

**Submission
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REVIEW OF THE GREATER SYDNEY PARKLANDS TRUST ACT 2022

Organisation: Friends of Callan Park

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REVIEW OF GREATER SYDNEY PARKLANDS TRUST ACT 2022 BY THE JOINT SELECT COMMITTEE 2025

SUBMISSION: FRIENDS OF CALLAN PARK

Friends of Callan Park welcomes the opportunity to provide comment to the Review of the Greater Sydney Parklands Trust Act 2022 (GSPT) by the Joint Select Committee to determine whether:

- a) The policy objectives of the Act remain valid, and
- b) The terms of the Act remain appropriate for securing those objectives

Our submission concerns both broad principles, which apply across all the GSPT properties, and issues specific to Callan Park. We continue to be members of the Alliance for Public Parklands and value these connections and knowledge shared on a regular basis.

There are two major principles at stake when considering whether the Act is fit for purpose:

- **Community participation:** The need for community participation which harnesses local, specific park knowledge and expertise in determining the best possible outcomes for each parkland.
- **Proper funding by government of parklands:** The need for proper funding and investment by government in the whole parklands estate – current and future – that recognises the critical importance of each of these green, therapeutic places (in the same way schools, hospitals and transport are funded).

Minister Scully put it succinctly whilst in Opposition when the GSPT Act was being considered in 2021.

‘Labor’s planning spokesman Paul Scully said proposals for the future management of Sydney’s parklands must include genuine community representation. “We should be growing and protecting our parklands, not turning them into profit centres,” he said.’¹

¹ “‘Cash cows’: Park users fear Sydney’s green spaces will be milked for profit”, *Sydney Morning Herald*, 21 September 2021

A OBJECTS – DO THE POLICY OBJECTIVES OF THE ACT REMAIN VALID?

Friends of Callan Park (FOCP) agrees that the existing Objects of the GSPT Act remain generally valid, although they can and should be strengthened to make more specific the objectives of preserving public ownership, public access, health purposes, and protection of biodiversity.

Over several decades, a lack of vision and poor planning by successive governments has resulted in alienation, development and privatisation of precious public parklands and green spaces. The previous government's stated rationale for enacting the GSPT legislation was to provide a mechanism to remedy that lack of foresight and planning for parklands and to recognise the critical importance of access to such spaces (or public parklands) and places as a social, cultural, health and wellbeing imperative and right.

This is particularly important given the current planning environment, in that the State government has determined to significantly increase housing densities across Greater Sydney to 'solve the housing crisis'. Various policies and planning mechanisms are being (or are to be) put in place to facilitate and fast track urban and suburban development.

To cater for the needs of increasing populations it is indisputable that it is the government's responsibility to ensure that concurrently, parklands and open spaces are protected and expanded to maintain and improve public access to green space; to protect biodiversity values, and to prevent heat islands proliferating.

THE GOVERNMENT HAS AN OPPORTUNITY TO STRENGTHEN THE OBJECTS OF THE GSPT ACT.

FOCP supports the principles of the Objects of the Act but recommends the following additions to strengthen those Objects, specifically (a), (d), (e) and (f):

1. **Add 'preserve' to the prime objectives of the act as stated in Object (a) so that it reads:**

(a) to *preserve*, maintain and improve the parklands estate across Greater Sydney and ensure the parklands estate is effectively managed and operated to deliver world-class and ecologically sustainable parklands for the public

REASON: The addition of 'preserve' will specifically strengthen the Act's aim of preventing any reduction of the extent of the parklands managed by the GSP Trust. We note that 'maintain' does have a double meaning: it can be understood as 'securing' as well as 'keeping in good condition'. The addition of 'preserve' should avoid any possibility of confusion and strengthen that first meaning of 'maintain' without undermining its other meaning. The guaranteeing of existing parklands, particularly but not exclusively, in the Inner West has become even more important in the context of the government's determination to add significantly more housing in the Inner West.

