



Green Spaces Policy

November 2022

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Goal

More green spaces in our community and homes for new and existing urban areas. Green spaces that link our communities and homes. Green spaces that support and connect our pockets of native flora and fauna across the city and around its edge.

The Benefits

Research and the pandemic continue to reinforce the importance of green spaces to our mental, physical and communal health, and our native wildlife. The impact of our changing climate in the last 3 years has become visible and sustained across the world. Green spaces are necessary to help adapt to and mitigate the warming climate.

Protect What We Have

The first priority must be to **preserve open space and tree canopy**, as once lost, it is very difficult to regain.

The Green Grid

The goal however must be for these green spaces to not only be available for active and passive recreation but also biodiversity by being **connected and thickened**. That is why **Sydney's Green Grid** initiative must be prioritised.

Green spaces and indeed the Green Grid is recognised in policy. The **Greater Sydney Region Plan (Region Plan)** sets objectives to **value green spaces and landscape**. Objective 32 states: *The Green Grid links parks, open spaces, bushland and walking and cycling paths*. It is also the Premier's Priority 11: **Greener Public Spaces**: increasing access to quality green, open and public spaces by 2023.

The Failure

Despite ad hoc announcements about a new park or tree planting – we are losing green spaces and tree canopy overall as infrastructure, urban sprawl, sale of green space land or allocation to exclusive uses and weak council tree preservation rules take hold. The planning system has been severely compromised to the benefit of developers.

The failures occur - under greenfield development rules; Planning Minister Roberts dumping of environment and liveability requirements; new development lacking linked local green spaces and tree canopy on public and private land; and with weak regard for existing green assets - established areas are going backwards and new areas destined to suffer.

Total Environment Centre is calling for upgraded mechanisms across government to be implemented at state and local government levels to remedy the situation over the next 4 years, including an immediate moratorium on any loss of green space, tree communities and mature trees in the interim.

WHY NSW IS FAILING

The green spaces attached to our homes are shrinking. Green spaces in our communities are being lost to infrastructure or sold off. The tree canopy continues to decline. The green connections between our parks and streets are being cut. Policies announced with great fanfare and development in practice do not inspire confidence that government is committed to the solutions. Net loss continues.

The reasons are multiple, but the pressure of developers and their interests is a major one. Here are some key drivers:

Large lot planning - identifies large lots for oversized housing rather than seeking to preserve mature trees and natural parameters of the site; leaving little space for private trees. Spreading sprawl into greenfield sites.

Green space seen as valueless - an underlying assumption that a built environment is 'better' and of more value than a wooded and 'underutilised' area. Also park shaving - the slow but cumulative loss of parkland to other functions. Greenspace is seen as free space.

Loss of a green vision – development lobby convinces friendly Minister to dump green place and design rules. What's next?

Ad hoc performance based assessments – that see principles white anted where the connection between industry, consultants, ministers and the planning department can be too close.

State v Council – increasing loss of local community input and green space knowledge as the state imposes its development objectives.

Weak protections – a vision's credibility can be read in light of the implementation of past plans. Sydney's Greenbelt from 1948 lasted about 20 years; the scenic hills zoning south of Campbelltown lasted longer, but have recently been lost and now threatens the sustainability of NSW largest recovering Koala colony in South West Sydney.

Offsets – state infrastructure agencies replace 1 tree with 2 saplings which do not replicate lost canopy and may not even survive in the medium and long term. Reliance on offsets and evasion of like for like bushland, means absolute local loss for threatened species.

Examples of Failure

<p><i>Existing public Koala corridors sold off</i></p> <p>Newbrook is a Landcom NSW government scheme selling off the riparian zone that acts as a Koala corridor at Smiths Creek in Campbelltown.</p>	
<p><i>Koala Corridors killed off rather than strengthened</i></p> <p>Corridor D (Mallaty Creek) in Gilead is a unique Koala corridor, it has an independent connection to the Nepean River, and bushland on both sides of Appin Rd. However, the Cumberland Plain Conservation Plan will fence Koalas out of this corridor, as the initial width does not meet Chief Scientist recommendations; and expansion not favoured by department.</p>	
<p><i>Priority Conservation Land removed</i></p> <p>Urban Development Zone at SE Wilton at Wollondilly, has seen land rezoned without constraints, and Priority Conservation Land promised to offset the loss of previous green spaces, being lifted.</p>	

