

**ITEM 6. KENT STREET UNDERPASS – REFINED CONCEPT DESIGN – PROJECT SCOPE****FILE NO: S110389****SUMMARY**

This report describes the proposed refined concept design and public consultation undertaken for the Kent Street Underpass project.

The Kent Street Underpass was identified as a priority project in the Harbour Village North Public Domain Study endorsed by Council on 14 May 2012. The site is owned by Roads and Maritime Services (RMS) and currently maintained by the City of Sydney under an existing lease agreement. The Underpass is a key pedestrian and cycle link connecting the city with Harbour Village North and Barangaroo.

A refined concept design has been developed for the Underpass, which has been informed by the feedback received from the preliminary community consultation including exhibition of the draft concept design, stakeholder meetings and on-site intercept surveys.

During the exhibition period between June and July 2014, 105 people participated in the intercept survey, 24 completed the survey online and 25 submissions were received. Where possible, appropriate suggestions have been integrated into the refined concept design.

**RECOMMENDATION**

It is resolved that:

- (A) Council endorse the refined concept design as described in the subject report and shown in Attachment A to the subject report, for the purpose of proceeding with detailed design and seeking any relevant planning approvals;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer an agreement with Roads and Maritime Services to facilitate the project; and
- (C) Council note the proposal to bring forward funding to deliver the project in its entirety earlier than anticipated in the Long Term Financial Plan to be considered in the next Corporate Plan.

**ATTACHMENTS****Attachment A:** Refined Concept Design**Attachment B:** Consultation Panels – Draft Concept Design**Attachment C:** Community Consultation Report

**Attachment D:** Financial Implications (Confidential)

**(As Attachment D is confidential, it will be circulated separately from the Agenda Paper and to Councillors and relevant senior staff only).**

## BACKGROUND

### Project Premise

1. The Kent Street Underpass was identified as a priority project in the Harbour Village North Public Domain Study endorsed by Council on 14 May 2012. The site is owned by Roads and Maritime Services (RMS) and currently maintained by the City of Sydney under an existing lease agreement.
2. The Underpass is a key pedestrian and cycle link connecting the city with Harbour Village North and Barangaroo. It is a network of underground pathways and spaces under the Western Distributor between Grosvenor and Kent Streets. The site includes three main pocket spaces (York Street Pocket, Middle Pocket, Kent Street Pocket) connected by a network of pathways below street level.
3. This project seeks to address the following challenges:
  - (a) the look and feel of the space;
  - (b) the ease with which people can find their way around; and
  - (c) attracting people to the space and people feeling safe to be there.
4. The design principles established to meet this challenge include:
  - (a) responding to the “infrastructure” landscape – recognising the monolithic forms, materials and dynamic spaces of the site;
  - (b) simplifying and clarifying functions – recognising both the pedestrian mode and cycling mode, and the landscape as a scenic amenity to both; and
  - (c) navigating the route – recognising the need for the entire site to help make sense of the location and ways through.
5. A draft concept design was prepared for the Kent Street Underpass based on the above objectives, design principles and directions outlined in the Harbour Village North Public Domain Study. The scheme was presented to key stakeholders and the community through an extensive engagement program as outlined later in this report.
6. In response to feedback, a refined concept design was developed.

### Refined Concept Design

7. The suite of improvements in the refined concept design at Attachment A include:
  - (a) the pedestrian improvements comprise new high quality pedestrian paved paths, raised and separated from the cycleway by a kerb (150mm). The re-surfaced cycleway will be similarly paved to create a cohesive environment and signal slower speeds. Transitions to the cycleway will be calmed with graded ramps to the footpath;

