

Second Reading

The Hon. PENNY SHARPE (Parliamentary Secretary) [5.43 p.m.]: I move:

That this bill be now read a second time.

The National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2010 will enable the revocation of land from Gwydir River and Beni State Conservation Areas for the purpose of allowing safety upgrades to public infrastructure. The bill will also make an amendment to the Native Title (New South Wales) Act 1994 to ensure that native title rights and interests existing in relation to the revoked land are protected. To ensure that national parks and nature reserves are protected in perpetuity revocation of land reserved under the National Parks and Wildlife Act 1974 requires an Act of Parliament. This is an important aspect of the national parks system because it ensures that our natural and cultural heritage is protected for future generations. Any changes to that status are subject to the scrutiny of the parliamentary process.

In some instances the boundary between national parks and adjoining infrastructure such as roads or dams prevents essential upgrades of this infrastructure, and boundary changes are necessary. The revocation of lands generally will be undertaken as an avenue of last resort and will involve compensatory land being added to the reserve system that is of equal or greater conservation value. Gwydir River State Conservation Area is located about 35 kilometres south-west of Inverell, in northern New South Wales, and was reserved in 2005. Copeton Dam lies directly to the north of the reserve. The dam's current spillway was designed in the 1960s to accommodate the probable maximum flood. However, recent revisions to rainfall intensity estimates and potential impacts of climate change identified risk from extreme rainfall events. The risk is considered too great according to the standards set by the Dams Safety Committee under the Dams Safety Act 1978.

To make the dam safe State Water needs to build an auxiliary spillway providing an emergency flow path from the Diamond Bay area of the dam to the Gwydir River downstream of the dam wall. This was identified as the most technically appropriate, least environmentally impacting and most cost-effective of the options considered. Such a spill would flow into Gwydir River State Conservation Area. To allow this to happen 144 hectares needs to be revoked from Gwydir River State Conservation Area. The proposal will have a net conservation gain. The land to be revoked is downstream of the dam wall, has recently been logged, and was impacted on by the construction of the dam before the land was reserved in 2005. To offset the loss of land from the State conservation area State Water will transfer land of equal or greater conservation value to add to Gwydir River State Conservation Area.

The bill makes an important provision to ensure that adequate compensatory land is added to the reserve system. Under the bill the revocation of the 144 hectares required to enable the upgrade of the dam cannot occur until the Minister is satisfied that the offset land is of equal or greater conservation value. The bill also proposes to revoke land from Beni State Conservation Area to allow the upgrade of the intersection of Bootherba Road and the Golden Highway west of Dubbo. This is a much smaller area, of only about one and a half hectares. Beni State Conservation Area is located 15 kilometres north-east of Dubbo and was reserved in 2005. It comprises two parcels of land, the smaller of which lies adjacent to the intersection of Bootherba Road and the Golden Highway. Dubbo City Council secured \$1.4 million in funding through the AusLink Strategic Regional Program to upgrade and realign the intersection to improve safety.

Bootherba Road forms part of a northern freight vehicle route which bypasses the Dubbo city centre and links the Golden Highway, Newell Highway and Mitchell Highway to the west of the city. Upgrading the intersection will enable B-double trucks to use Bootherba Road to access Troy industrial area, thereby reducing the distance trucks travel by five kilometres and keeping unnecessary traffic out of the Dubbo city centre. Most importantly, it will mean greater safety for the people who use these roads. The proposal will also have a net conservation gain. The land to be revoked contains disturbed forest located at the corner of the small portion of Beni State Conservation Area adjacent to the Golden Highway. To offset the loss the council has agreed to transfer eight hectares of high conservation value land to Beni State Conservation Area. This land is currently an unused public road reserve which passes through the large portion of Beni State Conservation Area. The road reserve is not required as other existing roads service the area. I commend the bill to the House.