

GO8 Licence Agreement Cnr Argyle & Margaret Street, Picton

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10845

TRIM 9225

EXECUTIVE SUMMARY

- The purpose of this report is to obtain Council's in principle approval to enter into a Licence Agreement with the State of New South Wales (Minister for Police) over the property known as Part Lot 2 DP 212204 & Part Lot 1 DP 829645 Cnr Argyle and Margaret Streets, Picton.
- As a part of Council's efforts to support the community and businesses of Picton in recovering from the storm event of 5 June 2016, it was recognised that highly utilised public parking areas to the north of the Council Administration building were needed to be used for other activities including pop-up services such as the Commonwealth Bank. The opportunity to enter into a licence to use an existing informal grassed parking area for the construction of a temporary all weather parking facility is seen as a valuable opportunity for the ongoing support of the community.
- This report recommends:
 - That Council provide approval in principle to enter into negotiations for a "Licence Agreement" with The State of New South Wales (Minister for Police) over the property known as Part Lot 2 DP 212204 & Part Lot 1 DP 829645 Cnr Argyle and Margaret Streets, Picton.
 - That Council delegate to the General Manager and Mayor the function of finalising and executing the Licence Agreement on behalf of Council and if necessary affix the Council's Seal to the documents.
 - That, if the need is confirmed for additional parking, the funding of any construction works for temporary all-weather parking be the subject of a report for Council consideration.

REPORT

This report was deferred at the Ordinary Meeting of Council held on 18 July 2016 to enable this matter to be reviewed at a Councillor's Workshop. This matter was subsequently reviewed at the workshop on 25 July 2016. The report is presented for the Council's consideration.

Council has applied to the Minister for Police to enter into a Licence Agreement over the property known as Part Lot 2 DP 212204 & Part Lot 1 DP 829645 at the corner of Argyle and Margaret Streets, Picton.

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The reason for the application is due to the loss of a number of public parking spaces as a result of the recent storm event and establishment of temporary "pop up" businesses (such as the NRMA and Commonwealth Bank) as well as the number of building companies utilising parking areas during storm renovation and repair works.

In addition to current pop-up uses, eight businesses have informed Council that an opportunity for a pop-up version of their business and/or temporary storage facilities for their goods/products is required before their permanent business sites can be made available.

It will be more effective to centrally locate such pop-up businesses or storage facilities on an existing site close to existing pedestrian desire lines in close proximity to operating businesses to generate passing traffic business. Accordingly, Council's existing car parking area is of prime consideration. However, this would result in an additional loss of immediately adjacent all weather parking which could work against the aims of enabling pop-up businesses to establish in Picton. Accordingly, an alternative all weather parking facility may be required and the NSW Police have confirmed that the adjacent vacant land behind Police Station and Court House can be made available.

The need for the construction of this car park is not yet finalised or determined. However, entering into this licence agreement does not bind Council to construct the car park, rather progresses the option and legal access should it be required.

The Department is supportive and very pleased to be able to assist the Picton community with making the currently vacant land available.

The Terms of the Licence is as follows:-

Licensee:	Wollondilly Shire Council
Term:	1 year
Commencement Date:	29 June, 2016 (provisional date, subject to how quickly the matter progresses)
Make Good:	Lessee's responsibility
Premises:	As per plan below to be taken on an "as is" basis Part Lot 1 DP 829645 & Part Lot 2 DP 212204 No 82-86 Cnr Argyle and Margaret Streets, Picton
Use:	Public Car park
Special Condition:	Access to the rear of the Police Station must not be obstructed; there is a lane that runs behind the residences that must also be preserved.

The draft licence is currently being reviewed by Council's legal adviser.

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Proposed Temporary Car Park area highlighted in Green



Should the need to construct additional all-weather parking be confirmed, a separate report seeking approval for funding would be submitted for Council's consideration.

CONSULTATION

Manager Works
Director Infrastructure & Environment
Council's Legal advisor

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FINANCIAL IMPLICATIONS

The cost of entering into the licence agreement (including legal costs) is expected to be approximately \$1,200 ex GST. It is proposed that these costs be funded from the "Local Recovery Operations clean-up works and urgent infrastructure repairs" budget adopted at the June 2016 Council meeting.

ATTACHMENTS

Nil.

RECOMMENDATION

1. That Council provide approval in principle to enter into negotiations for a "Licence Agreement" with The State of New South Wales (Minister for Police) over the property known as Part Lot 2 DP 212204 & Part Lot 1 DP 829645 Cnr Argyle and Margaret Streets, Picton.
2. That Council delegate to the General Manager and Mayor the function of finalising and executing the Licence Agreement on behalf of Council and if necessary affix the Council's Seal to the documents.
3. That, if the need is confirmed for additional parking, the funding of any construction works for temporary all-weather parking be the subject of a report for Council consideration.