

# COUNCIL AGENDA ADDENDUM

ORDINARY COUNCIL MEETING

27 October 2020

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**COM 02**

**Mimosa Park, 22 Box Road, Casula**

<b>Strategic Direction</b>	Creating Connection Implement access and equity for all members of the community
<b>File Ref</b>	265271.2020
<b>Report By</b>	Galavizh Ahmadi Nia - Manager Community Development and Planning
<b>Approved By</b>	Tina Sangiuliano - Acting Director City Community and Culture

## **EXECUTIVE SUMMARY**

At its meeting on 31 July 2019, Council considered a Notice of Motion on opportunities for the repurposing of Council owned or controlled land for the purpose of affordable housing and resolved that a report be presented to Council's meeting on 11 December 2019. Subsequently a report was presented to the December meeting in which Council resolved to keep the vacant block of land on 22 Box Road Casula and prepare a report outlining options for community use in consultation with the local residents.

At the Council meeting on 26 August 2020, a report was presented outlining the site constraints, feasibility and analysis, and a review of existing recreation infrastructure around the subject site. The report presented the key findings of the review and recommended options to develop the site for the community's recreational use; and options for the funding and delivery of the recommended improvements. At this meeting, Council resolved to:

1. *Refer the matter to community consultation for 14 days with 2 options being:*
  - i. *Mimosa Park to be retained as a park; or*
  - ii. *Rezone and dispose of Mimosa Park.*
2. *A report to be brought back to the October Council meeting on the feedback from the community consultation.*

Council officers developed a site-specific community consultation plan, endeavoring to maximise community awareness and feedback in the process.

This report details the community consultation details and outcomes; and seeks Council's direction on a position to take with Mimosa Park.

## **RECOMMENDATION**

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That Council:

1. Receives and notes the outcome of the community consultation; and
2. Provides direction on a position to take with Mimosa Park:
  - Option 1: Mimosa Park to be kept as a local park and embellished (this option will require allocation of funds).
  - Option 2: Reclassify, rezone and dispose of Mimosa Park.

## **REPORT**

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### **1. BACKGROUND**

In response to a Council resolution from 31 July 2019, a report was presented to Council's meeting on 11 December 2019, exploring opportunities for the repurposing of Council owned or controlled land in the Local Government Area (LGA), for the purpose of affordable housing. Council resolved to:

1. Keep the vacant block of land on 22 Box Road Casula, for it to be turned into a park;
2. Prepare a report outlining options for community use of the land including consultation of the local residents and also consider only unused and underutilised land;
3. Be provided with funding options to implement above or alternate options;
4. Note that 22 Box Road, Casula (this block is approximately 550 sqm) is currently zoned RE1 public recreation and is surrounded by R2 low density residential;
5. Receives and notes the report and has a further briefing in March 2020 and makes available all reports regarding land usage that is underutilised. Councillors be provided with any other relevant reports given to the previous term of Council.

A report responding to the resolution items above was presented to the Council meeting on 26 August 2020. The report included a review of key planning and recreation strategic documents, site constraints, feasibility and analysis; and a review of existing recreation infrastructure around the subject site. It presented the key findings of the review and recommended options to develop the site for community's recreational use; as well as options for the funding and delivery of Mimosa Park. At this meeting, Council resolved to:

1. *Refer the matter to community consultation for 14 days with 2 options being:*
  - i. *Mimosa Park to be retained as a park; or*
  - ii. *Rezone and dispose of Mimosa Park.*

2. *A report to be brought back to the October Council meeting on the feedback from the community consultation.*

This report responds to the 26 August 2020 Council meeting resolution and details the community consultation process and outcomes, and analysis of the two options presented for Council's consideration.

## **2. COMMUNITY CONSULTATION PLAN**

Council's Community Development and Planning team prepared a Community Consultation Plan, aiming to inform and seek feedback from local residents. The table below outlines the consultation stages along with a description of the activities involved in each stage.

