

**ITEM 7. EAST SYDNEY SMALL PARKS UPGRADE – PALMER STREET AND O'BRIENS LANE, DARLINGHURST – PROJECT SCOPE****FILE NO: S089994****SUMMARY**

This report describes the concept design presented to the community for the renewal of O'Briens Lane Reserve and the creation of a new small park at 222 Palmer Street in East Sydney, and also the response to community consultation.

O'Briens Lane Reserve is located on the corner of Bourke and Stanley Streets. It provides the local community with much needed open space. The renewal of this small park follows Council's Resolution in November 2012 to acquire this land from Roads and Maritime Services for the purpose of a local park.

222 Palmer Street is currently the site of the KU Frances Newton Preschool and will be transformed into a new small park for the community. This follows Council's Resolution in November 2012 to retain ownership of the site for the purpose of creating a new small park. A new childcare facility will be built nearby at 277 Bourke Street.

The improvements to the two small parks will create high quality open space, which maximises useable green space and discourages anti-social behaviour. The design provides well defined spaces for passive and social recreation activities to increase park visitation and a sense of public ownership.

This report also provides a summary of responses received during the community consultation and recommends a scope of work.

**RECOMMENDATION**

It is resolved that:

- (A) Council endorse the design scope for the East Sydney Small Parks Upgrade, as described in the subject report and shown in the drawings in Attachment B (Palmer Street) and Attachment D (O'Briens Lane) to the subject report, for progression to design development, construction documentation and tender;
- (B) Council note the estimated project costs as detailed in confidential Attachment E to the subject report; and
- (C) Financial Implications, Attachment E to the subject report, remain confidential in accordance with section 10A(2)(c) of the Local Government Act 1993.

**ATTACHMENTS****Attachment A:** Location Plan**Attachment B:** Exhibition Panels

**Attachment C:** Summary of community feedback on the concept design plans and the City's response

**Attachment D:** Revised concept plan for O'Briens Lane Reserve

**Attachment E:** Financial Implications (Confidential)

**(As Attachment E is confidential, it will be circulated separately from the Agenda Paper and to Councillors and relevant senior staff only).**

**BACKGROUND**

1. As part of Council's vision to green our city, and as part of an ongoing program of improvements to our small parks, a concept plan has been prepared for the renewal of O'Briens Lane Reserve and the creation of a new small park at 222 Palmer Street.
2. In response to strong community support to transform the existing Preschool at 222 Palmer Street into a new small park and acquisition of O'Briens Lane Reserve, the opportunity arose to coordinate the design and delivery of these two small parks.
3. On 12 November 2012, Council approved the acquisition of O'Briens Lane Reserve from Roads and Maritime Services, which is comprised of vacant land 231 and 237-421 Bourke Street, Darlinghurst.
4. O'Briens Lane Reserve is largely comprised of remnant land associated with the construction of the Eastern Distributor. It is located at the corner of Stanley and Bourke Streets in East Sydney (refer Attachment A). The informal small park is characterised by mature tree planting and is surrounded by single and medium density residential dwellings. The existing small park includes:
  - (a) an informal poor quality grass area;
  - (b) grass worn down through the centre of the park where people are continually walking through the park between O'Brien's Lane and Bourke Street;
  - (c) a mixture of exotic and native trees, some of which have suppressed tree forms and their health is being compromised due to over-planting. Trees are also overshadowing the grass area, reducing the usable park area;
  - (d) lush planting on the edges of the park, which have been planted and maintained by residents;
  - (e) small sandstone retaining wall;
  - (f) bollards on the parks southern edge to prevent vehicles from entering the park;
  - (g) a large unusable concrete slab, which is currently roped off;
  - (h) no formal seating and poor park amenity;
  - (i) poor lighting provision; and
  - (j) feedback from community consultations has identified that the park has issues with anti-social behaviour including drug-use, prostitution and public urination and defecation, both day and night.
5. O'Briens Lane Reserve is currently designated as an on-leash area for dogs.

6. On 12 November 2012, Council resolved to retain ownership of 222 Palmer Street, Darlinghurst for the purpose of creating a new small park for the community. 222 Palmer Street is currently the site of the KU Frances Newton Preschool. The existing Preschool building will need to be demolished to create a new small park. A new childcare centre will be built at 277 Bourke Street.
7. 222 Palmer Street is surrounded by single residential and medium mixed density dwellings. The existing site includes:
  - (a) two-storey brick building;
  - (b) brick retaining walls, some of which are in a poor condition;
  - (c) grass area;
  - (d) mural on adjoining residential property;
  - (e) mature lemon scented gum tree, which is in good health, but has a significant lean and will be monitored by the City's Arborist; and
  - (f) three small trees, which will block sightlines into the new small park.
8. This project will attempt to rationalise the provision of play equipment with surrounding parks to provide a diverse network of play facilities that caters for each age group and a broad range of park users.
9. A concept design has been prepared for the two small parks and community consultation has been carried out (refer Attachments B and C).

