

Community & Environment Committee



Agenda: *Community & Environment Committee*

Date: *Monday 1 November 2010*

Time: *6.00pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Recommendation only to the Full Council (“R” Items)

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Matters which involve broad strategic or policy initiatives within responsibilities of Committee.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters delegated to the Council by the Traffic Authority of NSW.
- Matters not within the specified functions of the Committee,
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Residential Parking Schemes - Provision and Policies.

Delegated Authority (“D” Items)

- Community Services and Programs.
- Library Services
- Health.
- Licensing.
- Liquor Licences.
- Regulatory.
- Fire Protection Orders.
- Residential Parking Schemes (surveillance and administration).
- Traffic Management (Traffic Committee Recommendations).
- Waste Minimisation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolution).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Community and Environment Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.
- Statutory reviews of Council's Delivery Program and Operational Plan.

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

28 October 2010

To: Her Worship The Mayor, Councillor Isabelle Shapiro ex-officio
Councillors Susan Wynne (Chair)
Sean Carmichael (Deputy)
Anthony Boskovitz
Peter Cavanagh
Susan Jarnason
Greg Medcraft
Andrew Petrie

Dear Councillors

Community & Environment Committee Meeting – 1 November 2010

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Community and Environment Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 1 November 2010 at 6.00pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Other Matters

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 11 October 2010	1
D2	Paddington Community Garden Incorporation User Agreement – 1208.G	2
D3	Underground Street Parking in Paddington and other Heritage Conservation Areas - 422.G Part 2	63

Items to be Submitted to the Council for Decision with Recommendations from this Committee – ‘Nil R Items’

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 11 October 2010**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 11 October 2010 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Community and Environment Committee Meeting of 11 October 2010 be taken as read and confirmed.

Les Windle
Manager – Governance

Item No: D2 Delegated to Committee
Subject: **Paddington Community Garden Incorporation User Agreement**
Author: Paul Fraser - Team Leader Open Space & Recreation Planning
File No: 1208.G
Reason for Report: To report on the Paddington Community Garden operation for its initial 12 months and propose an additional three (3) year User Agreement with the Association.

Recommendation:

- A. That the User Agreement between the Trumper Park Reserve Trust (Woollahra Council) and the Paddington Community Garden Incorporation be renewed for a further three (3) years with the amendments proposed in the report.
- B. That Council staff continue to identify and investigate other possible Community Garden sites to meet the demands of the community.

Background:

The Paddington Community Garden at Trumper Park has been in operation for the past 12 months under the management of the Paddington Community Garden Association. As part of the previous resolution adopted by Council on 29 January 2008, recommendation H. stated the following:

'That, prior to the conclusion of the 12 month Licence/User Agreement, a report be submitted for Council's consideration outlining the results of the garden's management and recommendations for its future management'

The User Agreement (Appendix 1) between Council and the Paddington Community Garden Inc. commenced on the 6th October 2009. Clause 2.7 of the Deed states that;

'The Council intends towards the end of the Licence Term, to review the management and operation of the Community Garden at the Licensed Premises and consider the expected outcomes outlined in the Garden Plan for the Licensed Premises and that this may lead to the Licensor offering to renew the Licence for a further three (3) years from expiration of the Licence Term upon terms and conditions then agreed between the Licensor and the Licensee in writing.'

The Paddington Community Garden has been an outstanding success for both the members and various community groups. Membership levels are at maximum capacity of 45 with a large waiting list. Gardening participation has remained high throughout the past 12 months and many projects and improvements have been completed by the group. Council managed activities and other groups have used the site for various workshops and information days including:

- Edible and Organic Gardening workshop
- Compost & Worm Farming
- Seed saving workshop
- Eastern Suburbs Evening College (Sustainable Gardening)
- North Sydney TAFE
- Ultimo TAFE
- and other information sharing to the general community.

Council staff are in regular contact with the group to offer support and provide resources when available. The group was also successful in applying for a grant of \$964 under Council's Community Environmental Grant Program for a solar powered water pump which is currently being installed.

