

URBAN RECO-INVESTMENT LAND USE EXPANSION OF PUERTO SANTA FE. ¹

Emilia Mosso¹

¹CONICET – Office of Urban Studies/FADU, UNL, Argentina – IIDUTy Yv/FAUD, UNMdP, Argentina
emiliamosso@gmail.com

ABSTRACT. This article aims to reflect on urban restructuring in the port area of the riverside city Santa Fe, Argentina. From a qualitative methodological approach, based on the analysis of journalists, documentaries and regulatory sources, questions How is the development of this process? The hypothesis by considering it as an operative of reco-investment that, through legislation and soil possibilitate strategically located conceals the private appropriation of public goods by the dominant social fractions. As a reflection, seen as this transaction is linked together with other projects that continue with the same privatization mechanism from restricting land use.

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INTRODUCTION

In August 2004 the City Council of Santa Fe city, approved the creation of a new district called "Ciudad Puerto-Puerto Preciso", with aspirations to start a process of port reconversion, at the same time it could be a tourist anchor for the city with a strong impact on the region and in the country.

Under the slogan "La Ciudad Puerto", the operation was centrally directed for two purposes. The first one, consisted on the conversion of Puerto Regional Santa Fe to Puerto factory, watching the port's transformation and its relocation on the main waterway, complemented by a beach transfer and logistics services, intending to turn the port into a significant transfer station loads and processing of raw materials on the waterway Paraná River. On the other side, the second one consisted on the incorporation of this work to a draft diversified uses¹, aiming to transform the face of the Puerto de Santa Fe in one of the main centers of commercial and tourist attraction, and promoting local activity to the regional level.

Through various operations, the proposal aimed to expand the use of land in an area which

encompasses the transformation of 50 of the 70ha, which has in total the port area. To carry out this operation, it draws up a Master Plan Expansion Port, which in its main qualities uses the following: **(i)** the organization of the "Ente Administrador del Puerto de Santa Fe" (Port Manager) – since now EAPSF-, **(ii)** the normative change for the sector, and **(iii)** the corresponding "Convenio Marco Master Plan" (Master Plan Framework Agreement) in order to incline the coexistence of different uses².

In order to make a critical analysis of the aforementioned urban intervention, this study seeks to investigate the relationship between the actions of the state apparatus, the possibilitante rules, the interests of a split ruling class prepared to capitalize, urban land available and strategically located and -the relative- need to relocate the port. In this regard, the proposal is to question the trend in the modes of actions of official institutions related to urban policies, specifically with regard to those processes that favor certain logic of capital accumulation in the

² By incorporating residential and recreational uses. Among them, the construction of a hotel, casino, shopping, convention center, cultural center, supermarkets, car dealerships, sports centers and high-end residential towers mentioned. Some of these projects refunctionalized port silos and warehouses, recycling existing structures.

³ In this scenario, the goal was to publicly disclosed adapt and modernize the port infrastructure from the implementation of the Strategic Planning -Master Plan- who contemplated: i) deepening waterways of the trunk route of the Paraguay - Parana ; ii) the potential extra load area; iii) analysis viabilidad t technical and economic feasibility of the location of the port; Technical and economic relocation of the port; vi) the feasibility of adapting existing structures to forms of intermodal transport; v) the creation of areas of logistics activities and vi) the compatibility of common spaces Port-City. However, it is precisely this last point where the main operations of urban transformation are evident; argued in the words of former governor of turn, as "a more ambitious process."

¹ This research is part of the thesis project "Conflicts, identities and social practices. The appropriation of urban land in Santa Fe" and gives the Project Networks IX, SPU called "Policy Revitalization and metropolitan areas: new challenges in planning cities in Indonesia and Argentina" whose address corresponds to Juana Caric Petrovic UNNE, and PICT 2013-2053 collective project subsidized by the FONCyT / ANPCyT under the direction of Dr. Ana Núñez of UNMdP. This time, this article is based on the work "Reco(l)vestment of Puerto Santa Fe. Large land uses, for whom?" Prepared for the seminar Dr. Eduardo Reese called "Planning and urban management contexts of inequality: policies and instruments" held in 2014 in UNGS.

city of Santa Fe, understanding at the same time, this process as a recurring trend in recent decades in the cities of Argentina in particular and Latin America in general.