#### **PROPOSED CONCEPT PLANS**

10. Draft concept plans were developed for consultation with the community (refer Attachment B). They will be developed further. Detailed resolution of the arrangement, materials and finishes will be determined during design development.
11. The key design principles for further development of the concept plans for the two small parks include:
  - (a) maximise useable grass space;
  - (b) improve pedestrian access;
  - (c) provide well-defined spaces for social recreation activities to increase park visitation and a sense of public ownership;
  - (d) discourage anti-social behaviour;
  - (e) improve solar access into the park;
  - (f) use simple, robust and high quality materials;
  - (g) maintain privacy to adjacent residential properties; and
  - (h) improve lighting in the park and adjacent laneways.

**O'Briens Lane Reserve – Small Park Renewal**

12. The Developed Concept Plan proposes to renew the park (refer Attachment D). The natural park character will be maintained and the grass open space area enlarged to maximise useable space for the residents, who particularly enjoy bringing their dogs to this space. The key elements of the design for O'Briens Lane Reserve will include:
- (a) retain existing 'natural' park character;
  - (b) expand open turf grass areas for passive recreation;
  - (c) additional tree planting to improve the park and street amenity;
  - (d) increase solar access, increase sightlines and passive surveillance from the street to the far corners of the park, by removing some trees and lowering some planting;
  - (e) recycled brick paved path through the park, to improve accessibility from O'Brien's Lane to Bourke Street;
  - (f) new lush boundary edge planting to provide additional privacy to adjoining residential properties;
  - (g) new sandstone raised edge, along with new trees and planting at O'Brien's Lane, to prevent vehicles from entering the park;
  - (h) new trees and planting at the Stanley Street edge to prevent vehicles from entering the park;
  - (i) new retaining walls and seating to encourage social interaction;
  - (j) gravel area for petanque ball game;
  - (k) irrigation for the park to allow for watering and regular cleaning of the park;
  - (l) new bin and two dog litter bag dispensers; and
  - (m) lighting to improve safety at night.

**222 Palmer Street – New Small Park**

13. The Developed Concept Plan proposes a celebration of the historical use of the site as a childcare centre and playground. The proposal suggests a 'romantic ruin' by retaining low walls of the existing building. The park will provide a small community garden, play elements for children and open grass area for passive recreation. The park's design will be flexible to allow for expansion of the community garden space. The key elements of the design for the new 222 Palmer Street small park include:
- (a) demolish the existing Preschool building and retain existing low wall elements to interpret the historical use of the site as a childcare facility and playground, and to provide low walls to the community garden and structure to the park;

- (b) retain high walls of the existing building along the residential property edge to ensure privacy is maintained for adjacent residents;
- (c) retain the existing Lemon-scented gum tree, which will provide shade and amenity in the park;
- (d) additional tree planting and low shrub planting to improve the park and street amenity;
- (e) small open turf grass areas for passive recreation;
- (f) entry steps into the park from Palmer Street, and new steps at the centre of the park at the change in levels;
- (g) new recycled brick paths and paving to improve accessibility;
- (h) retaining walls and new seating to encourage social interaction;
- (i) new lighting to improve safety at night;
- (j) irrigation for the park to allow for watering and regular cleaning of the park;
- (k) new nature play elements for zero to seven year old children; and
- (l) opportunity for a new public art mural.

### **222 Palmer Street – Community Garden**

14. A small number of people (six) have expressed an interest in being involved in the community garden proposed to be located at 222 Palmer Street.
15. The proposed Community Garden will activate and provide a positive use in the new small park at 222 Palmer Street. The garden can provide an educational and social place for food production. The key elements of the community garden design include:
  - (a) raised vegetable and flower garden beds;
  - (b) work and storage benches with shade; and
  - (c) accessible garden bed for people with a disability.
16. As per the *Community Gardens Policy* adopted by Council in February 2010, the City's Community Gardens Coordinator will work with those interested to form a community garden group. In order for a community garden to be sustainable, the recommended minimum number of people in a community garden group is 20 to 25 people.
17. The design of the new park will be flexible to allow for the expansion of the community garden area. Once a community garden group is formed in the next few years, the City's Community Gardens Coordinator will liaise with the group to develop a community garden management plan and to develop the design further.

