

**ITEM 20: CCL 14/03/17 - SIGNIFICANT CIVIL WORKS RENEWAL OPPORTUNITY (FORMER CONFIDENTIAL REPORT ITEM 3 14 MARCH 2017)**

**REPORT BY: INFRASTRUCTURE**  
**CONTACT: ACTING DIRECTOR INFRASTRUCTURE / MANAGER INFRASTRUCTURE PLANNING**

## **PURPOSE**

Council enter into an agreement for the procurement and undertaking of civil works within the Newcastle City Council Local Government Area.

## **RECOMMENDATION**

- 1 Council approves the commercial in confidence agreement with Destination NSW (DNSW) to make a financial contribution towards the cost of the procurement and undertaking of renewal civil works within the City of Newcastle Local Government Area.
- 2 Council authorises the Interim Chief Executive Officer, or his delegate, to execute the agreement with DNSW in respect of the making of the financial contribution together with any associated documentation for, and on behalf of, Council.
- 3 Council approves the financial contribution and the allocation of the funding from Council's Major Asset Preservation Program with the majority of the costs being attributable to the 2017/18 financial year.
- 4 This confidential report relating to the matters specified in s10A(2)(d) of the Local Government Act 1993 be treated as confidential and remain confidential until Council determines otherwise.

## **KEY ISSUES**

- 5 Major civil infrastructure renewal work is required in Watt Street and Nobbys Road in Newcastle East. The coordination required with Utility providers to undertake this work has not been able to be agreed upon over the past several years, which has meant that Council has been unable to commence scheduled work. The opportunity has now arisen for this coordination and delivery of the required works to be driven by DNSW, a NSW Government agency, with statutory powers, whilst it is carrying out other civil works in the area.
- 6 Significant cost savings will be realised by Council through the delivery of these services by DNSW. Savings include tendering costs, project management costs, multiple project set up costs and reduced profit margins by the delivery contractor due to the value of the combined works.
- 7 Other work required in the area is included in this arrangement that will see improvements to pedestrian and disabled access, reduction of pedestrian cyclist conflict, the connection of Bathers Way to the Joy Cummings Promenade, increased parking spaces, a more than tenfold increase in usable shade arising from the proposed tree planting program together with a range of other improvements to the urban amenity.
- 8 Works that will be included but paid for by other parties include:

- i) Widening of Wharf Road and reconstruction of car parks;
  - ii) Widening and realignment of Horseshoe Beach Access Road;
  - iii) Reconstruction of Nobbys Road and car park at Nobbys Beach; and
  - iv) New road construction in Camp Shortland.
- 9 Costs to be shared with other parties include:
- i) Resurfacing of Wharf Road, Horseshoe Beach Access and car park, Nobbys Road, Zaara Street and Watt Street;
  - ii) Construction footpath in Foreshore Park along car parks;
  - iii) Widening of Nobbys Road;
  - iv) Replacement of existing assets affected by works or proposed for future renewal; and
  - v) Hunter Water Corporation cost sharing on water main replacement and relocations based on Road Authority agreement.
- 10 Another major benefit to Council and the residents of the area is that there will be significantly reduced long term impacts through the delivery of these works over months, rather than an extended time period of years by many different agencies. This would not be possible without the coordination role being undertaken by DNSW. Council will still be approving the design of all works and the quality of the final end products.

**FINANCIAL IMPACT**

- 11 All of the works relate to renewal of aged infrastructure of which a significant amount is included in Council's infrastructure backlog. Accordingly funding for these works will be allocated from the Major Asset Preservation Program with the majority of costs being included in the Operational Plan budget for the 2017/18 financial year.
- 12 The cost to Council for individual components of these works, as estimated by DNSW, has been reviewed by an independent Quantity Surveyor and found to be acceptable to Council.
- 13 Payments to DNSW will only be authorised following satisfactory inspections of the work completed and being invoiced to Council, consistent with Councils normal practices.
- 14 The component of the works to be paid for by Council as part of this agreement have all been planned for past or future delivery as part of Councils current and forward capital works program. The cost of these works is already included in Councils Long Term Financial Plan. Costs, condition and original schedule dates for these works are detailed in the following table:

