

The Hon Stephen Kamper, MLA  
Minister for Lands and Property  
Parliament of NSW  
GPO Box 5341  
SYDNEY  
NSW 2001  
Phone 7225 6140

Dear Mr Kamper,

## **Statutory Review of the Crown Land Management Act 2016**

### **Introduction**

The Glebe Society Inc has been caring for Glebe and Forest Lodge for over 50 years and has nearly 400 members. It rests upon three pillars – heritage, community and the environment. This submission reflects our concerns in relation to all of these “pillars”.

This submission from the Glebe Society will comment on two of the review questions with respect to the nine Crown Land sites in our suburb – Glebe Foreshore Walk East, the seven Johnston’s Creek sites and Wentworth Park. We will respond to the Questions numbered 3 and 13 in a general way for all the relevant sites.

The management of the Crown Lands in Glebe and Forest Lodge, as remnants and reconstructed landscapes of rare green open space in a densely built city provides opportunities for a renewed commitment to Indigenous sustainable management principles of “Caring for Country”. These management practices should support the health and well-being of the land (“country”), in recognising Aboriginal custodianship of these lands, and local Aboriginal expertise should be sought where possible.

The planting and maintenance of diverse native plant species to provide shade and habitat, a mix of native grasses, shrubs, small trees, ‘native meadows’ (as at Prince Alfred Park), dense small bird habitat and re-establishment of original vegetation (where appropriate) should be encouraged to promote biodiversity, environmental awareness, and a sense of continuity with Sydney’s pre-1788 history.

There needs to be tight regulation on the proportion of these Crown Lands that can be built on, leased or redeveloped for any other purpose to maximise deep-soil planting areas, as an offset to the loss of private garden space in modern housing/apartment developments and to protect this land for future generations.

Any proposed future development on these Crown Lands should be minimal, preferably with a focus on environmental improvements (e.g., Indigenous plant nursery, flora and tool storage) and should focus on how the proposed building or structure impacts the land.

The provision of public access to the natural environment - to vegetation and water, creeks, bays and wetlands is vital for the mental health and well-being of the community. These areas in Glebe (especially Johnston's Creek parklands) were traditional Aboriginal gathering places. These lands in Glebe are highly valued by the community, as places of beauty, with diverse landscape and topography, water views, easy access to native and natural elements, a sense of history and as places for connecting everyone to a sense of 'country'.

**Q2: Are the principles of the Crown land management still relevant, and is it appropriate to continue to include them in the CLM Act? Or should they be located outside of the Act where they can be more easily maintained?**

The principles are still relevant. They should remain part of the Act. Locating them outside of the Act carries with it level of risk because it makes it easier for them to be altered and changed.

**Q3: How could the CLM Act better support the strategic use of Crown land to meet important NSW Government priorities, such as through different tenure and partnership arrangements?**

In our local government area, any proposed changes to the use and management of Crown Land sites should only occur following consultation with, and the approval of, affected residents. Glebe is part of a densely built inner-city environment and the limited, existing Crown Lands provide vital green space with access to the natural environment – not surprisingly, local residents would fully oppose any proposed loss of such critical and essential open spaces.

**Q13: How could the CLM Act better ensure the purpose or purposes of dedicated or reserved Crown land are considered in any plan of management for the land?**

Any application for the development of a Crown Land site in Glebe/Forest Lodge should take note of the:

1. *The Aboriginal people's custodianship of the Crown Land.*

We support the health and preservation of the remaining endemic indigenous heritage items in Glebe's parks and reserves. The original native flora should be reintroduced and local Indigenous principles of caring for country should be used in plans of management.

Even at Wentworth Park, which is essentially constructed on reclaimed land formed from the Nineteenth Century draining of the degraded swamp at the Northern end of Blackwattle Creek, its occupation by the original inhabitants, and their activities there, should be recorded and commemorated appropriately.

2. *In general, Crown Land sites should be accessible to everyone.*

To preserve and re-establish resilient native flora and fauna, certain areas, including the wetlands, mangroves, "The Hill" on the northern side of the Tramsheds and the banks of Johnston's Creek should at least for a temporary period not be made accessible to the public. This could also be ongoing according to the management objectives of the specific sites, for example habitat protection.

Since 1938 the central portion of Wentworth Park has been the more or less exclusive preserve of the greyhound racing industry, originally the National Coursing Association (NCA), and now

the Greyhound Breeders Owners and Trainers Association (GBOTA). In 1985 the NCA built a massive grandstand, which now stands almost empty on racing nights, and which is effectively an office building in a public park. When the GBOTA licence expires in 2027 and greyhound racing ceases at Wentworth Park, the commercial leases in the grandstand will come to an end and the whole of the park should once again be accessible to everyone as open space.

3. *Inner-city Crown Land sites will be places to recharge mental health, relax, connect to nature and the outdoors.*

Crown Land sites in the inner-city should provide open spaces where people can be undisturbed and quietly enjoy a passive activity such as sitting and reading a book. It will be necessary to actively manage the sites for their different uses so that peaceful, quiet zones are created in locations of natural ecosystems – all aimed at improving mental health and a connection with the local environment. Such sites should be freed from lively activities and dogs.

4. *Inner-city Crown Land sites will provide room for recreation, exercise and sporting activities.*

Sporting activities should be confined to those open spaces where they currently take place. Jubilee Oval is laid out as a public oval, complete with grandstand and perimeter fence, and should continue to be used for cricket, Australian Rules football, hockey and any other organised sports that can use it. There are more or less formal sporting fields in Federal Park 1 and on either side of the light rail viaduct in Wentworth Park.

