislation: <https://www.olg.nsw.gov.au/sharebikes>

In essence, share bikes are not to be left in a public place in a way that causes an obstruction or safety risk. The rules are summarised in the attached.

Here is a direct link to the Impounding Amendment (Shared Bicycles and Other Devices) Act: <https://www.legislation.nsw.gov.au/acts/2018-51.pdf>

Further information on Council's approach and the guidelines for operators are on our website: <http://www.randwick.nsw.gov.au/services/transport/bicycles/bike-share>

Resolution 04032019(6): *The Precinct thanks Council for the maintenance it has carried out on the northern side of Waverley Cemetery and the excellent job in keeping this area of Boundary Street clean and mowed.*

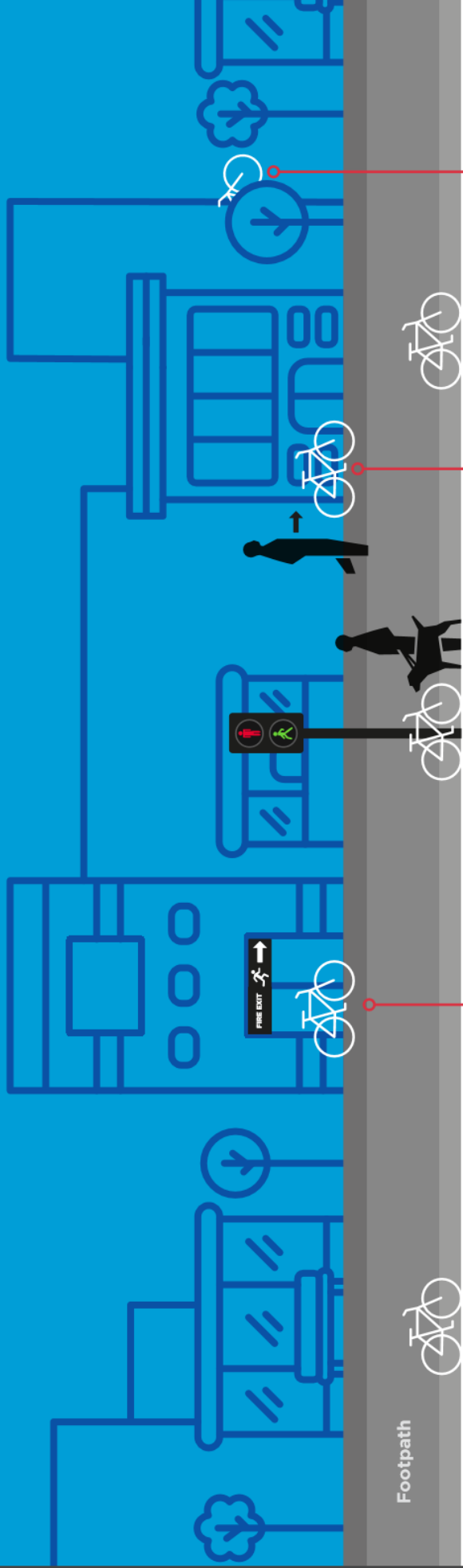
The Precinct's comments have been forwarded to Council's City Services team. Thank you for the feedback!