2. **Add at the end of Object (d) 'and associated facilities' to read:**

(d) to advocate for a long-term vision to achieve the outcome of quality parklands across Greater Sydney, particularly connectivity of green corridors and public access to open space *and associated facilities*

REASON: The intent here is to 'achieve the outcome' of (better) '...public access to parklands. Over the past two years, the opposite effect has occurred.

For example, Callan Park includes outstanding heritage assets such as Kirkbride, a suite of nineteenth century sandstone buildings in the neo-Gothic Italianate style, designed by NSW colonial architect James Barnet, and covering 4.5 hectares. It is the largest public works project undertaken to that time in colonial New South Wales and is the crowning heritage feature of Callan Park. Yet it has been closed to public access since 2018 when the University of Sydney surrendered its lease on the property. It is now being used for short-term film and television production offices, sets and locations.

Leaving aside whether this is the best use of the site, it is surely a right of the public to have some access to this extraordinary historic site, as was the case when it was used by the University of Sydney for the Sydney School of Arts. For decades, the university would open Kirkbride at the weekends and weekdays for organised tours by FOCP. These tours were always 'sold out', demonstrating a great appetite for access to, and information about, the Kirkbride complex.

The additional wording for Object (d) as suggested by FOCP, or improved wording from the parliamentary drafting office, should be adopted to ensure that the public is guaranteed access to precious and historic public assets such as Kirkbride.

3. **Add to Object (e) 'health' and 'built assets' so that it reads:**

(e) to encourage the use and enjoyment of the parklands estate by the community by promoting and increasing the recreational, historical, scientific, educational, cultural, *health* and environmental values of lands *and built assets* within the parklands estate,

REASON: At Callan Park, it should be noted that while widespread closures of psychiatric hospitals resulted from the recommendations of the 1983 Richmond Report, the essential community supported mental health services that were also recommended to supplement the closures, were never adequately provided. Callan Park – with its wonderful setting, and particularly, its built assets is well placed to house such services. Moreover, it has a supportive community that has fought long and hard to ensure these important services are provided on this unique site.

This additional wording will help bring the Objects in accord with the Functions of the GSPT, Functions 15 (f) which include a specific health function:

(f) to facilitate the use of the parklands estate to meet community health needs and provide opportunities for, and encourage, activities that promote health and well-being in the community

While the Rozelle Psychiatric Hospital (which formerly occupied Callan Park) was closed in 2008, the Inner West community has long supported the return of modern public mental health facilities and services to Callan Park. This is a recognition that the site was originally purchased for the humane treatment of people suffering from mental illness; that an increase in community mental health services is urgently needed; and that the beauty and tranquility of Callan Park have therapeutic value for people recovering from mental illness, making it an ideal site for the location of these needed services.

4. **Add to Object (f) the following clarifying clause** *'in accordance with the unique qualities and relevant legislation governing the uses of the site'*, so that it reads:

(f) to ensure the parklands estate may be used by the community in a way that is adaptive and recognises and responds to the diverse needs of the community *in accordance with the unique qualities and relevant legislation and Plans of Management governing the uses of each site*

REASON: The GSP legislation currently governs five unique regional parks, and the Trust has acknowledged this and undertaken to ensure that a separate Plan of Management exists (or is being created) for each park. It is important that the legislation recognises this. A 'one size fits all' approach, no matter how expedient, will not work given the different characteristics, constraints, landscapes, built and natural environments of the five parklands currently in GSPT's remit.

Callan Park, for instance, has health, particularly mental health, and not-for-profit community uses as part of its allowable land uses under the Callan Park (Special Provisions) Act 2002. It is one of the major failures of the management of Callan Park over the past three decades that these uses have been thwarted, rejected or delayed despite buildings, often purpose built for recovery, being available. This is especially true given the community's enthusiasm for such uses.

B TERMS -- DO THE TERMS OF THE ACT REMAIN APPROPRIATE FOR SECURING THESE OBJECTIVES

FOCP believes that the Objects of the Act can only be achieved by increasing the opportunities for public participation and public accountability in the management of the parkland estate.

