

8th April 2004

NSW Parliamentary Standing
Committee on State Development
Parliament House
Sydney NSW 2000

Dear Sir,

RE: Ports Growth Plan

The Planning Institute of Australia (PIA) has recently become aware of the Standing Committee's consideration of the Ports Growth Plan and makes this submission. PIA understands there is a public hearing on or about 21/22 April 2004. A representative of PIA would be available to attend.

PIA promotes excellence in planning and is the national professional organisation representing qualified planners in Australia. It was founded in 1951 and now has more than 3500 members in Divisions in every state and territory in Australia, in addition to overseas members.

Background

On 5 October 2003 NSW Government announced its Ports Growth Plan. The Plan provides a framework for the future growth and development of port capacity in NSW. It proposes relocating substantial port facilities from Sydney Harbour to Port Kembla and Newcastle. PIA considers that the implications of the Plan are of major concern. This submission to the Standing Committee calls for a thorough public process and examination of the issues before the future of NSW Ports is decided.

Need for a Public Inquiry

The October political announcement was made without any public debate. The PIA calls for a full and intensive public inquiry for the following reasons:

- the large scale of the mooted change (which affects the future of the Sydney Harbour wharves at Darling Harbour Wharves 3-8 and Glebe Island/White Bay)
- the proximity of the current wharves to Central Sydney
- the large amount of public interest (as reflected at the recent talk at Town Hall of 17 February 2004)

The public inquiry should have available expert studies as described below. A public inquiry is the appropriate process to consider the range of uses and provide a balanced set of recommendations to the NSW Government.

Economic viability

Both Sydney Harbour and Port Botany are advantageously located in terms of transport distribution as they are near the centre of the market for imports (imports comprise 80% of the trade with Sydney). Moving substantial parts of Sydney Ports activity to Port Kembla and Newcastle means a greater transport distribution network and the unavoidable disruption this would create to greater numbers of local communities. This needs to be balanced with increased employment prospects that would occur in Newcastle and Port Kembla. An economic and transport sustainability analysis of all the issues involved should be undertaken prior to major decision making.

Port Needs

The combined trade from Sydney Harbour and Port Botany is worth \$45.5 billion pa. in international trade and equates to 80% by value of Sydney's total trade. In 2001/02, both ports received almost evenly shared ship visits. Sydney generates \$4.8 billion pa. in tourism earnings and is a leading destination for passenger shipping. Indeed, the ideal location of the Darling Harbour passenger terminal to Sydney's tourism hub is enough to entice more than 150,000 holiday makers per annum and indications from cruise ship companies show that this figure is set to escalate.

The future port needs can never be accurately predicted. However, it is apparent that Sydney will grow into a bigger city over the next 50 years with greater demand for imported goods. It also is apparent that there will be enormous pressure for substantial private development at Sydney Harbour. It is vital that any new development on the foreshore should maintain flexibility to allow for changes in global shipping and cargo handling practices, and protect long term options for future growth of port activities in Sydney and other NSW ports.

The extent of deep water berthage and back up land areas in Sydney Harbour has greatly diminished in recent decades. It is clear that further reduction would severely impact on the long-term viability of major shipping in Sydney Harbour.

Planning Policy

A wide range of planning policies in recent years have consistently defined the development of Sydney Harbour to retain port activities as far as possible:

