

# The Future Use of Berrys Bay



Fig.1 This is an early concept plan from the government for Berrys Bay after completion of the Western Harbour Tunnel

Since then the Sydney Heritage Fleet (SHF) has expressed interest in establishing a museum at the site and has published concept plans on its website.

[https://www.shf.org.au/wp-content/uploads/2021/02/SHF\\_Museum-of-Sydney-Harbour\\_Presentation\\_vNov2020.pdf](https://www.shf.org.au/wp-content/uploads/2021/02/SHF_Museum-of-Sydney-Harbour_Presentation_vNov2020.pdf)

Berrys Bay has a long history of marine and industrial use since early settlement but over time the bay and the surrounding area has changed. Balls Head was home to a Quarantine Depot and the Coal Loader wharf and handling area and the area was denuded of trees. It was proclaimed a reserve in 1926 and native trees replanted. The Centre for Sustainability was established in 2011 and the associated coal loader platform opened in 2018. From 1920 to 1994 an oil terminal operated on the ridge east of Larkin St. When BP vacated the land it was dedicated as public space and was opened to the public as Carradah Park in 2005. Woodleys shipyard dates from 1908 to 2011 and while the shipyard was visible they manufactured boilers inside the shed. Development plans for that arm of the bay were refused as being unsuitable for the area by the state planning panel following community objections. In 1932 the railway tunnel from Waverton to North Sydney station was created with the excavated material being used to fill in a tidal section of the bay to create Waverton Oval. From the 1870s boatsheds and wharves lined the waterfront from the point at Sawmillers to Waverton Oval. In 1990 half the strip was sold and developed as units leaving the existing Noakes Boatyard as the only marine operation. In 2017 Noakes lodged an application to provide a facility to operate a floating dry dock but it was withdrawn and subsequent applications were unanimously refused in 2020 by the Sydney North Planning Panel because of outstanding significant issues and that it was not in the public interest. Noakes has lodged an appeal with the Land and Environment court in 2021 that is still to be determined. At this time Noakes boatyard sits in what has become a residential and recreational area. The future use of the western arm of Berrys Bay must be compatible with the current use and future requirements of the community.

The SHF website shows a concept montage of their use of the site.



Fig. 2 SHF montage

This is a fair representation of their plan but they have removed the dinghies stored on the beach on the left of the shed as well as the small shack.

They continue and show a concept plan for the site. On this plan I have outlined the wharves and buildings in red. Note the Sea Heritage Floating Platform which is like a dry dock without sides. See Fig. 7 for the one at Rozelle and for an explanation of how it works at <https://johnoxley.org.au/restoration/how-is-it-done/docking-the-john-oxley/>

I have applied the same outline to a Google satellite image. It was aligned using the curved bund wall but the buildings are slightly out of alignment and there is no detail how the seawall boundaries will be constructed.

The satellite image represents the concept better and it shows that the area depicted is roughly the same as when Woodleys operated. (see Fig.5) The public wharf is located at the remains of a BP wharf. The remnant of the T wharf is marked T and the end of the dolphin wharf is marked D in the top right corner. The three images are on the next two pages.

