

Item 4.

Project Scope - Lawrence Hargrave Reserve Upgrade, Elizabeth Bay

File No: X021637.003

Summary

This report outlines the proposed improvement works for Lawrence Hargrave Reserve at 9 Elizabeth Bay Road, Elizabeth Bay. Lawrence Hargrave Reserve forms part of the small parks and playgrounds improvement program.

The objective of this project is to provide an improved passive recreation offering which supports the existing and future needs of a range of local users, including individuals, and informal and formal community groups, as well as local wildlife.

The Concept Plan proposes improvements throughout the reserve, including a more welcoming, open and accessible park entry for all abilities, with improved sight lines and passive surveillance. Improved access is proposed within the reserve with a range of seating opportunities that encourage social interaction. Long-term tree management principles will be applied to enhance landscape amenity and support a consolidated and more accessible open lawn area. The proposed Stage Two works for the Kings Cross Community Garden are also incorporated into the proposal.

This proposal is local in scale and uses simple, robust and high quality materials which reflect the existing neighbourhood character.

The Concept Plans were presented to the community between 5 November and 3 December 2019 and exhibited on the City's website.

Community feedback was broadly in support of the proposal. Community suggestions will be incorporated as part of the detailed design phase.

Recommendation

It is resolved that Council:

- (A) endorse the scope of work for improvements to Lawrence Hargrave Reserve as described in the subject report and shown in the Consultation Draft Concept Plan 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 approve the additional funding in future years budgets, which will be brought forward from the Parks General Capital Works forward estimates as outlined in Confidential Attachment F to the subject report.

Attachments

- Attachment A.** Location Plan and Existing Site Photos
- Attachment B.** Consultation Draft Concept Plan and Images
- Attachment C.** Issues and Key Principles Plan
- Attachment D.** Materials
- Attachment E.** Engagement Report
- Attachment F.** Financial Implications (Confidential)

Background

1. The City has an ongoing small parks and playgrounds improvement program for parks that are in need of upgrade works, replacement of end of life equipment, and to provide appropriate facilities for local residents.
2. Lawrence Hargrave Reserve is located in Elizabeth Bay, on the roof of the five-storey Kings Cross Carpark, opposite Fitzroy Gardens. The reserve is generally level with a steep access slope on the western boundary to Ward Avenue and Elizabeth Bay Road. It is bound by Elizabeth Bay Road to the north, Ward Avenue to the west, Amos Lane to the south and a residential flat building to the east.
3. The site was landscaped as part of the Kings Cross Carpark development in 1975-1978. The reserve was officially named Lawrence Hargrave Reserve in 1991.
4. The site is approximately 3,800 m² and is predominately a rooftop garden. The landscaping is in a native garden style with free-form planted mounds, turf and trees. The mounds are used to create soil depth for the tree planting. Car park vents at the front of the site are visual barriers and limit sightlines into the reserve from the street. There is limited seating within the reserve, often with limited protection from the sun. Current access into the reserve is either via the sloped lawn to Elizabeth Bay Road or by stair access between the carpark vents. Neither of these routes meet accessibility requirements.
5. There are 81 trees located on the reserve which comprise a mix of locally indigenous, Australian native and exotic species. The majority are Casuarinas (39), with some other *Acacia binerva* (Coastal Myall), *Lophostemon confertus* (Brushbox) and a mix of rainforest species. The Casuarinas inhibit the growth of other species as ground-covers or shrubs. In addition, site constraints (on slab), and planting density has resulted in varying degrees of suppression and poor tree quality and value. The horticultural survey indicated 48 per cent of trees were allocated an assessment of Consider for Removal. One tree was allocated an assessment of Priority for Removal due to a useful life expectancy (ULE) less than five years. No trees were allocated a Retention Value of Priority for Retention or are of high or very high Landscape Significance.
6. The current arrangement and condition of trees (and mounds) contribute to the poor amenity of the reserve and the safety concerns associated with limited sightlines. The reserve has for a long time been associated with anti-social behaviour. Poor sightlines, low-level lighting and poor passive surveillance have contributed to this anti-social behaviour. It also regularly has rough sleepers occupying the rear of the site.
7. Two memorials are located in the Reserve including:
 - (a) Remembrance Day AIDS Memorial Garden and Tree (Hoop Pine); and
 - (b) Sea King and Kings Cross Bikers memorial.

