

Item 5.**Project Scope - Small Parks Upgrade - Observatory Hill Park Pathways, Millers Point****File No: 2019/222522****Summary**

This report outlines the proposed scope for the upgrade of Observatory Hill Park, Millers Point. As part of the small parks and playgrounds improvement program, the main pathways at Observatory Hill Park were identified for renewal.

The proposal for Observatory Hill Park includes pathway improvement works, consolidation of park furniture including bins and seating, and improved definition of pedestrian and vehicular access around the Sydney Observatory. The detailed design works will be undertaken with consideration to the heritage requirements of the site, the retention and protection of the existing fig trees and coordination with the Sydney Observatory masterplan which is being prepared by Museum of Applied Arts and Science (MAAS) concurrently.

The concept plans were presented to the community between 29 March and 26 April 2019 and exhibited on the City's website. Community feedback was broadly in support of the proposal. These community suggestions will be incorporated into the design during design development. These will include a variety of seating locations, new bubbler, and new habitat planting.

Recommendation

It is resolved that Council:

- (A) endorse the scope of work for improvements to Observatory Hill Park as described in the subject report and shown in the concept design as Attachment B to the subject report, for design development, approvals, tender and construction;
- (B) endorse the allocation of additional funds to complete the project as outlined in Confidential Attachment C to the subject report; and
- (C) note that the transfer of funds from the Future Years Open Space budget and forward estimates to meet the additional funding requirement of the project, as outlined in Confidential Attachment C to the subject report, will occur as part of the Quarter 4 capital works funding roll over process which will be presented to Council in August 2019.

Attachments

- Attachment A.** Location Plan
- Attachment B.** Community Consultation Plan
- Attachment C.** Financial Implications (Confidential)

Background

1. The City has an ongoing small parks and playgrounds improvement program for parks that are in need of upgrade or enhancement works, replacement of end of life play equipment, and to provide appropriate facilities for local residents.
2. Observatory Hill Park was identified for upgrade due to the current condition of the pathways across the site, conflict between pedestrian and vehicular activity and the need to consider the ongoing management of the significant trees on the site.
3. Observatory Park is owned by the NSW Government, part of Lot 7003, DP 1071940. A reserve trust was established pursuant to section 92(1) of the Crown Lands Act 1989- Observatory Hill Park (D500044) Reserve Trust. Council has been appointed trustee of the Observatory Hill Park Trust.
4. Observatory Hill Park is approximately 2ha in area located on Upper Fort Street, Millers Point. Observatory Park is listed as a local heritage item and is located within the Millers Point/Dawes Point Conservation Area (C25) on the Sydney Local Environment Plan 2012 (LEP). The conservation area is identified as being of state significance and is included on the State Heritage Register (SHR) (Item No. 016182). There are a number of highly significant heritage items in the vicinity.
5. Heritage consultants are advising on the project particularly in relation to appropriate form and layout of paths and elements, materials, potential archaeological impacts or sensitivities as well as integration with the observatory precinct. These considerations will continue through design development and construction of any works. All proposals will be subject to Heritage Council approval.
6. The historic Sydney Observatory is located within the centre of the park. The park is an iconic destination that provides expansive views over Millers Point to Sydney Harbour. Large established fig trees and open lawn areas are the dominant landscape character. The main paths around the park are asphalt with concrete kerbs and are in poor condition due to service vehicle use, erosion and impacts from tree roots.
7. The park currently has a diverse user group including tourists, school children, wedding parties, local residents, fitness groups and city workers on lunch break. Additional groups frequent the park to visit the National Trust and Sydney Observatory. The park is also a popular spot for larger community events such as the New Year's Eve Fireworks.
8. Issues identified for the project include;
 - (a) conflicts between pedestrians and service vehicles on the main path. Also high service vehicle volumes impacts when emptying multiple rubbish bins along the main pathway.
 - (b) poor condition of path pavements including trip hazards and raised edges
 - (c) poor location of furniture including accessibility, and significant compaction and erosion around the limited seating