Project Name	Proposed Budget	Current Condition ( 1 - 5)	Estimated Condition post works (1 - 5)	Original schedule year
Watt St Newcastle - road renewal		3	1	2014
Wharf Rd Newcastle footpath and tree renewal		3	1	2018
Zaara St Newcastle East - road renewal		3	1	2016
Wharf Rd Newcastle East - resurfacing		2-3	1	2018
Scott St Newcastle - resurfacing		2-3	1	2015
Nobby's Rd Newcastle East - road renewal		4	1	2008
Paths and linkages - new work				
Stormwater upgrades				2004
Utilities				
Horseshoe Beach Rd & carpark & Pasha Way - road renewal		4	1	2010
<b>Total financial contribution to be made by Council to DNSW (+ GST)</b>	<b>8,800,000</b>			

Condition numbers represent a scale from 1 being as new to 5 failed.

## **IMPLEMENTATION PLAN/IMPLICATIONS**

### **Nobbys Road footpath and parking improvements**

- 15 Widening of Nobbys Road is proposed north of Stevenson Place fronting existing heritage terrace housing. This would provide for an increase of footpath width to 2.3m and provide two travel lanes and potential for 45 degree angle parking on west side. The angle parking is proposed to be located fronting terrace housing that has no off street parking and would provide an increase of approximately 25 car park spaces. Existing no parking restrictions would be maintained on the east side fronting Fort Scratchley.

### **Potential for increasing the number of car parking spaces**

- 16 The following parking changes are planned:
- i) 43 spaces approximately between Watt Street and Nobbys Road (proposed commuter Monday to Friday) to provide for improvements to pedestrian and cyclist movements between Joy Cummings Promenade at Watt Street and Horseshoe Beach access road as part of Item C2 adopted 'Plan of Management The Foreshore 2015' including closure of Tug Berth Road to traffic;
  - ii) 82 spaces approximately in Wharf Road car parks including an additional 4 accessible spaces, making a total of 6 (combination of commuter, timed parking for playground and foreshore park);
  - iii) 41 spaces approximately in Nobbys Road Carpark near Wharf Road roundabout including 4 accessible spaces due to reconfiguration and circulation changes;
  - iv) 22 spaces approximately along Horseshoe Beach Access Road (proposed commuter Monday to Friday) and 4 accessible spaces;
  - v) 25 spaces on Nobbys Road between Parnell Place and Wharf Road; and
  - vi) Provision of bus drop off zones located in Wharf Road near Customs House and on the corner of Nobbys Road at the Wharf Road intersection.

### **Community Benefits**

- 17 Community Benefits to be realised through the collaborative design and delivery approach include:
- i) Collaboration of utilities agencies through State Government coordination to achieve utility renewal works to assist Council asset renewal works in significantly shorter timeframes than could otherwise be achieved by Council in the ordinary course;
  - ii) Reduced long term impact on community through coordination of works and delivery to avoid long periods of work over a number of years by many different agencies;
  - iii) Efficiencies in project management (normally 10-15% of total project cost) and delivery of combined works resulting in significant cost savings;
  - iv) Enabling of planned renewal works to reduce future short term works and improve presentation of the City of Newcastle for a large outside broadcast event;
  - v) Provision of pedestrian crossing on Wharf Road and Pasha Way to improve pedestrian safety between Foreshore Park, Camp Shortland and Nobbys Beach;
  - vi) Provision of bus drop off zone for Nobbys Beach (school or tourist) located in Nobbys Road near Wharf Road roundabout;
  - vii) Improved pedestrian and disabled access between Nobbys Road/Wharf Road car park adjacent to Nobbys beach pavilion through reduction in road level changes;
  - viii) Improved circulation through Nobbys Road car park;

