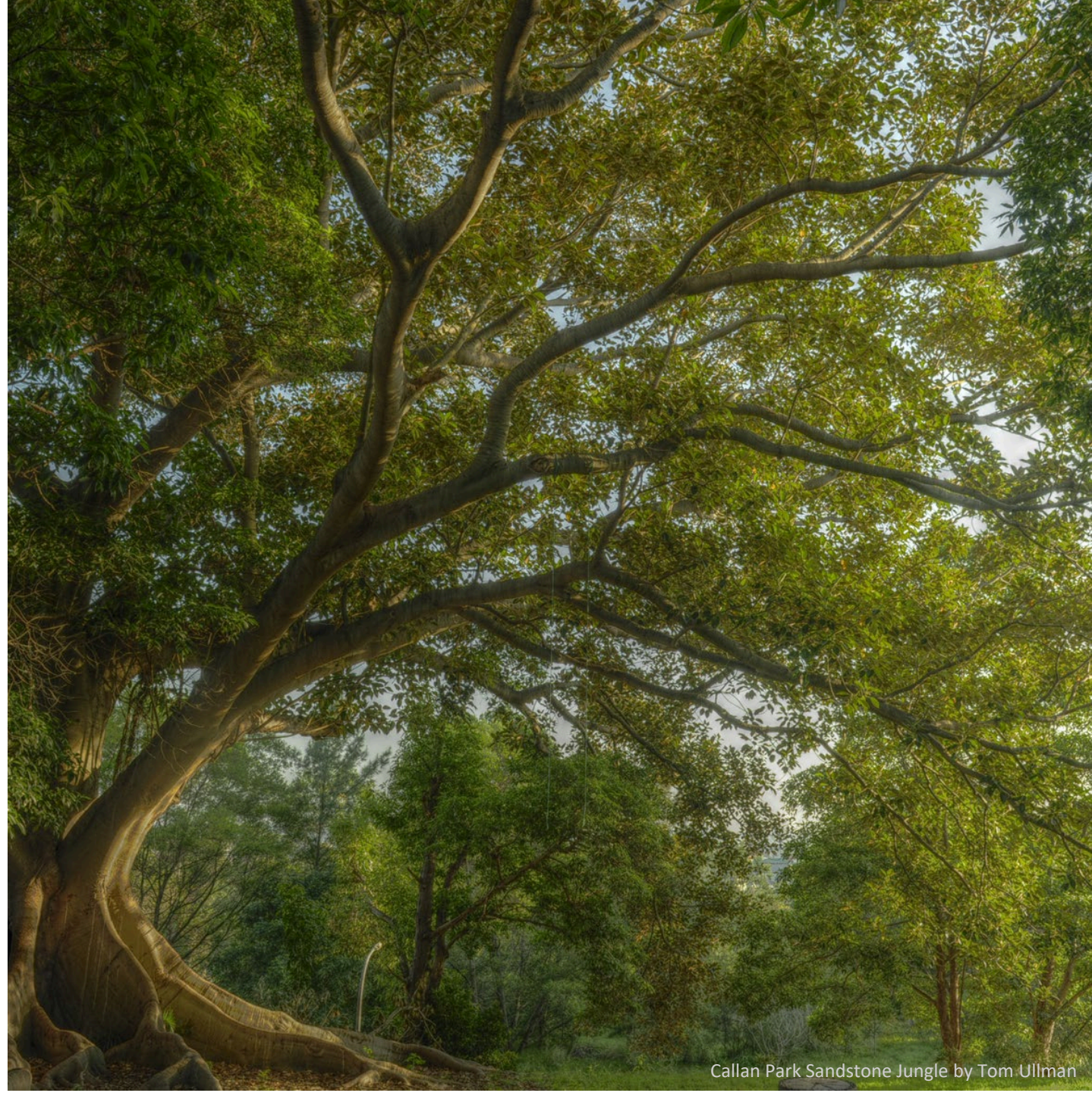


27 October 2021

# Hands off Callan Park public meeting

INNER WEST



# Hall Greenland

Friends of Callan Park

INNER WEST

10 fatal flaws in the proposed amendments to the  
Callan Park (Special Provisions) Act 2002  
and the  
Greater Sydney Parklands Trust Bill



# 1. Key protections would be eliminated

- Checks on what the Minister and his handpicked Greater Sydney Parklands Trust can do to Callan Park are abolished...
- Council will no longer be the consent authority and parliament can no longer scrutinize and block long leases deemed not in the public interest
- This on page 35 of the Exposure Bill:

**[4] Section 7 Development at Callan Park restricted**

Omit section 7(1) and (2).