The history of Callan Park confirms the crucial role public participation and advocacy plays in the protection and preservation of our public parklands.

As FOCPP and other members of the Alliance for Public Parklands stated in previous submissions, a 'top down' governance model shuts out the community and can effectively exclude appointees with decades of expertise and local, specific park knowledge. At the outset, before the legislation was enacted, there was much debate about the efficacy of Community Trust Boards (CTBs) and many warnings that they would lack any real power to influence decisions and determinations made by the GSPT Board and/or the Minister.

We note the prescient comments made by Dr Marjorie O’Neill, MP, in 2021 at the Trust Bill Second reading:²

‘The proposed community trust boards are merely advisory; members of community trusts will also be hand-picked by the GSP Trust board, which can also summarily dismiss members. Under the bill, the Minister is ultimately responsible for major leases and appointments to the board, has unilateral power to alter park plans of management, and mandatorily directs the trust board.’

We have been made aware that, in the case of Fernhill Estate’s CTB, for example, there is a critical expertise deficit in the areas of heritage, environmental, ecological and/or biodiversity qualifications relative to the site. Indeed, many of the members of the Fernhill CTB had never even visited the Estate before being appointed.

Community Trustee Board Powers: some specific recommendations about improving the CTB’s powers are as follows:

1. The community should have a determining voice in selecting the community representatives on the Community Trustee Boards for each of the five constituent parks. This would require a major advance in democratic practice for which previous governments have shown no appetite.
2. In the meantime, the practice of calling publicly for nominations to these CTBs should continue but with the additional requirement that a report be prepared summarizing the process, number of applicants, their backgrounds, and the reasons for the selection of the successful candidates by the Minister be published.
3. Members of CTBs, once selected, should have the right to select their own chair. To ensure that CTB concerns are represented at board level, one CTB chair – perhaps on a rotating annual basis – should be a full member of the GSP Trust board.
4. In addition, the CTB meeting dates, agendas and meetings should be open to the public as are Council Meetings at the Inner West Council. Requests to attend a meeting should not have to be approved by the CTB Board. The GSP Trust Board should also be required to respond in writing to recommendations to the board made by the CTBs.

Government must invest in our parklands, as it does in other essential infrastructure. There should be no further commercialization or privatization of the GSP parklands.

Current Joint Select Committee member, Mr Alex Greenwich, MP, commenting on the GSP White Paper, echoed this imperative when interviewed for an article in *The Sydney Morning Herald* in 2021.

² Hansard, Extract, Greater Sydney Parklands Trust Bill, Second Reading Debate – 17 November 2021

‘Mr Greenwich said the law establishing the agency required “new safeguards against alienation and commercialisation, and stronger objectives to ensure that the parklands estate is expanded”.

Under the state government’s white paper, Mr Greenwich said the agency would fund open space by commercialising public parks it claims have “low environmental and recreational value” with a focus on “business hubs”.

“This completely misses the opportunity to expand much needed land for recreation and will see parts of the parklands estate turned into cash cows for the new agency,” he said.

Mr Greenwich said the agency should be investigating government and privately owned land that could be rezoned for recreation such as unused Roads and Maritime Services land in Woolloomooloo.

“If the government is serious about expanding Sydney’s parkland estate, it is going to have to abandon the self-funding model and invest in green open public space,” he said.³

We are also alarmed at many statements from successive government operatives that ‘parks must pay for themselves’. As regards Callan Park, the Greater Sydney Parklands Trust Act included a successful amendment that allowed for-profit artistic and musical events at Callan Park. Since then, we have seen this amendment used to facilitate the use of the prized heritage buildings of Kirkbride – listed on the State Heritage Register – for film production at the expense of public access, social welfare purposes and possibly the heritage condition of this unique suite of buildings.

The Friends are opposed to any widening of the scope of for-profit commercialisation. Such a move will inevitably lead to aggravated traffic and parking problems, the undermining of the special parkland qualities of Callan Park and the privatisation of parts of this heritage cultural landscape.