- **Sydney Regional Environmental Policy No. 26 City West**
The provisions for the "Bays Precinct" which Rozelle Bay, White Bay/Glebe Island are focused on protecting and promoting the working harbour. The land is zoned "Waterfront Use" and "Port and Employment" and residential uses are prohibited. Master plans have subsequently been adopted by the Minister to guide the detailed planning and design of the precincts.
- **State Environmental Planning Policy No. 32**
This policy promotes the redevelopment of urban land (considered by the Council and the Minister to no longer be required for the purpose for which it was zoned) to create better environments. It seeks to ensure that urban land close to infrastructure, employment, leisure and other opportunities is made available for development in a timely manner. PIA considers that sufficient evidence has not been presented to justify a significant change in use of the port facilities.
- **State Environmental Planning Policy No. 56 Sydney Harbour Foreshores and Tributaries**
Under SEPP 56 Darling Harbour Wharves is designated to require a Master plan in accordance with a number of guiding principles required to be taken into account in the preparation of Master Plans. The guiding principles include maintaining the working harbour character and functions. The Minister has approved a master plan for Glebe Island and White Bay, which sets height limits and protects views from surroundings to the harbour waters.
- **State Environmental Planning Policy No. 55 Remediation of Land**
This policy requires that the consent authority must not consent to the carrying out of any development on land unless it has considered whether that land is contaminated and if so whether it is suitable for a proposed development or requires remediation. The port activities have contaminated the land. Remediation for alternative use would require massive funding only available through high-density development which is inappropriate to the foreshore urban context of the remaining wharves of harbour.
- **Action for Transport 2010**
This strategy seeks to develop initiatives supporting the contribution of freight and commercial movements to the economic role of Sydney and to increase movement of freight by rail. Sustainability of transport nodes is a key driver of this policy. It is clear that importing goods to near the centre of

the market is good sustainable policy. Diverting imports to ports outside the primary market is not good sustainable policy.

(2)

- **Sydney Metropolitan Strategy - “Shaping our Cities”**
This strategy provides a broad framework for planning priorities for the greater metropolitan region. It provides guiding principles to preserve the international standing of Sydney Harbour and the region’s other major waterways, and promotes the working harbour for its diverse maritime activities.
- **Emerging Metro Strategy**
This new strategy by the NSW Department of Infrastructure Planning and Natural Resources will replace current strategies including Shaping Our Cities and Action for Transport 2010 and will guide decisions on land use, natural resources and infrastructure (including a Freight Strategy) over the next 20 years. Any significant initiative regarding the ports is a subset to the metropolitan context and logically should follow the outcomes of the new Strategy which will incorporate the Freight Strategy that then underpins the ports strategy. Consequently, the proposed significant changes described in the Ports Growth Plan is premature.
- **Draft Sydney Harbour Catchment REP**
DIPNR is currently preparing a new REP for the Sydney Harbour Catchment to consolidate existing instruments, including: SEPP 56; SREP 22 – Parramatta River; SREP 23 – Sydney and Middle Harbours; Darling Harbour Development Plan No.1, and Sydney Cove Redevelopment Authority (SCRA) Scheme. PIA considers that it would be appropriate for this draft REP to reinforce the plethora of planning policies that encourage retention and where possible expansion of the working harbour.
- **Central Sydney Plan 2000**
The Central Sydney Plan zones Darling Harbour Wharves 3 to 8 as Maritime and Transport, and specifies building heights and industries for adjacent lands. Sydney City Council and the Central Sydney Planning Committee have recently considered appropriate building heights for the east side of Hickson Road. It is clear from these considerations that building heights on the Darling Harbour Wharves should be less than 25m on the west side of Hickson Road in order to be compatible with the Millers Point conservation area, the topography of the area and the general urban form of the city’s edge.
- **Heritage Controls**
The Darling Harbour Wharves adjoin the Millers Point Special Area identified under the Central Sydney Heritage Local Environmental Plan 2000.
The specific objectives for Millers Point Special Area contained in the Central Sydney LEP 1996 are:
*“(i) to retain and reinforce the residential character and scale of the Special Area,
(ii) to conserve and reinforce the heritage significance of this Special Area,
(iii) to limit the amount and type of non-residential uses within this special Area that are not required to meet residents’ needs”.*

The PIA considers the decision of NSW Government to remove shipping activities and facilities so shortly after its formal recognition of this cultural heritage to be inappropriate. Historically, the residential area has had a strong connection with the working wharves and it is important that the historical thread is maintained into the future as part of the sense of identity and character of this part of Sydney.
- **NSW State Heritage Register**
The heritage controls in the Central Sydney Plan are reinforced by the Statement of Significance in the State Heritage Register for Millers Point and Dawes Point which states that the:
“Millers Point Conservation Area is an intact residential and maritime precinct of outstanding State and national significance. It contains buildings and civic spaces dating from the 1830s and is an important example of nineteenth and early twentieth century adaptation of the landscape. The precinct has changed little since the 1930s”.