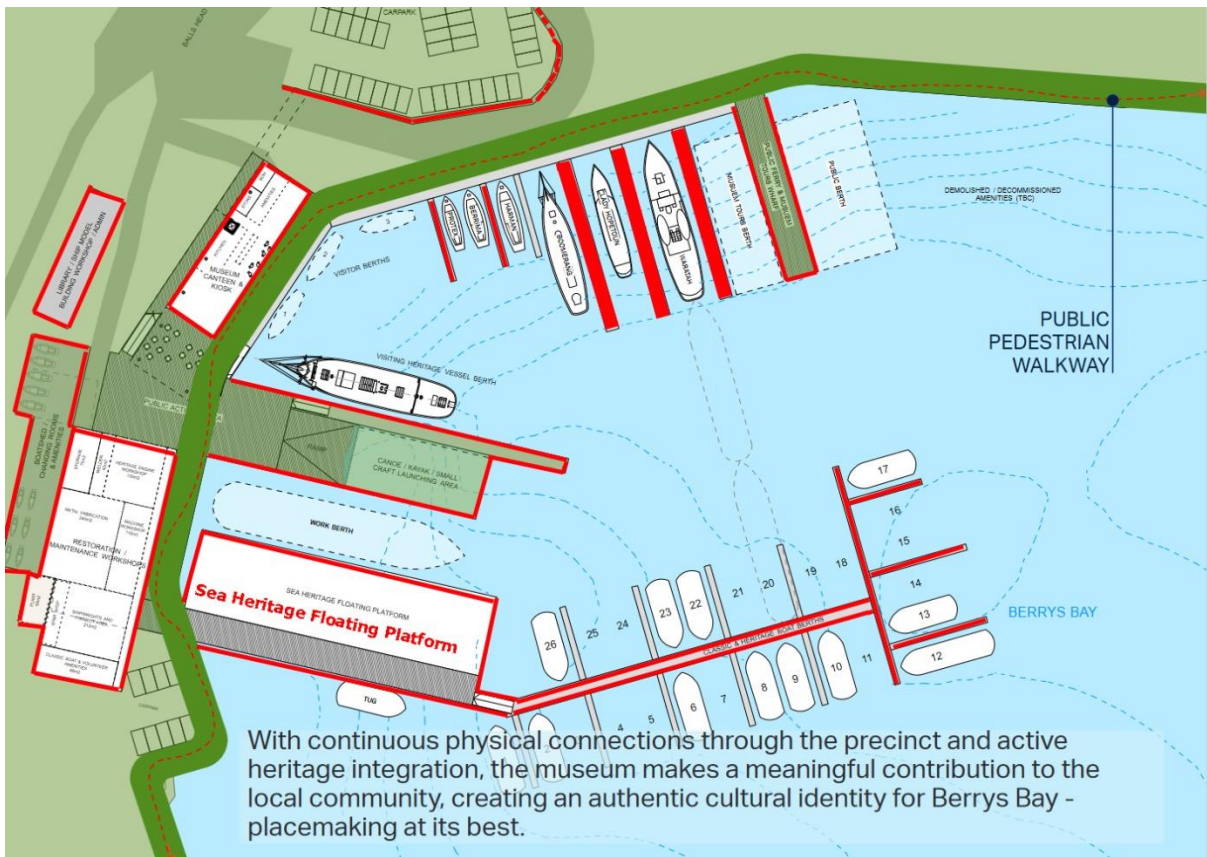


Fig. 3 The SHF plan with wharves and buildings outlined in red.



Fig. 4

The SHF outline superimposed on a Google satellite image.