8. A number of community events occur in the reserve including:
 - (a) Annual Dog Show;
 - (b) Annual Memorial event associated with the Remembrance Day AIDS Memorial Garden and Tree held on 11 November; and
 - (c) Community Garden Meetings held every Sunday.
9. In 2019, the first stage of the Kings Cross Community Garden was constructed. The Stage 2 Community Garden works were endorsed by Council in May 2018 and were included in investigations for the current proposals and consultation.
10. Lawrence Hargrave Reserve was identified for upgrade due to the reserve's overall condition, including poor accessibility into and through the reserve, required tree management works, poor sightlines and safety, limited seating opportunities and the ongoing community garden works.
11. Investigations and pre-consultation with key stakeholders identified the key issues to be addressed in the proposals (refer to Attachment C):
 - (a) Public safety and visibility concerns.
 - (b) Steep topography and poor access in and around the park.
 - (c) Lack of seating and poor placement of park elements.
 - (d) Large carpark ventilation and egress structures restrict usability and views.
 - (e) Dead space and lack of useable green space within the park.
 - (f) Undefined park entries and lack of planting.

Consultation Draft Concept Plan - Key Principles

12. In response to the identified issues, the key principles of the proposed works are (refer to Attachment C for the Issues and Key Principles Plans):
 - (a) create legible and welcoming park entries and improve permeability into the park;
 - (b) improve accessibility and circulation for everyone, with the creation of new access paths and stairs, and an internal loop around the park;
 - (c) improve sightlines and passive surveillance (visibility) to create an open and safe public space and review lighting to increase night-time safety;
 - (d) increase the useable green space (turf grass) and enhance native habitat, tree plantings and biodiversity within the park;
 - (e) provide a safe and inclusive public open space that establishes positive park uses and activities, particularly at the rear of the park; consider rough sleeping and anti-social behaviour;
 - (f) provide a range of seating opportunities (sun and shaded) that encourages social interaction for everyone;

- (g) provide a range of recreation opportunities for everyone - residents, workers, visitors;
- (h) define the park edges with low plantings and boundary edge treatments and maintain and enhance existing views across to Rushcutters Bay;
- (i) be local in scale and use simple, robust and high quality materials. Improve the parks environmental performance and sustainability, apply long-term tree management principles;
- (j) incorporate the community garden and identify a location for expansion;
- (k) retain the existing memorials located in the reserve; and
- (l) consider and manage the limitations of the underground carpark and limited soil depth.

Consultation Draft Concept Plan- Proposed Works

13. A Draft Concept Plan was developed in response to the key principles, for the purposes of broader community consultation (refer to Attachment B). The Plan includes the following:
- (a) The Entry Lawn:
 - (i) New landscaping to the entry, including seating, sitting walls, tree planting pathways and signage to create a welcoming entry to the reserve.
 - (b) Improved access and circulation including:
 - (i) New accessible entry ramp from Elizabeth Bay Road.
 - (ii) Generous direct new central entry path with direct sightline to the rear of the reserve, providing open and clear visitor accessibility, as well as service vehicle access for the park and community garden.
 - (iii) New perimeter paths system to ensure all community members are able to equally access the full area of the reserve.
 - (c) The Green:
 - (i) Reduction of the mounds to form discreet groves, resulting in an improved and consolidated open lawn area.
 - (d) The Groves:
 - (i) Reduced and consolidated landscape mounds with additional new tree and understorey planting.
 - (e) The Tree Canopy:
 - (i) Understorey opened up around the vent area with informal seating and possible activities such as table tennis.
 - (ii) Improved stair entry.

