

**Report to General Manager**

Attachments:
1 Previous Report 28/10/19

SUBJECT: Proposed Community Garden at French Street, McMahons Point - Outcome of Site Meeting

AUTHOR: Eric Sturman, Streets Alive Coordinator

ENDORSED BY: Rob Emerson, Director Open Space and Environmental Services

EXECUTIVE SUMMARY:

At the Council meeting on 28 October 2019, Council resolved to conduct a site meeting at French Street, McMahons Point with interested Councillors. Discussion at the site meeting resulted in a recommendation for Council to pursue the proposal and that the State Member for North Shore be contacted to act on Council's behalf to negotiate with Transport for NSW for a longer-term beautification lease to make the project more viable.

FINANCIAL IMPLICATIONS:

There is no funding available in the current financial year. Any future budget allocation would have to be considered as part of the budget preparation process. The necessary budget for the initial soil contamination assessment, remediation of the land and establishment of the community garden is estimated at \$310,000.

RECOMMENDATION:

1. THAT the Mayor make representation to the State Member of North Shore, Ms Felicity Wilson, to negotiate with Transport for NSW for a longer-term lease over the French Street, McMahons Point vacant land proposed to be used for a community garden.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

Direction: 1. Our Living Environment

Outcome: 1.3 Quality urban greenspaces
1.4 Public open space and recreation facilities and services meet community needs

BACKGROUND

Council at its meeting on 28 October 2019, resolved:

THAT a site meeting be undertaken by interested Councillors of the proposed Community Garden site at French Street, McMahons Point.

CONSULTATION REQUIREMENTS

Community engagement is not required.

SUSTAINABILITY STATEMENT

The sustainability implications were considered and reported on during the initiation phase of this project.

DETAIL

On Saturday 23 November 2019, a site meeting was held at French Street, McMahons Point attended by the Mayor, Cr Jilly Gibson, the Director Open Space and Environmental Services, Robert Emerson and Streets Alive Coordinator Eric Sturman.

A discussion was held regarding the positive contribution that the Transport for NSW site would make to the local community and the community gardening program, and the significant investment required to establish the garden against the proposed standard short term (1 year) beautification license generally offered to Council.

It was considered that the Mayor would approach the State Member for North Shore and encourage her to make representation, on Council's behalf, to Transport for NSW for a longer-term beautification license thus making the community garden proposal more economically viable.

**DECISION OF 3724th COUNCIL MEETING
HELD ON MONDAY 28 OCTOBER 2019**

289. Item 23: Community Garden Proposal – French Street, McMahons Point

Report of Peter Massey, Environmental Services Manager

Council resolved that staff explore the possibility of requesting that a vacant block of land owned by Transport NSW be leased to Council in order to establish a community garden. Investigations have revealed that the land has soil contamination and a significant budget would need to be allocated by Council in order to remediate the site. There is no funding available in the current financial year. Any future budget allocation would have to be considered in the Operational Plan and Budget for 2020/21. The necessary budget for the initial soil contamination assessment, remediation of the land and establishment of the community garden is estimated at \$310,000.

Recommending:

1. THAT Council not pursue a lease with Transport NSW for the French Street, McMahons Point site due to the likely high cost associated with the land remediation.

A Motion was moved by Councillor Gibson and seconded by Councillor Drummond,

1. THAT a site visit be undertaken by interested Councillors of the proposed Community Garden site at French Street, McMahons Point.

The Motion was put and **carried**.

Voting was as follows:

For/Against 8/1

Councillor	Yes	No	Councillor	Yes	No
Gibson	Y		Barbour	Y	
Beregi	Y		Drummond	Y	
Keen	Y		Gunning		N
Brodie	Y		Mutton	Y	
Carr	Y		Baker	Absent	

RESOLVED:

1. THAT a site visit be undertaken by interested Councillors of the proposed Community Garden site at French Street, McMahons Point.