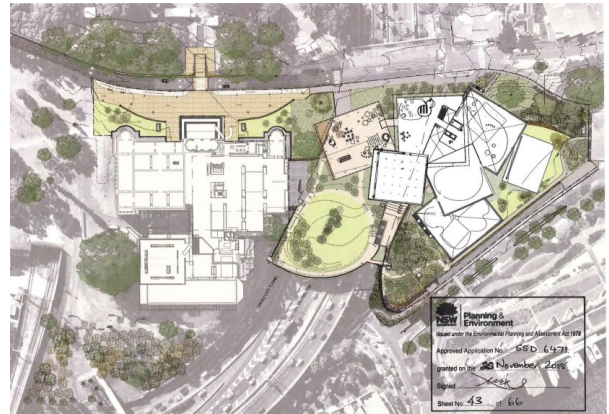
Moore Park's open space is being built upon

Lendlease's new **Sydney Football Stadium** is over 3,000m² bigger and the new ancillary building has a footplate of about 2,000m². The mature figs that skirted the stadium were removed.



Even Domain greenspace is being lost

Sydney Modern has a footprint similar in size to the Art Gallery of NSW next door, thus almost 2 acres of green space in the domain has been lost with 140 mature indigenous trees, while the green corridor that reaches out to Macquarie's Chair is pinched here.



Councils selling off their greenspace

266 Longueville Road, Lane Cove recreation space area of 9000m² being removed for seniors living. Lane Cove Council sold greenspace to Australian Unity.



Quality of greenspace: moved from foreshore

Lendlease's **Crown Casino** at Barangaroo saw the tower displace the foreshore greenspace, pushing it behind. A notorious decision as the tower gains little from being close to the foreshore, while the public loses a lot.



Weak tree preservation orders

900 trees in Sydney's inner west have been chopped down at twice the rate they were two years ago and canopy cover is shrinking under a local council policy that makes it easier for landholders to raze trees on their properties. [note: Policy under review]
Tree canopy targets will not be met in Sydney without private land contribution.

SMH 1/4/2021



Planning Minister does developers' bidding

Place and Design SEPP that would have set urban areas onto path of climate resilience including new local green space and tree retention rules – dumped.

SMH 5/4/2022

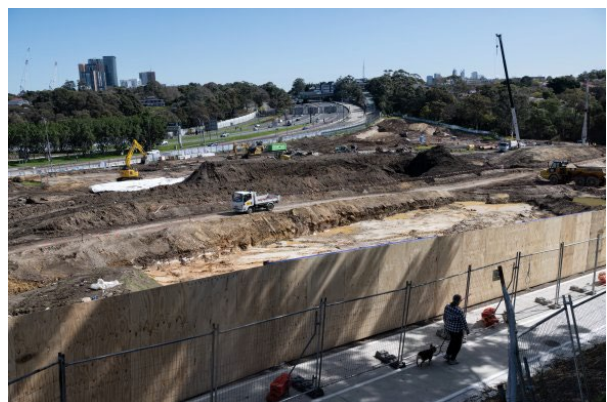


Infrastructure impact

Hundreds of trees have been cut down at Cammeray Golf Course for the upgrade to the motorway.

SMH 30/10/22

Another example is the removal of heritage fig trees for the Eastern Suburbs light rail.



CREDIT: NICK MOIR

WHAT NEEDS TO BE DONE

Action must be taken. TEC proposes 5 priorities within Sydney and across the state.

1. **Sydney's Koala Belt** - to enforce a new Green Belt.
2. **Obligation to Country** - a collective ethos of obligation to country for those exercising custody and stewardship.
3. **Green spaces spatial framework** to enable our green spaces to connect.
4. **Underutilised or exclusive sporting greens such as bowling or golf clubs to accessible green spaces** - the protection and expansion of existing green spaces by transfer or multiple use of exclusive uses.
5. **Public interest governance structures** to help re-establish trust that government is working for the public interest and not developers.

1. Sydney's Koala Green Belt - the Greater Macarthur Growth Area will destroy upstream catchments and cut the wildlife corridor that encircles Sydney. A minimum of 400m wide corridors on either side of the Nepean and Hawkesbury Rivers is needed as a Koala (Wildlife) Corridor. This setback area will complement and complete - **Sydney's Whale Walk** along Sydney Harbour and coast, The combination of the two will create the world's first city circumnavigation walk - **Sydney's Koala - Whale Circuit**.

2. Obligation to Country – learning from our indigenous heritage and concepts such as Caring for Country, we should enshrine our obligation in legislation to care for it.