- (f) Community gardens:
 - (i) Existing Stage One community garden.
 - (ii) Expansion of Stage One Community Garden.
 - (iii) Additional Stage Two community garden areas along the eastern reserve, including possible chicken coop, bee hotel and seating.
 - (iv) Additional Stage Two "Orchard" area.
 - (v) Potential Stage Two community garden 'club room' to help activate the vent area.
 - (g) Memorial garden:
 - (i) Memorials retained, including the Hoop Pine, and settings enhanced with seating and planting.
 - (h) Amenity:
 - (i) A variety of new seating throughout the reserve in both the sun and shade.
 - (ii) Additional low energy lighting to main path of travel.
 - (i) Tree management and habitat planting:
 - (i) New tree planting for habitat and shade throughout the reserve.
 - (ii) Selective removal and replacement of trees, particularly casuarinas, throughout the reserve.
14. Community feedback on the Draft Concept Plan principles and proposals was broadly in support. Refer to the Engagement Report (Attachment E) for a detailed description of the consultation process and findings.
15. Issues raised by three or more people were as follows:
- (a) Request to keep the reserve as it is (4):

The current condition of the reserve is rated 4 from an Asset Condition assessment completed in 2018. This means works are required to ensure the reserve meets minimum standards across the local government area. The upgrade aims to address the key issues currently associated with the park which include: accessibility, sightlines, ongoing tree-management and limited seating. It also aims to ensure the reserve meets both the current and evolving needs of the local community.
 - (b) The park often looks neglected, additional maintenance is carried out especially as off-leash park (4):

Lawrence Hargrave Reserve is maintained to meet the Parks service level agreement. Lawrence Hargrave Reserve maintenance operations have been discussed with Kings Cross Gardener. (Refer to Attachment E for additional information).

- (c) Request additional watering/irrigation is carried out as part of upgrade, consideration of water harvesting and rain tanks (3):

Water harvesting opportunities will be investigated as part of the detailed design phase.

- (d) Provision of open green space is important (8) + a significant proportion is being converted to hardscape and reduces the useable green space for both people and habitat (turf and trees) (3) + 'activating' this site will conflict with the opportunity for this park to be a peaceful and quiet place (4):

A variety of user groups utilise the park for a range of purposes. The proposed design allows for these existing uses to be continued alongside each other in public space with significantly improved amenity and safety. The existing turf area is divided by large mounds which limits useable space for the community. The proposed design will maximise provision of open lawn which is flexible for both passive recreation, such as dog walking, and more active activities such as kicking a ball. It will also be suitable for larger community events. A perimeter path has been included to ensure all community members are able to equally access the reserve.

- (e) Request planting considers urban wild-life; species that are native and will attract native bees and generally help with biodiversity (5):

Final species selection will be defined during detailed design; proposed tree planting and other planting will be considered with relation to habitat, shade and amenity.

- (f) Do not support provision of table tennis due to the noise associated in such close proximity to residences (6) + one suggestion to provide chess/draughts as an alternative:

The proposed design aims to activate the area behind the carpark vents and improve sight lines into the space. The purpose of the table tennis tables is to provide play amenity for all community members to enjoy. Other options to activate this space will be further investigated in detail design phase.

- (g) Request existing memorials are retained in-situ (3):

All memorial plaques and the Hoop Pine are to be retained, protected and remain where they are. The upgrades aim to improve the quality of the park such that the opportunity for the memorials to be seen and acknowledged by the community is improved.

This includes the following memorials:

- Remembrance Day Memorial Garden; and
- Sea King and Kings Cross Bikers memorial.

- (h) Request seating is comfortable, timber seats with backs (3) + Request seating is protected/sheltered i.e. in the shade (5):

There are currently only four seats located within the reserve. The proposed works will provide a range of seating types, both traditional seats (with backs and arm-rests), as well as more informal sitting walls. Seating will be located across the reserve such that there is opportunity to sit in either the sun or shade throughout the year. A total of 37 new traditional seats are proposed. Quantities of seats will be reviewed during the detailed design phase to ensure adequate seats are provided and there is sufficient budget available for installation.