**Shared Zone**

18. To improve pedestrian safety and access to the parks, a traffic-calmed Shared Zone will be provided in Palmer Lane, O'Brien's Lane and Berwick Lane. Roads and Maritime Services and the Local Pedestrian, Cycling and Traffic Calming Committee have already approved the implementation of a Shared Zone in these laneways. Final regulatory signage will be installed by Roads and Maritime Services following their final inspection.
19. A Shared Zone is a low speed, mixed pedestrian, cyclist and vehicle area. Pedestrians have right of way and the maximum speed limit is 10km/hr. The Shared Zone entries have raised thresholds. Car parking will still be allowed in marked bays along the kerbside.
20. Further pavement treatments to the laneways and traffic calming measures will be explored as part of the design development. Improved lighting to the laneways will also form part of the developed design. The community will be consulted on any further changes.

**Accessibility**

21. The City of Sydney's Inclusion (Disability) Action Plan 2007-2011 was adopted in March 2008. Council is committed to making its services and amenities accessible and 'barrier-free' to all residents, workers and visitors.

**Heritage Assessment**

22. A heritage assessment study was prepared to identify items for conservation and protection. The park designs have taken into account the history of the sites, and interpretation of the history of the sites will be included.
23. The existing building at 222 Palmer Street is not a heritage item. The proposed use of the site as a park for the community is appropriate in heritage terms.
24. Parts of the existing walls of the Preschool building at 222 Palmer Street will be retained as low walls in the new park design to retain part of the heritage, and will also provide structure to the new park spaces.

**Tree Management**

25. The upgrade aims to retain the mature trees in both parks and the informal park character of O'Briens Lane Reserve. An independent assessment of all park trees in O'Briens Lane Reserve and 222 Palmer Street has been undertaken.
26. O'Briens Lane Reserve is significantly over-planted. This suppresses the tree form, affects tree health and reduces its lifespan. It also overshadows the grass area and reduces usable park area. The current location of some of the trees also reduces clear sightlines through the park, which restricts passive surveillance.
27. The renewal project will aim to retain the overall number of trees. Some selective tree replacements are proposed to replace old trees in poor health and to increase useable grass and native habitat areas.

28. The following tree management is proposed as part of the O’Briens Lane Reserve works:

- (a) retention of six established park trees and the relocation of one small Magnolia tree from the centre to the parks edge;
- (b) provision of four new trees;
- (c) removal of eight mature and small park trees, which have either a suppressed crown due to overshadowing, have a prominent lean, are blocking sightlines into the park or are in poor health. The trees to be removed include (refer to Attachment B):

T3	Bracelet honey myrtle (Melaleuca)
T4	Willow Bottlebrush
T5	Norfolk Island Pine
T7	London Plane
T10 & T11	Small trees - Yesterday-today-tomorrow (Brunfelsia)
T12 & T14	River Oak (Casuarina)

29. The following tree management is proposed as part of the 222 Palmer Street works:

- (a) retention of the existing Lemon-scented gum tree which, whilst is in good health, has a prominent lean and will require monitoring by the City’s Arborist;
- (b) provision of three new trees;
- (c) removal of three small trees, which will block sightlines into the new park. The tree species are (refer to Attachment B):

T21	Peppermint gum
T22 - T24	Prickly Paperbark (Melaleuca)

**KEY IMPLICATIONS**

**Strategic Alignment - Sustainable Sydney 2030**

30. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This project is aligned with the following strategic directions and objectives:

- (a) Direction 9 - Sustainable Development, Renewal and Design – this project contributes to improving the City’s parks and open space, and enhancing their role for public life. It also contributes to the City’s plan for a beautiful city and to promote design excellence.

**Organisational Impact**

31. The two small parks are new City assets, which will require ongoing maintenance.



**Social / Cultural / Community**

32. The proposal improves the quality of O'Briens Lane Reserve and maximises useable green space for passive and active social recreation activities.
33. The project provides a new small park at 222 Palmer Street, with green space, play elements and a community garden for the local community.
34. The existing KU Frances Newton Preschool at 222 Palmer Street will be demolished. A new childcare centre will be built at 277 Bourke Street close-by. Once the KU Frances Newton Preschool's occupants have relocated to 277 Bourke Street, construction will begin to create the new small park.
35. New park entries and paths will improve accessibility.