<b>Consultation Stage</b>	<b>Description</b>
<b>Stage 1</b>	Development of Community Consultation Plan, taking into consideration the COVID-19 impact and social distancing measures.
<b>Stage 2</b>	Implementing the consultation plan using the following methodologies: <ul style="list-style-type: none"> <li>• Public Exhibition: Survey on Liverpool Listens - 10 September 2020 to 24 September 2020.</li> <li>• Mail out of a flyer to approximately 6,000 residents of Casula, to inform them of the public exhibitions.</li> <li>• Door knocking of 400 sqm radius to the park: 21 September 2020.</li> </ul>
<b>Stage 3</b>	Compiling the consultation feedback for reporting back to Council.

*Table 2.1: Stages of Community Consultation Plan*

A survey was designed with questions to understand the current usage levels of Mimosa Park and whether the community recognises the benefit of retaining the site for recreational use or to be rezoned for a different use.

The survey was published online on Liverpool Listens from 10 September 2020 until 24 September 2020. During this period, Council officers included the additional consultation method of door knocking, to ensure capturing feedback from residents who might not have online access or be aware of the online consultation.

***Online Consultations – Liverpool Listens***

A total of 60 completed online surveys were received during the two weeks public exhibition. The following are the key findings from the survey data:

- 43.3% of the respondents support Mimosa Park to be retained as a natural play area;
- 8.47% of the respondents currently do not use Mimosa Park; and
- 55.93% of the respondents support Mimosa Park to be rezoned, whereas 37.29% do not support the rezoning.

The key comments received through Liverpool Listens included:

- “Promote or develop Mimosa Park into a beautiful breakout area one can visit and enjoy the green space;
- Open the street (Box Rd) to allow through traffic rather than having to go down past the Peter Miller Park;
- Keep all parks;
- No signage to let the community members know it's a public space and not a private property;
- Enjoy the views from the block but no seating;
- Some seats and a garden would allow the many people who walk past it for exercise a place to stop, rest and enjoy the views; and
- It's a great place to view the sunset. A suggestion for Council would be to construct a viewing deck/platform and seating, friendly for viewing the sunset.”

On 21 September staff conducted ‘door knocking’ within the 400m catchment of Mimosa Park. Door knock consultation is an effective and targeted method of consultation where precise and accurate data can be gathered from people most likely be impacted. A total of 26 face-to-face surveys were completed. The key findings from the face-to-face surveys are:

1. 25 respondents indicated support for Mimosa Park to be retained as a natural play area;
2. Of the 26 respondents, 24 indicated ‘currently do not use Mimosa Park; and
3. 8 respondents indicated support for Mimosa Park to be rezoned, whereas 18 respondents do not support the rezoning.

A difference in responses to questions 1 and 3 relating to retain and rezone of land was identified during the consultations. This is likely due to respondent’s limited knowledge of land use planning and the process of rezoning, which in this case has presented different results in the survey.

The key comments received through the door knocking consultation were around the many residents who walk in the area and suggesting installing benches and drinking water fountain/ refill stations for walkers to sit and relax; and

An analysis of comments and feedback received during community consultation identified that:

- A majority of the respondents support retaining Mimosa Park as a natural play area;
- Mimosa Park is currently not used by the community due to the lack of facilities like seating benches, pathways, trees and shade; and
- Those supporting the retention of the park recommended seating and a garden to provide a place to stop, rest, relax and enjoy the views.

The graph below provides a combined summary of the online survey and door knock consultations.