# And here is section 7 in Callan Park Act

## **7 Development at Callan Park restricted**

- (1) The provisions of environmental planning instruments that apply to Callan Park are the provisions of those instruments that so applied immediately before the commencement of this Act, subject to this section.
- (2) The consent authority for development applications relating to land within Callan Park is the council of the local government area within which the land is situated, despite any other Act or any environmental planning instrument.

# Under the Callan Park Act, parliament can see and disallow long leases ...

- But the Bill appears to abolish this for any future commercial leases for Kirkbride, the Convalescent Cottages and Broughton Hall...

## 2. Privatisation is a real danger under sweeping powers proposed for the GSP Trust which is defined as a 'corporation' under the Bill

### 6A Power to grant certain longer-term leases

- (1) The Trust may grant a lease over the part of Callan Park constituted by the relevant premises for a purpose, including a commercial purpose, that is consistent with the Trust's functions.

**Example.** a lease for a restaurant

- (2) A lease under subsection (1) must be—
  - (a) granted for a term of not more than 50 years, and
  - (b) approved by the Minister after consulting with a community trust board established for Callan Park.

### 3. The Bill undermines the social purpose (what Jamie Parker, MP calls the 'moral heart') of Callan Park

- Callan Park was purchased for mental health and well-being purposes – that's why leases are reserved for not-for-profits in health, community and education.
- The Bill seeks to open up the site for commercial, for-profit tenants, which we believe will **forever eliminate the potential** for much-needed modern community mental health services at Callan Park, as well as leases for social enterprises and Not for Profit activities that could be provided here in the interests of the health and well-being of the community.



## 4. There is no Callan Park Trust

This is what Rob Stokes the Minister for Planning & Public Spaces said in the White Paper on Sydney's Parklands earlier this year:

*“Removing local park trusts and the community voice is not what we will do.”*

*“Any decision on the future of our parkland must be validated by the views of the community. They are the park users and the park experts. Their voice gives meaning to what we are trying to do.”*

**Time to translate those fine words into acts.**

# 5. The Bill does not mandate even the weak community consultation in the Bill and it allows for a 2-year hiatus before consultation established

On page 36 of the Bill:

## **8 Community trustee boards**

- (1) This section applies if there is a community trustee board for Callan Park.
- (2) The Trust must, in exercising its functions in relation to Callan Park—
  - (a) consult with the community trustee board, and

## 6. The Bill's assurances about priority for Not for Profits for leases are dubious

Late in 2020 the government called for Expressions of Interest for leasing Kirkbride - 25,000 square metres of floorspace.

The successful tenderer – a consortium of 17 social welfare NGOs – is still waiting to sign the lease...

