

February 2021 Newsletter

Background – Summary 2016 to 2019

- 1) During 2016, Mr Ian Mutton initiated and conducted a series of Public Meetings addressed by both our Federal and State members and North Sydney's Mayor to share facts and have informed discussion on the future of the Lavender Bay railway land.
- 2) On 14 March 2016, Mr Trent Zimmerman MP, Member for North Sydney wrote to the Hon Andrew Constance MP, Minister for Transport and Infrastructure raising residents' concerns about the state government plans for the Lavender Bay railway land. Mr Zimmerman said he  
*"...supported the retention of this foreshore land and, if future transport planning deems it surplus to operational needs, would urge the government to look at its incorporation in the public domain. For example, the rail siding would provide the potential for an exciting HighLine style project between Milsons Point and Waverton"*.
- 3) In February 2017, Mr Chris Muir, Chief of Staff for Minister Constance advised:  
*"...I can confirm that the Minister and Sydney Trains have agreed that work to create a walking path along the Lavender Bar Spur can commence on the side where tracks have been removed before the active rail line is closed on the other side of the spur."*
- 4) In March 2017, the Premier gave:  
*"...an iron clad guarantee that a NSW Liberals & Nationals Government will never sell off the land (railway corridor between Waverton (Berrys Bay) and Lavender Bay and ensure it remains a community asset in the event it is not needed for railway use,"*  
and  
established a Committee to investigate creating a scenic walking track along this unique stretch of railway land. The Committee comprised the stakeholders - Waverton and Lavender Bay Precincts, Sydney Heritage Trains, Sydney Harbour HighLine Association, North Sydney Council, Sydney Trains, Office of Environment and Heritage and Destination NSW along with Local State and Federal members of Parliament.
- 5) In December 2018, the Committee at the request of Minister Constance, submitted a full and detailed report including design and cost estimates, and how the project should be delivered. The Committee, chaired by Ms Felicity Wilson MP, Member for North Shore, unanimously endorsed the commencement of the HighLine.

- 6) In June 2019, Minister Constance in a letter to Ms Wilson spoke about “...*due diligence being completed...*” and the walkway “... *does not interfere with current or future passenger service delivery...*”. The statement took us by surprise as the facts and chronology of events confirm that due diligence had been completed and the walkway did not interfere with Sydney Trains’ current or future passenger service delivery. The statement was CONTRARY to the advice from the Minister for Transport and the Chief Executive, Sydney Trains.

As noted in points 3) and 4) above, before the Premier’s announcement on 20<sup>th</sup> March 2017, the co-existence of the walkway and the operation of the rail line had been confirmed by the Minister for Transport and the Chief Executive of Sydney Trains, Howard Collins. They had agreed that the surplus land to the north of the current line between Wendy’s Garden and Union Street could be used for the HighLine walkway whilst Sydney Trains continued to operate. The balance of the rail land between Wendys Garden and Luna Park would be Stage 2 of the Highline once Sydney Trains ceased use of the line which was envisaged by Mr Howard Collins to be in 2024. It was, presumably, with this position enunciated that the Premier established the Committee.

### **The year 2020 - Summary**

The year 2020 posed several challenges for the Sydney Harbour HighLine Association.

#### **Access to Sydney Trains’ Quantity Surveyor’s Report denied**

In June 2018, Sydney Trains presented the design and detailed project costs, prepared by a Quantity Surveyor (QS), to the Premier’s Committee. The costings included:

- Sydney Trains’ upgrading and modifications to the existing rail corridor required not only due to the Highline project but also ongoing repairs and maintenance costs; and
- The HighLine walkway and landscaping.

We requested a copy of the QS Report as we wished to know what costs were attributable to the rail line and what costs to the walkway. Regrettably despite numerous requests, the latest being in May 2020 through Ms Felicity Wilson, Sydney Trains would not agree to share its QS’ Report with us. Ms Wilson is unable to explain why the Report is being kept secret.

#### **Meeting with Minister Stokes in June 2020**

In June 2020, North Sydney Council facilitated a meeting between the SHHL and Minister Stokes, Minister for Planning and Public Spaces. We advised the Minister that the SHHL project was “shovel ready” and consistent with NSW Government policies on more green and open spaces, and in a local government area which is acutely short of green space with more residents per hectare than other North Shore Councils and the City of Sydney.

Minister Stokes commented that the concept was visionary, great idea and linear parks were very sensible. He had not realised the project was as far advanced as it was.

Most regrettably the meeting failed as a Sydney Trains officer made several statements that were, simply put, wrong. These misstatements related to

- Co-existence of the operational rail line and the walkway – Minister Constance’s Chief of Staff and Sydney Trains CE had previously advised that co-existence was possible, and that construction could start; and
- Building the walkway on the rail siding would require an Act of Parliament - the State Government removed that requirement in 2015.

These misstatements had first been raised in correspondence from the Transport Minister’s office in June 2019. At that time, the Association met with the local member, Ms Wilson, clarified the misstatements and provided the corrected information in writing to [Ms Wilson](#).

