

## REPORT CM/7.3/17.12



**Subject:** Thomas Hogan Reserve Stage 2 - Results of Community Consultation

**TRIM No.:** SF17/2444

**Author:** Andrew Chau, Senior Landscape Architect

**Director:** Emily Scott, Director, Waverley Renewal

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### RECOMMENDATION:

That Council:

1. Receives and notes the responses by the community on the proposed Thomas Hogan Reserve Stage 2 Works.
2. Based on community responses adopts the actions proposed by Council Officers in the report, including amending the design to:
  - (a) Consider alternative materials that are currently proposed as concrete.
  - (b) Reconsider the extent of lawn and garden bed.
  - (c) Consider removing the provision of a specific Council maintenance parking bay, and incorporating a DDA parking bay in lieu of on street provision (action identified in PoM).
  - (d) Amend the alignment of the Martin's Avenue stairs to balance the need of direct access and extent of central lawn.
  - (e) Include locations of replacement trees and specify native species.
  - (f) Minimise trees being removed in this stage of works.
  - (g) Include a planting list in accordance with the VMP, consisting of all natives endemic to the area and in the classified ecological class.
3. Proceeds with the development of a staged Ecological Restoration Action Plan for Thomas Hogan Reserve, to be presented to Council for adoption.

#### 1. Executive Summary

This report provides background, discussion, and recommended actions for the Thomas Hogan Reserve Stage 2 Landscape Works based on the recently concluded community consultation period.

Thomas Hogan Reserve Stage 2 works proposes to improve universal access into the community hall and surrounding landscape, address localised flooding issues, and to mitigate risk associated with a stand of large trees. Council officers undertook a consultation period from 22 September 2017 until 20 November 2017. Consultation activities included an online survey, onsite 'Have Your Say' days, Councillors and resident information session, and social media posts. The consultation process and methodology was more

intensive than required for the scale of works as the proposed concept contained issues that required thorough consultation due to community concern.

Community Consultation revealed a mixed response to the overall proposed landscape concept. Items relating to the management of trees and the new hard paved areas were opposed. However, the proposed Universal access upgrades and landscape works around the Community Hall were supported by the community.

It is recommended that Thomas Hogan Reserve Stage 2 works be amended in response to community expectations as identified in this Council report and further discussed in the Community Consultation Summary. This should alleviate community concerns raised, and allow for Council to undertake works required to ensure a safe and universally accessible reserve.

## **2. Introduction/Background**

### **Thomas Hogan Plan of Management**

The Thomas Hogan Plan of Management (PoM) was developed by Council officers and was adopted by Council 01 November 2011. The PoM provides a guideline for the ongoing maintenance and actions on how to upgrade of the space to suit community needs. The community was comprehensively consulted during the development of the PoM.

### **Stage 1 – Playground Upgrade (Completed Spring 2016)**

The stage 1 works directly addressed actions identified in the PoM and the Play Space Strategy, including universal access into the reserve, and predominately the play space.

### **Stage 2 – Community Hall and Central Lawn Access and Landscape Upgrade**

The current stage of works aims to continue the improvements and works from stage 1 and further undertake works identified in the PoM, including the following actions:

- E2 Identify trees that are in decline or damaged, assess for safety and plan for replacement.
- E3 Develop a planting plan to increase the feeding habitat of birds
- E9 Maintain tree canopy to allow solar access to grass clearing and new plantings.
- C2 Investigate the development of a unique lighting strategy for safety and enhancement.
- A9 Investigate improvements to drainage at low point near hall.
- A10 Investigate installation of equal access path/ramp from Francis St to Hall.
- A11 Investigate the construction of a path where there is erosion between central clearing and playground.

Stage 2 works aim to address the above actions by:

- Providing universal access infrastructure to allow users with limited mobility to equitably access the hall and surrounding landscape, including access into the community hall, and into the central lawn space.
- Relocating existing seats for universal access from the new access path.
- Upgrade furniture to align with the standard furniture suite guided by the *Public Domain Technical Manual* (PDTM).
- Install 'wet' garden beds to capture, retain, and infiltrate localised flooding to mitigate potential flood damage to the hall and surrounding properties.
- Improve and increase the functionality of the open space in front of the community hall by providing a larger useable outdoor space including a level paved or decked area, new turf and planting, and new seating.
- Removal of 13 trees, 12 of which are based on a report and recommendations prepared by a certified Arborist. A priority listing for removal of trees within the report are based on the safe and useful life expectancy (SULE) as assessed by the consulting arborist, where a tree rated four (4) or higher had considerable safety risks and an expected failure within five (5) years.