- ix) Reconfiguration of Wharf Road/Pasha Way/Horseshoe Beach Access road intersection to improve safety including Port Corporation access;
- x) Reduced pedestrian/cyclist conflict along Joy Cummings Promenade;
- xi) Construction of connection between Joy Cummings Promenade and Bathers Ways at Nobbys Beach along Wharf Road and Pasha Way between Tug Berth Road and Nobbys Beach;
- xii) Reduced pedestrian/cyclist conflict along Wharf Road between Tug Berth Road and Nobbys Road through reconstruction and upgrade of existing 1.5m path to 4m mentioned in previous item;
- xiii) Commenced improvements to pathways through Foreshore Park;
- xiv) Improved access in Zaara Street through reductions in existing footpath and road cross slopes;
- xv) Relaying of sandstone kerb in Watt Street between King Street and Church Street on west side for whole block fronting the most intact group of remaining heritage buildings in the area;
- xvi) Retention of existing sandstone kerbs in Scott Street and Parnell Place;
- xvii) Placement of underground services to suit proposed Council installation of Smart Lighting in Watt Street, Wharf Road and Pasha Way as part of the Smart City Project;
- xviii) Resurfacing of Horseshoe Beach car park surface to benefit beach users due to existing extremely rough surface which has exceeded its renewal timeframe;
- ixx) Renewal of kerb, footpaths, road surface and water mains and upgrading of stormwater drainage in Watt Street;
- xx) Renewal of kerb, footpaths, road pavement, road surface and water mains and upgrading of stormwater drainage in Nobbys Road; and
- xxi) A significant positive impact on Council's infrastructure backlog which assists in ensuring the organisation's long term financial sustainability.

## Trees

- 18 As part of the Newcastle Bicentennial Project in 1988, Foreshore Park was planted with 447 shrubs and trees and Camp Shortland with 139 shrubs and trees of mixed species with varying degrees of salt tolerance. Recorded losses of the original number now exceed 30% for Foreshore Park and over 50% at Camp Shortland, mainly due to incorrect species selection and storm events.
- 19 There are currently 392 shrubs and trees recorded within Council's Tree Asset Management System that are situated within, or immediately adjacent to the proposed works in the four zones. The site investigation identified that some of these shrubs and trees may be impacted by the works which will likely result in death of the plant, or the plant posing an unacceptable risk, or a reduction in the remaining service life of the plant to an unacceptable timeframe. Retaining shrubs and trees in these circumstances would result in the creation of a foreseeable and preventable risk (Civil Liabilities Act 2002). The final analysis resulted in the need to remove 148 shrubs and 32 shade trees that would be compromised by the proposed works. The canopy area of these shrubs and trees to be removed is approximately 2800m<sup>2</sup>.

- 20 The current planting in the areas affected by the proposed works provide a small amount of shade, due partly to the species selection, site issues and current planting arrangement. It is estimated that only 500m<sup>2</sup> of the existing canopy of 2800m<sup>2</sup> within the area of the proposed works is currently providing usable shade. The proposed replacement planting of 136 advanced shade trees and 100 shrubs will provide a projected mature canopy area of approximately 9200m<sup>2</sup> of canopy, resulting in an increase in usable shade of 1800% from the shrubs and trees affected. This will be a significant and positive contribution to the Urban Forest, in meeting the objectives of maximising and sustaining the benefits on an intergenerational basis, including the provision of a welcoming space during the summer months.

