

Item 7.

Project Scope and Contract Variation - Hyde Park Lighting

File No: X019620

Summary

Hyde Park is Australia's oldest designated public park and culturally significant heritage landscape and is central to many of the City's cultural events.

The 2006 Plan of Management and Masterplan for Hyde Park identified a range of works to replace failing infrastructure and provide improvements to address the impacts on the park caused by its increasing use and popularity.

A program of renewal and improvement works aligned with the Plan of Management and Master Plan is progressively being undertaken to manage the potential impact of the works on users and events within the park. The proposed works will renew or replace old infrastructure, provide improvements to access and amenity and better enable the park to cater for its increasing use and popularity as a venue for major cultural activities.

The 2006 Plan of Management and Master Plan identified a need for the existing lighting to be rationalised and improved with particular emphasis on the Central Avenue, secondary paths, and the need to improve safety and security within the park.

This report describes the consultation and developed landscape design for the Hyde Park lighting, electrical infrastructure and power upgrade. The works are required to improve failing infrastructure to improve amenity and safety. This report seeks the endorsement of the project scope. It also seeks to increase the project budget and contract contingency of the existing head design consultant due to the extended program and additional design services required to complete the project.

Recommendation

It is resolved that:

- (A) Council endorse the project scope as outlined in the subject report and shown in Attachment A to the subject report, to proceed with design, documentation, and tender for construction of the Hyde Park lighting works;
- (B) Council note the indicative costs and financial implications detailed in Confidential Attachment C to the subject report;
- (C) Council approve the additional project budget for the Hyde Park Lighting project as outlined in Confidential Attachment C to the subject report;
- (D) Council approve the additional contract contingency for the consultancy contract with AECOM Australia as outlined in Confidential Attachment C to the subject report;
- (E) Council note that the total new total contract sum including contingency for the existing head design consultants contract is outlined in Confidential Attachment C to the subject report; and
- (F) authority be delegated to the Chief Executive Officers to negotiate, execute, and administer the variation of the contracts with the head consultants.

Attachments

- Attachment A.** Hyde Park Lighting and Power Design
- Attachment B.** Hyde Park Lighting Upgrade - Engagement Report
- Attachment C.** Financial Implications (Confidential)

Background

1. Hyde Park is Australia's oldest designated public park and culturally significant heritage landscape. It is Sydney's most significant park, used by some three million local, interstate and international visitors each year, hosting many significant events.
2. Hyde Park is Crown land and was dedicated for public recreation in 1878. The City of Sydney is the appointed Crown land / Reserve Trust Manager, responsible for the care, control and management of Hyde Park in accordance with the Crown Land Management Act 2016.
3. Hyde Park is located within the Governors' Domain and Civic Precinct, a National Heritage Listed place, listed on the State Heritage register and listed in Schedule 5 of the Sydney Local Environmental Plan 2012.
4. In October 2006, Council adopted the Plan of Management and Masterplan. The Plan of Management identified a range of works to replace failing infrastructure and provide improvements to address the impacts on the park caused by increasing use and popularity.
5. The 2006 Plan of Management and Masterplan identified a need for the existing lighting to be rationalised and improved with particular emphasis on the Central Avenue, secondary paths, and the need to improve safety and security within the park.
6. The Masterplan identified a number of shortcomings and opportunities in the current park lighting.
 - (a) A wide range of light poles with different designs and varying energy efficiencies.
 - (b) Inconsistent and inappropriate lux levels in the current lighting.
 - (c) Little control over lighting direction and lack of adaptability to user requirements.
 - (d) Lack of hierarchy to path lighting.
 - (e) Lighting at park entries and universal access ramps which do not conform to Australian Standards.
 - (f) Safety and security issues remain (particularly in Hyde Park South).
 - (g) Feature and path lighting at Sandringham and Nagoya Gardens is limited which has led to issues of safety and aiding vandalism.
 - (h) No strategic approach to lighting of monuments, art works and or lawn areas.
7. The lighting assets within Hyde Park were handed from Ausgrid to the City of Sydney in 2016.