- (b) the existing area of shared path at the Kent Street Pocket Park is extended to encompass the stair and Clarence Street entry ramp. The paving will be detailed to inhibit skating, due to the steep slopes and constrained areas making this unsuitable;
- (c) the lighting and way finding improvements comprise feature light pillars to illuminate the spaces and form a playful way finding element. Arranged in clusters in each of the key pocket spaces, the feature light pillars will illicit delight and create a memorable journey. Complementary to these, new suspended ceilings will be installed with integrated lighting to the four underpasses within the site;
- (d) navigating the site will be made easier with the installation of the City's way finding signage system;
- (e) the landscape improvements comprise a palette of robust and richly textured low ground covers and high canopy trees to provide scale and glimpses of the sunken landscape from the surrounding streets. All planting beds will be irrigated;
- (f) the York Street Link Road will be converted to a raised and paved shared zone with a 10km/hr speed limit and pedestrian priority to provide a safe connection for pedestrians to cross the underpass;
- (g) the York Pocket, currently an unused sunken space, will be converted to a sweeping planted landscape following the gradient of the adjacent footway from York Street to the eastern underpass;
- (h) the Middle Pocket will be simplified, with some of the struggling vegetation and low walls removed and young palms relocated. An expanse of new high quality pavement will create a flexible space able to be activated by temporary events such as art or recreation (e.g. portable ping pong tables). The space will be available in non-event modes for fitness training in times of inclement weather;
- (i) the paving and planting areas have a gently curved sculpted form to create a strong visual interest to passers-by. The low planting and transplanted palms are located in the southern section of the middle pocket where rough sleepers currently reside; and
- (j) the Kent Pocket is reconfigured to reflect a similar character of sloping pavements, landscape embankments and feature light pillars. The existing tree (which was in poor health) has been removed in preference for new planting in improved soil profiles.

### **Accessibility**

8. The City of Sydney Inclusion (Disability) Action Plan 2014-2017 outlines Council commitment to making its services and amenities accessible and 'barrier-free' to all residents, workers and visitors.

9. Some of the existing slopes within the Kent Street Underpass limit accessibility. Due to site constraints, compliant gradients are not feasible, however the proposed design consists of a series of smooth transitional slopes and no stairs. Level rest points, seating and lighting will improve access and mobility.

### **Heritage Assessment**

10. A Heritage Assessment was prepared to provide an understanding of the site's history and inform the concept. The construction of the overhead Western Distributor has significantly altered the area physically. Opportunities to reference the site's history will be explored in detail design.

### **Tree Management**

11. The removal of five trees is proposed to enable the reconfiguration of the space and improve bike lane access near Observatory Tower. The trees to be removed include:
  - (a) three Casuarina species in average condition (Middle Pocket);
  - (b) one Chinese Elm in poor condition (Kent Street Pocket); and
  - (c) one Plane Tree in conflict with sightlines and other trees (Kent Street North Entry).
12. Seven existing palm trees will be transplanted and relocated into the Middle Pocket garden bed in the space between the overhead road infrastructure (Western Distributor).
13. The remaining 29 established trees within the Underpass and along the York Street Link Road will be retained and protected.

### **PUBLIC CONSULTATION PREVIOUSLY UNDERTAKEN**

14. Community feedback was sought on the draft concept design at Attachment B from 26 June to 17 July 2014. The following engagement activities were conducted:
  - (a) a letter was sent to 3,200 residents and business owners within Harbour Village North announcing the consultation and the ways in which people could have their say;
  - (b) a letter was sent to the strata management bodies of the buildings adjacent to the Underpass announcing the consultation and offering for the project team to visit to discuss the design;
  - (c) key stakeholders in the area, including the Barangaroo Delivery Authority, Fort Street Public School, the Millers Point Residents Action Group and the Millers Point Leaseholders Group were notified of the consultation via email and invited to make comment. An offer was made for the project team to visit these groups to discuss the design;
  - (d) notification of the consultation was posted to the City Cycling Facebook page;

- (e) a webpage dedicated to the consultation was created on [sydneyyoursay.com.au](http://sydneyyoursay.com.au) displaying the consultation material and an online version of the survey;
  - (f) intercept surveys were conducted on-site;
  - (g) community members could also send a submission to the Senior Community Engagement Coordinator;
  - (h) the consultation material was available on the City's website with instructions for the ways in which people could have their say;
  - (i) the concept design was displayed in two locations on-site, at the One Stop Shop in Town Hall House and the Harry Jensen Community Centre in Millers Point;
  - (j) the concept design was also displayed in the common areas of building areas surrounding the site and the Community Kids Childcare Centre adjacent to the underpass on Kent Street; and
  - (k) the project team presented the concept design to the Executive Committee of the Body Corporate for the Observatory Towers, the Barangaroo Delivery Authority and the Millers Point Residents Action Group.
15. 105 people participated in the intercept survey and 24 completed the same survey online (a total of 129 surveys undertaken). 13 written submissions were also received.
16. A comprehensive report on the outcomes of consultation was prepared (refer Attachment C). The key issues are summarised below:
- (a) three quarters of the people surveyed used the Underpass to commute. The overall average number of trips per month was 23;
  - (b) all of the design elements were well received with most rated as 'excellent' or 'very good' by survey respondents;
  - (c) ten of the 13 submissions received expressed overall support for the project;
  - (d) the most popular design elements for survey respondents were the new signage and lighting, the shared zone across the York Street Link Road and the raised and separated pedestrian path at the Kent Street entry;
  - (e) also popular for survey respondents were the decorative artworks on the walls, new plants, green walls, seating and fitness equipment;
  - (f) whilst popular, elements such as the shared pedestrian and cycle zone in the Kent Street Pocket and the children's play facilities received more mixed comments from survey respondents. Some people felt that the shared zone would decrease safety. Some people were concerned about the mix of homeless people and children around the proposed play facilities;