What needs to be kept in mind in any discussion of the commercialisation issue is that Callan Park is significantly smaller than the other major regional parks in the GSP portfolio – just a third of the size of Centennial Park, for instance – and much of the site is not taken up with open space but dozens of buildings left over from the asylum/hospital era. Furthermore, green open space is in short supply in the Inner West where citizens have the second lowest amount of open space per capita in the state. In other words, no more open space should be alienated or degraded.

There is some scope for not-for-profit activities under the Callan Park (Special Provisions)

Act 2002 and the perennial demand for a café on the grounds could be met by a social enterprise or other not-for-profit. In this connection, we note that a major Australia Day award went to two women who run a social enterprise café dedicated to hospitality training of refugee women. We note too that mental health NGOs have in the past run

³ “‘Cash cows’: Park users fear Sydney’s green spaces will be milked for profit”, *Sydney Morning Herald*, 21 September 2021

such cafes. Any such enterprise would, of course, be required to submit a DA [per the requirements of the Callan Park (Special Provisions) Act] that would aim to minimise or avoid any deleterious environmental impacts.

The existing five parklands should be considered as a “portfolio” of properties and thus each park is not required to fund itself. Funds should be able to be transferred from one parkland to another with the approval of the GSP Board.

Keeping in mind, FOCP believe Parks are important infrastructure and important *public goods* that provide significant health, recreational, social, environmental, and economic values that are critical for world-class livable cities. Accordingly, they need to be funded by government appropriately – as other infrastructure such as schools and public transport are.

Callan Park has benefited from the formation of the Greater Sydney Parklands Trust. Since the Act was first introduced, thanks principally to the lobbying of our local member at the time, Callan Park has received funds to restore the Main Gates, other important buildings and open up the park from the Bay Run through the newly renovated Veterans Field on the foreshore. Having represented the community views during management by multiple government entities, the GSP has proved by far the most sustainable and comprehensive to address managing Callan Park to date.

Friends of Callan Park applaud the Objects – however we draw the Committee’s attention to the fact that five of the Objects refer to the GSP’s intention to:

- (a) deliver world-class and ecologically sustainable parklands for the public
- (b) conserves First Nations peoples’ cultural heritage and values
- (c) ensure the conservation of the natural and cultural heritage values of the parklands estate and the protection of the environment within the parklands estate
- (d) advocate for a long-term vision to achieve the outcome of quality parklands across Greater Sydney, particularly connectivity of green corridors
- (e) promoting and increasing the recreational, historical, scientific, educational, cultural and environmental values of lands within the parklands estate

As noted earlier, the Objects aim for world-class parklands and should also **achieve enhancement of biodiversity.**

When considering the installation of synthetic grass at Callan Park, Friends of Callan Park are concerned that the GSP may ignore these Objects. The GSP has declined to take a stand and honour its Objects by saying “no” to any demand for plastic grass/synthetic turf in this intact, historic, cultural landscape of Callan Park, and quell public discord.

Plastic grass/synthetic turf has no place in any parkland – particularly in an historic environment such as Callan Park, listed on the State Heritage Register, adjacent to a water culvert and Iron Cove, part of Sydney Harbour.

Plastic grass is a temporary substance, manmade with chemicals, provides no sustainable environment for human or natural life and its introduction at Callan Park not only contravenes the Objects of the GSP Act but also quarantines public land which should be accessible to all.

The ***Objects in the Act set out very clearly the GSP's responsibilities for environmental and sustainable management of the parklands.*** The GSP's *Centennial Park and Moore Park Trust Annual Report 2023-2024*, p19, states that the GSP has maintained a sustainable organization.

Where is the sustainability of the environment and biodiversity when plastic grass is proposed in an historic waterfront environment?

It is important that the GSP follows the Objects to ensure the urban parklands' biodiversity is managed effectively and not compromised.



Hall Greenland
President