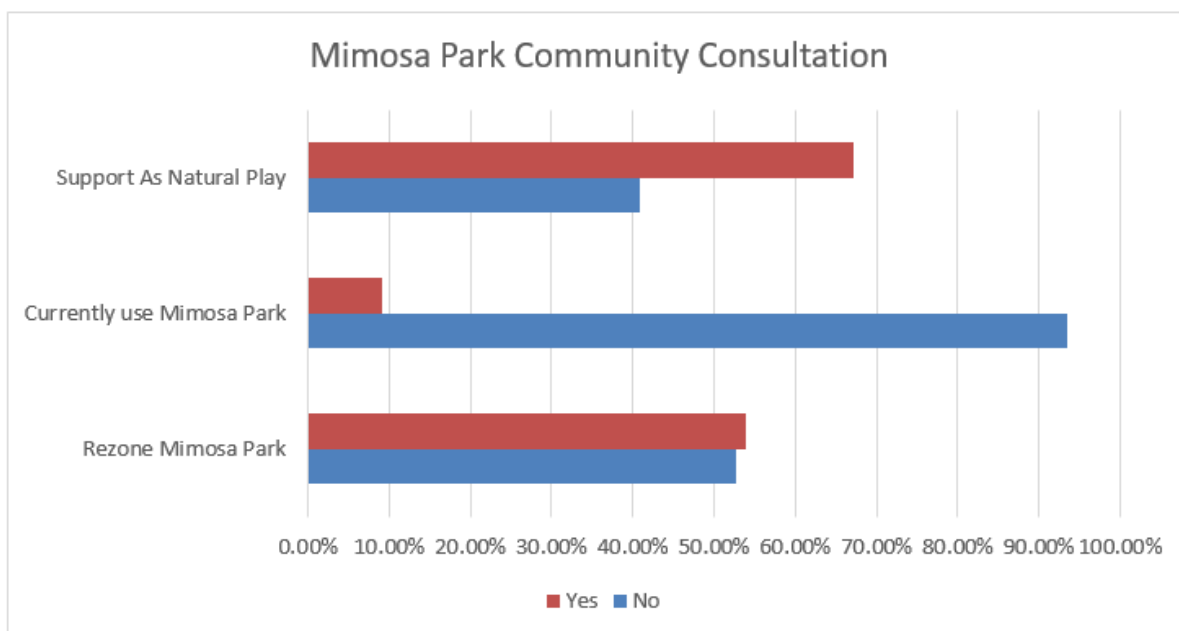


Figure 2.2: Consolidated Community Consultation for Mimosa Park

**OPTION 1: Mimosa Park to be retained as a park**

Should Council resolve to retain the site as a public park, presented below are site analysis and feasibility details, as well as funding and delivery options for Council’s information.



**Site Analysis and Feasibility**

Mimosa Park is currently grassed and maintained by City Presentation.

The site is approximately 550 sqm in size, with 15m frontage by 36m depth. The land drops approximately 4-5 metres from the front of the site to the back and has a gradient close to 1:10. The preliminary site analysis identified that major upgrading is required to make the site safe, including the construction of a retaining wall, back filling, levelling and fencing. Due to the topography, the site does not meet the requirements to provide an inclusive playground.

The table below provides a brief description of the recommended facilities to be considered for Mimosa Park, should Council resolve to retain the site as a public park:

<b>Recommended Functions</b>	<b>Description</b>	<b>Specifications</b>
<b>Play area</b>	Natural play area	<ul style="list-style-type: none"> <li>• Nature play</li> <li>• Wooden logs at different heights to climb</li> <li>• Natural hills and mounds utilising the site topography</li> <li>• Stepping-stone play</li> </ul>
<b>Connectivity</b>	Transparency and inclusivity with playground spaces	Connectivity to the existing footpath on Box Rd
<b>Trees</b>	<ul style="list-style-type: none"> <li>• Shade providing trees</li> <li>• Garden beds</li> </ul>	Visibility to the street
<b>Passive open space</b>	Grassed area for informal play	The park is sloped (1:10) towards the rear, then drops dangerously near the rear properties
<b>Informal seating</b>	Informal seating benches	Benches and informal seating

*Table 2.3: Functional Brief of proposed facilities at Mimosa Park*

It is recommended that further site investigations be undertaken, including environmental testing to determine its feasibility.