- (d) impacts of pavements and compaction on tree roots of significant fig trees
 - (e) conflicts between pedestrians and vehicles, particularly at the observatory entry area and entry road to the National Trust
 - (f) erosion issues around the paths on the slope to the harbour bridge stairs.
9. The Harbour Village North Public Domain Study was adopted by Council in 2012. Within this study a masterplan for the Observatory Hill Park which provided a broad framework for future works on the site.
10. There are three projects being managed adjacent to the site;
- (a) Fort Street High School - managed by Department of Education
 - (b) Sydney Harbour Bridge cycleway - managed by RMS
 - (c) Sydney Observatory Masterplan - managed by the Museum of Applied Arts and Science (MAAS)
11. The City is working with the Museum of Applied Arts and Science, MAAS to ensure appropriate integration of the pathway works.
12. A concept design has been prepared that sets the overall layout and form of the proposed improvements. These include::
- (a) Main Observatory path:
 - (i) repave path with appropriate stone and or permeable material. Address and mitigate trip hazards with surfaces and edging to ensure flush transitions and accessibility;
 - (ii) provide additional seating on inside of path to address erosion and accessibility issue of existing seats. Maintain seating in lawn areas where appropriate;
 - (iii) relocate bins to entry points to minimise garbage truck service requirements on pedestrian paths; and
 - (iv) treatments adjacent existing fig trees to minimise root impacts and improve root conditions including- no excavation and permeable materials.
 - (b) Observatory entry area/Upper Fort Street:
 - (i) implement shared zone to reduce traffic speeds and increase pedestrian amenity;
 - (ii) remove roundabout and concrete paving and install appropriate unit paving treatment to denote shared zone;
 - (iii) raise pavement flush with adjacent surfaces;
 - (iv) locate bins to enable vehicular servicing from road area; and
 - (v) improve adjacent landscape treatments particularly around fig root zones.

- (c) Paths from Watsons Road:
 - (i) install edge swales to capture water runoff and prevent erosion.
 - (d) Watson Street /Harbour Bridge access:
 - (i) raised paving or Paving treatment to slow vehicle speeds; and
 - (ii) improve integration with adjacent pathways including Sydney Harbour Bridge Southern Cycle Way Bike Path and Agar Steps.
 - (e) Access road to National Trust:
 - (i) extend shared zone treatment. Raise pavements to be flush with park and install appropriate unit paving treatment to denote shared zone.
 - (f) General:
 - (i) maintain the open grass areas and protect the mature trees;
 - (ii) consider ongoing management of trees, impacts of pedestrian and vehicle use across the site. All treatments around existing trees to prioritise tree health; and
 - (iii) use materials appropriate for the heritage context.
13. The following tree management is proposed as part of the park works:
- (a) retain and protect existing fig trees; and
 - (b) work with arborist to establish appropriate scope, materials and construction methodology to maximise tree root health.

Key Implications

Strategic Alignment - Sustainable Sydney 2030 Vision

14. 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 plan is aligned with the following strategic direction and objective:
- (a) Direction 4: A City for walking and cycling - Provides local recreational activities and encourages residents to walk and cycle to local parks.
 - (b) Direction 9 - Sustainable Development, Renewal and Design - this project will provide improved open space infrastructure for the public supporting a variety of user groups in an improved landscape setting.

Organisational Impact

15. This upgrade works will provide improved passive recreation facilities. The rectification of failing assets represent a removal/mitigation of risk to the city. The assets will require ongoing maintenance.

Risks

16. Risks to not implementing the scope of these works is potential failure of infrastructure and risk to the community.
17. Heritage advice is being sought to provide review on the current proposal include approval advice and preparation of a Heritage Impact Statement. Subject to Heritage Council approval, the delivery program dates outlined above may be impacted.

Social / Cultural / Community

18. The project will provide improved amenity and passive recreation facilities for local residents and visitors to the City, encouraging healthy activity and social interaction.
19. The project will also improve the material quality to better reflect the historical significance of the site and better integrate the operations of the precinct as a whole.

Environmental

20. The upgrade of Observatory Hill Park includes a range of environmentally sustainable elements to improve the environmental performance of the park. The key elements include:
 - (a) maintain and maximise landscape areas and protect mature trees;
 - (b) re-use of park furniture where appropriate;
 - (c) minimise offsite removal of materials;
 - (d) maximise use of Permeable Paving; and
 - (e) ecological planting

Budget Implications

21. There are insufficient funds in the draft 2019/20 capital works budget and future year forward estimates, which has been on exhibition during May and early June 2019.
22. Funding will be sought from the existing allocation in the 10 year capital works budget and future year forward estimates for Future Capital Projects – Open Spaces Renewal, as part of the 2018/19 Quarter 4 budget 'revote' process which is the subject of an upcoming Council paper.
23. Current cost estimates and financial implications are detailed in Confidential Attachment C.