Head Consultants Contract

8. In 2016-2017, AECOM were engaged to review the lighting, assess the existing power supply and electrical services and provide a coordinated palette of lighting fixtures.
9. In 2019, AECOM were awarded the design engagement through a reject and negotiate process to continue the design refinement and documentation of the lighting palette, event power and additional CCTV within the park. The engagement included construction phase services of the project.
10. The objectives of the upgrade required a coherent approach to lighting within Hyde Park that addressed:
 - (a) Effective lighting that responds to its urban design role and uses in the park.
 - (b) Rationalise existing light poles and fittings.
 - (c) Reveal and enhance the park's significant monuments, gardens and built form.
 - (d) Provide lighting to all lawn areas.
 - (e) Improve safety and security.
 - (f) Encourage night-time use (evening events, exercise groups, dog walking).
 - (g) Support a calendar of cultural activities and events.
 - (h) Achieve a high efficiency lighting design.
 - (i) Deliver a control system that provides flexibility and allows the City of Sydney to remotely meter, monitor, manage and control the park lighting system.
 - (j) Meet sustainability targets by improving energy efficiency and energy reduction from our current usage
 - (k) Maintainability and easy long-term maintenance for the City of Sydney asset managers.
11. There is now a requirement for additional funds in the design consultancy contract to provide additional services. This is due to project delays and additional consultancy services including staging plans of the works to allow business as usual access throughout the park to minimise inconvenience to parkland patrons and further contamination and landscape make good design work.
12. It is recommended that Council increase the value of the design consultancy contract contingency for the head consultant due to the extended project period and additional service required to complete the project. Further details are outlined in confidential Attachment C.

Project Scope

13. The proposed project scope includes:

Lighting to paths

14. New post top lights are proposed for primary and secondary paths in Hyde Park north and south, to replace the Ausgrid 1990's deteriorating cast iron poles. The new aluminium poles will be painted in a shade of grey to replicate the existing 1990's light poles. The cast iron poles replaced the original concrete 1930's lights in the 1990's.
15. The lighting configurations have been carefully considered, to ensure they are in line with the original 1932 Hyde Park lighting arrangement.
16. The light fittings to the post top lights will be consistent with the existing post top lights along the main Central Avenue. The character of the opalescent spheres will be retained, and the metal halide lights will be replaced with a warm luminescent LED fitting.
17. There are six original brass entry lights within Hyde Park. Two lights are located at the Pool of Reflection and four lights are located on the stair entries at the park on either side of Park Street. These six lights will be upgraded with warm LED fixtures.
18. The newly installed post top lights to the landscape at the Museum Station Café will be decommissioned. These lights were temporarily installed to provide a safe environment to the rear of the Café. New mast lights will be placed on the perimeter of the Café curtilage and will provide light to the stairs, ramps and Café seating area.

Lighting to lawn areas

19. Tapered mast lights will be erected along the perimeter of the park to provide a consistent low level of light to lawn areas. The directional and dimmable lighting will address safety and security and encourage night-time use for events, people exercising and people walking dogs.
20. The failing electrical infrastructure will be replaced, and new conduiting and electrical pits will be implemented to replace the existing direct buried electrical wires.
21. The new lights will be controlled by the City of Sydney external Central Management System. The lights will be connected to the Central Management System currently controlling the George Street lights. The lighting infrastructure, energy usage and fixture lifecycle will be controlled and monitored remotely.

Lighting to monuments and built form

22. The wall mounted lights to the Sandringham Gardens pergola are proposed to be replaced with modern wall mounted lighting. The lights have been chosen to be discreet to prevent visual distraction from the Sandringham Gardens, fountain and the King George V and VI Gates.
23. The lighting to monuments, statues and the Nagoya Gardens has been designed with the City of Sydney Public Art Collections and Cultural Heritage Managers. Discrete and strategically positioned up-lights will illuminate these items.

Power

24. New main switch boards (MSB's) that supply power within the park will be replaced to adhere to new Australian Standards and will meter the supply of power to the lights and power bollards supporting events within the park.
25. Power will be supplied for events via discreet power bollards, located at the edge of planting beds. The power bollards are proposed in locations within the park to reduce the number of generators required for events and reduce the need for cable trays across pathways.

CCTV and Security

26. Additional CCTV cameras are proposed for Hyde Park north and south to boost security within the park. An additional five new cameras are proposed for the north and three new cameras to the south, taking the total number of cameras to twelve across the park.
27. The post top lights adjacent to the cascades will be removed and replaced with new post top lights; the feature lighting to the Anzac Memorial will not be replaced.

Tree Management

28. All trees in Hyde Park will be protected during the upgrade. The alignment of the electrical trenches has been designed to minimise potential conflict with trees and their root systems. An arborist will be engaged during the construction to oversee the upgrade works.