# Kirkbride and Callan Park looking west towards Iron Cove

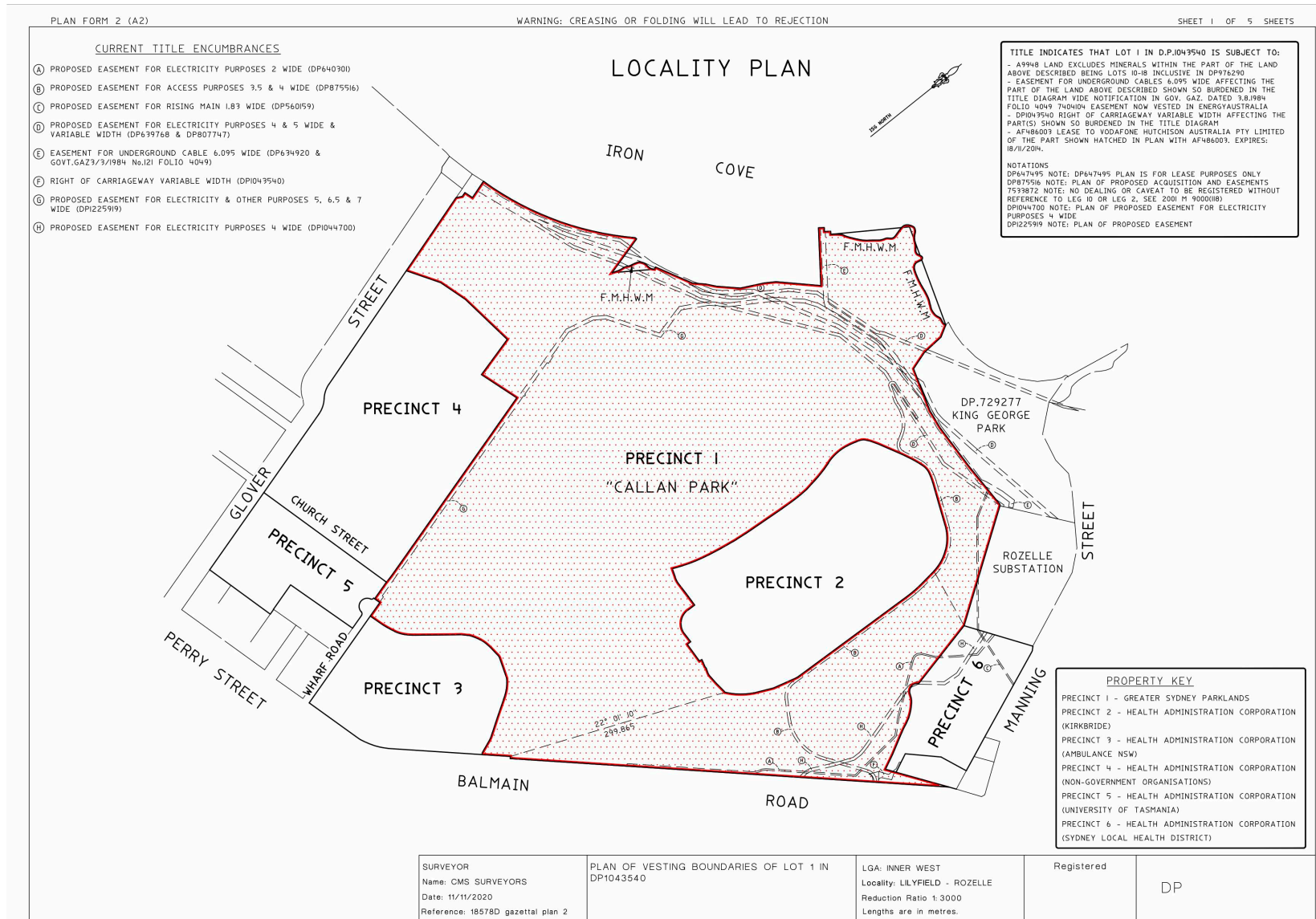


Photo:  
Jason Burcher

## 7. There is confusion in the Bill's provisions – and possibly scope for further secret arrangements

- In December last year the Minister secretly divided Callan Park into two parts. One part, comprising 62%, was vested in the Centennial Park & Moore Park Trust which will be controlled by the Greater Sydney Parklands Trust, and the other 38% stayed under the ownership of NSW Health.
- The powers granted to the Trust would seem to apply to only 62% of the site **yet the Bill extends those powers to sections not owned by the Trust.**

# The secret carve-up of Callan Park



## 8. The Bill includes unnecessary and unexplained changes to the Act

- Permission for temporary structures expanded
- Food and drink premises introduced as permissible uses
- Minor variations of the envelope and footprint control
- Substratum 'or a part' of Callan Park can be acquired for a 'public purpose'

# 9. The Exposure Draft is difficult for the public to decipher and the online feedback process is overly technical

- Try going to the public comment website.
- It lists the section of the Bill that you might like to comment on but the summary of what's in each section is deficient. For instance, there's no mention of amendments to Callan Park (Special Provisions) Act!
- On past experience the Minister will take no notice of public input



# 10. There is an alternative to the whole centralised edifice set up by the Exposure Bill

- A Trust for each of the 5 parks with representation from the community, First Nations and expertise in park management, heritage and biodiversity
- A Greater Sydney Parklands agency representing these park trusts, advocating for funding and providing 'back office' and maintenance services
- A guarantee of government funding for the parks
- A goal of custodianship not commercialization
- See details: the Alliance for Public Parklands

[alliance4parks.org](http://alliance4parks.org)

It's time...