Fig. 5 The Woodley lease area on 21/9/2010

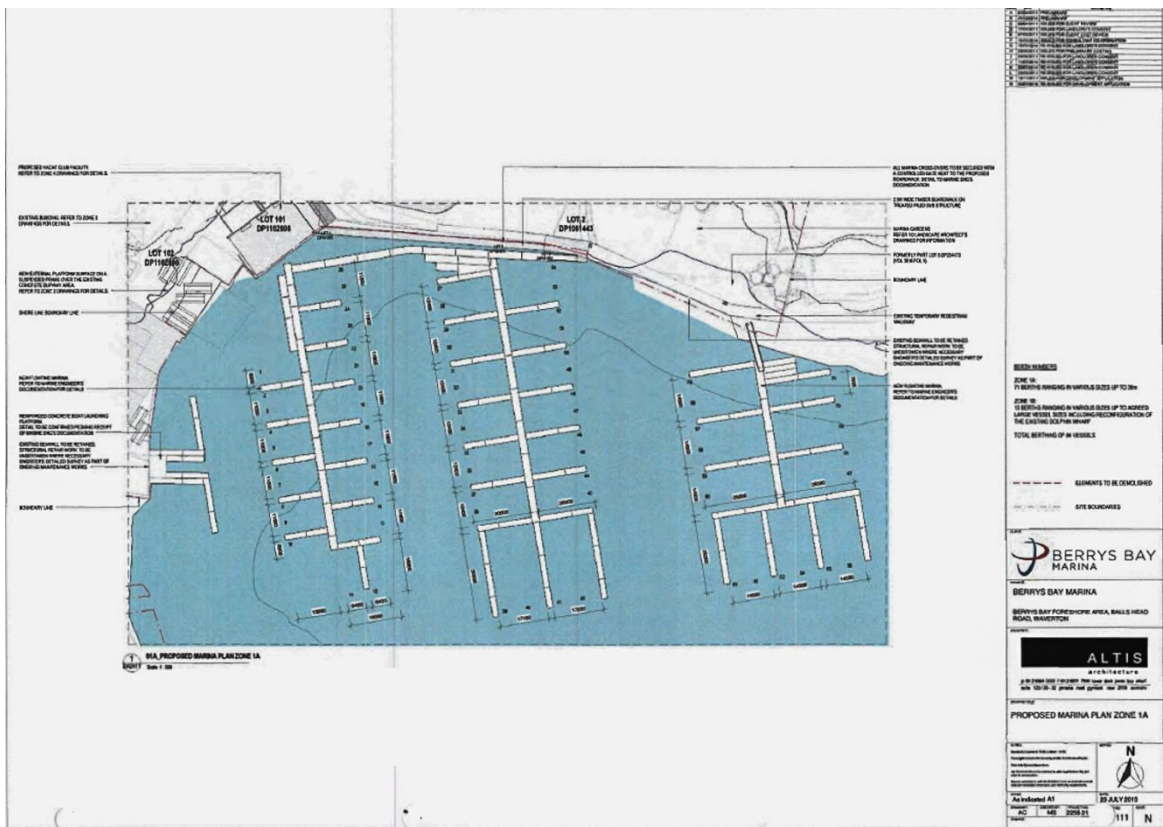


Fig. 6 The proposed marina plan permitted by MSB that was rejected by the planning panel in 2016

The SHF plan as submitted looks reasonable and should be achievable subject to a number of concerns. SHF has a dockyard at Rozelle where the SS John Oxley is in the adjoining floating dock for restoration. It has been there since 2002 and subject to them getting funds of \$M1.8 restoration is expected to be completed by 2023.

We do not want this floating dock to come to Berrys Bay for many of the reasons for the rejection of the Noakes Group application for a floating dry dock in Berrys Bay. We do not need the heavy industry that comes with a dry dock. We do not want the clutter of unrestored vessels.

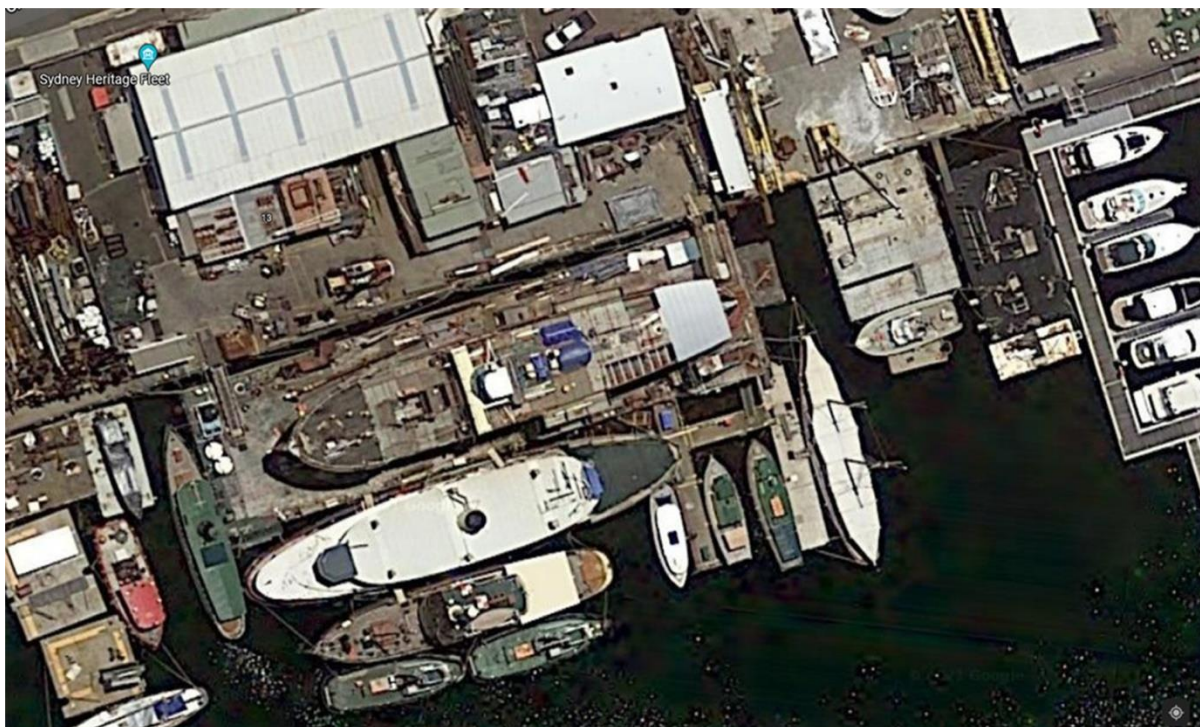


Fig. 7 Google view of SHF Sea Heritage Floating Platform and work yard at Rozelle

In September 2020 a community update on the Western Harbour Tunnel stated that the historic vessels M.V. Cape Don and Baragoola would be relocated to suitable alternate mooring nearby before construction starts. Both vessels are still berthed alongside the Coal Loader platform.