Heritage Council

29. The design was presented to the Heritage Council of NSW Approvals Committee on three occasions as part of the pre-lodgement advice.
30. The first presentation was on the 4 August 2020 and the Approvals Committee resolved:
 - (a) To support the lighting upgrade works to Hyde Park.
 - (b) The replacement aluminium poles are considered acceptable.
 - (c) It is important to strongly acknowledge the Aboriginal cultural heritage values of Hyde Park.
 - (d) To engage more broadly with the wider Aboriginal community including the City of Sydney's Aboriginal and Torres Strait Islander Advisory Panel.
 - (e) To consider interpretation that acknowledges pre- and post-contact history.
 - (f) To suggest engaging an Aboriginal artist to help develop a stronger connection to Country on this project.
31. The second presentation was on the 11 August 2020. Members of the Heritage Council Approvals Committee undertook a night-time inspection with representatives of the City of Sydney and their lighting consultants.

32. Following the inspection, the Committee provided additional comments and agreed:
- (a) With the views of the City of Sydney Council's team that the most appropriate form of lighting is the Opalescent Globe.
 - (b) The prototypes installed at Hyde Park illustrate that the light from Opalescent Globe is considerably softer, warmer and avoids the harsh shadow effects of the clear globes.
 - (c) That the use of Opalescent Globes along the secondary paths and additional down lights from the poles would be considered acceptable.
 - (d) That the light grey colour of the existing poles is preferable to the darker test pole colour scheme.
33. The third presentation involved further consultation with the Heritage Office following feedback from the City's Design Advisory Panel. The Heritage Councils Approval Committee considered the recommendations by the Panel at its meeting on the 3 November 2020 and resolved that:
- (a) The Committee supports the lighting upgrade works to Hyde Park.
 - (b) The comments provided by the Committee after its meeting on the 4 August 2020 still stand.
 - (c) The juxtaposition of a modern fixture on secondary paths would be incompatible with the heritage values of the park.
 - (d) The proposal for lighting the secondary paths with opal lamps and consistent grey poles is considered appropriate for the integrity of the early lighting forms.
 - (e) The existing cone shaped secondary path lighting avoided light spill upwards along the edges of the park and the collateral effect of the change to opal fittings will need to be considered but is supported.
 - (f) Taller mast lighting for large lawn areas and the Anzac Memorial facades should be of the same colour as the pathway poles.
 - (g) Fittings mounted on the mast lighting poles should also be of the same grey colour.

Aboriginal cultural heritage values

34. The City of Sydney's project team have consulted with the City's Indigenous Leadership and Engagement team and City Design Unit to consider the recommendations made by the Heritage Office.
35. The Indigenous Leadership and Engagement team and the City Design Unit recommended that the Aboriginal cultural heritage values of Hyde Park would be best considered as part of the broader Eora Journey program of works.
36. In 2012, Council unanimously endorsed the Eora Journey: Recognition in the Public Domain interpretation Plan, to reactivate the knowledge of specific places and events in Aboriginal history at key sites within the city. The Eora Journey strongly acknowledges Aboriginal cultural heritage values and engages with the Aboriginal and Torres Strait Islander Advisory Panel.

37. One of seven projects proposed by Hetti Perkins is the Eora Journey Walk, based on the original Eora Journey concept by Dillon Kombumerri. The project proposes a landscaped walking trail from the site of first contact on Sydney Harbour to the home of Aboriginal activism in Redfern. Artworks will be commissioned at various sites along the walk that may include Hyde Park to reflect the living Aboriginal culture of Sydney. This work is planned to be developed in future years, following the development of Yananurala, an extension of the Eora Journey on the harbour foreshore.

Design Advisory Panel

38. The Hyde Park Lighting proposal was presented to the Design Advisory Panel on 30 July, 20 August 2020 and 17 November 2020, and the overall design and heritage approach was discussed. A night-time inspection was undertaken by the Lord Mayor and Panel with representatives of the City of Sydney and their lighting consultants to inform discussions on 20 August 2020.
39. The Panel endorsed the design and recommended the following:
 - (a) The Panel accepts the recommendation of the council officers and in general support the Heritage Office proposals for consistent fittings throughout the paths with a hierarchy of spacing.
 - (b) For other mast lighting, the Panel does not support the use of light grey as these are not heritage fittings and need to be recessive in the landscape setting. The Panel recommends these are a dark grey colour as previously proposed.
 - (c) The Panel requests the opportunity to review options / prototypes of the luminaire and pole finish and to approve these prior to installation.
40. The design team will engage further with the Design Advisory Panel on the lighting colour for the post top and mast lights.

