

## **Project Scope - Clyne Reserve Upgrade, Millers Point**

**File No: X019528.003**

### **Summary**

This report outlines the proposed scope of works for the upgrade of Clyne Reserve located between Merriman Street and Dalgety Terraces, Millers Point. Clyne Reserve has been identified as part of the small parks and playgrounds improvement program.

The project brief is to refurbish the park and playground, improve boundary fencing, increase the range of play experiences for children of different ages and abilities and improve the range of seating.

Concept plans were presented to the community between 17 May and 14 June 2019 and exhibited on the City's website.

Community feedback was broadly in support of the proposal. Community suggestions are to be incorporated into the detailed design where possible. This includes additional seating and providing a dog bowl with the new water bubbler.

The proposal for Clyne Reserve includes improved boundary fencing, replacing the existing play equipment with a new climbing structure, swing set and nature play area, as well as renewed planting across the site and a variety of additional seating opportunities.

## Recommendation

It is resolved that Council:

- (A) endorse the scope of work for improvements to Clyne Reserve as described in the subject report and shown in the concept design at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment D.

## Attachments

- Attachment A.** Location Plan and Existing Site Photos
- Attachment B.** Concept Plan
- Attachment C.** Engagement Feedback Table
- Attachment D.** Financial Implications (Confidential)

## Background

1. The City has an ongoing small parks and playgrounds improvement program for parks that are in need of upgrade or enhancement works, replacement of end of life equipment, and to provide appropriate facilities for local residents.
2. Clyne Reserve was identified for a playground and broader park upgrade due to the reserves overall condition, including: rectification / replacement of existing fencing, limited play experiences and poor integration of a range of ages and abilities in existing play equipment, as well as non-compliant and limited seating opportunities.
3. Clyne Reserve is a local park between Merriman Street, Dalgety Terraces and Barangaroo Reserve, Millers Point. The land is owned by Crown Land NSW and the park is recommended by Crown to be categorised as Park upon its inclusion in an adopted Plan of Management. The gazettal / dedication use for the park is also consistent with the Categorisation under the Local Government Act 1993.
4. Clyne Reserve is located within the Upper Millers Point and Dawes Point Village Precinct (no. 1921) and partially located within the Millers Point Conservation Area (SHR 00884) listed on the State Heritage Register.
5. The natural topography of steep rocky sandstone ridgelines made the area difficult to access and early European settlement of the area consisted mostly of residential occupation and small scale sandstone quarrying activities. By 1950, the land was placed into the ownership of the Maritime Services Board and a children's playground established (13 June 1950). The reserve was named after the Honourable Daniel Clyne Member of the Legislative Assembly (MLA).
6. Much of Clyne Reserve was redeveloped in 1978 by the Maritime Services Board to accommodate a new container port. The remains of the reserve were landscaped and handed to Sydney Council in 1981. These landscape works included the construction of a 420 metre stone retaining wall to the park's western edge with sandstone excavated from the nearby No. 3 Darling Harbour.
7. The park is approximately 2,670 square metres and is characterised by low sandstone walls, open grass and mature native tree planting. The reserve is currently used by a variety of community members for rest, relaxation and play, with a BBQ, children's play equipment, seating, shade, open space and views of the harbour.
8. The current planting consists of mostly native trees, shrubs and groundcovers which provide shade and habitat. The concept does not propose tree removal, with any additional trees to be tall crown species to retain harbour views.
9. The playground located at the southern side of the park fronting Merriman Street includes: two climbing frames with a slide and fireman's pole as well as a separate boat bow. There is a clear absence of nature play and limited play opportunities for children of all ages and abilities. The 2016 Playground Audit recommended a replacement year of 2023.
10. The existing play equipment caters for primary school age children (5-12 years) and is regularly used. The continued provision for this age group was supported in the community feedback and requests for challenging equipment and nature play experiences encouraged.

11. Consideration has been given to the provision of play equipment in surrounding parks within a 500 metre radius, to ensure a coordinated network of facilities that caters for a broad range of park users and age groups.