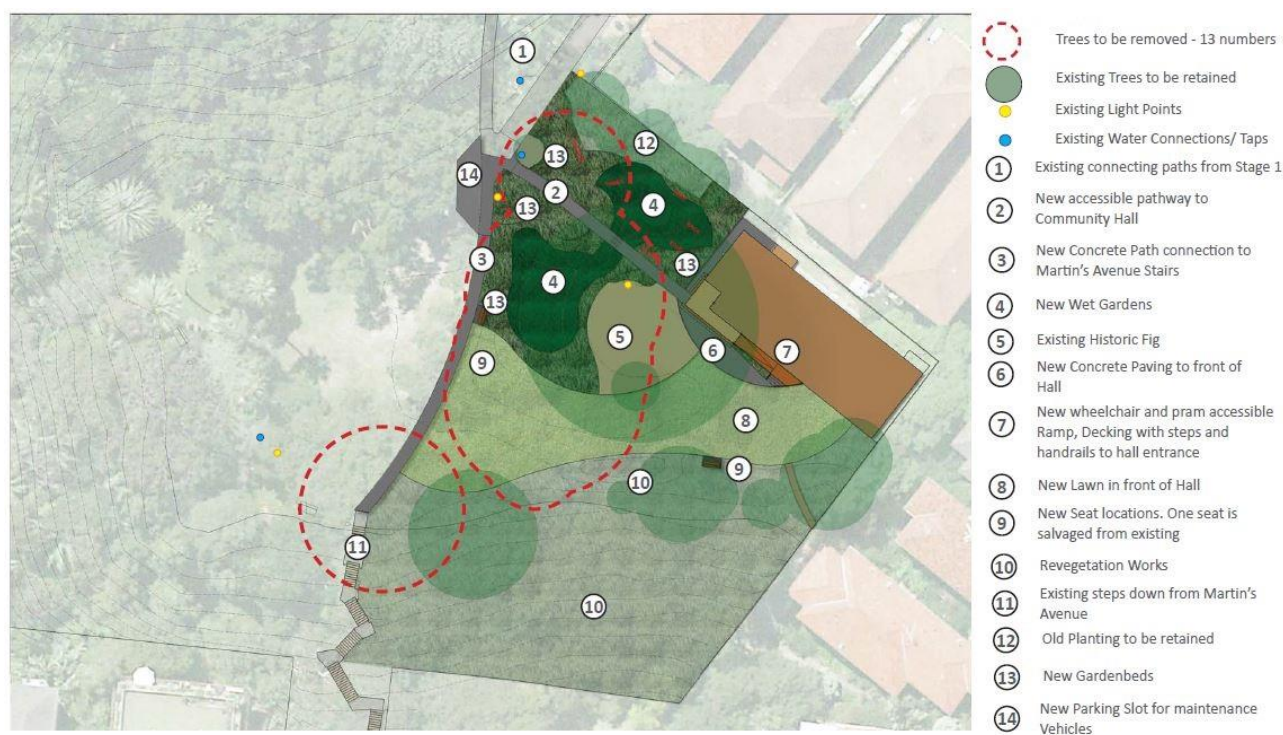


Figure 1 – Community Consultation Proposed Concept Plan

### Community Consultation

The community were engaged through Council's consultation and engagement website, *Have Your Say Waverley*, on-site *Have Your Say* days, and via direct communication methods (email and phone).

The consultation period was from the 21 September until 20 November, a duration of 60 days. The consultation period was extended for a further 28 days from the initial closing date of 22 October. Within this period, Council officers hosted two onsite HYS days, and a design walkthrough with Ward Councillors and residents.

The proposed concept plans and supporting information were available for download on Council's webpage. Council officers also organised for posters of the design and Camphor Laurel information sheets to be placed in the Community Hall and within the park.

*Attachment 1* provides detailed information of the consultation process (summary of findings and recommended actions are provided in the discussion section below). *Attachment 2* includes the material made available to the community during consultation.

### 3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Operations and Community Services Committee, 07 November 2017	OC/5.4/17.11	<p>Motion / Unanimous Decision</p> <ol style="list-style-type: none"> <li>Approves the Vegetation Management Plan (VMP) – Thomas Hogan Reserve (attached to this report) for public release in order to better inform the community consultation currently underway on the proposed Thomas Hogan Reserve works.</li> <li>Notes a consultation report will come back to</li> </ol>