Anzac Memorial

41. The Anzac Memorial Trustees and Veterans have been consulted through the concept design stage. The initial consultation carried out in November 2018 and 23 September 2019.
42. A more recent update was provided to the Trustees on the 27 October 2022. The design team discussed proposed amendments to the post top lights adjacent to the cascades and requested further CCTV and sensor information to ensure this infrastructure is seamlessly integrated back onto the new poles.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

43. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 2 - A leading environmental performer - new lighting, power, metering, and monitoring will ensure the City of Sydney meets its sustainability targets.
 - (b) Direction 3 - Public places for all - the upgrade of the lighting, power and CCTV will improve the amenity and safety of the park for all park users.
 - (c) Direction 4 - Design excellence and sustainable development - the lighting will be replaced with an energy efficient LED fitting, contributing to meeting the City of Sydney's energy targets.
 - (d) Direction 5 - A city for walking, cycling and public transport - the proposal will upgrade the lighting encouraging night-time use and include additional services for events within the park.
 - (e) Direction 8 - A thriving cultural and creative life - the upgrade to the power and lighting will encourage night-time use and events within the park.

Organisational Impact

44. The proposal will improve the parks infrastructure reducing maintenance and forecast energy usage. The 2019 energy consumption for Hyde Park lighting kWhr/yr (12 hrs / 365 days) was recorded at 188,559 kWhr/yr compared to the proposed opalescent LED light fitting of 79,497 kWhr/yr. It is estimated that there will be a 58 per cent reduction in energy consumption from 173.5 Co2 (tonnes) to 73 Co2 (tonnes) per year.
45. Risks associated with the proposal have been considered throughout the concept design and consultation phase. These include safety (park safety for visitors / users of the park and events staff), environmental impacts (trees, wildlife, and heritage) as well as community concerns. The risk of disruption to key events will be managed through staging and consultation during construction.

Social / Cultural / Community

46. The proposed works will include an upgrade of the lighting, security, and power to improve night-time safety and provide an improved distribution of power for events.

Environmental

47. The number of post top lights will be reduced by approximately 30% in number and the existing light fittings will be replaced with energy efficient LED's which will reduce the energy consumption and contribute to the Council's energy targets.

Economic

48. The number of lights is reduced and the existing light fittings will be replaced with energy efficient LED's which will reduce the energy consumption.

Financial Implications

49. The current project budget is insufficient to complete the required works as outlined in Confidential Attachment C.
50. The requested source of funds to address the budget shortfall is outlined in Confidential Attachment C.
51. It is recommended that Council approve the additional funds so that the works can be completed.

Relevant Legislation

52. Environmental Planning and Assessment Act 1979 (Part 4 and 5). An Environmental Impact Assessment will be carried out to ensure that all environmental impacts have been identified, assessed and, where required, action is identified to manage impacts. Some of the proposed works may not require planning approval and may be exempt development.
53. Heritage Act 1977. A heritage assessment will be prepared to determine requirements under the Heritage Act. Some of the proposed works may not require planning approval and may be exempt development.
54. Crown Lands Act 2016. Hyde Park is a Crown Reserve, Council is the Reserve Trust Manager.
55. The Hyde Park Plan of Management 2006 is currently being revised to respond to the new management requirements established under the Crown Land Management Act 2016.
56. The City of Sydney is presently engaging with external stakeholders before finalising the Hyde Park Plan of Management and reporting to Council for adoption in 2023.
57. The proposed lighting upgrade, subject to this report has been identified as a permissible development activity within the Hyde Park Plan of Management 2006 and has also been factored into the revision as an asset requiring ongoing maintenance and management.
58. Procurement of consultants and contractors for this project will be in accordance with the Local Government Act 1993.
59. Local Government Act 1993 - Section 10A provides that a council may close to the public so much of its meeting as comprises the discussion of information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
60. Attachment C contains confidential commercial information of the contract 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.

61. 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

62. Current program dates are:

(a) Finalise Construction Documentation	mid 2023
(b) Construction Tender	mid 2023
(c) Commence Construction	early 2024
(d) Construction Completion	end 2025

Public Consultation

63. The concept design for the Hyde Park lighting and power upgrade was placed on public exhibition from 13 October until the 8 December 2021. Ten A1 core flute signs were displayed at St James Station and Museum Station entries and the forecourt to the new Anzac Memorial Education Centre on Liverpool Street, directing the community to the consultation webpage.
64. Over 1,092 properties were notified via letter. The plans were placed on the City's consultation website, Sydney Your Say, and the site was visited 248 times during the consultation period. Fifteen submissions were received for the Hyde Park Lighting upgrade project. During this consultation, the community were asked for feedback on the concept design. A summary of the comments and associated responses can be reviewed in Attachment B.

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