## CONSULTATION/COMMUNICATION

- 21 Extensive communication regarding the details and timing of these works is being planned by DNSW in partnership with Council and the major event organiser. A comprehensive community engagement meeting is expected to be held late March.
- 22 In relation to this project, the following management actions are being commenced, actioned or completed as part of Council's adopted 'Plan of Management - The Foreshore 2015':
- i) Recreation R.6: Locate any new permanent infrastructure and trees to perimeter of the area. These to have a supporting role for activities undertaken in the area, eg, shade, seating. Permanent Infrastructure not located on Shortland Lawn, functionality not compromised;
  - ii) Recreation R.14: Review current provision of park furniture and facilities through Landscape Masterplan. Implementation may include remove, replace, upgrade or provide new furniture and facilities. Includes shade and water access points and BBQs;
  - iii) Recreation R.17: Consider all abilities users in the design and siting of park furniture, paths, amenities, and parking;
  - iv) Connectivity C.1: Maintain and improve paths for pedestrians, and other users, of all abilities, throughout the Foreshore and to surrounding areas;
  - v) Connectivity C.2: Establish a designated off-road shared pathway along the Joy Cummings Promenade from Honeysuckle Precinct to Camp Shortland;
  - vi) Connectivity C.3: Establish a shared pathway link between the Joy Cummings Promenade and Foreshore Park playground and Carriage Shed as part of the Landscape Masterplan. A pedestrian or priority crossing will be required to facilitate this;
  - vii) Connectivity C.4: Investigate a shared pathway link from Watt Street through Foreshore Park to the proposed pedestrian crossing to Camp Shortland.
  - viii) Connectivity C.6: Ensure future/proposed shared pathways to be a 4m width, with consideration of up to 6m width where appropriate and possible;
  - ix) Connectivity C.10: Design of shared pathway in Camp Shortland and to Bathers Way to be determined through the Nobbys Beach Public Domain Plan (to be developed);
  - x) Connectivity C.11: Removal of trees to accommodate the provision of a shared pathway may be required in some areas. Final path design to minimise loss of Norfolk Pines, Figs and Tuckeroo trees. Trees to be replaced according to Action L.7;
  - xi) Connectivity C.13: Ensure pedestrian crossings approved that will link Joy Cummings Promenade to the bus Terminal/Newcastle Railway Station; the Promenade to Customs House Forecourt; and the north-east of Foreshore Park to Camp Shortland are completed;

- xii) Connectivity C.16: Investigate improved access and parking configuration within Camp Shortland, Nobbys Beach and Horseshoe Beach as part of the Nobbys Beach Public Domain Plan;
- xiii) Community and Special Events CSE.11: The Port Authority and Harbour Master be consulted during the assessment stage should any special event require temporary structures to be erected on Camp Shortland or Foreshore Park, to ensure visibility is maintained for the safe navigation, communications and use of navigations aids;
- xiv) Landscape L.12: Plant additional shade trees along the Foreshore without compromising views lines and the functionality of the Park; and.
- xv) Landscape L1.3: Manage vegetation/plantings to minimise screened areas and implement Crime Prevention Through Environmental Design (CPTED) and Safer by Design principles.

23 The project also commences an action from 'Newcastle Cycling Strategy and Action Plan 2012', Route S1 Throsby Foreshore to Merewether Baths - Extend path eastern end of foreshore at end of Tugberth Rd approximately 290m to connect to path at Nobbys.

## **OPTIONS**

### **Option 1**

24 The recommendation as at Paragraphs 1-4. This is the recommended option.

### **Option 2**

25 Council defers a decision at this time to allow further consideration of the information provided in this report. This is not the recommended option.

### **Option 3**

26 Council resolves not to enter into this agreement. This is not the recommended option.

## **BACKGROUND**

27 Civil works are required on various streets in Newcastle to enable a major tourism event in November 2017. Destination NSW has been tasked with organizing and tendering these works. The Motor Racing Legislation Amendment (Newcastle 500) Act 2017, assented to on 1 March 2017, will provide DNSW with authority to deliver these works.

28 Council staff were approached by DNSW to assist in identifying any limitations or opportunities that would hinder or enhance the delivery of the works.

29 Council staff identified that the work to be undertaken provided a once in a lifetime opportunity to realise significant civil works renewal and linkage work required in the area, at a lower cost and reduced timeframe than would otherwise be possible.

30 The works proposed to be completed will greatly benefit the residents, businesses and visitors to the area.

## **ATTACHMENTS**

Nil