Yours sincerely,



Amanda Mather
Community Consultation Officer
Amanda.mather@randwick.nsw.gov.au

New rules for share bikes



Footpath

Share bike safely parked,
less than 7 days

No action

Obstruction / Safety Risk

Council or other public land manager impounds OR

Council or other public land manager moves OR

Operator given 3 hours to move bike

If not moved, bike is taken to be abandoned – operator fined

Maximum fine \$500 per bike

Maximum court-imposed penalty \$2750 per bike

Share bike left in same place for more than 7 days

Operator given 4 days
to move bike

If not moved, share bike is taken
to be abandoned – operator fined

Maximum fine \$500 per bike

Maximum court-imposed
penalty \$2750 per bike

<p>English</p> <p>If you need help to understand this letter, please come to Council's Customer Service Centre and ask for assistance in your language or you can contact the Telephone Interpreter Service (TIS) on 131 450 and ask them to contact Council on 1300 722 542.</p>	<p>Greek</p> <p>Αν χρειάζεστε βοήθεια για να καταλάβετε αυτή την επιστολή, παρακαλείστε να έρθετε στο Κέντρο Εξυπηρέτησης Πελατών της Δημαρχίας (Council Customer Service Centre) και να ζητήσετε βοήθεια στη γλώσσα σας ή τηλεφωνήστε στην Τηλεφωνική Υπηρεσία Διερμηνέων (Telephone Interpreter Service — TIS) τηλ. 131 450 και να ζητήσετε να επικοινωνήσουν με τη Δημαρχία τηλ. 1300 722 542.</p>	<p>Italian</p> <p>Se avete bisogno di aiuto per capire il contenuto di questa lettera, recatevi presso il Customer Service Centre del Municipio dove potrete chiedere di essere assistiti nella vostra lingua; oppure mettetevi in contatto con il Servizio Telefonico Interpreti (TIS) al 131 450 e chiedete loro di mettersi in contatto col Municipio al 1300 722 542.</p>
<p>Croatian</p> <p>Ako vam je potrebna pomoć da biste razumjeli ovo pismo, molimo dođite u Općinski uslužni centar za klijente (Council's Customer Service Centre) i zatražite pomoć na svom jeziku, ili možete nazvati Telefonsku službu tumača (TIS) na 131 450 i zamoliti njih da nazovu Općinu na 1300 722 542.</p>	<p>Spanish</p> <p>A la persona que necesite ayuda para entender esta carta se le ruega venir al Centro de Servicios para Clientes [Customer Service Centre] de la Municipalidad y pedir asistencia en su propio idioma, o bien ponerse en contacto con el Servicio Telefónico de Intérpretes ["TIS"], número 131 450, para pedir que le comuniquen con la Municipalidad, cuyo teléfono es 1300 722 542.</p>	<p>Vietnamese</p> <p>Nếu quý vị không hiểu lá thư này và cần sự giúp đỡ, mời quý vị đến Trung Tâm Dịch Vụ Hướng Dẫn Khách Hàng của Hội Đồng Thành Phố (Council's Customer Service Centre) để có người nói ngôn ngữ của quý vị giúp hay quý vị có thể liên lạc Dịch Vụ Thông Dịch qua Điện Thoại (TIS) ở số 131 450 và yêu cầu họ liên lạc với Hội Đồng Thành Phố (Council) ở số 1300 722 542.</p>
<p>Polish</p> <p>Jeśli potrzebujesz pomocy w zrozumieniu treści tego pisma, przyjdź do punktu obsługi klientów (Customer Service Centre) przy Radzie Miejskiej i poproś o pomoc w języku polskim, albo zadzwoń do Telefonicznego Biura Tłumaczy (Telephone Interpreter Service — TIS) pod numer 131 450 i poproś o skontaktowanie się z Radą Miejską (Council) pod numerem 1300 722 542.</p>	<p>Indonesian</p> <p>Jika Anda memerlukan bantuan untuk memahami surat ini, silakan datang ke Pusat Pelayanan Pelanggan (Customer Service Centre) Pemerintah Kotamadya (Council) dan mintalah untuk bantuan dalam bahasa Anda, atau Anda dapat menghubungi Jasa Juru Bahasa Telepon (Telephone Interpreter Service - TIS) pada nomor 131 450 dan meminta supaya mereka menghubungi Pemerintah Kotamadya pada nomor 1300 722 542.</p>	<p>Turkish</p> <p>Bu mektubu anlamak için yardima ihtiyaciniz varsa, lütfen Belediye'nin Müşteri Hizmetleri Merkezi'ne gelip kendi dilinizde yardım isteyiniz veya 131 450'den Telefonla Tercüme Servisi'ni (TIS) arayarak onlardan 1300 722 542 numaradan Belediye ile ilişkiye geçmelerini isteyiniz.</p>
<p>Hungarian</p> <p>Amennyiben a levél tartalmát nem érti és segítségre van szüksége, kérjük látogassa meg a Tanácsház Ügyfél Szolgálatát (Customer Service Centre), ahol magyar nyelven kaphat felvilágosítást, vagy hívja a Telefon Tolmács Szolgálatot (TIS) a 131 450 telefonszámon és kérje, hogy kapcsolják a Tanácsházat a 1300 722 542 telefonszámon.</p>	<p>Czech</p> <p>Jestliže potřebujete pomoc při porozumění tohoto dopisu, navštivte prosím naše Středisko služeb pro veřejnost (Council's Customer Service Centre) a požádejte o poskytnutí pomoci ve vaší řeči anebo zavolejte Telefonní tlumočnickou službu (TIS) na tel. číslo 131 450 a požádejte je, aby oni zavolali Městský úřad Randwick na tel. číslo 1300 722 542.</p>	<p>Arabic</p> <p>إذا أردت مُساعدة لفهم هذه الرسالة، نرجوك الحضور إلى مركز خدمة عملاء المجلس وأطلب المساعدة في لغتك، أو يُمكنك الاتصال بخدمة الترجمة الهاتفية (TIS) على هاتف رقم 131 450 وأطلب منهم الاتصال بالمجلس على رقم 1300 722 542.</p>
<p>Chinese</p> <p>如果你需要人幫助你了解這封信的內容，請來市政會顧客服務中心要求翻譯服務，或者與電話傳譯服務 (TIS) 聯繫，號碼是 131 450。請他們幫助你打電話給市政會，號碼是 1300 722 542。</p>	<p>Russian</p> <p>Если Вам требуется помощь, чтобы разобраться в этом письме, то, пожалуйста, обратитесь в Муниципальный Центр Обслуживания Клиентов и попросите оказать Вам помощь на Вашем языке или же Вы можете позвонить в Телефонную Службу Переводчиков (TIS) по номеру 131 450 и попросить их связаться с Муниципалитетом по номеру 1300 722 542.</p>	<p>Serbian</p> <p>Ako vam treba pomoć da razumete ovo pismo, molimo vas da dođete do Centra za usluge mušterijama pri Opštini (Customer Service Centre) i zamolite ih da vam pomognu na vašem jeziku, ili možete nazvati Telefonsku prevodilačku službu (TIS) na 131 450 i zamolite ih da vas povežu sa Opštinom na 1300 722 542.</p>