Relevant Legislation

24. Environmental Planning and Assessment Act 1979 (NSW) - the site is listed as State Significant and will require Heritage Office approvals.
25. Local Government Act 1993 (NSW) - under the Act, a council's charter is to provide adequate, equitable and appropriate services and facilities for the community and to ensure that those services and facilities are managed efficiently and effectively.
26. Disability Discrimination Act 1992 (Cth) - the city has a responsibility to ensure, as far as practicable, that people with disabilities have the same rights to access services and facilities.
27. Companion Animals Act 1998 No 87 (NSW) - Division 1 Section 13 - Responsibilities while dog in public place.
28. Attachment C to the subject report contains confidential commercial information which, if disclosed, would:
 - (a) confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business; and
 - (b) prejudice the commercial position of the person who supplied it.
29. 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.

Critical Dates / Time Frames

30. Current Program Dates
 - Community Consultation Complete April 2019
 - Council Approval of Concept Design June 2019
 - Heritage Approvals June - September 2019
 - Complete Final Design June - September 2019
 - Tender September - November 2019
 - Construction Period January 2020 - July 2020

Options

31. No action taken - this option is not recommended as the existing parks have a number of associated risks and compliance issues with regard to access.
32. Improvement works to be undertaken in accordance with the asset renewal brief and as recommended in this subject report.

Public Consultation

33. Consultation was undertaken as a two part process; pre-consultation and public consultation/exhibition.
34. Pre-consultation notification letter/email was issued to the following local stakeholders to notify them of the project and provide a link to a pre-consultation survey:
 - (a) Crown Lands NSW;
 - (b) Millers Point, Dawes Point, The Rocks, and Walsh Bay Resident Action Group ;
 - (c) National Trust;
 - (d) Sydney Observatory / Museum of Applied Arts and Science;
 - (e) FJMT (Sydney Observatory Architects);
 - (f) Environment Centre; and
 - (g) Fort Street School.
35. The concept design was on exhibition from the 29 March to 26 April 2019. Nine submissions were received including five via Survey Monkey and four via Sydney your Say email address, with the majority in support of the proposed works.
36. The public consultation/exhibition involved the following:
 - (a) a letter sent to 560 local residents about the concept design and inviting them to provide feedback;
 - (b) stakeholder email sent to key stakeholders, inviting them to give feedback on the concept design proposal. The email was sent to:
 - (i) Crown Lands NSW;
 - (ii) Millers Point, Dawes Point, The Rocks, and Walsh Bay Resident Action Group ;
 - (iii) National Trust;
 - (iv) Sydney Observatory / MAAS;
 - (v) FJMT (Sydney Observatory Architects);
 - (vi) Environment Centre; and
 - (vii) Fort Street School.
 - (c) A webpage on SydneyYourSay showing the plans for consultation from 29 March to the 26 April 2019. One hundred and one individual users viewed the page and 48 users downloaded the plans.
 - (d) Four Have your Say A2 panels were installed in the park notifying park users of the proposed works, providing contact details of the Design Manager and a web address to the SydneyYourSay page;

37. Key feedback on the Concept Design included:
- (a) four submissions raised concerns around the conflict between pedestrians, vehicles movement and parking in the general precinct and particularly on Upper Fort Street;
 - (b) three submissions did not want the bins relocated to the entry/exit points of the park;
 - (c) one submission requested recycling bins and bubblers be installed;
 - (d) three submissions referred to the proposed relocation of the seats, one requested that the seats are retained in the grass area;
 - (e) three submissions raised concerns around the existing parking arrangements on Upper Fort Street and Watson Road;
 - (f) two submissions recommended providing areas of habitat planting;
 - (g) two submissions noted that the fence on the Sydney Observatory site obstructs views and is inconsistent with the heritage of the site.
38. In response to this consultation the proposals will be refined during Design Development to include:
- (a) a combination of accessible seating on the path and in lawn areas.
 - (b) installation of water bubbler
 - (c) provision of habitat planting in discreet locations;
 - (d) extension of the proposed raised threshold to slow traffic near the entry to the Sydney Observatory.

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