Photographs taken in September 2021 show the state of decay that they are in. I do not know when they first appeared at the site but I suspect it was sometime after 2004, with photos of them there published in 2008 and the first photo that I have was taken on 26/12/2010.

From the website of The Company of Master Mariners;

*Older members will remember the three attractive and smart sister ships built by the Newcastle State Dockyard in the early 60's for the then Commonwealth Lighthouse Service, M.V. Cape Don, M.V. Cape Moreton and M.V. Cape Pillar. Cape Moreton was to service the Queensland and Barrier Reef lights, Cape Pillar the Victorian, South Australian and Tasmanian lights, and Cape Don, the subject of this article, the Northern Territory and West Australian lights.*

The Sea Heritage Foundation (established 2004) website states that it is the owner of the Cape Don.

The Cape Don was launched in 1962 and retired from service in 1990.

The Cape Don website, headed by a photo of the Cape Pillar has the following statement;

*The ship needs to be dry-docked as soon as possible to enable a thorough inspection of the hull and to carry out repairs where necessary. To achieve this aim, the Society needs to raise \$300,000 which will be added to the funds already earmarked for dry docking.*

\$300,000 would hardly pay for the time to inspect the vessel and the last published annual figures for 2019/2020 showed donations of \$1175 and payment from Maritime, Department of Transport NSW of \$15,196.88 for (P&I Insurance). The Cape Don length is 74.25 M. Note that the John Oxley has been on the floating platform for 19 years.

The Baragoola Preservation Association Inc. website has the following statement. *It is an organisation which aims to conserve, restore and protect the MV Baragoola as a leading example of Sydney's historic ship-building prowess and facilitate the restoration in a manner sympathetic to her history, material and iconic (sic) place on Sydney Harbour.*

Baragoola was launched in 1922 and went out of service in 1983.

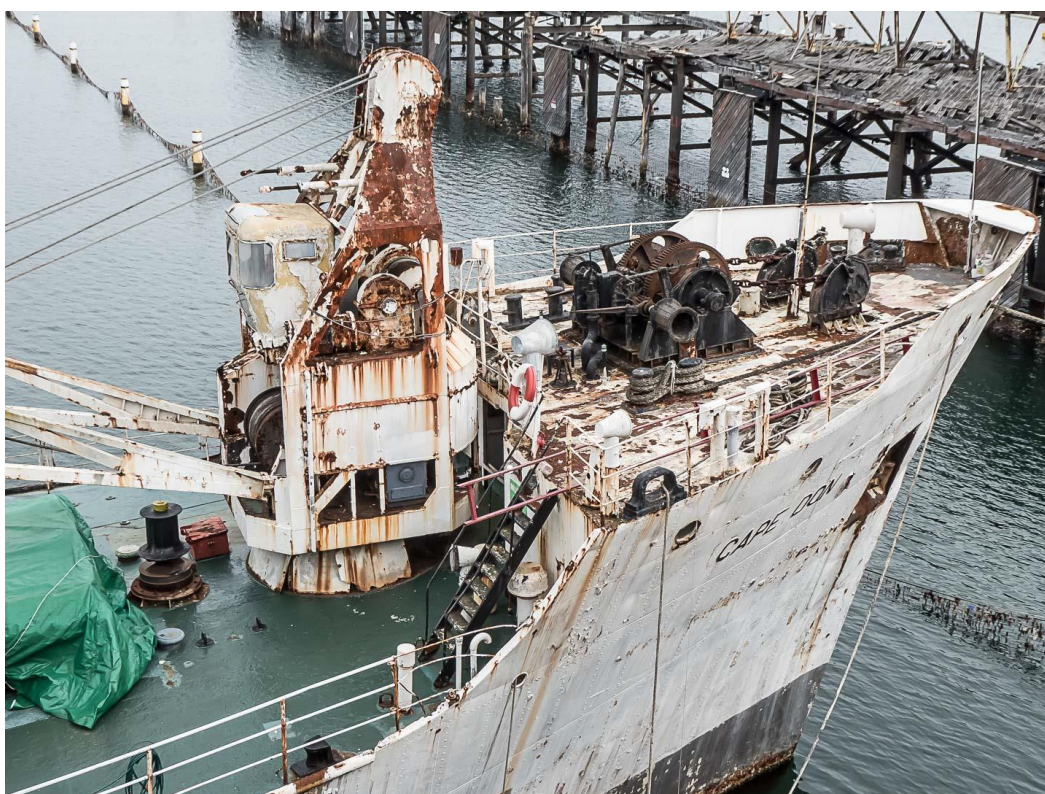
Both vessels are in need of extensive repairs. The state of the underwater hull and of any internal ballast tanks of the Baragoola are probably near the end of their life. Commercial shipping has a life of about forty years before repairs are required or it is scrapped. Wooden superstructure is being repaired or replaced on Baragoola before the state of the hull is addressed. Compare this to the John Oxley and the South Steyne where all the underwater steel was replaced.