**Environmental**

36. The design for the two small parks will embrace current best practice for Ecologically Sustainable Development initiatives to support the City's Sustainable Sydney 2030 vision for achieving high quality sustainable outcomes on all new capital works developments. This will include:
  - (a) maximising green grass space;
  - (b) introduction of new trees and planting;
  - (c) use of recycled materials;
  - (d) management of stormwater flow; and
  - (e) low energy lighting to reduce energy use and light spill.

**BUDGET IMPLICATIONS**

37. Funds are allocated within the current 2013/14 Capital Works Budget and future years' forward estimates for the East Sydney Small Parks Upgrade.
38. There are sufficient funds to complete the project (refer to confidential Attachment E).

**RELEVANT LEGISLATION**

39. Procurement of consultants and contractors for this project will be in accordance with the Local Government Act 1993.
40. The project will be undertaken in accordance with the provisions of the Local Government Act 1993 and the NSW Roads Act 1993.
41. The activities related to this project fall under Part 4 and Part 5 of the Environmental Planning & Assessment (EP&A) Act. A Development Application will be submitted for the demolition of the existing building at 222 Palmer Street and a Review of Environmental Factors will be completed in accordance with the EP&A Act for the two small parks.

42. Attachment E to this report is to remain confidential in accordance with section 10A(2)(c) of the Local Government Act 1993, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

**CRITICAL DATES / TIME FRAMES**

43. The proposed program for the project is:

Milestone	Target Date
Design development, documentation completion and lodge approvals	May 2014
Tender period and approvals for O’Briens Lane Reserve construction contract	June – October 2014
Construction period for O’Briens Lane Reserve	Spring 2014 – Autumn 2015
Tender period and approvals for 222 Palmer Street new park - construction contract	Mid – End 2015
Construction period for 222 Palmer Street – new park	Early – Mid 2016

**PUBLIC CONSULTATION**

44. The City held three community meetings between February 2012 and April 2013 on the proposal for a Childcare and Community Centre at 277 Bourke Street. At these meetings, residents raised ideas for local green spaces. The concept of a new green space at 222 Palmer Street was strongly supported at the meeting in December 2012, and further discussion about the project took place at the April 2013 meeting.
45. Door knocking took place in September 2013 to collect residents’ feedback on local issues relating to the design.
46. A summary of the comments received from the initial consultations and door knocking are as follows:

O’Briens Lane Reserve	
<p>The key suggestions and vision for the park’s renewal are to:</p> <ul style="list-style-type: none"> <li>• maximise useable space;</li> <li>• create a ‘natural’ park landscape rather than a highly structured one;</li> <li>• provide a social setting for informal and formal games such as petanque;</li> <li>• provide an off-leash dog exercise area;</li> <li>• include environmental sustainable design; and</li> <li>• provide shade from trees and park structures.</li> </ul>	<p>The key issues and concerns are to:</p> <ul style="list-style-type: none"> <li>• discourage anti-social behaviour in the park;</li> <li>• reduce the impacts of large trees to increase areas of sun in the park; and</li> <li>• address the mosquito problem.</li> </ul>

<b>222 Palmer Street</b>	
<p>The key suggestions and vision for the new small park are to include:</p> <ul style="list-style-type: none"> <li>• a community garden which could be used as a teaching space for children;</li> <li>• robust native plants for shade; and</li> <li>• formal seating and a pergola.</li> </ul>	<p>The key issues and concerns are to:</p> <ul style="list-style-type: none"> <li>• discourage anti-social behaviour; and</li> <li>• ensure security and privacy is maintained to adjoining properties.</li> </ul>

47. The community also suggested improving the lighting in the adjacent laneways to the two small parks.
48. The initial ideas, suggestions and concerns received from the community helped to shape the Concept Plan for exhibition.
49. On 19 October 2013, a drop-in session was held in O’Briens Lane Reserve for the concept designs of the two green spaces. 82 invitations were sent out to local residents and the session was attended by 35 local residents. 20 submissions were received.
50. The Concept Plan and exhibition panels were also exhibited on the City’s *Sydney Your Say* website.
51. Feedback from the consultation has provided strong community support for the proposal to provide two green spaces in East Sydney. A detailed response to the community consultation feedback forms and submissions has been undertaken (refer Attachment C). In summary, the key concerns are:
  - (a) **Anti-social behaviour** – community submissions raised a strong concern about anti-social behaviour in the two parks.

The community is supportive of the proposal to clear some of the existing trees to ensure clear sightlines are provided from the streets to the far corners of the parks. Some community members also identified that by improving the tone of the park, some anti-social behaviour would be decreased as the park currently looks like a neglected space.

