

**Submission
No 61**

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

Organisation: Cumberland Bird Observers Club Inc

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An Affiliate of Birdlife Australia

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Submission to the Select Committee of the Legislative Council of NSW inquiring into the provisions of the Greater Sydney Parklands Trust Bill ("GSPTB")

About Cumberland Bird Observers Club Inc ("CBOC")

CBOC was established in 1979 in Western Sydney and is an affiliate of Birdlife Australia, the preeminent ornithological organisation in Australia, which has over 100,000 members. CBOC comprises of a group of approximately 400 members having views consistent with the views of Birdlife Australia. We are interested in the conservation and protection of avian fauna and their habitat within Australia generally but particularly within the Cumberland Plain region of Greater Sydney. An area of focus of CBOC is environmental and planning issues that impact on, or have the potential to impact on, avian fauna habitat, raising awareness in the community of developments in government policy, legislation and attendant case law.

The practical knowledge and experience gained by CBOC over the last 40 years or so indicates to us that disturbances within bird habitat caused by activities such as leisure, recreation, exercise, entertainment and commercial activities usually have an exponentially adverse impact to the point of rendering the habitat incapable of supporting existing avian populations. The continuing disturbance and loss of endangered Cumberland Plain woodland which forms an integral part of the Greater Sydney Parklands ("GSP") vegetation has, to date, had a detrimental impact on avian fauna and its ability to survive.

CBOC believes that adequate legislative mechanisms must be included within the GSPTB to ensure that the ongoing planning and management of the GSP does not unwittingly have devastating effects on the longevity of avian fauna within the GSP. The GSPTB does not contain those mechanisms.

Our primary concerns

CBOC is deeply concerned with the following aspects of the GSPTB:

- a) The implicit assumption that "one size fits all" approach to the GSPTB and hence the future management of the GSP is fundamentally flawed. Each of the parks of the GSP have their own unique geological and vegetation features and consequently, management requirements. A federated approach to management of the parks is essential including the involvement at the management level of appropriately qualified community appointed personnel. The GSPTB does not provide for the foregoing.
- b) Within each park of the GSP, there is an array of micro ecosystems and habitat specifically preferred by specific bird species. A broad-brush approach to assessing the likely impact of activities on birdlife broadly is reckless in the extreme. The impact on individual bird species and their preferred habitat of activities within the parks is critical to any valid assessment. The GSPTB does not provide for that.

"For the knowledge, enjoyment and conservation of birds and their habitat"

- c) Any assessment of the likely impact on avian fauna of development decisions must be undertaken by a combination of a practically and academically qualified team of ornithologist and not a team of generalist ecologists. The GSPTB does not provide for that.
- d) The intention of the GSPTB to further reduce public land access and the adverse impact that will have on the activities of the birdwatching community particularly activities such as regular, voluntary bird status monitoring. Apart from the pleasure of birdwatching, CBOC members have over many years since inception provided expert bird survey, consulting and advisory services on a totally voluntary basis to governments and a broad range of government instrumentalities in relation to avian fauna established on public lands on the Cumberland Plain. Significantly reducing our contribution to biodiversity sustainability is a proposition CBOC can't accept.
- e) The total lack of involvement of ornithologists, as distinct from ecologists per se, in the ongoing management decision making process in relation to possible effects on avian fauna. Western Sydney Parklands is frequented by two critically endangered bird species (Regent Honeyeater and Swift Parrot) and five vulnerable bird species (Black Bittern, Painted Honeyeater, Little Eagle, White-bellied Sea-eagle and Square-tailed Kite). The ongoing management of each of those species and their preferred habitat is a role for highly skilled and seasoned ornithologists, many of whom we count amongst our membership.
- f) The provisions for a planned increase in activities within the GSP particularly those of a private commercial nature. Conscious steps taken by the incumbent Western Sydney Parklands Trust to reduce access by the public to land that should be freely available to them for passive recreation purposes, through the granting of leases for private commercial activities has been and continues to be, a major concern. To present a Bill which clearly intends to exacerbate the adverse impact of that action demonstrates an abject disregard for the purposes for which the public lands were established.
- g) The compulsory acquisition of land provisions proposed under the GSPTB. Given the track record of Western Sydney Parklands Trust in relation to the compulsory acquisition of land for "public open space" which included bird habitat providing for bird conservation and the subsequent routine disposition of large portions of those lands for a profit to be developed by purchasers into industrial units, we strongly believe that the compulsory acquisition provisions of the GSPTB should be struck out in their entirety.

Our preference is for the Select Committee to reject the GSPTB in its entirety due to its broad-brush approach to a situation which clearly requires legislation specific to each individual park within the GSP.

For and on behalf of the Committee of Cumberland Bird Observers Club Inc