Fig. 8 Cape Don in 26/12/2010 The waterline colour was bright green in 2008 and is now rusted.



Fig. 9 Cape Don on 4/9/2021. There is little sign of restoration after thirteen years.



Fig, 10 on 4/9/2021



Fig. 11 on 4/9/2021



Fig.12 on 4/9/2021 This form of advertising is not appropriate in Berrys Bay





Fig. 13 Baragoola on 4/9/2021 The clutter of work that has been in progress for thirteen years

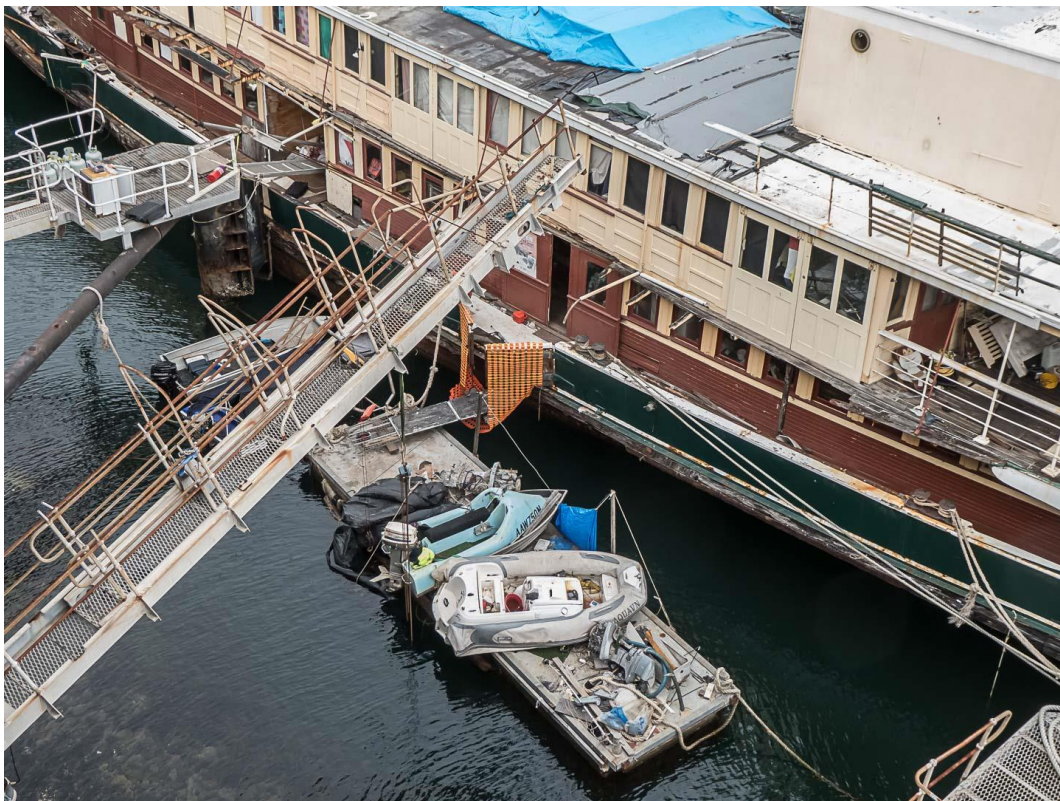


Fig. 14 This sort of clutter would not look good in Berrys Bay. At least here it is out of sight of the main area of the Coal Loader platform.



Fig. 15 The remains of the Coal Loader wharf on 4/9/2021

MSB, NSW Maritime, RMS, Transport for NSW, Roads and Maritime, Centre for Maritime Safety; they keep changing their name but all of them have let this wharf get into its present state since it was decommissioned in 1992. All that they have done is fence it off. The Cape Don is attached to it and a good strong westerly may result in it being pulled down. Their lack of action is matched in the neglect of the infrastructure in Berrys Bay.