3. Green Spaces Spatial Framework

Sydney's Blue-Green Grid - the Government Architect has identified this system but we need an active mechanism to implement it. We note that under the Greater Sydney Parklands Trust Act (GSPT) 2022, the Trust has an objective to:

(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.

The blue water lines throughout Sydney are ideal, upon which active and wildlife connections can occur. Where's the implementation plan?

- a. **The Whale Harbour and Coastal Setback** - the historical setback for coastal development has been 30m (100 ft) foreshore reserve - this needs to be expanded and enforced.

- b. **The Koala Riparian Setbacks** - along the Nepean, Georges and Hawkesbury Rivers, riparian setbacks need to be quintupled in order to create habitat corridors including 390-425m wide required for Koalas. This also helps protect the major rivers from pollution and homes from flooding.
- c. **Riparian Setback** - Water NSW's vegetated riparian setback has been the most clear regulation for ensuring (minimal) wildlife corridors though an incidental effect. Within Sydney these existing stahler order setbacks should be enforced as one of many measures.
- d. **Land Clearing (Biodiversity Certification) and Biobank Compensation** - must be a last resort and if required - should be upfront, proximate, additional, zoned environmental, and contiguous. Biobanks can be retired within these.
- e. **No Bushland Islands** - all remnant bushland of endangered and critically endangered ecological communities, such as the Cumberland Plain cannot be removed and must be connected back to Sydney's Blue-Green Grid, excluded from asset protection zones and with corridors of sufficient width (eg, 200m) to be viable.
- f. **Wildlife Terrestrial Crossings and Fencing** - all new major roads or upgrades must have minimal impact on wildlife but where essential provide workable, alternative wildlife crossings, when they traverse existing wildlife corridors.

4. Underutilised Sporting Places to Green Spaces

Underutilised or exclusive sporting greens for golf, tennis, rugby, lawn bowls, must be re-imagined as new multiple use green spaces. The government must not rezone these spaces to residential. Nor allow loopholes like seniors housing. If institutions are struggling, these grounds should be acquired by the state for alternative green space purposes.

5. Public Interest Governance

Unfortunately in Sydney there is a continuing presumption that open space may be disposed of or rezoned for development. Thus to re-assert civic good, new governance structures must be implemented.

a. Public Land - Disposal - Auction

If crown or other public lands are to be sold, it must be done and seen to be done at arms length. Therefore all public land should firstly be offered at no cost for green space purposes and if not required following a public review and independent assessment, be auctioned if to be sold. No unsolicited proposals can apply to such lands and if over 50m², should be referred to a parliamentary committee for approval of sale.

b. Private Land - Rezoning - Windfall Tax

Within the Sydney Basin, if private land is to change from an open space zoning such as rural to a built one such as residential, a windfall profit tax must be applied to the uplift in value that is generated by the rezoning.

c. Catalogue Parklands and Significant Trees within the Sydney Basin

The Government Architect has catalogued most parks within Sydney, and applied a matrix across them according to their attributes. This information needs to be made available digitally, live and updated. The quality of those spaces and significant trees/canopy to be measured via connectivity, tree type, understory and grass cover and species to create a dashboard to assess the importance and ongoing management of the open space and canopy:

- i. Percentage of the land attached to other open spaces
- ii. Total percentage green cover and sub types
- iii. TEC currently has a [SOS Green Spaces Map](#) that has identified spaces under threat. TEC will tie in with experts to expand this dashboard. The Map should be constantly updated with red alert areas, highlighting places of significant change or loss.

d. Challenge to Rezoning and Sale of Crown or other Public Land*

All land that is rezoned from rural on the urban fringe or crown or other public land that is proposed to be sold, is to have a public statement of reasons that can be challenged in a merits process in the Land and Environment Court. These can be tested by any third party.

* and not zoned for open space or recreation

e. Prohibition on Sale of Parkland and Protection from Impacts

Section 23 of the GSPT Act provides guidance for how all parklands should be protected:

The [Trust] must not sell, exchange or otherwise dispose of the GSPT estate or land within the GSPT estate.

Similarly, the GSPT Act can be adopted more broadly where it requires in sections 25 and 26 that government sector agencies consult with the Trust [ie, council and local community] about planning and development that will impact on the parklands estate and cause overshadowing - but with a stronger intent to avoid such impacts for all parks.

f. Open Space Defenders Office

An office that is independent of government can challenge rezonings and sales that are not in the public or environmental interest.