- (g) the key concerns for people who made submissions were potential conflicts between cyclists and pedestrians in the proposed shared zone in the Kent Street Pocket, and the impacts of rough sleepers and anti-social behaviour on other uses of the Underpass; and
  - (h) also of concern for those who made submissions was the potential for the design to attract skateboarders, and the need for surveillance and ongoing maintenance once the Underpass is upgraded.
17. In response to these comments and internal review the following design refinements were made and reflected in the refined concept design:
- (a) retention of design elements that were most popular including signage, the share zone across York Street Link Road and the separated bidirectional cycle path;
  - (b) greater emphasis on the site as an enhanced thoroughfare and removal of the playground and fitness equipment from the Middle Pocket. This will also help to alleviate community concerns regarding the placement of a playground adjacent to the existing homeless community of rough sleepers;
  - (c) the design of large flexible spaces with the potential to cater for ephemeral programs (art and recreation) to further activate the Underpass;
  - (d) the reinstatement of a separated cycle route to the south of the Kent Street Pocket to improve safety between pedestrians and cyclists; and
  - (e) pavement materials and detailing will be further developed to encourage speed calming of cyclists and deter skateboarders using the space.

## **OTHER CONSIDERATIONS**

### **Design Advisory Panel advice (draft concept design)**

18. The Design Advisory Panel commended the design's attempt to create a clearer and higher quality pedestrian environment. Key notes from their advice include:
- (a) the whole site could be considered as a sculptural piece;
  - (b) the soffits could be treated to reflect light into the tunnels and spaces;
  - (c) the success of the proposed green walls may be questionable, given the limited light and maintenance issues, but supported an intensification of planting;
  - (d) the interface between rough sleepers and children's playground is a concern; and
  - (e) a textured ground surface to slow cyclists and provide a clear transition into the shared cycle/pedestrian area to increase safety is recommended.
19. In response to these comments, the design has been developed to ensure a strong aesthetic response, the children's playground has been removed, and the planting has been augmented and amended to reduce reliance on green wall treatments.

## Public Art

20. At the time of the draft concept design preparation, the site was under consideration for a major City Connector public artwork, potentially requiring future integration with the design.
21. Whilst a proposed artwork entitled 'The Distance of Your Heart' by British Artist Tracey Emin may be integrated into the site at a later date (2017), it will consist of a series of small handmade bronze birds perched in various existing streets and spaces throughout the city. These discrete artworks are a simple retrofit within the enormity of the Kent Street Underpass overhead infrastructure.
22. The absence of a proposal for significant artwork on the site has informed the approach to the refined concept design.
23. A graffiti and street art strategy is in development for the entire City of Sydney Local Government Area. It aims to balance the conflicting approaches to graffiti and street art to encourage new high quality works in key locations. However, permanent graffiti work would not be compatible with the design approach to the Kent Street Underpass.

## KEY IMPLICATIONS

### Strategic Alignment - Sustainable Sydney 2030

24. *Sustainable Sydney 2030* is a vision for the sustainable development of the city to 2030 and beyond. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This refined concept design is aligned with the following strategic directions and objectives:
  - (a) Direction 4 - A City for Walking and Cycling – providing an enhancement of the Kent Street Underpass as a key pedestrian and cycle thoroughfare between the City and Harbour North / Barangaroo;
  - (b) Direction 7 - A Cultural and Creative City – creating opportunities for ephemeral programs of art and recreation through the design of flexible spaces within the Kent Street Underpass; and
  - (c) Direction 9 - Sustainable Development, Renewal and Design – responds to sustainability and environmental imperatives facing our cities. Actions under this direction aim to better capture the potential of streets, parks and squares in public life and improve design excellence in our buildings. Key objectives under this direction include defining and improving the city's streets, squares, parks and open space, and enhancing their role for pedestrians and in public life.

