

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

Name: Name suppressed

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Partially
Confidential

I strongly oppose the Greater Sydney Parklands Trust Bill in its current formulation. I note and support the strong concerns and opposition to this bill voiced by the Inner West Council, the Friends of Callan Park, the Alliance for Public Parklands and other community and stakeholder groups.

My particular concerns are set out below.

Governance: community trustee boards

A separate board, with accountable local representation, is required for each statutory park trust and Western Sydney Parklands to ensure the unique values are maintained and site-specific challenges managed. The legislation requires the Greater Sydney Parklands Trust to establish a community trustee board for parts of the parklands estate, but it also enables the Trust, at any time to change the part of the parklands estate for which the community trustee board is established, or in fact, dissolve a community trustee board.

The draft bill includes no rationale for why the Trust would take the measures to change the scope of the community trustee board or to dissolve it. As it stands, it could simply be that the Trust does not agree with the community trustee board. Neither is any process or timeframe for these actions set out. This completely undermines the promise of 'robust mechanisms for local voices and recognising the needs of local communities through community trustee boards...' (White Paper – Parklands for People – What we heard report p8). As a result, the unrepresentative Trust Board, which includes no First Nations or academic expert in geography or environmental science has almost unfettered decision-making powers over all the parklands included in the draft bill.

With reference to community trustee boards - on which much of the overall governance of the Trust, and the local understanding of each park and the interests of its community, relies – sections of the bill only apply IF there is a community trustee board established. There is no requirement for community trustee boards for each park (they must be established but can be dismissed without requirement for replacement) completely undermining the alleged framework for increased community engagement.

Protection against inappropriate development or sale

The draft bill does not protect any of the parklands from inappropriate development. Leases of 50 years are in effect privatisation of public lands that may exclude general public access and should not be permitted.

Leases of land or buildings within a park should be subject to the agreement of that park's own board, thereby ensuring valuable input from the local community. The Minister's consent to grant leases, licences or easements for more than 25 years should specifically be subject to compliance with the Objects of the bill and the agreement of the park's own board.

Resourcing of Sydney's parklands

The draft legislation does not specifically address the question of resourcing the maintenance and improvement of the parkland. It refers only to the Trust undertaking or facilitating business activities within the parklands.

Parks, like hospitals, schools and roads, are a public good and should be funded and serviced by general taxation revenue. It is wrong in principle to require them to be self-funding. There are also examples of the failure of the self-funding model, e.g., the Sydney Harbour Federation Trust.

Local council authority and development

Councils provide the relevant controls to exclude activities that would or could have negative effects on the parkland, or are incompatible with Council Plans - LEPs, DCPs - which have been developed in consultation with ratepayers and residents.

The Bill removes local council's authority to determine development applications and allows the state government to control development consent. Ensuring consent via the local council is essential because it provides some assurance the voice of the local community will be heard.

Heritage and habitat protection

The Bill should include an explicit commitment to the conservation and protection of natural and cultural values – the heritage protection - in all of the parklands.

The Bill should include an express provision requiring the input of the NSW Heritage Council to any development applications.

Conservation of biodiversity and wildlife habitat within all of the parklands is imperative.

Conclusion

With full and broad public consultation, a carefully considered plan and legislation, a Greater Sydney Parklands Trust could be invaluable in preserving and enhancing the precious green space in this huge city - this bill is simply insufficient and wrongly encouraging commercialisation of our parklands. They are a public good and should be preserved and resourced as such for the benefit of all.