The community has requested a fence is provided around the two parks, which would possibly also have lockable gates at night. The City aims to provide inclusive and open public spaces. To control access after hours would require high perimeter fencing, which will restrict views and also reduce park amenity. Enclosed park areas can create further anti-social issues, which are often overcome by openness and inclusion. The City does not endorse closing public open space.

The Safe City Unit has also advised that high perimeter fencing to a public open space can encourage people to use the park exclusively for anti-social activities, reinforce their territory and hence discourage other people from entering and using the park. High fencing and gates also causes an issue for emergency access into the park.

The measures incorporated into the design to deter anti-social behaviour include:

- (i) improve passive surveillance through the lowering of existing planting and removal of some trees to ensure clear sightlines from the streets into and through the parks, particularly to the far corners;
  - (ii) specific design solutions, such as including gravel as an audible warning;
  - (iii) lighting improvements along main paths;
  - (iv) increase usage and activation of the two parks;
  - (v) use high quality materials to improve the tone of the park, which is currently a neglected space;
  - (vi) provision of irrigation in the parks for watering in the late evening and regular cleaning of the park; and
  - (vii) engage community stewardship and ownership of the space.
- (b) **Community Garden** – community submissions suggested that the community garden proposed at 222 Palmer Street should be bigger.

The City's Community Gardens Coordinator will work with those interested in being part of a community garden to firstly form a community garden group according to Council's *Community Gardens Policy*. Once the group has been formed, the City will then liaise with the group to further develop the community garden design, including finalising its size. In the meantime, the design for the new park at 222 Palmer Street will remain flexible for future expansion of the community garden size.

52. On 20 November 2013, a meeting was held with a group of residents surrounding the park to further discuss their feedback on the concept design for O'Brien Lane Reserve. Most of their feedback has been incorporated into the developed concept design (refer Attachment D), including:

- (a) moving path to provide a larger gravel petanque area;
- (b) revision of proposed trees to the communities suggested species and locations;
- (c) reduction of boundary edge planting to provide a larger gravel petanque area;
- (d) provision of a rubbish bin with two dog litter bag dispensers;
- (e) deletion of the play elements from the park;
- (f) deletion of seating for the petanque area; and
- (g) extension of the gravel area underneath the Eucalyptus tree (T9) and removal of the low level planting under this tree.

53. Other items causing concern were:

(a) Removal of four additional trees

The residents requested a further four trees be removed from the park.

- (i) T1 and T2 (Casuarinas) removed and replaced with other trees to make the space below the existing trees more useable and to reduce footpath and cleaning maintenance issues.
- (ii) T8 (Brushbox) and T9 (Eucalyptus) removed and replaced to reduce overshadowing and deter anti-social behaviour.

The trees requested to be removed are mature established trees in good health. The proposal nominates eight trees for removal to open the park to more sun lighting, to increase passive surveillance into the park and to provide more useable grass area. The City will maintain the park and adjacent footpath on a daily basis. The existing trees can be crown lifted to ensure more sunlight is allowed into the park. Irrigation will be provided in the park and this can be turned on at night to deter anti-social behaviour.

(b) Reduce width of path

The path is currently 1.8 metres wide, which provides an accessible path. The developed design will look at reducing the width of the path further whilst maintaining compliance with access codes and standards.

(c) Security fence and gates

At the meeting, there were some community members for and against a high security fence with lockable gates. The high security fence and lockable gates are requested to deter anti-social behaviour.

The City's policy is for all their parks to be open and inclusive. Safe City has advised that providing a high fence and lockable gates can exacerbate anti-social activities.

54. The suggestions and concerns from the community will be considered in the developed designs for both green spaces.

55. A Development Application will be submitted for the demolition of the existing building at 222 Palmer Street, Darlinghurst.

56. Children from the KU Frances Newton Preschool will be consulted for the detailed design of the play space.

57. Further improvements to the laneways will be submitted to the Local Pedestrian, Cycling and Traffic Calming Committee for approval.

58. Those community members interested in being involved in a community garden will be consulted by the City's Community Gardens Coordinator in accordance with the *Community Gardens Policy* adopted by Council in February 2010. They will be assisted by the City's Community Gardens Coordinator to form a community garden group and will be consulted on the detailed design of the community garden.

59. Notification will be sent to property owners and businesses prior to construction.
60. During construction, there will be close liaison between property owners, businesses, City staff and the contractors to minimise disruption to residences and businesses in the area.

**MICHAEL LEYLAND**

Director City Projects and Property

Jacqueline Ong, Design Manager (Landscape Architecture)