# Aaron Callaghan

Parks and Recreation Planning Manager Inner West Council

# Sue Puckeridge

External lawyer Inner West Council





# Callan Park

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Inner West Council  
Greater Sydney Parklands Trust Bill 2021



# Callan Park -An Introduction

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Callan Park is a large urban parkland of over 60 hectares and is equivalent in size to that of the Sydney Botanical Gardens.

Built as an enlightened hospital for the insane in 1885, the parklands have a number of exceptional heritage buildings. The first building on the site (Garry Owen House) dates back to 1839.

Callan Park is one of the largest and most regionally significant public parkland in Sydney's Inner West.

The whole of Callan Park is listed as a State Heritage item.

The state register notes high levels of social and built significance and that the park has and the special associations for the local and boarder community both as an open space resource and for its cultural and aesthetic value.

# Why is Callan Park Special ?

Its location on Iron Cove and Sydney Harbour.

Third largest open space in inner Sydney behind Centennial and Moore Parklands (320 hectares), the Royal Botanic Gardens and Domain (64 hectares).

Exceptional heritage landscape buildings

Its cultural heritage value -history of mental health in Australia.

The waterfront open spaces, war memorial, landscaping and gardens.

Remnants of natural bushland and wildlife habitat – one of the few remaining in the inner west of Sydney.

Aboriginal middens at Callan Point.

The Iron Cove Bay Run foreshore regional walking trail.

NGO Precinct State-significant tenants including the NSW headquarters of the NSW Ambulance Service, and several non-government organisations (NGOs).