### Organisational Impact

25. City Greening and Leisure – ongoing maintenance of the Kent Street Underpass including the feature light pillars, landscaped garden beds, graffiti and rubbish removal, pavements and surface drainage.
26. Safe City – ongoing management of rough sleepers who occupy the Kent Street Underpass, particularly in the Middle Pocket. The refined concept does not prohibit or enhance the activity.



27. City Life / City Spaces – to assist in the implementation of a rolling program of ephemeral activities, including temporary art installations or recreational activities such as ping pong tables, to help activate the Kent Street Underpass.

### **Risks**

28. RMS has provided 'in principle' approval for a 10km/hr shared zone for the Link Road between Clarence Street and York Street pending a series of conditions. It appears feasible to comply with the proposed conditions.
29. Resolution of Deed of Agreement is required between the City of Sydney and RMS.
30. As part of the planning approval processes, a Review of Environmental Factors under part 5 of the Environmental Planning and Assessment Act 1979 will need to be prepared. The endorsement of this planning document requires RMS consent as the landowner.

### **Social / Cultural / Community**

31. The revitalisation of the Kent Street Underpass integrates flexible spaces (Middle Pocket) which can be activated by a rotation of temporary events (art and recreation) throughout the year. During non-event modes, the space is available for fitness training in inclement weather.

### **Environmental**

32. The project integrates sustainability initiatives to improve the environmental performance of the Kent Street Underpass. The key elements include:
  - (a) removal of some impermeable paving and addition of planting;
  - (b) transplant of existing seven semi-mature palms into reconfigured garden beds;
  - (c) retention of most existing trees. Only five trees to be removed due to poor health or conflict with the cycle route;
  - (d) new low energy lights; and
  - (e) new pavement will be built up from the existing pavement, which will be retained.

### **Economic**

33. The Kent Street Underpass improvements will elevate the amenity of this thoroughfare, improving the look and feel of the space, make it easier to navigate, attract people and boost the feeling of safety. Greater numbers of people (pedestrians and cyclist) will access this key east/west link as Barangaroo is developed, which will more broadly contribute to the city's economic prosperity.

**BUDGET IMPLICATIONS**

34. An estimate of cost has been prepared based on the refined concept plan. There is sufficient funding in the 2014/15 capital works budget and future years forward estimate to complete the design and construction for the project (refer confidential Attachment D)
35. The project is currently funded in two stages, with construction funding in 2015/16 and 2018/19 in the Long Term Financial Plan. It is proposed to bring forward funding to allow for an earlier delivery across the 2015/16 and 2016/17 financial years.

**RELEVANT LEGISLATION**

36. Environmental Planning and Assessment Act 1979 (Part 4 and 5). The scope of works has been reviewed by a statutory planner and a Development Application is not required. The State Environment Planning Policy (Infrastructure) 2007 ('the infrastructure SEPP), enables the project to be carried out as 'development without consent' under Part 3, Division 17 (Roads and Traffic), Subdivision 1 (Road Infrastructure Facilities). The City will prepare a Review of Environmental Factors to consider the impact of the proposal and determine appropriate mitigations.
37. Procurement of consultants and contractors for this project will be in accordance with the Local Government Act 1993.
38. Attachment D contains confidential information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest because it would compromise Council's ability to negotiate fairly and commercially to achieve the best outcome for its ratepayers.
39. NSW Roads Act 1993 for road related approvals (shared zone). The proposed York Street link road shared zone has achieved in-principle approval from RMS.

**CRITICAL DATES / TIME FRAMES****Program**

40. Staged delivery is not recommended due to the integrated nature of works across the site and the challenge for it to remain safe and operational during a combined four-year period of works. There would be some cost efficiency in undertaking works under a single contract. The proposed program (based on bringing forward funding currently in financial year 2018/19) is:

Community Consultation Detailed Design	February 2015
Tender	June 2015
Construction Period	September 2015 – end 2016

**OPTIONS****Delivery Options**

41. Other options for a single stage of delivery are:
  - (a) delay construction till 2018/2019, pushing funding out to this time; or
  - (b) delay construction until 2017, pushing stage one funding out and bringing stage two funding forward.

**PUBLIC CONSULTATION GOING FORWARD**

42. Once the refined concept design is adopted, the detail design will be progressed and publicly exhibited. Feedback from the community will be sought and integrated into the finalised detailed design.

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