No complaints about the garden have been received and their relationship with neighbours is positive.

Proposal:

Council staff have recently met with representatives of the Paddington Community Garden and stated our recommendations for a 3 year User Agreement with Council. They have agreed with the proposal and also requested some amendments to the User Agreement which are as follows:

- Hours of Use – that the hours of use stated in the User Agreement be extended to 8pm during the Summer period to coincide with Daylight Savings. This would be extended from the current 7pm restriction (Clause 4.1.d).
- That the quarterly reporting requirement for the Association be extended to 6 months.

These amendments are minimal to the User Agreement and staff are supportive of them. In addition, the Association will be required to forward information to Council throughout the three year period including updated Public Risk Insurance (Clause 7.1), permission for major projects within the Garden, and all other requirements as per the User Agreement.

It is therefore proposed that the User Agreement be amended as stated above and that the Licence Term be extended to a three (3) year period commencing on the Licence Commencement Date. There is no Licence Fee payable.

Conclusion:

That due to the overwhelming success of the Paddington Community Garden and in line with Clause 2.7 of the User Agreement it is recommended that Council resolve to renew their Licence for a further three (3) years with the proposed amendments as stated in this report.

It is evident that the Paddington Community Garden and other Community Gardens throughout Sydney are becoming extremely popular. These gardens have many positive outcomes to the community for both social and environmental issues. Where sufficient demand is displayed Council staff will continue to investigate various sites in line with Council's policy on Community Gardens and report back to Council with other possible suitable sites.

Paul Fraser
Team Leader – Open Space & Recreation
Planning

Tom O'Hanlon
Director – Technical Services

Bruce Rann
Manager Open Space & Trees

ANNEXURES:

1. Deed of Licence (User Agreement) – Paddington Community Garden Trumper Park Reserve
2. Paddington Community Garden Association Quarterly Reports

Item No: D3 Delegated to Committee
Subject: **Underground Street Parking in Paddington and other Heritage Conservation Areas**
Author: Greg Stewart - Project Manager Strategic Projects & Policy
File No: 422.G Part 2
Reason for Report: Adopted Notice of Motion calling for a report on the matter.

Recommendation

- A. That Council take no action at this stage in relation to the possible provision of underground street parking for residents of Paddington.
- B. That should a private construction / development company express an interest in further developing the option of providing underground street parking in Paddington, Council reconsider the matter to determine whether it would be prepared to facilitate such a proposal.

Background

The following Notice of Motion was adopted by Council on 30 November, 2009:

“That a report be submitted to the appropriate committee into the viability and financing options to enable underground street parking for residents in Paddington and other heritage conservation areas”.

The rationale provided in support of this Notice of Motion was as follows:

1. Paddington faces a growing pressure on parking availability for residents.
2. Public transport is inadequate to cater for all the transport needs of residents.
3. In terms of Heritage, many cities such as Paris have used underground street parking to cater for the needs of higher density modern living.
4. Under grounding of parking provides further options for enhancing the urban landscape and energy use in terms of potential for under grounding power and even installation of electricity points for electric cars.
5. Streets could be targeted that are scheduled for major footpath reconstruction.
6. Funding could be on a privately funded basis.

The following information is provided in response to the Notice of Motion.

Preliminary Investigation Work

Preliminary investigation works have been carried out on the feasibility of providing an underground car parking area under Stafford Street Paddington, as an example of what may be able to be achieved in streets throughout the Paddington area. A preliminary concept layout plan has been prepared for an underground car park under Stafford Street and a copy of this concept layout plan is attached as Annexure 1. This plan, which is only one of a number of different options that is possible, has been developed on the following basis:

- The car park would be located entirely within the road reserve with its floor level being approximately 3 metres below the existing road pavement level.

