

**Submission
No 91**

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

Organisation: Liverpool City Council

Date Received: 14 January 2022

Hon Robert Borsak MLC
Committee Chair

Parliament House
Macquarie Street
SYDNEY NSW 2000

By email: parklands@parliament.nsw.gov.au

Dear Hon Robert Borsak MLC,

Re: Submission - The NSW Legislative Council's Select Committee on the Greater Sydney Parklands Trust Bill 2021

I am writing on behalf of Liverpool City Council (Council) to make a submission to the Select Committee on the Greater Sydney Parklands Trust Bill 2021.

At its meeting on 27 October 2021 Council resolved to:

- *Makes a submission on the Greater Sydney Parklands Trust Bill that includes:*
 - *Consideration be given to establishing a specific Community Trustee Board for Western Sydney Parklands (rather than a group that covers a number of different parklands) and that a Council representative be appointed to that Board.*
 - *Use Council's social media platforms and Council's website to advise the community about the proposed changes of the management of Western Sydney Parklands under the proposed Greater Sydney Parklands Bill and encourage public submissions on the "Bill".*
 - *Safeguards that any income generated from Western Sydney Parklands is spent on Western Sydney Parklands.*

Thank you for the opportunity to make this submission on behalf of Council.

Yours sincerely,

Galavizh Ahmadi Nia
A/Director Community and Culture



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170

All correspondence to Locked Bag 7064 Liverpool BC NSW 1871

Call Centre 1300 36 2170 **Email** lcc@liverpool.nsw.gov.au

Web www.liverpool.nsw.gov.au **NRS** 13 36 77 **ABN** 84 181 182 471

LIVERPOOL CITY COUNCIL SUBMISSION TO THE SELECT COMMITTEE ON THE GREATER SYDNEY PARKLANDS TRUST BILL 2021

Council was advised via a letter on the 6 December 2021 that the Upper House Select Committee is inviting submission on the Bill, with submissions closing on the 16 January 2022. Thank you for the opportunity to provide this submission.

Western Sydney Parklands (WSP) is an important strategic regional parkland asset for the Western Sydney community.

The Liverpool section of the WSP is adjoined to the growing Austral-Leppington Release area, with an over 60,000 population increase expected by 2042. The WSP is also in close proximity to the Aerotropolis. The WSP are currently accessed by Liverpool residents in the adjoining new release precincts on regular basis, including the suburbs of Middleton Grange, Carnes Hill, Edmondson Park, West Hoxton, Elizabeth Hill, Leppington, Austral and Cecil Hills.

Liverpool City Council (Council) has over years worked with the current Western Sydney Parklands Trust (WSPT) and staff proactively, to ensure that the section of the WSP in Liverpool is developed to provide for and facilitate a diverse range of recreational, historical, educational, environmental, cultural, sporting, entertainment, and tourism uses of the growing Liverpool and broader Western Sydney community.

The *Western Sydney Parklands Act 2006*, WSP Plan of Management 2030 and Southern Parklands Framework (2018) have all been developed to guide the development of the Parklands in a sustainable way. The Plan of Management has specifically identified details business hubs and other revenue-generating developments on the basis that these developments will secure the long-term, sustainable revenue base required for development, maintenance, programs and activities in the WSP. Council expects that these revenues, and any future revenues generated in the WSP, are retained for environmental, recreational and community initiatives in the WSP only, and not used to fund other Parklands formed under the Greater Sydney Parklands.

The Southern Parklands Framework highlights that the key next steps are to "Work with Liverpool City Council, State and Federal Government Agencies and the Community to deliver the Framework." There are approx.1328 Hectares of the WSP in the Liverpool LGA, much of which is yet to be developed into its proposed park functions identified under the Framework. Recent works have included the development of Shale Hills Off-leash Dog Park and the Wylde MTB (Mountain bike) trail in Cecil Park.

Council has been working closely with the Western Sydney Parklands Trust to establish working groups in 2022 for provision of both recreation and social infrastructure, to plan for the growing Austral community to have access to new facilities within the Western Sydney Parklands, in close proximity to their homes. Council is committed to work with the Western Sydney Parklands so the Parklands remain accessible to the public and for its development as a regional recreational and sporting hub to cater to WS residents' current and future demands.