		<p>Council following completion of community consultation on the proposed Thomas Hogan Reserve works, and will include issues identified with the proposed works and the VMP.</p> <ol style="list-style-type: none"> <li>3. Notes that the Vegetation Management Plan (VMP) – Thomas Hogan Reserve is a supporting technical document that is used to guide the future management and design of the Reserve.</li> <li>4. Officers organise an on-site meeting with residents and Waverley Ward Councillors to discuss the VMP during the community consultation period.</li> <li>5. Officers erect informational signage in Thomas Hogan Reserve as soon as possible to provide clarity on the community consultation process and the proposal under consideration for the removal of 13 trees including 12 camphor laurels (seven of which have been deemed a safety risk) and one palm tree.</li> <li>6. Receives and considers the arborist's and ecologist's reports, commissioned by residents, as part of the review process.</li> </ol>
Council Meeting, 18 October 2016	CM/7.4/16.10	<ol style="list-style-type: none"> <li>1. Endorses the draft Planning Agreement applying to the land at 6 Edward Street, Bondi that contributes \$106,882 to Council for the upgrade of Thomas Hogan Reserve.</li> <li>2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council Seal to the documentation.</li> </ol>
Finance, Ethics & Strategic Planning Committee Meeting, 01 November 2011	F-1111.10	Council adopt the amended Draft Thomas Hogan Reserve Plan of Management dated October 2011 without further public exhibition.

#### 4. Discussion

Attachment 1 provides a detailed summary of the community consultation results, a summary of main issues raised by the community are provided in this report.

#### Consultation

Thomas Hogan Reserve Stage 2 works gained large community interest. Council's *Have Your Say* webpage received 648 visits. 144 of the visitors downloaded documents containing information in relation to the Thomas Hogan Reserve Upgrade, and only 96 of the total visitors had decided to provide an online survey response. Council officers received an additional 28 submissions on *Have Your Say* days, and via email.

During the consultation process, the community requested additional information in the detail and rationale of the design decisions when developing the concept, in particular, the proposed removal of trees. The Vegetation Management Plan was released to the public to provide the additional information requested, and to allow for transparency in design decisions. Council approved the public release of the

VMP at the 7 November Operations and Community Services Committee for the purposes of community consultation only, with a resolution to provide an onsite information session for Ward Councillors and residents. It should be noted that the VMP is a supporting document only and is not required to be adopted by council.

In order for the community to have adequate time to respond, Council Officers extended the consultation period for another four (4) weeks until 20 November, organised another HYS day, and updated all the signage at the reserve. The resulting Thomas Hogan Reserve community consultation process was twice as long (when compared to similar scale projects) and included three onsite days for questions and answers.

23% (26 of 144) of participants that had downloaded and/or viewed the proposed plans but did not provided responses to the survey or participated in the discussion via email. It can be assumed these participants either had no opinion or no opposition to the proposed works.

The main issues raised by the respondents is discussed below.

### **Universal Access**

The proposed design addresses the need for universal access by upgrading the path and access into the Community Hall, and providing a new compliant universal access path into the central lawn area.

There is marginal opposition (57 of 108, or 53% of respondents) to the proposed design of the path providing universal access to the central lawn area and connecting the Francis St paved paths to the Martins Ave stair. Concerns summarised from the comments include:

- Loss of green space.
- Efficacy of path in reducing wear on the turf.
- Too much concrete in natural space.

Despite the opposition to the proposed path, Council should be increasing universal access into all council owned assets. This is reflective of Council's commitment evidenced in adoption of the Regional Disability Inclusion Framework and Action Plan in October 2017. The proposed works at Thomas Hogan Reserve aim to address the following action identified in the plan:

- *3.1.1 Design all new council assets, buildings and open spaces to disability access standards and universal design principles.*

Further support of improving universal access in our parks is reflected in the NSW State Government's recently released media statement that they are working on a new design standard to guide the design of spaces for people of all abilities. With the Minister for Planning and Housing quoted as saying "It is imperative that our open spaces and playgrounds in parklands are able to be enjoyed by every citizen regardless of their level of ability."

To address the community concerns in relation to the path, and still uphold Council's obligations under the Disability Discrimination Act, Council Officers will:

- Amend the design in consideration of alternative materials (currently shown as concrete).
- Amend the alignment to balance the need of direct access and extent of central lawn of the path to the Martin's avenue stairs.
- Consider removal of the provision of a specific Council maintenance parking bay, reducing the area of proposed hard paving.

In contrast to the central lawn path, there is strong majority (77 of 111, or 69% of respondents) support for the proposed improvements for universal access to the Community Hall, however, there were concerns regarding the materiality of this upgrade.

To address the community concerns in relation to the community hall path and access, Council Officers will:

- Investigate alternative materials for the proposed universal access path and access ramp to the Community Hall.

### **Landscape Works**

The landscape works proposed, as outlined in the introduction, include an interim solution to flooding, and improved usable space around the community hall.

Of the respondents, there is marginal support (57 of 108, or 53% of respondents) for the proposed landscape works around the community hall.

Of those that had opposed, the general concerns were:

- Excess lawn in a 'nature' reserve.
- Hard paved area to the front of the hall.
- Non-native planting.

To address the community concerns, Council Officers will:

- Provide a planting list in accordance with the VMP, consisting of all natives endemic to the ecological class.
- Amend the design to reconsider the extent of lawn and garden bed.