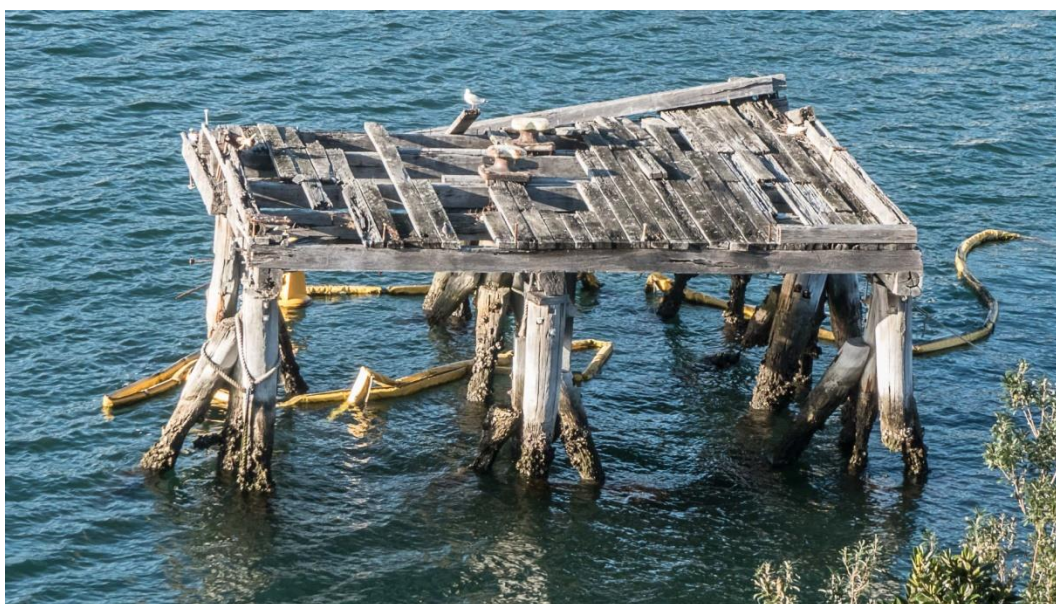


Fig. 16 The remains of the T wharf on 10/9/2020 The rest of it had collapsed and was removed in 2018 leaving this behind to rot. The silt curtain is broken and it is just useless rubbish.

**This leaves the dolphin wharf to deal with.** It has not been maintained since the BP site was decommissioned. At that time money was paid to the government to demolish the wharf. A report in 2005 on possible use for the wharf noted;

*7.1 FUNDING AND NEXT STEPS Currently there is no money allocated towards the proposals as illustrated, though NSW Maritime have indicated that they have \$500K set aside for demolition of the structure should that be the chosen outcome for the wharf.*

There is still no proposal for using the wharf. It was the home of the Sydney Harbour Queen pontoon until about 2010. Noakes floating dry dock was berthed there from 2014 to 2015.



Fig.17 Noakes Floating Dry Dock on 29/12/2014



Fig. 18  
This floating restaurant has been here since 2016. Its condition is deteriorating and it is not being worked on.



Fig.19 on 18/1/2016.This houseboat was at the other end of the wharf for some time and went away for a while and then came back. Some restoration was done in 2016 but it has been neglected since and is still here. The wharf structure was declared unsafe in 2016. The patched walkway has since been partly replaced. The decking of the pipe gantry has been removed and not replaced.



Fig. 20 The restored South Steyne has been here since 2016. It has caretakers on board.

# Discussion and conclusions

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## The western arm of the bay

The purpose of this report is not to promote any detail of the development but to highlight the history of the area and detail reasons for the general outcome of the project with emphasis on the impact of unreasonable development. Consideration could be given to naming the area “Woodleys Bay” to differentiate it from the northern arm.



Figs. 21, 22 The remains of the slipway on 21/1/2015. It is unlikely that its restoration and use is possible under current anti-pollution requirements as the slipway is covered at high tide but the winch should be preserved. Because HarbourCare volunteers cannot access the site litter from the harbour remains at the waterline.

- The costs of ongoing operation and maintenance and repair of any facility must be borne by the developer of the site the marina berths for the heritage boats and commercial space provided at commercial rates. The operation of any buildings for museum use could be financed by the state or a separate entity.
- If the facility is to be operated on a user pays principle then some land and wharf areas will have to be fenced off to allow for paid admission. Some areas where work and restoration is indicated will have to be fenced off for safety reasons.

If this is the case then it means that public space is being used to benefit a section of the community.

- A SHF concept plan shows a work berth, Sea Heritage Floating Dock and workshops.
- As the work berth is on water it cannot be used for any work like grinding or painting that would allow polluting material to fall into the water.
- The Sea Heritage Floating Dock is designed to accommodate heavy industrial work which would include mechanical grinding of wood or steel, oxy cutting, welding, sand and soda blasting, water blasting, all being done in the open. There has to be provision for a crane at the site in order to move heavy equipment in and out of boats. There must be consideration of noise pollution at the houses in Balls Head Rd and Larkin St that face the site.
- There must be provision for the safety of anyone in the vicinity including on the adjoining launching ramp where public use is proposed.