- The size of the car park would be set at 40 spaces because the provision of more than 40 spaces underground would require mechanical ventilation which would significantly increase the capital and running costs of the car park. If there were to be sufficient demand for the underground car parking spaces, the car park could be enlarged to accommodate a further 15 car parking spaces; however the unit cost for all of the car parking spaces would increase significantly with the need to install mechanical ventilation.
- Depending on the requirements of the users, the car parking spaces could also contain bicycle lockers, areas for motorbike parking and small secure storage areas for sporting equipment and the like.
- Cars would enter the car park via a ramp located in the existing kerb side parking lane of Stafford Street. Access to the car park would be controlled by a personal proximity card which would activate a roller door. The exit from the car park would also be via an exit ramp situated in the parking lane through a roller door controlled by a proximity card. The entry and exit ramps would each reduce the number of parallel parking spaces in the street by 6 car parking spaces.
- Pedestrian access would be provided by a stairway accessing Stafford Street and a disabled access ramp to Heeley Street and emergency door exits beside the entry and exit roller doors. Access to the car park roller shutters and security doors would be controlled by proximity card readers.
- The facility would be permanently monitored by security cameras and would provide safe secure parking for users.

Cost estimate

An estimate of the cost of constructing the 40 space underground car parking area in Stafford Street, Paddington in accordance with the concept plan developed has been obtained from consultants Page Kirkland Group. Their estimate of the cost of constructing the underground car parking area and the associated street works is \$5,000,000 which equates to \$125,000 per car parking space. This estimate is based on the following:

- It has been assumed that the car park would be constructed by the cut and cover method which would involve excavating a section of roadway, stabilising the walls with piles and shot-crete, and covering the excavated section with pre-cast reinforced concrete slabs. There is a high probability that rock will be encountered. If the rock is of sufficient strength, piles may not be needed so a detailed geotechnical report would be required before the final design could be completed.
- The use of pre-cast sections for the roof of the car park would minimise construction time and reduce the time the street is closed to traffic. It has been estimated that construction would take 5-6 months to complete during which time there would be considerable disruption to local traffic and local residents.
- There is a high probability that a number of services such as gas mains, water mains, Telstra cables and sewer pipes would need to be relocated to enable the car park to be constructed. The cost estimate assumes these services would be hung along the side walls of the car park in conduits.
- The street currently contains a large number of street trees and construction would require some of these trees to be removed. Although it would be intended to retain as many trees as possible, due to the unknown location and size of the tree roots, the number of trees that would have to be removed is unknown. All removed trees would, where possible, be replaced with advanced specimens. The opportunity to renew the infrastructure in Stafford Street at the time of construction could include the construction of new footpaths, kerb and gutter and associated drainage improvement works.

Ownership

It is considered that any underground parking facility provided for the residents could either remain as a Council asset or be leased or sold, either to a private business or consortium or to individual residents. It would be possible to create a stratum under the public road and sell the car parking spaces or lease them as long term leaseholds. The leases could then be sold on the open market and the car parking spaces would be able to be bought and sold like any real estate. The value of the spaces would be controlled by market demand and might increase in value over time. Anecdotal evidence suggests that property in Paddington with a car space is worth significantly more than one without a parking space. The price of these car parking spaces would need to be valued by a suitably experienced independent valuer if the viability of the project is to be more accurately assessed.

Funding

As the estimated cost of the project is significant, it would be important that Council recover all of its costs. The loan repayments for a \$5m loan at 8% interest over 10 years would be \$735,000 per annum (P & I). In addition, there would be operating expenses which would need to be covered, a sinking fund created for repairs and eventual renewal, and a possible profit margin to Council.

To pre-fund the project, Council could sell the parking spaces or leases before the construction work commences. There is risk in this approach however, in that construction costs might increase beyond the estimate and Council might not fully recover its capital outlay. The biggest area of risk for cost increases is with the relocation of the existing services. Ground conditions are also an unknown, however, in this location if rock were encountered, the construction costs could be lower due to a reduction in piling and shoring costs. A detailed geotechnical investigation would be needed to allow the most economical design to be developed. The remainder of the civil construction would use commonly available materials and well known methods of construction. Although the location presents difficulties, it is expected that the construction would be reasonably straight forward.