But, How is a public good urban character appropriated by a private management? What strategies are concealed under this process? Which place is occupied by change in land use through "posibilitante" normative? How does this affect the value of the land?, no more, What role does urban policy, fetishized after an urban/architectural operative? Without going into the specific discussion of economic functionality of the new port or the architectural proposal that this development presents, the issue of land use change, is addressed through the "posibilitante" normative, covering up perhaps capital appreciation incorporator in the sense Smolka (1979) as "social relationship that organically articulates State, construction, financial, etc., for the appropriation of land rents in the form of profits, that is, the process of real estate valuation as a result of the movement of capital enviste expanding land rents".

Corresponding to the problem to be studied and outlined objective, the methodological approach of this research is eminently qualitative with some quantitative elements. In this sense , it is a strategic documental accompanied by fieldwork. Registration sources used , as well as secondary information gathered, refer to official documents of bodies and institutions relating to the subject ; as well as regulations , decrees, ordinances and resolutions of both the municipality and the province of Santa Fe . This is complemented by coverage of journalistic sources local press related to the object in question and tasks fieldwork in the sector to study.

As proposed route, in the first section we conducted a historical review of Santa Fe port process and point out some aspects of its management, with the intention to place the issue in question. In the second, we analyze the site of the operation following the contributions of Smolka and Reese authors. In the third section, we made a temporary periodization on regulations that enabled the district change allowing the incorporation of the aforementioned capital. Finally, the last section contains some possible considerations about exercise.

However, before entering the field, it will be useful to redefine a notion that is recurrently used in the presentation: the port conversion. This term refers briefly to a restructuring or

transformation of a sector, in this urban case. However, it takes a different meaning when it is related to certain operations of private appropriation of public goods by a specific social fraction. To make this possible, "capital should be linked to the financial system and the State, in its interventions in the built environment, and modify their own organization and market structure" (Smolka, 1979). In this regard it refers the proposal urban reco-investment.

THE PORT CONVERSIÓN

The city of Santa Fe, initially founded in 1573 by Juan de Garay on the current Cayastá, developed since 1951 in its present location, mainly from the presence of rivers and their role derived from it in relation to the port³. "The condition of it, being " accurate port " from 1662 to 1780, will be allowed or almost forced, to focus attention on this point followed the river which presented the proximity to the other coast as a territory that added resources operate from relatively safe and stocked "fixed settlement (Soijet , 2015).

In 1903 Santa Fe Congress enacted the "Ley de Creación Puerto Ultramar" (Creation Overseas Port Law). Its opening is given in 1911. Administered by the State, the port represented for Santa Fe city, a key factor to the twentieth century development, thanks to the substantial income tax sources for the use of its facilities and customs duty factor. Later, in 1970's, during the first years of the military dictatorship, began the first installations of private origin grain ports in Parana River, which represented a significant competition. This policy was continued by Menem's presidency in 1992, with a new ports law from which the coast of Parana River was populated by private ports. With the addition of a provincial law during the tenure of former Governor Reutemann, port management step by provincial administration apparatus and surrendered to private hands in 1993 to create

⁴ Provincial capital, is located in the center-west of Argentina in the so-called Pampas region geographically. The particular location that the city gives its own characteristics, when most of its fluvial character limits "to the east, the Parana River; west, the Salt River; north, borders the city of Recreo; and south, comprising the territory between the Santa Fe River and its confluence with the Salado River and adjacent islands to the Parana. "(Government of the city of Santa Fe, 2016). The jurisdiction of the municipality comprises 26,800 hectares, representing approximately 70% of the territory made up of rivers, lakes and marshes. With a population of 405,683 inhabitants, it is the eighth most populous city. Alongside conglomerate of Parana Rivers Between), form a metropolitan area of more than 850,000 inhabitants (Data obtained from the National Institute of Statistics and Censuses, from the National Census of Population and Housing 2010).

the EAPSF. During the 1990s the port began to decline its operations, virtually paralyzed by 2004 due to maintenance problems and dredging, to which was added the competition of private ports and practice inaction off EAPSF. Left practically abandoned, in 2005 the former Governor Obeid approves the Master Plan, in order to allocate land port applications to commercial use through contracts and concessions to various companies⁴ (Fig. 1). However, what does process start from this action?



