

**Submission
No 38**

REVIEW OF THE GREATER SYDNEY PARKLANDS TRUST ACT 2022

Organisation: The Centennial Park Residents Association (CPRA)

Date Received: 9 February 2025

Julie Osborne/Peter Tzannes Co-Chairmen
**Centennial Park Residents Association
("CPRA")**



Chair, Joint Select Committee –
Greater Sydney Parklands Act Review
Parliament House
Macquarie St
Sydney NSW 2000

09 February 2025

Dear Chair,

RE: GREATER SYDNEY PARKLANDS (GSP) ACT ("THE ACT")

The Centennial Park Residents Association (CPRA) is the umbrella organization of the street committees of the Centennial Park precinct. Our charter includes the protection and preservation of the Centennial Parklands and the residential amenity of this historic garden suburb for future generations. The CPRA is a member of the Alliance for Public Parklands.

We are writing to you to express our views as to the effectiveness of the Act in the context of the Joint Select Committee's terms of reference. These are as follows:

"... whether—

- a) the policy objectives of the Act remain valid, and
- b) the terms of the Act remain appropriate for securing these objectives."

The stated objectives of the Act are contained in Section 3. Subsection (a) states that an objective is "to 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." The CPRA concurs with this objective but would submit that this objective should include the specific requirement that "all development has a minimal adverse environmental impact on the parklands." Without this inclusion, the parkland may be subject to degradation through development and commercial pursuits subverting their environmental and heritage value and the criticality of their preservation for the people of NSW.

Broadly, we consider the Act to be a well drafted legislative instrument that accords with the general policy objectives it seeks to address (subject to the comment above). We do, however, have some concerns as to its implementation which culminate in an undermining of the legislative intent and objectives of the Act. In this regard, we submit the following:

1. Blue-Green Grid Committee

Pursuant to Section 12 of the Act a Blue-Green Grid Committee may be established to advocate for a long-term vision for and outcome of quality parklands across Greater Sydney, particularly connectivity of green corridors and public access to open space.

This is an excellent initiative which would potentially add to the parklands portfolio and build greater visitation to the parklands. It is not evident that such a committee has been established by the GSP Trust. If indeed such Committee has been established, it is not apparent to the Community what it has achieved or what public facing advocacy is occurring.

2. Granting Leases, Licences or Easements over Trust lands

The GSP Trust is able to grant a lease, licence or easement over land within the Trust's estate if the lease, licence or easements is consistent with the objects of the Act (Section 21 of the Act).

Government has announced they will hold an open tender process for the long-term lease of the Entertainment Quarter at Moore Park with the aim to "unlock the potential of the site through a world class redevelopment. In this regard the Premier has stated that "we want to turn EQ into a thriving world class precinct full of dining and entertainment options with a brand-new venue that can host between 15,000-20,000 for live music and public events.

It is unclear whether the current tender process/lease of the Entertainment Quarter will be consistent with the objects set out in Section 3 of the Act which are:

- (a) to 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,
- (b) to enable the Greater Sydney Parklands Trust to facilitate a connection to Country for First Nations peoples,
- (c) to 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) 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,
- (e) to encourage the use and enjoyment of the parklands estate by the community by promoting and increasing the recreational, historical, scientific, educational, cultural and environmental values of lands within the parklands estate,
- (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,
- (g) to provide increased opportunity for community engagement to shape regionally significant parklands in response to diverse community needs."

The CPRA would like to understand how the intent and objectives of the GSP Act will be met through this tender process. Whilst Sections 21 and 22 of the Act, vests the power to grant a lease, licence or easement, for more than 25 years, in the Minister subject of an open tender process such grant must accord with the objectives of the Act. Such use of power should be subject to parliamentary scrutiny and community feedback.

3. Parkland Plans of Management Principles to be Applied in Deciding Whether Leases Are Consistent with the Objects of Act

The Act requires that approved plans of management include, at Section 24(a)(iv), "principles that will be applied in deciding whether a proposed lease, licence or easement over land within the park to which the plan relates is consistent with the objects of the Act..." .

We note that the current Centennial Park Plan of Management 2040 does not appear to include principles that will be applied in deciding whether the current tender process for the Entertainment Quarter is consistent with the objects of the Act. The necessity for transparency in such an open tender process cannot be overstated to ensure appropriate probity and equity when dealing with an important asset such as parkland.

4. Role of Community Trustee Boards

Pleasingly the Act establishes in Section 39 community trustee boards with the purpose of inter alia being a consultative body in relation to – “matters of local relevance to the relevant parkland, including the protection and use of the relevant parkland and the business, leasing and other activities carried out on, or to be carried out on, the relevant parkland,.”

This is an incredibly important aspect of the Act given the ownership of parklands by the people of NSW and the need to ensure diverse perspectives are considered in decision making in relation to such assets. Additionally, local communities bear the brunt of decision making that has inadequately considered community impacts such as noise, traffic, anti-social behaviours and the like. In this regard, it is unclear to what role the Centennial Park Community Trustee Board will play in relation to the protection and use of Centennial Parklands and the business, leasing and other activities under the current tender process for the Entertainment Quarter. Already, there is evidence that the Centennial Park Community Trustee Board is not being afforded the opportunity to comment or even made aware of issues impacting the local community. For example, no mention was made during meeting or in correspondence of proposed changes to the Cultural State Environmental Planning Policy. These changes have direct impacts on the community and residents in the Centennial Parkland precinct. Legislation can provide correct and well-meaning provisions but if these are not operationalised they are of no use and undermine the intent and objectives of a well drafted legislative framework.

5. Establishment of Special Deposits Fund and allocation by Trust

The Act provides for the establishment of Special Deposit Fund called the Greater Sydney Parklands Trust Fund within which there is to be a separate account for each trust and the Entertainment Quarter. Section 44 of the Act provides that all money received by or on account of the Trust are to be paid into this. In this regard, Section 46(3)(b) of the Act provides that in allocating money from the separate account established for the Entertainment Quarter priority must be given to the Trust Lands within the *Centennial Park and Moore Park Trust Act 1983*, which at s 5 includes Moore Park, Centennial Park, Queens Park, the E S Marks Athletics Field and the Entertainment Quarter. Should the GSP Trust propose to allocate funds from the separate account to an associated Trust or park, then the community trustee board established for that park must be given written notice of the proposal to allocate money in that way and if the community trustee board has within 14 days after receiving this notice, objected to the allocation of the money in that way, then under section 46(5) of the Act, the Trust must not allocate the money in that way.

We note that there has been no transparency in this regard. It is unclear whether any of the money in the Centennial Park and Moore Park account or the Entertainment Quarter account in the Fund, has been allocated to other associated trusts or parks, but the Centennial Park and Moore Park Community Trustee Board has not received written notice of any proposal to

allocate money to another trust or park. Again, this is an example where the Act may not be being operationalised notwithstanding its objectives and intention.

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To reiterate we are broadly supportive of the drafting of the GSP Act but would request the Joint Select Committee to delve deeper than the drafting to ensure that the Act's provisions are being followed. Much of our submission relates to the GSP Trust's failure to properly operationalise the provisions of the Act in order to facilitate transparent management of the parklands and effective community consultation.

Should you have any queries regarding this letter, please contact us.

Yours sincerely,

Julie Osborne
Co-Chairs CPRA

Peter Tzannes