As an alternative to the above, Council could deliver this project quicker and with less risk by entering into a partnership with a private entity to construct and run or lease the car parking facility or have a private company manage the project entirely, with Council's role being limited to facilitating the use of the road reserve in return for a consideration. A project of this size and nature may be attractive to the many private construction and development companies. Although this would remove most of the risk to Council, it would also reduce the possible potential revenue to Council.

Issues and unknowns

Demand for underground street parking

The potential demand for an underground street car parking facility in this section of Paddington is unknown. It may be expected that the car park would attract people from up to say 200m away. There are over 100 properties within a 100m walk of the proposed car park, and less than 12% of these properties have off-street parking, so it is possible that demand for the car parking spaces may exceed supply. To gain a better understanding of the views of the residents and their preparedness to pay for an underground car parking space in the area, it would be prudent to carry out a survey of the residents. The results of the survey would allow Council to tailor the facility to the views and requirements of the residents. If there were demand, the car park could also include motorcycle parking, bike parking, electricity supply points for cars and storage areas.

Possible impact on the streetscape

The entrance ramps, roller doors, pedestrian access stairs as well as the fences or walls that will be required around the perimeter of the access ramps and stairs will have some impact on the existing streetscape of Stafford Street. It is considered however that with careful design, the impact that these facilities will have on the overall streetscape of Stafford Street can be minimised.

Possible objections from residents not participating in the project

It is considered that Council is likely to receive some objections from residents not participating in the project. These objections are likely to relate to one or more of the following issues:

- Inconvenience and loss of on street parking during construction
- Permanent loss of on street parking due to the proposed entrance and exit ramps
- The use of the parking facilities in their street by non residents of the street
- Increased traffic flow due to the increased parking facilities in the street
- Potential damage to the adjoining terraces during construction, and
- The possible impact that the proposal will have on the streetscape of the street

The possible provision of underground car parking in other streets of Paddington

Underground car parking areas could only be installed in areas of Paddington where the following conditions apply:

- flooding of the road surface is unlikely to occur
- there is sufficient road width to provide angle parking underneath the road surface
- the geotechnical properties of the material underneath the road surface is suitable for such construction, and
- there are no major utility services located within the roadway that are unable to be satisfactorily relocated

Although underground car parking could be provided in some of the narrower streets of Paddington where only parallel parking underneath the road surface could be provided, the cost of providing such a facility per parking space created would be much greater than that where 90 degree parking is possible.

Because of the above constraints, there are limited streets throughout the Paddington area where such a proposal would be feasible.

Consideration and Recommendation

There are a number of risks and unknowns associated with an innovative project of this kind including the likely demand for this type of car parking, subsurface conditions, construction costs and funding alternatives. Because of these risks and unknowns, it is considered that the provision of such a facility should be best left in the hands of private companies who are more experienced in evaluating the need and economic viability of such proposals and more experienced in managing the risks associated with such projects. For these reasons therefore, it is recommended that Council take no action at this stage in relation to the possible provision of underground street parking for residents of Paddington. It is also further recommended that should a private construction / development company express an interest in further developing the option of providing Underground Street parking in Paddington, Council reconsider the matter to determine whether it would be prepared to facilitate such a proposal. This interest could be determined through an expressions of interest process initiated by Council.

It should be noted that the provision of underground parking as outlined in this report would be for the exclusive use and benefit of a limited number of residents only and that the Council resources dedicated to the project should reflect this.

