

CP07-05/17 Development of Hardcastle Park, Landsdale

File Ref: 23688 – 17/137347
 Responsible Officer: Director Community & Place
 Disclosure of Interest: Nil
 Attachments: 4
 Previous Items: CD03-07/14 - PT02-05/14 - Request to include Hardcastle Park on Passive Parks 10 Year Capital Works Program - Ordinary Council - 22 Jul 2014 7:00pm

Issue

To consider the proposed concept plan for the development of Hardcastle Park, Landsdale.

Background

Hardcastle Park (the Park) is located at 39 Hardcastle Avenue, Landsdale and is an existing passive park of approximately 1.16 hectares in size. The Park is classified as a Neighbourhood Recreation Park or Nature Park due to the Threatened Ecological Community (TEC) on the site as per the City's Public Open Space Hierarchy (**Attachment 1**).

Other existing public open space within the walkable catchment of the Park (400m to 800m, 5 minute to 10 minute walk) includes:

Park	Location	Status	Distance
Harrogate Park	1K Harrogate Vista, Landsdale	Undeveloped	475m
Trentham Park	18 Trentham Road, Landsdale	Undeveloped	540m
Middleton Park	26 Middleton Road, Alexander Heights	Conservation and recreation. Undeveloped.	595m
Strathpine Park	21 Strathpine Chase, Landsdale	Undeveloped	665m
Donatello Park	28 Donatello Drive, Landsdale	Undeveloped	665m
Brockwell Park	15 Brockwell Parkway, Landsdale	Developed with play equipment / softfall	750m

At its meeting on 22 July 2014 Council considered petition PT02-05/14 presented to Council at its meeting held on 27 May 2014 seeking to include Hardcastle Park on the City's Passive Park 10 year Capital Works Program. As a result, Council resolved as follows:

1. *REQUESTS Administration to include Hardcastle Park in the 2014 Passive Parks Assessment Matrix review process and list Hardcastle Park in the draft 2015/16 10 Year Passive Park Capital Works Program, based on the outcome of the 2014 Passive Parks Assessment Matrix review process;*
2. *REQUESTS Administration seeks the Management Order for Lot 3000 Hardcastle Ave, from the Department of Lands;*
3. *LISTS for consideration in the 2015/16 Capital Works Program an amount of \$55,000 for the design and documentation of Hardcastle Park, with the intention for construction to commence in 2016/17 ; and*

4. *AUTHORISES the Director Community Development to inform the petition organiser of Council's resolution regarding petition PT02-05/14.*

As a result, Administration listed the project within the 2015/16 Capital Works Budget as follows:

Year	Budget Amount	Description
2015/16	\$55,000	Concept design for consultation and detailed design and tender documentation;
2016/17	\$335,000	Undertake the tender and construction

During the initial concept development phase of the project, site inspections conducted by Administration identified the existing vegetation on site as being significant. As a result a flora survey of the park was undertaken, confirming that the site was significant and that this would impact on the extent of development possible.

As a result, Administration investigated the use of environmental offsets to support an expanded development footprint within Hardcastle Park, with the following advice provided regarding potential consideration for offset at 334 Landsdale Rd:

- A site would need to be TEC20a to qualify as a suitable offset.
- Site 334 (POS 14) Landsdale Road was identified as a possible site for offset, however it would likely not qualify given the site is already being protected from development in the form of POS.
- Hardcastle Park is listed in the State's 'Green Growth Plan' as a location for high priority for protection and in addition to the presence of a TEC, the site is also Karrakatta Complex – Central and South which is poorly protected across the Perth metropolitan area.

On this basis, the use of offsets as a means to facilitate an expanded development footprint at Hardcastle Park is not a feasible option.

On 18 November 2015, Administration provided a project update to the Landsdale Resident's Association and, in light of the environmental limitations identified, workshopped development options for the site. As a result of this process, the scope for the development was amended as follows:

- Installation of appropriate nature play components which can be accommodated by existing bushland;
- The southern degraded bush area within the parks boundary is to be designed for a play space to include play elements that can be located on the existing environment;
- Consideration for the provision of bench seating, BBQ (optional), shade and path connections, noting accessibility by local residents is of paramount concern;
- Installation of educational signage focusing on the flora vegetation located within the park;
- Installation of safety fencing, including gates, on the parks boundary along Landsdale Road.