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The Millers Point and Dawes Point Village Precinct is described as having State Significance for:

“its ability to demonstrate, in its physical forms, historical layering, documentary and archaeological records and social composition, the development of colonial and post-colonial settlement in Sydney and New South Wales. The natural rocky terrain, despite much alteration, remains the dominant physical element in this significant urban cultural landscape in which land and water, nature and culture are intimately connected historically, socially, visually and functionally”.

The Walsh Bay precinct is described as having State Significance for:

“due to its unique combination of steep rocky terrain, early, mid, late-Victorian and Edwardian housing, surviving relatively intact Victorian bond stores, and the results of an early twentieth century urban redevelopment scheme of unique scale: the magnificent timber wharf and shore structures and associated rock cuttings, roads and bridges”.

(Clive Lucas Stapleton & Partners 1999: 75).

Conclusion

Sydney is a multi-cultural city rich in diversity both natural and man made. The harbour is one of the world’s best natural harbours and is home to a multitude of maritime activities. The harbour contains one of the world’s great urban spaces - Circular Quay, flanked by the Opera House and the Harbour Bridge. Diminishing the richness of the harbour would diminish the character of Sydney.

The vast majority of the length of wharfage and land based port activities at Sydney Harbour has been sold or given over for private and public uses in recent decades. Other bays that were once successful maritime uses have since been acquired and redeveloped for mixed use or residential schemes. Most of Darling Harbour has transformed from a thriving port into an entertainment and leisure park. Much of the shoreline of Sydney Harbour is lined with residential development and its waters are well used by recreational yachts and powerboats. There is a real prospect with the relocation of even more port activities from the harbour that the working harbour is in danger of irrelevance and will be overtaken by a water pleasureground – to the detriment of the wider character of Sydney.

Glebe Island/White Bay and Darling Harbour (Wharves 3 to 8) are the last chance for extensive deep-water berths in close proximity to Central Sydney and central to the wider Sydney market. The long term future port needs cannot be predicted accurately. The city will grow larger, its needs will increase and port facilities will need to flexibly respond to shipping changes. It is essential that much thought, study and discussion is undertaken before a decision is made regarding the remaining deep water berths and their land base. PIA considers that no more port facilities should be given over to other development, unless the space is readily retrievable at short notice by the NSW Government.

It is clear due to the scale of the Ports land in Sydney Harbour, its proximity to Central Sydney and its great public interest that a full Commission of Inquiry should be held on the Ports Growth Plan.

Concern rests with the logic of decision process regarding specific major port activity changes ahead of the larger metro strategy which will incorporate the freight strategy (infrastructure, employment zones, new release areas etc). The port plan announcement has been made in the context that a new Metropolitan Strategy will soon be released. The proposed port plan is considered premature and lacking integration with the strategic direction of Sydney as a growing metropolitan region. It is imperative the important decisions relating to port activities be made on the right footing in the context of an agreed metropolitan and State development strategy.

It is important to note that a primary plank of the NSW Environmental Planning and Assessment Act is community consultation. The significant ports plan announcement completely bypassed this requirement. Such an approach does not reflect an example of 'model' governance.

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The PIA urges the NSW Government to appoint a Commission of Inquiry backed by appropriate studies so that the Inquiry can be as fully informed as possible before making recommendations to Government on the future of the Sydney Port.

Yours faithfully,

Nick Juradowitch
Chairperson
Metropolitan & Environment
Sub-Committee of PIA NSW