Figure 2.4: examples of a natural play area

### Funding and Delivery Options

Despite being zoned as open space, Mimosa Park has not been identified as a contribution plan item in Liverpool Contributions Plan 2009. Therefore, another funding source needs to be identified to further embellish the park.

The high-level costing for the development and construction stage of this project is outlined in the table below:

YEAR	ITEM	BUDGET
2020/21	Feasibility Study, Environmental Testing, Concept Development	\$10 -15,000
2021/22	Detail Design, Procurement and Construction	\$140,000

Following further investigations, the project is likely to incur additional cost for construction of a retaining wall and leveling, to be determined at the detail design stage.

The table below outlines a high-level timeline for the project development and delivery stages:

Development stage 2020/21	Estimated duration	Estimated Start
a. Site environmental testing	12 weeks	November 2020
b. Developing concept design (subject to availability of funding)	4 weeks	February/March 2021
c. Concept Design stakeholder consultation:		
• Internal Stakeholders	2 weeks	March 2021
• Local community consultation: <i>Liverpool Listens</i> , Letter box drop, community notice boards, Pop-up	4 weeks	April 2020

stalls (subject to COVID-19 restrictions)		
d. Review of stakeholder consultation	2 weeks	May 2021
e. Amend concept design as per stakeholder feedback	2 weeks	May 2021
f. Resident Notification Letter (Final Concept)	2 weeks	June 2021
<b>Construction Stage 2021/22</b>	<b>Estimated duration</b>	<b>Estimated Start</b>
g. Detailed design	10 weeks	July 2021
h. Procurement	10-12 Weeks	September 2021
i. Construction, establishment and maintenance	20 weeks	January 2022

**OPTION 2: Rezone and dispose of Mimosa Park**

Should Council resolve to rezone and dispose of Mimosa Park, consideration needs to be given to the proposed new zone and the reclassifications requirements of the Act.

Despite its current open space zoning, Mimosa Park has not been identified as a contribution plan item under Liverpool Contributions Plan 2009 that would allow for developer contributions to be used to further embellish the park.

Mimosa Park was identified as a park in Liverpool Contributions Plan 2001 (Section 10.3 (Box Road)). Should Council resolve to dispose of the land, it is recommended that proceeds from the sale be considered a restricted asset for provision and or embellishment of open space in the vicinity. This can be achieved by allocating funds to the s7.11 accounts for that precinct or to the parks and open space budget.

The subject site being Lot 1103 DP 1051233 is also subject to notations on title relating to drainage easements and existing Restriction on the Use of Land relating to fencing and BCA Code requirements. Although the restrictions associated with the use of land appear to be historical, further investigation would be required to determine if they can be removed from title, if disposal of the land was to be considered.

Rezoning and reclassifying of land will require the preparation of a planning proposal. As with all planning proposals, this will need to demonstrate strategic and site-specific merit in relation to the change in zone, for example, consistency with the state and local planning framework, and whether this site is suited to the proposed lands-use zone. All planning proposals require a gateway determination by Department of Planning, Industry and Environment (DPIE),

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followed by public authority consultation and public exhibition. In accordance with LEP Practice note PN 16-001, any land which needs to be reclassified also needs to be subject to a public hearing and cannot be rezoned until it has been granted reclassification by the governor (Minister).

**3. CONCLUSION**

This report details the community consultation details and outcomes; and in accordance with Council's resolution, seeks direction on a position to take with Mimosa Park.

**CONSIDERATIONS**

<b>Economic</b>	Funds required for the development and construction stages.
<b>Environment</b>	Protect, enhance and maintain areas of endangered ecological communities and high-quality bushland as part of an attractive mix of land uses.
<b>Social</b>	Deliver high quality services for children and their families.
<b>Civic Leadership</b>	Undertake communication practices with the community and stakeholders across a range of media.  Encourage the community to engage in Council initiatives and actions.
<b>Legislative</b>	There are no legislative considerations relating to this report.
<b>Risks</b>	The risk rating for this project is deem low.

**ATTACHMENTS**

Nil