Ms Wilson attended the meeting with Minister Stokes in June 2020. It was extraordinary that she accepted the misstatements and made no attempt to correct them.

It is concerning that at this stage of the project planning, these misstatements which the Association clarified in July 2019 with both the Transport Minister’s office and Ms Wilson, remain.

Immediately after the failed meeting we wrote to [Minister Stokes](#) clarifying the misstatements. In addition, we wrote to our [State and Federal members](#) requesting their assistance to clarify these misstatements. To date, our requests remain unanswered.

These events cause us to question the Government’s intention for the railway land especially the large sections fronting the harbour at Lavender Bay and overlooking Berrys Bay.

Hence in February 2021, we wrote to [Mr Stuart Wallace](#), Chief of Staff to Minister Constance clarifying the misstatements and requesting a meeting to discuss the best way forward to bring this once in a lifetime opportunity to fruition.

In addition, we are meeting Mr Trent Zimmerman, who was a member of the Premier’s Committee, on 2 March 2021 to discuss the best way to solve this impasse.

## **Berrys Bay**

Berrys Bay is located at the western end of the SHHL. Hence any developments in Berrys Bay are of critical interest to the SHHL as it is desirable developments complement the SHHL.

### *The Berrys Bay Community and Stakeholder Working Group*

Government-owned land in Berrys Bay is a key tunnelling site for the Western Harbour Tunnel. The NSW Government intends to engage with the local community via *The Berrys Bay Community and Stakeholder Working Group* on the use of the site on completion of tunnelling, with the intention to provide public open space and public facilities.

The SHHL Association has nominated Joan Street, Secretary SHHL, to be a member of this Group.

### *Sydney Heritage Fleet - proposed relocation to Berrys Bay*

In 2016, the SHHL Association, with its focus on the heritage trains aspects of the HighLine recognised a tremendous opportunity to add to the appeal of the HighLine. The Sydney Heritage Fleet needed a new home. Berrys Bay seemed to offer an ideal location because:

- it is a sheltered bay capable of berthing the entire fleet next to the HighLine;
- Woodley's "shed" has the potential to be converted into a museum; and
- the fleet at anchor in Berrys Bay would potentially add to the Sydney-wide appeal of the High Line – the integration of two great heritage projects.

We initiated discussions with the Sydney Heritage Fleet and have been working to introduce [the concept](#) to the local community and North Sydney Council.

It is very pleasing that North Sydney Council at its meeting on 22 February 2021 unanimously agreed to cause land on the Western side of Berrys Bay to be brought under the care and control of the Waverton Peninsula Reserve Trust and resolved to work with the Sydney Heritage Fleet and the North Sydney community to establish the Museum of Sydney Harbour as the base for the fleet in Berrys Bay.

## **Public Space Ideas Competition**

The COVID-19 pandemic highlighted the importance of public space to people's mental, physical, and social wellbeing. This led to the NSW government and advocacy group, Committee for Sydney, launching an ideas competition for public spaces across the greater metropolitan area.

With the assistance of a Structural Project Engineer and a Landscape Architect we entered the SHHL in the competition. Entries were limited to a brief description of the project (max 250 words) and one image. We focussed the entry on the parkland which will be created in Lavender Bay by repurposing the rail lines. A copy of the SHHL entry is available on the [website](#) and we hope you like it.

It was disappointing that the entry was not successful. However, the process provided an opportunity to profile the SHHL to leading landscape architects in both Government and Universities.

### **Activities planned for first quarter 2021.**

Despite the challenges experienced throughout 2020, the project continues to attract tremendous support. We remain undaunted and steadfast in our commitment to achieve the Sydney Harbour HighLine.

#### Clarify the misstatements from Minister Constance's office

As stated above we have now written to Minister Constance's Chief of Staff clarifying the incorrect statements from the Minister's office and seeking a meeting. In addition, we are meeting with Trent Zimmerman on 2 March 2021.

#### The Tunnel Lightshow

The tunnel is a critical feature of the SHHL. It provides a unique and exciting opportunity for a lightshow to provide a social history mosaic including indigenous heritage, first fleet, maritime history, etc.

In March 2017, Mr Trent Zimmerman organised for us to meet with Destination NSW. The CEO was most excited about the HighLine project and in particular the tourism opportunities presented by the tunnel.

We are currently liaising with both a hardware and software company to develop concepts for the lightshow in the tunnel.

#### Update on Costings

We commissioned a Quantity Surveyor's ("QS") Report in 2018 using what information we could obtain from Sydney Trains. It is now timely that this Report be updated, and we are liaising with a QS to undertake this work.

#### Meetings

This quarter we intend to meet with State Ministers, Federal and State MPs and NSW Government executives to progress plans for the SHHL.

#### Website

The SHHL website has been updated with the new version launched in February 2021. Look at [www.sydneyharbourhighline.org.au](http://www.sydneyharbourhighline.org.au). We hope you like it!

Yours sincerely



Joan Street

**Secretary, Sydney Harbour HighLine Association**

27 February 2021