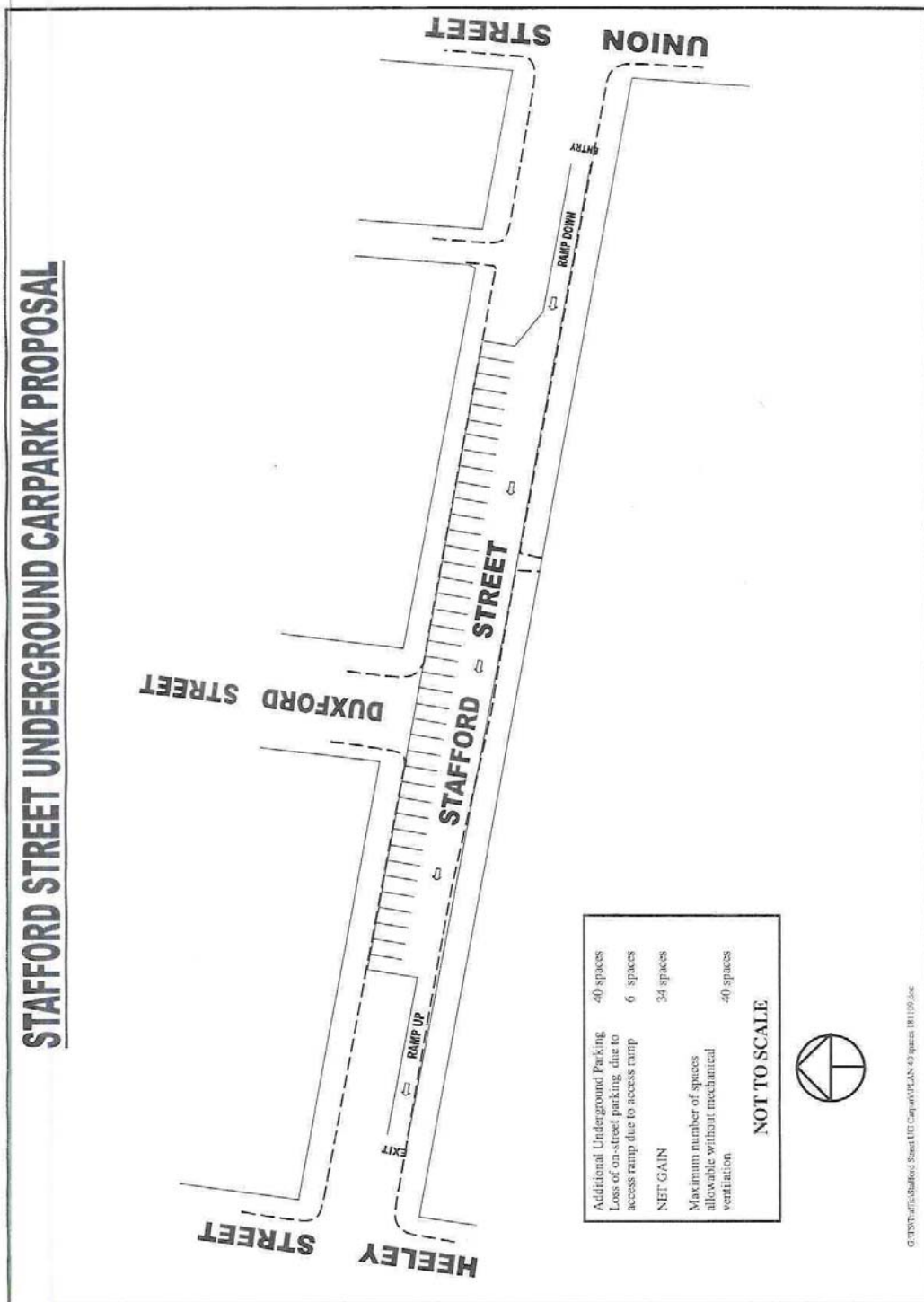
Greg Stewart
Project Manager Strategic Projects & Policy

Tom O'Hanlon
Director Technical Services

ANNEXURES:

1. Concept Layout Plan

ANNEXURE 1



**POLITICAL DONATIONS DECISION MAKING FLOWCHART
 FOR THE INFORMATION OF COUNCILLORS**