### Concept Design

12. A Concept Design was developed for the proposed works (refer to Attachment B) and community consultation undertaken.
13. A heritage consultant has been engaged to advise on the proposal.
14. The concept proposes to improve accessibility, amenity and usability of areas, and improve landscape and planting quality, as well as increase biodiversity.
15. The concept design sets the overall layout and proposes the following works:
  - (a) General Park Works:
    - (i) improve boundary enclosure including: upgrading the fencing along the western edge, adjacent to Barangaroo Reserve, and modifying balustrading to the middle terrace to ensure compliance;
    - (ii) provide a range of seating opportunities;
    - (iii) retain existing BBQ and picnic setting;
    - (iv) provide a new perimeter path to the western edge between sandstone wall and open space;
    - (v) retain existing pavers where possible and replace where broken; and
    - (vi) provide handrail to existing stairs for improved access; and
  - (b) Playspace:
    - (i) provide barrier protection to the playground with a seating wall between the playspace and Merriman Street;
    - (ii) provide new soft-fall surface which is easy to maintain and reflects the existing character of the site;
    - (iii) provide a variety of play experiences for a range of age groups and abilities; and
    - (iv) upgrade park signage; and
  - (c) Play elements including:
    - (i) new play structure;
    - (ii) new swing set; and
    - (iii) an adjacent nature play areas with timber logs and boulders for balancing and climbing.

16. The following tree management and planting is proposed as part of the park works:
  - (a) retain and protect existing trees and planting throughout the park; and
  - (b) provide new native and habitat planting with shrubs and groundcovers.
17. In response to community feedback, as outlined in the subject report and detailed in Attachment C, the following will be incorporated into design development:
  - (a) provision of a dog bowl with the new water bubbler;
  - (b) review of proposed play equipment pieces and potential retention of existing boat bow play element; and
  - (c) review of fence alignment. To be determined following feedback from heritage consultant and Barangaroo Delivery Authority.
18. A Review of Environmental Factors will be lodged for the park upgrade in accordance with the Environmental Planning Assessment Act 1979 to determine the approval pathway.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030 Vision

19. 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 report is aligned with the following strategic directions and objectives:
  - (a) Direction 6 - Vibrant Local Communities and Economies - this project will provide an improved open space infrastructure which meets the needs of a wide variety of user groups and provides opportunities for social interaction.
  - (b) Direction 9 - Sustainable Development, Renewal and Design - this project is part of a wider program of renewal of small parks across the city; it will provide an improved quality of open space infrastructure.

### Organisational Impact

20. This upgrade will provide an improved play experience and amenity for children, their carers' and other community members visiting the park. The replacement of the non-compliant assets represents a removal / mitigation of risk to the City. The assets will require ongoing maintenance.

### Risks

21. Risks to not implementing the scope of these works is potential failure of infrastructure and risk to the community.
22. A risk to the project program is if Land Owner's (Crown) consent / approval is not obtained or delayed. The City is pursuing a senior manager in Crown Lands to obtain project approval and establish the City's status as Reserve Trust Manager.

23. A risk to the project program is if state heritage approvals and / or exemptions are delayed or disputed. Planning and heritage consultants have been engaged to aid with approvals.

### **Social / Cultural / Community**

24. The project will provide improved passive recreation facilities that can be used by all members of the local community, encouraging healthy activity and social interaction.

### **Environmental**

25. The upgrade of Clyne Reserve includes a range of environmentally sustainable elements to improve the environmental performance of the park. The key elements include:
  - (a) re-use of park furniture where appropriate;
  - (b) recycling of surplus material from council depots where possible in line with Council policy; and
  - (c) planting of additional shrub and groundcover species.

### **Budget Implications**

26. There are insufficient funds allocated for this project in the current year capital budget and future year forward estimates. Cost estimates and financial implications are detailed in Confidential Attachment D.

### **Relevant Legislation**

27. Environmental Planning and Assessment Act 1979.
28. State Environmental Planning Policy (Infrastructure) 2007.
29. Sydney Local Environmental Plan 2012.
30. Local Government Act 1993 - under the Act, a council's charter is to provide adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
31. Attachment D to the subject report contains confidential commercial information which, if disclosed, would:
  - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
  - (b) prejudice the commercial position of the person who supplied it.
32. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.

