

**Submission  
No 31**

**INQUIRY INTO GREATER SYDNEY PARKLANDS TRUST  
BILL 2021**

**Organisation:** Total Environment Centre

**Date Received:** 10 January 2022

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## **SUBMISSION TO LEGISLATIVE COUNCIL INQUIRY INTO GREATER SYDNEY PARKLANDS TRUST (GSPT) BILL, Second Reading**

1. Since its establishment in 1972, Total Environment Centre has worked with the community to protect and expand the city's green spaces. At every stage of macro development strategies, the support from the public for accessible and sufficiently large green spaces has been a top priority. Survey after survey have reflected this aspiration and its importance for mental and physical health, as has the COVID lockdowns. Retention of remnant bushland and mature trees has also been a long standing theme.

Yet until recently, government administration did not acknowledge this. The appointment of a Minister for Public Spaces and allocation of extra resources in the Planning Department and the Premier's priorities were a significant step – but this now appears to have been sidelined in the reshuffle.

**We urge the Committee to support the reinstatement of the ministerial position for Public Spaces so that the GSPT Bill has a well-supported home.**

2. The Bill is potentially a significant development in the management, expansion and improvement of Sydney's large green spaces. While it mentions protection of the environment and heritage in a), b), and c) in objectives and Trust functions – it does not give them priority. The opportunity to dilute their role should be avoided, for example, in the granting of leases and licences to raise funds.

**The Bill should contain a hierarchy, rather than a single list.**

3. Clause 10 refers to delegation of any of the functions of the Trust. This is very broad.

**While it may be a practical measure at times, there should be an overt obligation on the Trust to set limits on such delegations and place them in the public domain.**

4. Clause 12 requires a Blue-Green grid Committee to be established. This is welcome. An additional important requirement should be to establish an inventory of environmental and heritage assets including a "significant tree register" (eg, trees that provide canopy; are of a threatened species; or provide nesting opportunities) in the public domain, within 12 months to ensure an essential part of the natural fabric for the parks and Sydney overall is known both for public and agency knowledge, accountability, appreciation, impact assessment and consideration in decisions.

**Amend Clause 12 to require an Environmental Inventory to be published within 12 months.**

5. The original Clause 21 allowed the disposal of parklands to the Crown. This clause is of deep concern both in terms of the principle and that there is no limit. Further, the disposal for a public purpose does not prevent a private entity arguing the purpose of the sale is for a “public purpose” and obtains it via the Crown.

**We welcome the amendments made in the Lower House with the new clauses 21 and 22. We note they effectively mean an Act of Parliament is required to vary the ownership of greater Sydney parkland.**

6. Clauses 24 and 25 are an important section giving the Trust a role in planning and development decision making. However, the consultation rights in cl 24 (2) for the Trust should not be constrained by “substantially impact” – who defines this – the agency or council proponent of the development?

**We recommend that any impact should trigger consultation with the Trust as occurs in clause 25.**

7. Clause 40 is a blanket power to dissolve or change the area of operations of a community trustee board for any reason. This is too broad.

**The clause should be constrained by a process involving the public and trustee consultations according to set criteria and with a right of appeal.**

8. Schedules 1 and 2 are a conventional set of procedures. Given the great public interest in these parklands, it would be good practise for the Boards of the GSPT and Trusts to publish their meeting minutes.

Jeff Angel

Director

10 January 2022