ESTABLISHING COMMUNITY TRUSTEE BOARDS

The draft Bill proposes the establishment of a separate Community Trustee Board, separate to the remunerated Trust Board, for each of the parklands managed under the Bill. Representation on this community board is a voluntary and non-remunerated position.

The Greater Sydney Parklands Trust Bill, Clause 37(1) proposes:

The Trust must establish a community trustee board for each of the following parts of the parklands estate — including the Western Sydney Parklands, within the meaning of the Western Sydney Parklands Act 2006, section 22.

Section 22 of the Western Sydney Parkland Act 2006 states “*Western Sydney Parklands comprises the land described in Schedule 2 or shown on a map or maps in Schedule 2*” and that “*(4) Land may be included within the Parklands even if it is not contiguous with other land within the Parklands.*”.

The functions of the Community Trustee Board are designed to be consultative bodies "to provide advice and assistance" in the development and review of the Plan of Management, services etc.

Council proposes that, for the Community Trustee Board to be the consultative body, that matters of local relevance to the relevant parkland should be reviewed by the Board (including the protection and use of the relevant parkland, business, leasing, and other activities carried out or proposed to be carried out).

Clause 38 of the draft Bill (below) recommends a Membership of 7 including 1 Council representative.

38 Membership

A community trustee board has the number of members, not more than 7, appointed by the Trust.

(b) must have regard to the need for the Board to

(i) be representative of diversity including, for example, in relation to gender, age and cultural background, and

(ii) include representation for local First Nations peoples, and (iii) include a representative of— (A) a local council or group of local councils, or (B) an entity that represents local councils. (iv) include a representative who has experience or skills in heritage or heritage management.

The WSP, as a 27-kilometre-long corridor, covers three local government areas of Liverpool, Fairfield and Blacktown. Approximately one third of the Western Sydney Parklands falls within the Liverpool LGA boundary, the southernmost section of the Parklands. Council requests that the Bill is amended to specify a representative of Liverpool City Council, and for that matter, each of the councils for which the WSP is located, is appointed to the Board. This may be addressed by rewording the board constitution or increasing the board membership from 7 to 9. This would ensure Liverpool representation, instead of a single council representative, with the prospect for all the three councils to be represented.

Also, of concern, Under the Bill, the Trust has the power, at any time, to dissolve a Community Trustee Board. The Bill should specify the specific parameters under which the Community

Trustee Board may be dissolved. A decision to dissolve the Community Trustee Board should not be determined by the Trust, given that the community trust may be unsupportive of actions of the Trust.

i

INCOME GENERATED BY WESTERN SYDNEY PARKLANDS TRUST

Council considers the Bill does not include suitable safeguards that any income generated from WSP is spent on the WSP only, and not on other parklands. A key component in establishing the WSP is for income to be directed to programs and services within the Parklands boundaries.

However, in the Bill the Trust is responsible for ensuring the overall financial sustainability. Clause 45(b) requires that the Trust must ensure there is adequate funding for each of the Trusts and for overall sustainability. This could result in funds raised in Western Sydney Parklands being diverted to fund other areas, required for the overall sustainability of the Trust. Such an outcome is not viewed as equitable as income generating lands in the WSP either have a user pays system or are occupying space that is otherwise not in keeping with the objectives of the Parklands.

The Bill also does not address adequately how the costs to run the GSPT will be apportioned to the individual Parklands. Council would not support funds from the WSP being used to fund the day-to-day operations of the GSPT if all other parklands managed by the Trust are not making similar contributions.

CONCLUSION

Western Sydney Parklands is an important strategic regional parkland asset of the entire Western Sydney community. The Parklands provide essential regional recreation facilities and services for existing communities and the adjoining areas of growth within the Liverpool LGA.

Liverpool City Council recommends that the Committee consider Council's submission to strengthen the financial provisions in the Bill to articulate that the Western Sydney Parklands revenues generated (as set down in the Western Sydney Parklands Act 2006) are applied only to Western Sydney Parklands projects and services.

It is also recommended that the Community Trustee Board include a representative of each local councils, rather than one council representative for the entire Western Sydney Parklands. Liverpool City Council recommends that a Liverpool representative is included on the Community Trustee Board due to its strategic importance to recreation, health, education and wellbeing of Liverpool residents.

ⁱ Schedule 2 Constitution and procedure of community trustee boards section 31(2)(b)