Source: (Soijet, 2015)

Figure 1: Images of Puerto de Santa Fe prior to conversion work.

In this framework by Provincial Law No. 11.011 held the Framework Convention Services Master Plan Use and Transfer of Space Port off EAPSF. The management mode to carry out the conversion of 50 hectares consisted of land concession contracts to private institutions ranging from 2 years to 30 years (the latter predominating), in exchange for certain fee. The revenues for the public land rental were growing steadily in recent years as expanding the concession area⁵. The first concession contract, dated from 2006 to Casino Puerto Santa Fe S.A. for a period of 30 years. In the same year concessions to various undertakings were made. Consecutively, they were awarded to different investors concessions⁶.

In this regard, following Smolka (2005), large urban projects can be a stimulating force that drives immediate changes can affect urban land values and consequently its use. However, how does this particular operative impact on land value? What role does the change of regulation in this process? Without further ado, what are the strategies that enable this appropriation? In relation to the operation in question, these issues appeal some stage directions.

First: the conversion operation responds to an articulated strategy for provincial and municipal equipment Santa Fe, along with renowned institutions belonging to the city in a directory comprised of representatives of companies, users and investors. This type of mixed nature management is carried out by public and private

institutions, with external international corporations and a solid financial structure that allows such development containment.

Second: the port conversion constitutes an operation state apparatuses public, by a public corporation, in soils in the public domain. However, on this issue it is necessary to discuss the privatization of management and negotiating land for private national and international institutions, in partnership with such devices. This is supported by the facts, some of which are outlined below: **i)** the port administration is carried out by a private institution (the EAPSF); **ii)** although land ownership was public-domain-of concession, who determine the destiny, use and enjoyment of public property remain private institutions; **iii)** these conditions are aggravated because the operation rules out the possibility of other forms of management that involve proposals and integrate social organizations and the rest of the population.

Third: although the operation as a whole has the potential to act as a catalyst for urban process, able to exploit an area through the implementation of urban management tools, including urban rezoning, concessions, contracts and leases, and the disaffection of plots of port use to affect them to diversified uses; this is possible thanks to the brazen actions by state agencies analyzing possible, perhaps as facilitators of market functioning soil. In this regard, it is worth mentioning the contradiction between the limited contributions of land taxation and weak fiscal policy framework; questioning the resilience of this policy generated gains despite the strong social, economic and urban impact for the region.

ON ITS STRATEGIC LOCATION

Geographically, the operation is housed in a consolidated infrastructure and service level in a

⁵ This brief tour of the documentary 'Murky Water Port', available at <http://ceaccionpopular.blogspot.com.ar/>

⁶ As a complement, the concession contracts provide that before a possible disagreement between the Ente and the Tenant regarding the updating of the canon, the final and unappealable decision rests with the arbitral tribunal of the Stock Exchange of Santa Fe. This question is left here raised for future research.

⁷ Currently the project has already implemented several initiatives and in full use, others in progress and future initiatives to project.

coastal area of the city area. This correspondence port city, following Soijet (2015), "focuses mainly on urban coastal or waterfront (waterfront), which becomes the point of agreement between the city and the equipment. Such a relationship, on the other hand, is based on functional and spatial links type: the first product of the relationship between the two exists because of industrial, commercial and transport activities; the second, the product of the geographical proximity of the two."

Its strategic location refers, following Smolka (1979), both the built environment as well as the provision of infrastructure related services. In this sense, it is possible to note the following.

The first refers to its infrastructural connection (Fig. 2), for the following reasons:

- i) Because of its proximity to the area consolidated soils emplaced a few meters from the concentration of commercial

activities; as well as by direct towards the main road and hierarchical internal connection to infrastructural level in relation to the whole city arteries connection.