33. Disability Discrimination Act 1992 - the City has a responsibility to ensure, as far as practicable, that people with disabilities have the same rights to access services and facilities.
34. Companion Animals Act 1998 No 87 - Division 1 Section13 - Responsibilities while dogs are in public places.

### **Critical Dates / Time Frames**

#### 35. Current Program Dates

- Community Consultation May 2019
- Council Approval of Concept Design August 2019
- Complete Final Design August 2019
- Tender Phase Late 2019
- Construction start Early 2020
- Construction duration 26 weeks

### **Options**

36. Option 1: No Action Taken - This option is not recommended as the existing park has a number of associated risk and compliance issues with regard to fencing and play equipment and would not meet the proposal objectives as the park's condition would not be improved.
37. Option 2: Undertake Proposal - This is the recommended option. Improvement works to be undertaken in accordance with the asset renewal brief and as recommended in this subject report.

### **Public Consultation**

38. Consultation was undertaken as a two part process; pre-consultation and public consultation / exhibition (refer to Attachment C).
39. One pre-consultation notification letter / email was issued to the following local stakeholders to notify them of the project and provide a link to a pre-consultation survey:
  - (a) Crown Lands NSW;
  - (b) Millers Point, Dawes Point, The Rocks, and Walsh Bay Resident Action Group; and
  - (c) twenty-nine adjacent residents.

40. Four early engagement submissions were received via Survey Monkey from nearby residents.
41. Early engagement feedback included;
  - (a) four submissions requesting the removal of the fencing;
  - (b) four submissions requesting improved native and habitat planting;
  - (c) two submissions requesting additional and / or group seating;
  - (d) one submission requesting upgrading / improving the play offering;
  - (e) one submission requesting additional picnic settings;
  - (f) one submission requesting relocation of the bbq; and
  - (g) one submission requesting low level lighting.
42. A pre-consultation meeting was held on 1 May 2019 with Barangaroo Delivery Authority to get feedback on the concept design pre consultation.
43. The concept design was on exhibition from 17 May to 14 June 2019. Nine submissions were received, including seven via Survey Monkey and two via the Sydney your Say email address, with the majority in support of the proposed works.
44. The public consultation / exhibition involved the following:
  - (a) a letter sent to 510 local residents about the concept design and inviting them to provide feedback;
  - (b) A stakeholder email sent to key stakeholders, inviting them to give feedback on the proposal. The email was sent to:
    - (i) Crown Lands NSW;
    - (ii) Millers Point, Dawes Point, The Rocks, and Walsh Bay Resident Action Group; and
    - (iii) Barangaroo Redevelopment Authority;
  - (c) a webpage on SydneyYourSay showing the plans for consultation from 17 May to 14 June 2019. Two hundred and forty three individual users viewed the page and 93 users downloaded the plans; and
  - (d) Two Have your Say A2 panels were installed in the park notifying park users of the proposed works, and providing contact details of the Design Manager and a web address to the SydneyYourSay page.

45. Key feedback included:
- (a) five submissions regarding play, with the majority of submissions requesting the continuation of nautical theme play equipment and the retention of the boat bow play element;
  - (b) three submissions requesting that the park accommodate a fenced off-leash dog area (this is not being pursued as there is an off-leash dog area approximately 150m away at Munns Reserve);
  - (c) two submissions referring to native planting and / or retaining existing trees;
  - (d) one submission requesting boundary fence removal between Barangaroo and Clyne Reserve (this is being considered. Fence alignment to be determined following feedback from heritage consultant and Barangaroo Redevelopment Authority); and
  - (e) one submission requesting new paving to the whole park (this is not being considered. Current paving, while dated, is still serviceable).
46. In response to this consultation the following will be incorporated into the concept plan (refer to Attachment B):
- (a) provision of a dog bowl with the new water bubbler;
  - (b) review of proposed play equipment pieces and potential retention of existing boat bow play element; and
  - (c) review of fence alignment. To be determined following feedback from heritage consultant and Barangaroo Redevelopment Authority.

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