### **Tree Management**

The proposed design includes the removal of 13 trees on the periphery of the central lawn area. These trees are predominantly Camphor laurels, a species recognised as an environmental weed. Council officers had commissioned a report to ascertain professional assessment of the health of the trees. The report identified the trees had varying health issues and recommended removal of the trees.

The respondents are strongly opposed (66 of 108, or 60% of respondents) to the management of the trees, in particular the removal of trees. However, Council is required to address the safety issue these trees may pose.

Of the trees proposed for removal, one is deemed an imminent safety risk, with a potential failure within five years. Ten of the other trees have varying symptoms showing stress or ill-health, and have been recommended for removal as they are likely to fail within five to ten years. Two trees will be retained with the design amended to allow this change.

To address the community concerns, Council Officers will:

- Consider commissioning another certified arborist to provide advice based on the review of the existing assessment, and community provided arborist letter of objection.
- Proceed with the removal of trees deemed hazardous and a risk to public safety (quantity will be determined by certified arborist from previous action)
- Amend concept to include locations of replacement trees and specify native species.
- Minimise tree removal in this stage of works.
- Commission an Ecological Restoration Action Plan by specialist ecologist to guide the ecological restoration works.

### **Vegetation Management Plan**

During community consultation, it was revealed that the community had concerns around Council's future plan on managing the reserve. This is evident in the response to the proposal of removing 13 trees in Stage 2 works, and in the comments provided by the community. These include:

- "Tree change should happen over time so as not to spoil ecosystem."
- "Leave all of the trees alone and stop the destruction of over 150 trees!"
- "It is a nature reserve, please retain the trees and leave it as natural as possible."

The VMP is a long and detailed technical document written by specialists in ecological restoration. It is a guiding document only and is not formally adopted by Council. Despite the detail in analysis and recommended actions, the report does not provide a clear timeline in the restoration works, leading to misinterpretation of the trees being removed immediately.

To address the community concerns, Council Officers recommend Council:

- Commit operational funds of \$15,000 for Council Officers to engage a specialist to:
  - Peer review the VMP, with consideration of letters of objection commissioned by community members (prepared by an independent arborist and an environmental planner).
  - Development of a staged Ecological Restoration Action Plan (ERAP), to be presented to Council for adoption and implementation.

## 5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: C7 Health and quality of life are improved through a range of recreation and leisure opportunities.

Strategy: C7c Provide and support a broad range of facilities and activities to improve the physical and mental health of the community members.

Deliverable: Implementation of priority projects to deliver facilities and infrastructure upgraded in parks and reserves .

## 6. Financial impact statement/Timeframe/Consultation

### Thomas Hogan Reserve Stage 2 Landscape Works

This stage of works has a Capital Works Program budget of \$186,817.00 allocated for this financial year (2017-2018). Inclusive of this amount is a Voluntary Planning Agreement (VPA) contribution of \$96,193.80 (this value excludes the 10% contribution to affordable housing).

Timeframe	Action	Description
15 December 2017	Community Update	Council officers will circulate the Community Consultation Report to all respondents that had provided an email address.
15 December 2017	Concept Amended and circulated to Community	Council officers will amend the concept based on outcome of Council Meeting.
January 2018	Documentation Commences	Council officers will commence detailed design and documentation of the project based on the amended concept.
March 2018	Development Application	Council officers will submit a Development Application, if required.
May 2018	Tender and Procurement	Following development approval (if applicable) Council officers will issue a request for tender for the scope of works. The assessment and result will be reported to Council as per standard procurement procedures.

**Thomas Hogan Reserve Ecological Restoration Action Plan**

Council officers will allocate an estimated \$15,000 of project budget for the development of the Ecological Restoration Action Plan.

<b>Timeframe</b>	<b>Action</b>	<b>Description</b>
February 2018	Commission External Specialist Consultant	Council officers will prepare a brief and request for quotation for the development of an Ecological Restoration Action Plan for Thomas Hogan Reserve.
TBC	Council Adoption of Ecological Restoration Action Plan	Council officers will report to Council the Ecological Restoration Action Plan for Thomas Hogan Reserve.

**7. Conclusion**

Thomas Hogan Reserve is a much loved reserve providing a natural setting for the local community. It is important for Council to maintain and ensure the space has the ability to deal with increased usage as the area becomes more urbanised. The proposed Stage 2 works address management issues including universal access, and risk mitigation.

The respondents to the community consultation have raised valid concerns in relation to the proposed design, and Council Officers will consider these concerns when progressing the project.

Council officers will circulate the community consultation summary report and the amended design to the Community. Feedback and comments will be accepted and considered during detailed design and documentation.

**8. Attachments:**

1. Thomas Hogan Reserve Stage 2 - Consultation Summary
2. Thomas Hogan Reserve Stage 2 - Consultation Appendices