- (i) Do not support inclusion of community garden club-room (4):

Additional information requested on Club-House Design and function:

The community garden club-room will be investigated as part of a future works package. It currently does not form part of this delivery.

- (j) Request for sculptures/public art:

Public Art is not currently proposed as part of this scope of works, however could be considered as part of a future program of works.

- (k) Request for inclusion of bins:

Bins will be located at the entry/exits to the reserve. The requirement for any additional bins will be incorporated during the detailed design phase.

The City currently separates its waste after collection and removal from site due to the high rate of contamination. This system is currently under review.

- (l) Request for consideration of provision of toilets:

The City has a Public Toilet Strategy, which defines the provision of public toilets across the local government area. There are new public toilets 30 metres away in Fitzroy Gardens.

16. Additional information has been requested and provided about materials selection (refer to Attachment D).
17. In response to this consultation the following has been noted and will be incorporated during the detailed design phase:
- (a) ensuring the reserve is retained as passive and quiet space and the green open space and provision of habitat planting is maximised;
 - (b) provision of a drinking fountain, additional bins, lighting and bike racks;
 - (c) testing alternate opportunities for activating the seating area near the carpark vents, including review of the materials of the proposed table tennis to reduce the noise impacts;
 - (d) provision of lighting to main paths of travel;
 - (e) investigation of opportunities for water harvesting;

- (f) inclusion of the delivery of the Stage Two community garden as part of this scope of works; and
- (g) further investigation of feasibility of the proposed community garden club-room, noting that it is not included in this scope of works.

Tree Management

18. The current condition of the existing trees within the reserve has been assessed by the City's consultant Arborist. Due to their current condition and arrangement within the reserve, selective removal and replacement of a number of trees is proposed as part of these works to improve sightlines within the park, improve the provision of shade and increase the provision of habitat.
19. The following tree management and planting is proposed as part of the park works:
 - (a) Thirty-seven trees will be removed, mostly Casuarina species and Acacia's with some additional removal of species including; *Stenocarpus sinuatus*, *Podocarpus elatus*, *Castanospermum australe*, *Tristaniopsis laurina*, *Melia azedarach*.
 - (b) Forty-four trees will be retained, including the Hoop Pine.
 - (c) Thirty-seven replacement trees will be planted which will provide shade, habitat, and amenity.

Key Implications

Strategic Alignment - Sustainable Sydney 2030 Vision

20. 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 plan 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 which meets the needs of a wide variety of user groups both existing and future, and will provide opportunities for social interaction both informally as a passive recreation space and for larger scale community events.
 - (b) Direction 9 - Sustainable Development, Renewal and Design - this project will provide improved open space infrastructure for the public, supporting a variety of user groups in an improved landscape setting.

Organisational Impact

21. This upgrade will provide improved passive recreation facilities. The assets will require ongoing maintenance.

Risks

22. Not implementing this scope of works could result in failure to meet community expectations.
23. During the detailed design phase additional consultant services are required to review both the structural impacts and drainage requirements of the proposed works on the existing carpark building. Scope and budget implications of these investigations will be known and resolved at the detailed design phase. A provisional sum for water-proofing has been estimated and included in the financial implications (refer to Confidential Attachment F). Costs associated with any structural rectification to the carpark (if required) are not currently part of the proposed budget.

Social / Cultural / Community

24. The reserve is used by a range of community members for a variety of purposes, including dog walking and for passive recreation. The new community garden also forms an important piece of community infrastructure. This project will support and enhance the existing uses of the park and provide improved safety and amenity, encouraging healthy activity and social interaction.

Environmental

25. A Part 5 Assessment including Review of Environmental Factors will be prepared for the upgrade works in accordance with the Environmental Planning and Assessment Act 1979 and the Infrastructure SEPP (2007).
26. Enhancement of planting is consistent with the Urban Ecology Strategic Action Plan and Urban Tree Canopy objectives.