Following review of the environmental constraints identified for the site, Administration received advice from Western Power raising concerns of the proximity of the intended park development to the adjacent 6m easement for the overhead transmission power lines.

Western Power indicated that any proposed development within and adjacent to the easement area would need to be assessed by Western Power prior to any works being undertaken. Consequently the City was required to appoint an external consultant (approved by Western Power) to undertake this assessment in respect to any safety risks and

subsequent remedial measures to be implemented within the park development. As a result, the following easement restrictions were identified:

- Access points to the POS for maintenance and pedestrian/users are part of the proposal along Landsdale Avenue which occurs within the Western Power easement.
- Car Parking: to park or leave stationary within the easement any vehicle or machinery exceeding 2.5metres in height.
- Construction: of any metallic equipment, shelters, and fences, etc partially located within the 6 metre easement area would be subject to the proposed studies. This assessment is not limited to the easement area but is subject to the boundary area of the proposed development.
- Machinery: bring within the easement any vehicle or machinery which together with any attachment aerial or accessory exceeds 4.5 metres in height. An example of this requirement would be a crane machinery to lift equipment on site.
- Stack, place or store any plant or material within the easement.
- Grow, cultivate or maintain any vegetation exceeding 1m height from the natural surface of the land within the easement.

To obtain clearance from Western Power and remove public liability issues, Administration engaged consultants to undertake an Earthing System Assessment Report to determine the feasibility of the playground location, equipment, materials and any attenuation measures to minimise risk.

From the Assessment report the following recommendations were made:

- Various mitigation options have been presented to further reduce the risk of electric shock to the public as a result of power system proximity. It is recommended the cost benefit of these controls be considered and implemented as reasonably practicable;
- It is highly recommended the reported minimum clearance values between powerline and proposed playground structures be maintained at all times; and
- It was recommended that the implementation of the installations be verified through Current Injection Testing (CIT) to ensure expected outcomes are achieved.

Consequently, Administration engaged consultants to undertake the CIT process. The outcomes of this process are as follows:

- The inclusion of non-conductive down lead covers on poles 92 & 93, located within the development areas;
- The use of minimal conductive materials within the park, including ground cover, pathways, walls, fencing;
- Height restrictions of equipment to be used;
- Installation of non-conductive fencing sections;
- The requirement to have infrastructure located no closer than 6m from pole locations including foundations; and
- Installation methodology to consider clearances from poles and cabling.

As a result of the concept development process, a final draft concept plan was developed (**Attachment 2**), which sought to take into consideration the various constraints and stakeholder feedback received during the process. The draft concept plan is supported by Western Power.

Key elements identified within this concept plan are as follows:

Element	Description
Central Playground	Combination unit located between the conservation area and the internal pathway

Junior Play zone	Multiple play features for children 3-8 year olds located outside 6m exclusion zone.
Birds Nest Swing	Located outside the 6m exclusion zone, with sand soft-fall
Rotating Net	Located outside the 6m exclusion zones, primarily for older children/teens
Turfed Area	Located on the south west portion of the park around disc swing and junior play zone

The draft concept plan has positioned all play equipment and footings outside the 6m exclusion zones, as well as incorporating bitumen pathways (as opposed to concrete) due to bitumen being of a less conductive nature. The total cost of this concept was \$436,122 being \$101,122 above the existing project budget of \$335,000. The bulk of the additional cost (~\$70,000) is the result of mitigation costs associated with the conservation and electrical constraints identified at the site.

Detail

On 31 October 2016, Administration met with Mayor and Ward Councillors to table the preferred concept plan for the development of the park (**Attachment 2**) and to outline the proposed consultation strategy.

The concept plan (**Attachment 2**) was then released for community consultation between 7 and 20 November 2016. Administration received a total of 194 submissions from the 707 letters that were mailed out. Approximately 25-30 people attended the onsite consultation held on 16 November 2016 and the overwhelming majority of attendees at the onsite consultation did not support the design, for the following reasons:

- Lack of space allocated for development;
- Bush (TEC) should be cleared for larger development footprint;
- Location of the development was too close to the road;
- Keeping the bush would present risks of snakes and other reptiles to park users;
- The equipment / elements did not cater well enough for older children; and
- There was no parking as part of the development.