- There must be provision to contain toxic dust and paint fumes in an encapsulated space and safely extracted to prevent them polluting the air where other persons may be in the vicinity.
- There should be a prohibition on any work on an unrestored boat where there is a risk of dust containing lead paint particles, other heavy metals or asbestos being released in an area in close proximity to where food is being prepared and consumed in an outside area.

### **Free access around Berrys Bay**

As this site is part of and encircled by public land it is important that there is free public access to and through this site, with the exception of paid admission areas or safety distancing from work areas.

- Ideally the public should be able to walk on all wharves in daylight hours to view the boats.
- There should be easy access for kayak and dinghy launching.
- There should be free parking for kayakers and owners working on their boats.
- The tidal sandy beach east of the site must be available for free public use.
- There should be free public toilets.
- There must be a minimum of land resumed for development. Developers justify their plans by the inclusion of a small paved plaza designed for sitting or outdoor eating but that is no substitute for natural spaces.

### **Why should there be free access?**

- The area is an easy walk from Waverton Station, Waverton, McMahons Point with short distance car access from St Leonards and Crows Nest. All areas now have state promoted high rise units in ever growing numbers. North Sydney is fortunate to have green space but it is being nibbled away and this must stop. Some loss at Cammeray Golf Club, a bit at Bradfield Park for a bike ramp and hundreds of trees are removed from Cammeray and so on.
- The Covid pandemic has highlighted the fact that people who are confined need to get out and exercise, more so if they live in a unit. The use of Waverton Oval and Waverton and Carradah Parks has increased enormously. At Waverton Park at any time of day five or six people can be seen walking by every minute. That's a lot of people every day.
- The Covid pandemic has also highlighted the fact that a large number of people are on restricted or no incomes. This will continue as there is a growing divide between the people who are well off and those who struggle to survive. A family day out and take away food may be out of reach of some people after paying for train fares so at least let them look at the boats for free.
- Mental health issues increase for people under stress and that can be relieved by being in proximity to the water and also in the surrounding bushland. Restricted access around the heritage boats could cause disappointment and add to the stress level.

Global warming and climate change are largely ignored by governments but it is relevant to this site. State planning encourages high rise and most of it is badly designed and it acts as a heat sink. On 12/9/21 Sydney Observatory recorded in excess of 29° and a balcony in Waverton got to 27°. There could be a 4° difference in summer so being in the area will be popular with unit dwellers in order to get some relief from the heat.

### Car parking costs

Car parking fees are a major source of revenue for councils. There are thousands of parking restriction signs. North Sydney Council gets up to \$9M from parking fees and up \$3M from parking fines every year. Parking fees are not about making parking available but about raising revenue. It costs \$35 for 4 hours parking at Balmoral Beach if you can find a vacancy. It costs \$18 to park at Taronga Zoo. The need to pay for parking will restrict access for some to this recreation area.

### Who will pay for the restoration and continuing public use of the western arm of the bay?

#### Future use of Berrys Bay

We understand the importance of the Berrys Bay area and **we are committed to creating new public open space once our project is complete.** We are working with the Department of Planning, Industry and Environment (DPIE) to jointly establish a consultative group. We will be asking representatives of the community to be a part of the Berrys Bay consultative group, along with key stakeholders and independent experts in the coming months. Further information about the consultative group will be announced soon. To stay up to date, please contact the team and register for updates.

Fig. 23. This is a typical published statement from NSW Government on the future use of Berrys Bay. (My highlighting)

Felicity Wilson, the state member for North Shore put out the following information on an undated webpage in 2021.

*Over the next few years, Berrys Bay will be used as a temporary construction site to support tunnelling work for the Western Harbour Tunnel project. We have listened to the community and, once construction is complete, the Berrys Bay foreshore will be returned to the public as open space with new Government-funded facilities for locals to enjoy. A community-led vision will explore the potential opportunities to unlock and **create a vibrant Berrys Bay, accessible to all.*** (My highlighting)

**There has been no mention of who will bear the cost of creating the new open space.**

There are many reasons why the Woodleys area reclamation as public space should be funded by the state as a cost of building the Western Harbour Tunnel.

It was under Minister Joe Tripodi that the deterioration of the state owned infrastructure in Berrys Bay was at a stage where extensive repair was necessary. (Wikipedia has an entry stating; In 2007, former premier Bob Carr was critical of Tripodi's performance as waterways minister with regard to his management of harbour development.) The easiest way out was to call for tenders with the successful tenderer having to do the repairs. Proposals by Woodleys were rejected and Meridien Marinas was announced as the preferred tenderer. The Liberal government in 2011 did nothing to change the process but their development application was refused by the planning panel.