- ii) Because of its strategic location and metropolitan territorial connection, with quick access to the region by brokers and inter-territorial interjurisdiccionales traversal, allowing a quick connection to the cities of the conglomerate as well as with other provincial capitals.
- iii) For its strategic location as an enclave of production, services and transport: Puerto de Santa Fe is located in the heart of the Paraguay - Paraná (km 584. of the Parana River), being, upstream, the last overseas port operations suitable for ocean-going vessels. This location gives it a differential character as a suitable link to connect the nodes of transport (land-river-ocean)



Source: Google Earth

Figure 2: Aerial photography Area of Puerto de Santa Fe 2016

The second aspect relates to certain **attributes of the soil**, following Reese (2014); view it as a product with special features, including:

- i) Its *irreproducibility*: because there is no social subject able to reproduce the conditions of port land located in a consolidated with services, infrastructure and own particular attributes of this location area;
- ii) Its *immobility*: given the dependence on external attributes (urban environment) and the relationship with the high heterogeneity of the sector. The soil remains motionless;

its value is increased in part due to changes of uses established in the regulations.

- iii) Its *scarcity*: having limited existence for its quality of being unplayable ground elsewhere in the city, which makes it unique; and finally
- iv) Its *indestructibility*: because its use does not require destroying the good, staying their inertia and durability over time. The time dimension thus becomes one of the main aspects of the process of historical formation, and in this particular case, gives a character added by the equity and the public good.

As shown, we consider the main place of the rule change in this process: the strategic aspect of location is the only attribute impossible to produce. This has reoriented the growth of the city, by nature north modifying the logic of structuring and promoting a series of traffic flows, appropriation of spaces and their predominantly

exclusive uses (Fig. 3). But it has had a questionable effect for the entire population because of the predominance of economic institutions with large investment capacity, leaving out small businesses, social organizations, or other types of businesses, perhaps more accessible and participatory.



Source: (Soijet, 2015)
Figure 3: Images of Puerto de Santa converted.

THE “POSIBILITANTE” NORMATIVE

Taking up the notion of *capital incorporator* Smolka (1979), it is appropriate to refer to three general moments of real estate valuation mentioned by this author contributing her performance object: **I)** alteration in the price of land between terms of its original acquisition and one for which was negotiated by the new user - the incorporator; **II)** assessment by the incorporator to alter the attributes of the land in question, that is, the I re-equip; **III)** price variations concerning changes in the spatial structure of the built environment where the

terrain, captured by the way when I in the period far in the future be inserted.” Depending on the combinations that occur in every moment, these aspects define different spatial attributes. However, the first involves regulations that allow or not such additions. Therein, state devices interfere in the process fundamentally, through regulatory changes. In this sense, how was the development of this process in Santa Fe? Following this perspective, we briefly a temporary periodization on regulations that allowed the new district "Port City; must harbor "allowing the incorporation of capital above (Fig. 4):



Source: Google Earth
Figure 4: Area aerial photographs of Puerto de Santa Fe 2002, 2008 and 2016.

- Year 1992: The National Executive enacts the National No. 24.093/92 Port Activities Act, regulated by Decree No. 769/93 which was intended to wean the National State of the property, liability and port operations, preserving the exercise of powers habilitation and prosecutors, law enforcement, police power and exclusive legislative jurisdiction. In the same set, among others, **transfer domains, management**

or national port operations to the Provincial States and / or municipalities and / or private activity, determinants for the Port of Santa Fe the previous constitution of companies private or non-state public entities for exploitation and administration⁷.

⁸ In as specifically regards the Puerto de Santa Fe and its activities, as defined in Article No. 7 of Law No. 24.093 Law is classified: a) According to the ownership of the property:

- Year 1993: Next year, the Provincial Law No. 11.011/93 and Provincial Decree No. 1982-1993 of **Creation and Constitution off EAPSF**; in the same states that the body is not public state entity with legal personality which aims to manage, regulate, manage, collect and coordinate all services rendered to navigation, maintaining commercial destination and port activity.

- Year 2001: register with the Legislature of the Province of Santa Fe Provincial Law No. 11998 authorizes the Executive to have the **installation and operation of casinos and bingos in the provincial territory**, cycle is specified with Decree No. 3897/02 where the rules for establishing Casinos and Bingos.