As a result, those present requested that the project be put on hold whilst an appeal is made to the State Minister for Environment and Heritage to increase the available footprint for the development of the park. Subsequently, the Mayor wrote to the Minister on 29 November 2016 and received a response on 6 January 2017 encouraging the City to liaise with the Department of Environment Regulation about any requirements for a clearing permit should the City need to clear native vegetation for the proposal.

Consequently, Administration contacted the Department of Environment Regulation to investigate available options and what the potential requirements of a clearing permit application would be (conditions and offsets) in order to assist with concept plan development. Administration received a response on 20 February 2017 advising the Department is unable to provide information on potential permit conditions and environmental offsets without undertaking a formal assessment of the application area.

In light of the advice received, it is considered prudent to request clearing of one half of the parcel of land rather than smaller and/or obscure parcels. It was therefore agreed to develop the concept plan based on the clearing of the western half of the parcel using the current north/south firebreak as the natural divider.

As a result of the community consultation that was undertaken, a further revision of the draft concept plan was undertaken (**Attachment 3**) taking into consideration of the following points:

- Community consultation outcomes including:
 - Clearing remnant vegetation to create a larger footprint for development
 - Inclusion of a large turf area / kick-about space
 - Relocate play equipment to a more central location away from the road
 - Inclusion of amenities for children and early teenagers
- Western Power easement restrictions
- Local Planning Policy 4.3 requirements
- A total available remaining budget of \$421,706 (unconfirmed municipal funding as detailed in the financial implications section of this report).

The revised draft concept design (**Attachment 3**) has provided a larger turfed area for kick about and other activities, relocation of the equipment to a central location away from the road, as well as providing play equipment and accessibility where practicable within the park.

Consultation

The revised draft concept plan (**Attachment 3**) was released for community consultation between 10 April and 7 May 2017 in accordance with the following consultation strategy:

- Distribution of an information letter, survey and concept plan to residents within a 400m radius of Hardcastle Park, requesting their feedback via the reply paid survey or by completing the online survey;
- Face to face community consultation held on 24 April 2017 to allow interested members of the public to view and discuss the draft concept plan with City Elected Members and staff;
- Promotion via the City's website and social media; and
- Inclusion of the concept plan and comment form on the City's web site under the 'Your Say' section.

Administration received 127 submissions in total from 699 mails outs (18% response rate) with 100 responses (81%) supporting the proposed concept plan and 24 responses (19%) not supporting the proposed concept plan. Three responses did not address the question.

Of the 24 respondents who did not support the plan, 12 comments (50%) focused on clearing more bush and/or creating a larger turf area, whilst 4 comments (17%) did not want any bush cleared. There were also 6 comments (25%) relating to reviewing proposed equipment provision and providing equipment for older children, mainly basketball facilities. A summary of the top 6 response categories specific to those who did not support the plan is provided below, with an additional summary included in (**Attachment 4**).

Top 6 response categories:

- Clear more bush and provide more green space (12);
- Review equipment and provide more equipment for older children (mainly basketball) (6);
- Preference not to clear any bush (4);
- Fencing of playground and/or along Landsdale Road boundary (3);
- Better access off Hardcastle Avenue (2); and
- More picnic settings and BBQ's (2).

For the respondents who were in favour of the proposed concept, comments centred on support of the larger turf area, the balance between developed space and retained bushland, and the relocation of equipment to a central area away from Landsdale Road. Whilst respondents were in support of the proposed concept design, there were still some comments that signalled a preference for more turfed area if possible, as well as comments requesting review of the equipment provision, mainly in relation to adding or swapping out the proposed provision for equipment that caters for older children such as basketball.

Of the 127 respondents, 114 respondents (90%) said they were in support of the provision of equipment that was proposed as per the revised concept design (**Attachment 3**), 12 respondents (10%) said they were not in support, and 1 respondent did not answer the question. There were 9 comments (16%) requesting additional equipment or equipment for older children, which was the most prevalent commentary in relation to this question, whilst 4 comments (7%) requested the stepping stones and logs be replaced with other items.

As outlined earlier within this report, Administration scheduled a face to face community consultation meeting with residents, the Mayor and Ward Councillors on 24 April 2017 at Warradale Park Clubrooms and no residents attended the consultation. The previously held on site consultation at Hardcastle Park was predominantly attended by community members in opposition of the proposal. As there were no attendees at the April meeting it is therefore assumed that the results provided via the reply paid and online surveys are an accurate reflection of the community's opinion of the proposed concept plan.