- The area was left to decay. Wharves have collapsed and bits and pieces have been removed from 2015 without any consideration of minimising the disturbance of the toxic sea bed. Marker buoys were put in place and silt curtains remain attached but uselessly moving in the wind and currents. They are waiting for a developer to clean up the area.
- The Woodleys shed has deteriorated and an engineering assessment will be required before any restoration.
- The area around the site has chemical contamination, fill material and soil and groundwater contamination that must be addressed by the State, as owner, before any work can be done.
- The Western Harbour Tunnel and Warringah Freeway Upgrade has been thrust on the North Sydney community and in particular the Waverton community.
- The project is unnecessary and will cause pollution of the harbour. It will increase the use of personal car transport instead of the better alternative of a rail link to the northern beaches.
- It will result in another six or eight years of delay in the return of the bay to the community.
- It will cause air and noise pollution in the bay.
- It will result in years of heavy truck movements in Bay Rd.
- There is already quick access to Rozelle via the Harbour Bridge.
- It will result in permanent road congestion and hinder pedestrian movement in the North Sydney business district and surrounding roads.
- It will increase air pollution in the access roads.
- It has resulted in the removal of hundreds of mature trees and will restrict the use of Cammeray Golf Course.
- We do not want a repeat of the proposal to pay for works by allowing it to be paid for by a private developer as occurred in 2010.
- The dolphin wharf must be removed otherwise it is just another broken promise by the government. If it was not a promise why did BP pay to have it removed and why was \$500K put aside for its removal? It must not be used for mooring unsightly junk alongside.
- There has not been any consultation with the community, only information meetings.

The existing Waverton Peninsula Working Group was bypassed and a new Berrys Bay Community and Stakeholder Working Group (CSW Group) was formed to help determine the optimal vision and design of Berrys Bay. It will only be of benefit to the community if it has any influence on the outcome.

## **Conclusion**

Historical marine industrial use was extinguished when the BP site closed and Woodleys lease was not renewed.

Public access, amenity and safety must be a priority.

Heritage vessels up to the size of Waratah will be welcome in Berrys Bay.

SHF should be responsible for the provision of the necessary infrastructure.

Work on any vessels should be limited to what can be done on board and limited to engine, electrical, rigging, hand sanding preparation and hand painting.

Any museum or displays should be of the same standard as the museum at Darling Harbour.





All improvements, ownership and uses will have to be the subject of a development application.

Fig. 23 SS Waratah





There are many walks around the foreshores of Sydney Harbour. From Milsons Point one can walk to Lavender Bay and then through the streets to McMahons Point ferry wharf and then on the waterfront to McMahons Point where it is back to the street and down to Sawmillers Reserve where at the end one comes to Berrys Bay and continues to where Noakes Boatyard blocks the way. A short steep climb is necessary to get around the boatyard and come out at Waverton Oval. This is the Berrys Bay that many local people know and now more and more people are discovering the area as a result of the travel restrictions due to the Covid pandemic.

Even more people will come here when the proposed HighLine walking trail is established on the decommissioning of the railway line from Luna Park to Waverton. From the oval it is an easy walk through Carradah Park and around the north arm of the bay to Balls Head and the Coal Loader Platform and the Centre for Sustainability.

Few visitors know the recent history of the bay. Some remember the plan for a marina for super yachts and more recently an application for a floating dry dock in the bay. Few outside Waverton are aware of the disruption that will occur in the area while the Western Sydney Harbour Tunnel is built.

The government has promised to return the *Berrys Bay* foreshore to the public as open space with new facilities for locals to enjoy. At this stage no details are available. This report has been written to outline some of the history of the battles to "Save Berrys Bay" and to highlight the possibility of development that is not in the best interests of the community.

I have lived in Waverton since 2005 and walked in the area of the bay every day. I have worked with many others to save Berrys Bay since 2010 and we have succeeded in spite of the almost impossible task of talking to anyone in government, in spite of the Government planning in confidence and the Council's meetings that are closed to the public. In 2012 I founded HarbourCare, which is now a group of more than sixty volunteers who keep the local harbour beaches clear of rubbish and has been established in four other harbourside council areas.

The work of saving Berrys Bay goes on as it will be a tragedy if any of the area is lost to commercial development.

Thank you for reading this report and please look forward to a recreation area that everyone can enjoy.

Michael Stevens. 15/9/2021