- Year 2002: the Loan Agreement ARG-12/2002 signed by the Government of the Province of Santa Fe and the Financial Fund for the Development of the River Plate Basin to carry out the **Retrofit Project Puerto de Santa Fe**.

- ----- : City Ordinance No. 10.918/02, which establishes the authorization under "single use" for those establishments located in the area of Puerto de Santa Fe whose principal activity is specific port or service to navigation, vessels or cargoes.

- Year 2004: City Ordinance No. 10.943/04, as amended No. 10.947/03, 11,091, and 11.129/04, **authorizes the installation of a casino and bingo jurisdiction of the City of Santa Fe**.

- ----- : City Ordinance No. 11.069/04 takes into consideration the main guidelines and conclusions of the Master Plan promoted by the EAPSF, formalizing the **City Port District creation** public to emplaced on the grounds of the former mill called Marconetti utility. In its Article No. 2 it says "ENACTED the following amendment to Zoning Regulations, Municipal Ordinance No. 8.813/86, referring to the US District - special equipment for the Port of Santa Fe, according to the development of the Master Plan promoted by Manager Ente Puerto Santa Fe".

- Year 2005: It **signed the Framework Convention Master Plan transfer services and**

use of port areas. This general agreement by the Board of EAPSF aimed at regulating generically existing common relationships between users and the entity under the Master Plan. In this frame, **Casino Puerto Santa Fe will be the company owner** Port concession granted by the Bank EAPSF a contract with the Social Welfare Fund Lottery Santa Fe under No. 02/05 tender organized by Lottery. For the preparation of the Master Plan, the EAPSF had its own statute in vogue to promote new forms of management for investment projects that promote economic growth of the port through: i) the enhancement of the heritage of existing buildings and ii) the development of public spaces and private investment, with new residential, commercial, cultural and recreational functions.

- ----- : during the administration of former governor Obeid starts the **Invitation for Bids**, where two prestigious national companies with a renowned Spanish company were responsible for carrying out the "Complejo Puerto Ribera" (each with 33.3% of the total shares of the venture) to cover approximately 8 project hectares, which corresponds to the surface of an entire dam; made possible thanks to the reversal of port uses to become a district with diversified urban uses.

- Year 2008: regulation off **Santa Fe City 2008 Urban Plan**, incorporating the **CP DISTRICT - City Port called "Puerto JUST"** – Municipal Ordinance No. 11.748/08 in one of eight programs in it. This creation formalizes the operation of port restructuring in fiscal soils of Puerto de Santa Fe.

- Year 2010: Municipal Ordinance No. 11.704/10, which individualizes as assets subject to **expropriation**.

- Year 2011: **Urban Planning Regulation (ROU)**, Ord. Municipal Ordinance No. 1174-1111, which incorporates the final ordinance City Port District, while urban transformation area deallocation of port uses determinations subject to special sector plan (Fig.5).

provincial (belongs to the province of Santa Fe); b) According to use: Public (you must compulsorily provide the service to any user who requires it); c) Depending on your destination: **Commercial (provides services to ships and cargo)**.



Source: Urban Planning Regulations - Ordinance No. 1174/2011 - City of Santa Fe
Figure 5: uses for the port.

But, what is the relationship between the port relocation and the emergence of Casino Law in Santa Fe? What does belie its transfer? On these questions, it is appropriate to extend some considerations.

- Year 2003: According to sources from CEAP a recognized newspaper published a report of purchase over an area called "**G-spot**" (proposed future transportation sector) 3288 hectares by a corporation.

- Year 2007: this cycle progresses with a **Law Project for the expropriation of land** the former governor Obeid, with 24.000 hectares including an industrial park, a tourist resort and an ecological reserve.

- Year 2008: The law was passed during the administration of former Governor Binner. However until now, the executive branch not materialized.