Comment

Hardcastle Park contains Banksia Woodland, which is protected at State level under the *Environmental Protection Act 1986* and at a Federal level since an update was made in 2016 to the *Environmental Protection and Biodiversity Conservation Act 1999*.

It is proposed that the concept plan that was presented for consultation (**Attachment 3**) be submitted as part of the State and Federal Government bi-lateral clearing permit application.

The comments from the community consultation relating to equipment provision will be addressed during the detailed design process, subject to the outcome of the clearing permit application. It should also be noted that the outcome of the clearing permit application may cause further design revisions, including equipment provision, with further reporting to Council if required.

In respect to project timeframes, there has been a change in the project schedule due to the extended consultation, State Government consultation, concept development process, and clearing permit application process. Based on advice received from the Department of Environment Regulation, the City has estimated that the clearing permit application process may take between 6 to 12 months.

Statutory Compliance

Nil

Strategic Implications

The proposal aligns with the following objective within the Strategic Community Plan 2013 – 2023:

“2 Society - Healthy, safe, vibrant and active communities.

2.1 Great Places and Quality Lifestyle - People from different cultures find Wanneroo an exciting place to live with quality facilities and services.”

Risk Management Considerations

There are no existing Strategic or Corporate risks within the City's existing risk registers which relate to the issues contained in this report.

Policy Implications

The City's Local Planning Policy 4.3 Public Open Spaces was used as the guiding framework for the development of the draft concept plan.

Financial Implications

The table below provides a summary of the project budget allocations and expenditure to date for the project (PR-3063).

Year	Budget	Actual Expenditure	Balance
2015/16	55,000	47,213	7,787*
2016/17	335,000	23,673	311,327
2017/18	101,125	0	101,125
Total	491,125	71,663	420,239

*Carried forward to 2016/17

A concept design budget of \$55,000 was allowed for within the 2015/16 Capital Works Budget. The balance of unspent funds from this budget was \$7,800 which was carried forward to 2016/17. A construction budget of \$335,000 has been allowed for in 2016/17 and the project currently has a total remaining available budget of \$319,114. The main expenditure items to date have been in relation to consultancy fees, Western Power fees and internal cost recovery charges.

As part of the 2017/18 budget process an additional \$101,125 has been listed for consideration in the 2017/18 capital works budget. This equates to a total project budget of \$491,125, with \$420,239 remaining available budget. The estimated cost of the proposed draft concept plan (**Attachment 3**) is \$422,084, which will be reviewed as a part of the detail design process post environmental approval.

Administration has been advised that the Department of Environmental Application fee is \$200, with a further \$200 per amendment (if required). The initial application fee to the Federal Government is \$6,577, however the Department will then determine if further information stages are required. If further stages are required the City is responsible to pay for each additional stage, and the Department will not commence that stage of the assessment until payment is received. It should be noted that the application fees are in addition to the estimated cost of the proposed concept plan. These costs have not been included within the current project estimate.

Based on advice received from the Department of Environment Regulation, it is envisaged that further additional and substantial clearing offset costs will also be required; however the costs and ratio of the required offsets are unknown until the clearing permit application is processed.

Voting Requirements

Simple Majority

Recommendation

That Council:-

1. **ENDORSES** the Hardcastle Park concept plan as shown in Attachment 3 of this report for the purposes of submission to the State Department of Environmental Regulation and Federal Department of Environment and Energy for the purposes of clearing permit application;

2. **NOTES** the estimated total cost of the project (excluding clearing permit requirements) is \$422,084, with the sum of \$101,125 listed for consideration in the 2017/18 capital works budget; and
3. **RECOGNISES** and **THANKS** the community for its involvement in the community consultation component of the project.

Attachments:

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| 1. | <i>Hardcastle Park - Location Plan</i> | 16/389125 | |
| 2. | <i>Hardcastle Park - Initial Draft Concept Design</i> | 16/389128 | |
| 3. | <i>Hardcastle Park - Revised Draft Concept Plan</i> | 17/102866 | <i>Minuted</i> |
| 4. | <i>Hardcastle Park Consultation April 2017 - Survey Results Summary</i> | 17/146513 | |