**Report to General Manager**Attachments:
Nil**SUBJECT:** Community Garden Proposal – French Street, McMahons Point**AUTHOR:** Peter Massey, Environmental Services Manager**ENDORSED BY:** Rob Emerson, Director Open Space and Environmental Services**EXECUTIVE SUMMARY:**

Council resolved that staff explore the possibility of requesting that a vacant block of land owned by Transport NSW be leased to Council in order to establish a community garden. Investigations have revealed that the land has soil contamination and a significant budget would need to be allocated by Council in order to remediate the site.

FINANCIAL IMPLICATIONS:

There is no funding available in the current financial year. Any future budget allocation would have to be considered in the Operational Plan and Budget for 2020/21. The necessary budget for the initial soil contamination assessment, remediation of the land and establishment of the community garden is estimated at \$310,000.

RECOMMENDATION:

1. THAT Council not pursue a lease with Transport NSW for the French Street, McMahons Point site due to the likely high cost associated with the land remediation.

Report of Peter Massey, Environmental Services Manager
Re: Community Garden Proposal – French Street, McMahons Point

(2)

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

Direction: 1. Our Living Environment

Outcome: 1.3 Quality urban greenspaces
1.4 Public open space and recreation facilities and services meet community needs

BACKGROUND

Council at its meeting on Monday 26 August 2019 resolved:

1. *THAT Council staff make initial enquiries with RailCorp to determine the feasibility of entering into a lease for the vacant land at 2 French Street, McMahons Point for the purposes of a Community Garden;*
2. *THAT Council writes to the State Member for North Shore, Ms Felicity Wilson, seeking support in Council's request to enter into a lease with RailCorp for the subject land; and*
3. *THAT should RailCorp be willing to enter into a lease with Council for the subject land, the proposal for a Community Garden in McMahons Point be included in the Operational Plan and Budget for 2020/21.*

CONSULTATION REQUIREMENTS

Community engagement is not required.

SUSTAINABILITY STATEMENT

The sustainability implications were considered and reported on during the initiation phase of this project.

DETAIL

The 1600 m² site is currently vacant with the site characterised as a sloping (east to west) block with grass and vegetation cover. The site is surrounded by residential development to the north, east and south, with the rail corridor to the northwest. It is currently fenced.

Council staff have made initial contact with Transport NSW and have canvassed the possibility of utilising the existing block for community use, in this case, for a community garden. This would necessitate Council entering into a beautification lease arrangement with Transport NSW. Council already has a number of these type of leases with Transport NSW.

In principle, Transport NSW have agreed to the use of that particular space for a community garden provided Council fund all costs associated with making that space safe for the public to use.

Report of Peter Massey, Environmental Services Manager
Re: Community Garden Proposal – French Street, McMahons Point

(3)

In terms of the soil contamination characteristics of the site, Transport NSW commissioned a detailed site assessment that was carried out in 2002. That report indicated several exceedances of soil health-based criteria namely Lead, Copper and Polycyclic Aromatic Hydrocarbons (PAH). Asbestos was also found on the site. At that stage, it was estimated that between \$150,000-\$200,000 would be required in order to remediate the land to a standard that would allow the public to access and use the land.

It should be noted however, that the initial study is dated and the soil contamination health investigation standards have altered since that time. The previous study also made the assumption that the land had to be remediated to a level that allowed for residential development where soil chemical levels are set at a higher standard than that of “Open Space Use” which is relevant for the community garden proposal.

Other relevant matters that Council needs to consider is the risk of Transport NSW not renewing the one-year beautification lease at some point in the future. All these beautification leases are a maximum one year in duration. Another risk with this proposal is that the current community interest in the proposed community garden site wanes and membership collapses. Both risks should be viewed through the prism of the likely expense associated with the land remediation and establishment of the garden.

If Council wish to pursue this matter, given all of the above factors, it will be necessary for a consultant to review the previous study, apply the relevant soil investigation criteria and provide an up to date indicative cost of remediation.

Indicative Budget:

- \$9,000 for consultant review of existing land contamination study and remediation approach and costing.
 - \$150,000-\$200,000 remediation costs (to be accurately determined).
 - \$80,000 community garden establishment costs (design dependent).
 - \$10,000-\$15,000 ongoing maintenance/support costs per annum.
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