The one exception to this suggested limitation is that when the greyhounds depart from Wentworth Park (see below), the greyhound track should become a public oval (similar to the Reg Bartley Oval in Rushcutters Bay Park).

It should be noted that there are very few parking spaces that could support an expansion of the existing sporting facilities in Glebe. It should also be noted that the proposals for the park at the WestConnex Rozelle Interchange site, adjacent to Glebe, include ovals and spaces for other sporting activities.

Every open space should have clearly delineated, separate areas where dogs are not permitted as well as those where dogs should be leashed and where dogs should be permitted to run freely.

5. *Sydney's open spaces will celebrate local history, which includes First Peoples of Australia, public art, heritage interpretation, and have space for community/cultural activities.*

The celebration of local history should be facilitated through native vegetation and preservation of wetlands and topographical features that tell the story of Indigenous peoples. Revegetation of the Crown Lands should replicate the original species and enrich the biodiversity at the varied locations and establish corridors of connecting elements that reflect the history of the sites. In considering new cultural and community activities, it is essential that Glebe's limited green spaces are not reduced by the construction of further buildings or other structures.

6. *Sydney's Crown Land sites should be multipurpose and multifunctional to respond to the changing needs of our diverse community.*

As an inner-city suburb, Glebe has few parks and reserves; the Crown Lands are precious open spaces in a densely populated community. The long-term vision should include establishing and preserving the biodiversity and vegetation of the Crown Lands as well as the protection of their historic elements. The present form of the lands should be retained and the community should be consulted about any proposed changes involving their purpose and function.

In the case of Wentworth Park, its layout and revegetation should also reflect its heritage as a "gardenesque" Nineteenth Century Park and public sporting facility.

7. *Sydney's Crown Land sites should be lush and green and provide cooling shade from increasing heat.*

Considering the effects of global warming on the Crown Land sites, it is essential to provide a diversity of climate-change resistant native flora including a variety of trees and the establishment of native meadows and grass heath lands. Some areas should be densely planted, fenced and gated to provide an undisturbed habitat for small birds. And as mentioned above, the rehabilitation and revegetation of Wentworth Park should also reflect its history and heritage.

In conclusion, the nine Crown Land sites in Glebe provide a series of unique open spaces in a densely populated inner-city urban environment. The topography contains a restored creek, wetlands, flat areas, cliff faces and hills many of which are connected so providing the potential for enhanced biodiversity and wildlife corridors.

As we have shown above, the preservation of our suburb's limited Crown Land is vital for the continued amenity of Glebe, and the conservation and protection of its flora and fauna. Accordingly, it is recommended that all Crown Lands in Glebe/Forest Lodge should be exempted from any general changes to be made to the Crown Lands Management Act and should be governed by **special provisions**, developed in consultation with the community, to ensure that their unique environmental, community and heritage features are recognised and protected for future generations.

**Q26: Do you have any other matters or issues, or any feedback, or any feedback about how the CLM Act interacts with other relevant legislation?**

We agree with the objects and principles in the Act which acknowledge and support indigenous peoples interests in and connection to Crown Land.

There is some land where the optimum policies for management will be found in a productive exploration of its shared heritage – indigenous and non-indigenous.

While this is, arguably, embraced by objective c) of the act which:

*requires environmental, social, cultural and economic considerations to be taken into account in decision making about Crown land*

it is easy to lose sight that *environmental, social and cultural considerations* can embrace places which share indigenous and non-indigenous values.

We believe that some Crown Land provides important opportunities to facilitate a process of dialogue between indigenous and non-indigenous people about developing management policies which can reflect both sets of values.

We also believe that the Act fostering this process on land which has both sets of values provides valuable opportunities for reconciliation between the indigenous and transplanted peoples of NSW at the community level and these processes can become valuable exemplars of reconciliation.

### **Wentworth Park – case study**

Glebe is a multi-layered suburb where landscape, topography and urban and social fabric come together in a uniquely rich way.

Glebe has a long history of residents actively researching, celebrating, conserving, and campaigning for, its history, architecture and ecology.

Glebe also has an important indigenous history. Archaeology provides tangible evidence of the Darug people living on the banks of the Blackwattle Bay creek near present day Broadway for thousands of years. In post first contact history Glebe has been home to large numbers of people from the many Indigenous nations of Australia. A number have been influential, for example Arrernte and Kalkadoon man Dr Charles Perkins lived in Forest Lodge while studying at Sydney University in the 1960s and leading the Freedom Rides. Glebe is also home to Tranby Aboriginal Co-operative which has contributed significantly to policy development and other initiatives facing Aboriginal peoples since its foundation in 1958.

Wentworth Park is a crown land reserve on the edge of Glebe. It is a significant place to indigenous and non-indigenous people. In its pre-colonial form it was where the saline water of the harbour met the fresh water of Blackwattle Bay Creek and swamp, thereby providing abundant food and water. In the late last quarter of the 19<sup>th</sup> century land reclamation destroyed the creek but created the park. Originally the park had a distinguished gardenesque layout. Like the creek this too has gone and been replaced by a degraded landscape.

We believe that Wentworth Park provides opportunities to create a unique park, a park like no other, which marries indigenous and post indigenous landscape and plantings and in the process of discovery brings together Glebe's indigenous and transplanted people.

We would like to see a form of words somewhere in the Act which encouraged communities to work together in exploring the indigenous and non-indigenous *environmental, social and cultural* values of Crown Land.

This might be achieved by adding the words *indigenous and non-indigenous* object c) and including a principle about the desirability of indigenous and non-indigenous communities working together to document *environmental, social and cultural* values.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'D L' followed by a stylized flourish.

Duncan Leys  
President  
aw/hr 8- 3 – 2024.