Budget Implications

27. There are sufficient funds in the current year capital budget and future year forward estimate to proceed to Design Development phase. There are insufficient funds in future years forward estimates to proceed to construction.
28. Current cost estimates and financial implications are detailed in Confidential Attachment F.

Relevant Legislation

29. Attachment F 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.
30. 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.
31. Environmental Planning and Assessment Act 1979.
32. State Environmental Planning Policy (Infrastructure) 2007.
33. Sydney Local Environmental Plan 2012.
34. Local Government Act 1993 (NSW) - 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.
35. 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.
36. Companion Animals Act 1998 No 87 - Division 1 Section 13 - Responsibilities while dog in public place.

Critical Dates / Time Frames

37. Current Program Dates:
 - (a) Council Approval of Concept Design March 2020
 - (b) Complete Design and Costing Mid 2020
 - (c) Tender Preparation Late 2020
 - (d) Construction Start Early 2021
 - (e) Construction Duration 24 weeks including four week contingency

Options

38. Proceed with progression of improvement works as outlined in this subject report including relevant approvals, preparation of construction documentation, tender and construction.
39. Reduce Scope and Stage Works. If works were to be staged there is a risk of increased costs and a longer period of disruption for the community.
40. Project does not proceed - this option is not recommended as the existing park has a number of associated risks and compliance issues with regard to accessibility.

Public Consultation

41. Consultation was undertaken as a two-part process: pre-consultation / early engagement and public consultation / exhibition. For a detailed description of the consultation process and findings refer to Attachment E.
42. A pre-consultation notification letter / email was issued to the following local stakeholders to notify them of the project, provide a link to a pre-consultation survey and offer to meet on site to discuss the proposed upgrade.
 - (a) Kings Cross Community Garden Group;
 - (b) 2011 Residents Association; and
 - (c) Remembrance Day Group.
43. There were five submissions during the pre-consultation period resulting from the pre-consultation survey and pre-consultation meeting with Kings Cross Community Garden Group.
44. The public consultation / exhibition involved the following:
 - (a) a letter sent to 4,813 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) Kings Cross Community Garden Group;
 - (ii) 2011 Residents Association; and
 - (iii) Remembrance Day Group;
 - (c) a webpage on SydneyYourSay showing the plans for consultation from 5 November to 3 December 2019. Four hundred and twenty individual users viewed the page;
 - (d) two Have Your Say A2 panels installed in the park notifying park users of the proposed works, providing contact details of the Design Manager and a web address to the SydneyYourSay page; and

- (e) a community meeting was held at the Rex Centre in Potts Point on 19 November 2019. Approximately 150 people attended the event.
45. There were 28 submissions received during the consultation feedback. This included submissions via an online feedback form, post and the Sydney Your Say email address.
46. Responses ranged from comments, objections, suggestions and questions. Feedback has been collated into a number of themes as follows and is documented in detail in the engagement report (Attachment E):
- (a) General comments related to project scope, consultation process and park maintenance.
 - (b) Specific comments about the proposed works related to open green space, access and entry, trees/planting, table tennis, memorials, seating, lighting, materials, community garden and community garden club room.
 - (c) Suggestions of items which could be considered as part of the works.
47. In response to this consultation the following has been noted and will be incorporated during the detailed design phase:
- (a) ensuring that the reserve is retained as passive and quiet space and that the green open space and provision of habitat planting is maximised;
 - (b) provision of a drinking fountain, additional bins, lighting and bike racks;
 - (c) removal of the proposed club-room;
 - (d) testing of alternate opportunities for activating the seating area near the carpark vents, including review of the materials of the proposed table tennis tables to reduce the noise impacts;
 - (e) investigation of opportunities for water harvesting;
 - (f) inclusion of the delivery of the Stage Two community garden as part of this scope of works will be investigated subject to availability of funds;
 - (g) further investigation of feasibility of the proposed community garden club-room noting that it is not included in this scope of works.
48. Additional information has been provided with regard to materials selection (refer to Attachment D).

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