- Year 2012: publicly he came to light a covert done so far: the site for the new port was chosen by the EAPSF, open **contradict the experts appointed** by the Universidad Nacional del Litoral to monitor previous studies. To this he adds that certain concessions of public land in the port area were made with rates virtually symbolic with fees set in part by a grid of rates per square meter, but were subordinated to arbitrary decisions EAPSF, and even the opinion the Arbitral Tribunal of the Stock Exchange.⁸

⁸ In as specifically regards the Puerto de Santa Fe and its activities, as defined in Article No. 7 of Law No. 24.093 Law is

In addition to these issues need to be mentioned, on the one hand, that 50% of the shares corresponding to the shopping venture located in the main dock of port facilities owned by Inversiones y Representaciones SA -IRSA-, one of the main leading companies Argentina investment in real estate dedicated to real estate and infrastructure construction.⁹ In this regard it is appropriate to question how this company,

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⁹ Based sources off CEAP, op. cit.

¹⁰ IRSA was founded in 1943 and is listed on both the Stock Exchange of Buenos Aires and in New York. Together with other companies forms one of the leading real estate groups in Argentina, being the owner of the main business centers of the country as well as outstanding real estate projects level. In the case of the operation of port restructuring in Santa Fe, the company acquired through one of their signatures, called APSA -High Palermo SA, 50% of the shares of Nuevo Puerto Santa Fe. In this sense it noting that the latter company belongs to both the occupancy rate of 99% that manages several shopping centers in Buenos Aires and inside the country. In the case of Shopping La Ribera in Santa Fe, APSA Shopping Centers was associated equally with Granicus SA, while companies Boldt and Inverama were sellers of their equity holdings. In this regard, the opening of this question for future research is open..

¹¹ The privatization of Alberdi Park is a political project of 295 parking spaces which continues in the same line as the conversion project Port: recreational park, regarded as a public good, was privatized in a 30-year concession where the company charge small sums paid for rent. The architectural, historical and cultural heritage of the city was abolished by a building of 2 meters above ground level, a fact that meant cutting down numerous trees, the destruction of a recreational park and the mobilization of much of the population demanded full repayment of public space for use.

among others, through the Initiative for the Integration of the Regional Infrastructure of South America -IIRSA-¹⁰ It was favored in the management of other similar works of port reform, carried out in cities of Argentina. This company was responsible for example, the works of Puerto Rivera and Puerto Madero in Buenos Aires. But in each city IRSA is made up of different companies with projects that advance but without the label of the company, but have close relationship: it is possibly relocations port respond to a political decision with strong real linkages.

CONSIDERATIONS

Understanding this exercise as a concern about recurrent trends in urban policies in cities of Argentina and Latin America, this proposal is rather an invitation for its continuity and debate, and as a starting point and incentive for other related research. In this sense, and as a corollary of this instance, some considerations on the analyzed arise.

Based suggestive proposal Lungo (2002) point out, from their contributions, the following dimensions: i) although the intervention of port conversion seamlessly integrates the existing fabric of Santa Fe city, and even revitalized by broad sector of the city; ii) it falls into a planning process with trends towards urban planning that privatizes increasingly restricted spaces and land use; iii) situation permitted by the implementation of rules and regulations that grant privileges urbanistic exclusive social fractions involving large investment capacity; iv) involving both a weak resilience of public character gains but nevertheless generates retroactive increases in land value; v) and a strong social, economic and urban impact for the region, which nevertheless leaves out increasingly large groups of the population.

In this context, the reco-investment Santa Fe Port could be considered as a process of private appropriation of public goods exposing the implications that the hegemony of the most concentrated fractions social power in the city. While this process is related to other private operative who continue with the same production mechanism town. Including the aforementioned purchase of land for the operation and construction of Santa Fe new port; and for example the recent work with strong media

impact of the generation of underground parking in the traditional Alberdi Park¹¹.

These proposals allow analyzed both as an integral operative chained in a series of actions and political decisions aimed at building a city skyline - the privatized and privatization of space as necessary public counterpart - that stimulate increasingly mobilizing the population, putting at risk regulatory frameworks and land use regulations that support such development. In this context, the emergence of movements of struggle and resistance incite redefine the political scene, especially that of those actors who mobilize for the right to ownership of the city to everyone.

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