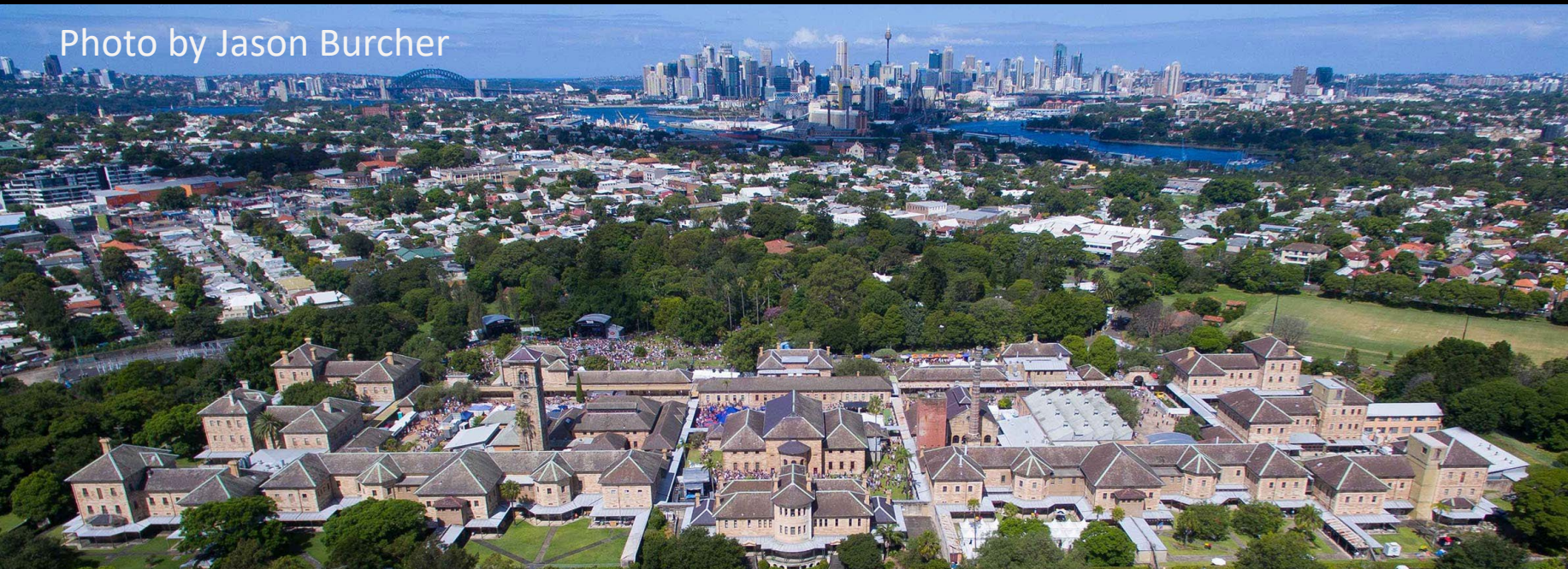
# Recent History

Year	Event
1992	Kirkbride Block leased to University of Sydney for occupation by Sydney College of the Arts.
1999	Hospital beds reduced to 244.
2000	Leichhardt Council surveys 30,000 households and helps the community develop a shared vision for the site.
2002	NSW Government releases a draft Master Plan which includes some residential development. Plans to build a purpose-built mental health unit at Concord hospital to replace Rozelle also released. Leichhardt Council polling reveals high levels of public support for Council opposition to Master Plan. Draft Master Plan withdrawn by the NSW Government. <i>Callan Park (Special Provisions) Act 2002</i> No.139 passed by NSW Parliament.
2003-04	Leichhardt Council, Friends of Callan Park and others discuss with the State Government the importance of retaining a mental health facility at Rozelle Hospital.
2004	Leichhardt Council establishes and resources a taskforce to pursue government funding, establish a Callan Park Trust, and to initiate a Master Plan for Callan Park.
2005	Leichhardt Council gains support of Local Government Association of NSW for the vision that Callan Park remain as a specialist mental health facility managed by a new Callan Park Trust.
2006	Leichhardt Council renews commitment to prepare a Masterplan for Callan Park
2007	NSW Government establishes a Community Reference Panel to comment on Masterplan and tenancy proposals including those by the University of Sydney. Sydney Harbour Foreshore Authority appointed to prepare a Masterplan for Callan Park. Draft Callan Park Land Use Plan placed on public exhibition. December: Leichhardt Council resolves to object to the Land Use Plan.
2008	Leichhardt Council submits an objection to the NSW Government, based on results of a telephone survey that indicates public concern with over-development and loss of heritage features within Callan Park. October: NSW Government announces it will grant care control and management of 40 of Callan Park's 60 hectares to Leichhardt Council under a 99 year lease. Lease rejected by Council.
2009	Leichhardt Council convenes Callan Park Taskforce and a variety of public meetings over the future of Callan Park. December: Leichhardt Council prepares Master Plan scoping document.

# Recent History

Year	Event
2010	Leichhardt Council appoint: McGregor Coxall and team to develop Master Plan.
2011	Leichhardt Council presents draft master plan to the NSW Government 11 November
2015	July -Office of Environment and Heritage (OEH) takes over the management of Callan Park
2016	June -2016 the University of Sydney announces it will vacate Kirkbride by 2020
2017	OEH Develops a Landscape Structure Plan for the Waterfront Precinct in Callan Park
2020	Callan Park integrated into the Greater Sydney Parklands “Parklands for the People” 17 <sup>th</sup> June –Expressions of Interest called for a leasehold agreement for part or all of Kirkbride.
2021	Jan 2021 Landscape Structure Plan endorsed by the Minister of Planning. \$14 million pledged towards implementation September 2021 Demolition of Waterfront buildings commences.

Photo by Jason Burcher





## Master Planning

Master planning of the site is a state government responsibility however the former Leichhardt Council took on this challenge as a result of many previous unsuccessful state government attempts.

2010

Preparation of Draft Master Plan

Extensive Community consultation undertaken

Council allocated over \$600k worth of expenditure on the planning/community engagement works.

November 2011

Representatives of Leichhardt Council and the Friends of Callan Park formally presented the Draft Callan Park Master Plan to the Minister for Planning,

March 2013

Leichhardt Council wins the Planning Excellence Award from the Australian Institute of Landscape Architects.



Image source: Friends of Callan Park

## What Does Inner West Council Manage within Callan Park ?

The Inner West Council has a license agreement with Government over the three major sporting grounds within Callan Park. Council has invested \$4million dollars in sporting ground activation in Callan Park in the last ten years. This includes:

**2013 Glover Street Playing Field (\$1 million)**

**2014 Balmain Road Sporting Ground (\$500k)**

**2019 Waterfront Sporting Grounds (\$2million)**

Major Refurbishments and upgrades have also been undertaken to the :

Refugee Welcome Centre

Balmain Road Public Toilets and the former Electrical Store

Bushcare Volunteer Site-Callan Point

The current Licence agreement expires in 2030



Image source: Friends of Callan Park

# Precinct Map Callan Park

December 2020-NSW Government divided Callan Park into two parts:

62% of the site was vested into the Greater Sydney Parklands

38% of the site is retained under the ownership of NSW Health.

Key Heritage buildings Kirkbride, Convalescent Cottages and Broughton Hall Retained by NSW Health.



# Callan Park Act 2002

The *Callan Park (Special Provisions) Act 2002* creates a number of protections for Callan Park. It:

- Prevents the sale, transfer or lease of Callan Park except as provided for in the Act
- Limits leases or licences to terms of 10 years without the approval of Parliament
- Nominates Council as the consent authority for development and restricts development by:
  - ‘Freezing’ applicable planning controls to those applying at the time of commencement of the Act
  - Identifying limited land uses, namely health facilities and educational or community facilities
- Protects the open space qualities by:
  - Preventing the erection of buildings outside the footprints or building envelopes of existing buildings
  - Preventing development that results in less open space in Callan Park or an increase in total floor area of all buildings

# Callan Park –Proposed Greater Sydney Parklands Trust Bill (Exposure Bill)

The Exposure Bill creates a new statutory Trust, the Greater Sydney Parklands Trust (GSPT), to manage and own parks in greater Sydney

The GSPT will manage:

- any new parks the GSPT may own in the future
- Callan Park; and
- Centennial Park and Moore Park, Parramatta Park, Western Sydney Parklands and Fernhill Estate – within existing legislation (associated Trusts)

Callan Park and the associated Trusts will remain protected by their own legislation but with the changes proposed in Schedule 5 of the Exposure Bill



Image source: Friends of Callan Park

# Key Impacts of the Exposure Bill for Callan Park

Council is removed as the consent authority for development in Callan Park

The applicable planning instruments are no longer restricted to those as at 2002 when the *Callan Park (Special Provisions) Act 2002* commenced

Additional uses are proposed namely: arts and culture facilities; food and drink premises and temporary structures (e.g. a marquee for an event)

Leases for a term of up to 50 years will be permissible for three buildings - Kirkbride, Broughton Hall and the Convalescence Cottages, if approved by the Minister

Leases for commercial purposes are permitted but the Minister or GSPT, when making a decision about a lease or licence, must give priority to the lease or licence that is for a 'not for profit' purpose

The restriction on development outside the building footprint or envelope is removed to permit minor improvements such as accessibility structures (ramps or lifts) or safety requirements such as fire access points

A government agency may acquire land under Callan Park for public purposes, such as the proposed underground tunnel for the Sydney Metro



Image source: Friends of Callan Park

# Management of Callan Park



Image source: Friends of Callan Park

## GSPT Board

There will be Board of the GSPT with a CEO and 7 other Board members appointed by the Minister (2-year appointment)

## Plans

The GSPT must develop:

- A Plan of Management for the parks it manages and owns;
- A Consultation and Engagement Framework guiding consultation with the community and visitors and users of the parks. The framework is to be developed within 2 years of the provisions commencing

Both these documents must be adopted by the Minister

## Community Trustee Boards

The GSPT may establish community trustee boards (CTB) for:

- All of the land owned or managed by the GSPT, or
- Part of the land owned or managed by the GSPT, including individual parks

The CTB will:

- Advise the GSPT on matters such as the preparation of the plan of management; proposed new or modified services and facilities; visitor and local issues; and
- Be consulted on reviews to the plan of management and matters of local relevance



Image source: Friends of Callan Park

## Next Steps

Council will make a formal submission to Government by 29 October which will include requests that Government :

Make no changes to the Callan Park (Special Provisions) Act 2002

Commit to no future commercial uses at Callan Park

Opposes 50 year leases (potentially commercial leases) on Kirkbride, Broughton Hall and the Convalescent Cottages;

Retain Council as the consent authority for the parkland

Establish the Callan Park and Broughton Hall Trust

Maintain recreation and open space access to the park



Questions?

INNER WEST



Image source: Friends of Callan Park

# What can you do?

We encourage you to make a submission to the State Government on the Draft Exposure Bill

- Online using the link:

[www.dpie.nsw.gov.au/premiers-priorities/great-public-spaces/open-space/50-year-vision-for-greater-sydney-parklands/draft-exposure-bill](http://www.dpie.nsw.gov.au/premiers-priorities/great-public-spaces/open-space/50-year-vision-for-greater-sydney-parklands/draft-exposure-bill)

Feedback needs to be submitted by **11.59pm on Friday 29 October 2021**



Image source: Friends of Callan Park

