

Agreement in Principle

Mr JOHN AQUILINA (Riverstone—Parliamentary Secretary) [10.00 a.m.]: I move:

That this bill be now agreed to in principle.

This bill proposes to revoke six small parcels of land, totalling 981 square metres, from Broken Head Nature Reserve. This will enable the land to be transferred to the traditional owners of the land, the Bundjalung people of Byron Bay—the Arakwal people—as part of an Indigenous Land Use Agreement with the New South Wales Government. To ensure that national parks and nature reserves are protected in perpetuity, lands reserved under the National Parks and Wildlife Act 1974 may not be revoked except by an Act of Parliament. From time to time circumstances arise that require the revocation of lands reserved under the National Parks and Wildlife Act. The revocation of lands will generally be undertaken as an avenue of last resort and only where appropriate.

Broken Head Nature Reserve lies adjacent to Broken Head Caravan Park. Over time, these small parcels of land have inadvertently become part of the well-established camping area located in the caravan park. This is a very minor revocation proposal. Broken Head Nature Reserve is a 98-hectare reserve located five kilometres south of the Byron Bay township. It is one of the Byron Coast group of nature reserves that, along with Brunswick Heads and Tyagarah nature reserves, contribute to the unique natural character of the Byron Bay area. The nature reserve is bounded by Broken Head Caravan Park to the north, the Pacific Ocean to the east, Seven Mile Beach to the south, and Seven Mile Beach Road to the west. It protects extensive areas of littoral rainforest, brush box, forests and woodlands, and headland grasslands. It has steep headlands, small coves and beautiful beaches. The area is culturally significant to the Bundjalung people of Byron Bay.

The Indigenous Land Use Agreement between New South Wales and the Bundjalung people of Byron Bay—the Arakwal people—was signed on 20 December 2006. Under this agreement, the Bundjalung people of Byron Bay—the Arakwal people—will surrender any potential native title in the lands and waters in the area around Broken Head, and approximately 70 hectares of Crown land will be added to the national parks system, namely, additions to Arakwal National Park, Broken Head Nature Reserve and Cumbebin Swamp Nature Reserve. Also under the agreement, Broken Head Caravan Park, which is Crown land lying to the north of the nature reserve, will be transferred to the Bundjalung people of Byron Bay—the Arakwal people.

This outcome is good for Aboriginal communities and for conservation of the State's natural and cultural heritage. It will create employment opportunities for local Aboriginal communities and improve caring for country opportunities through co-management of national parks and reserves. It will also complement existing tourism and recreation in the iconic Byron Bay area. Over the years, since the nature reserve was established in 1974, the caravan park has inadvertently encroached on the nature reserve in six separate areas, totalling 981 square metres. These small parcels of land are now well-established camping areas and have negligible conservation value for the nature reserve. Under the agreement, the Bundjalung people of Byron Bay will maintain ownership of the caravan park for a minimum of 10 years. A covenant on the land title will ensure that it remains a caravan park in perpetuity.

This proposal is essentially a minor boundary adjustment and must be considered in the wider context. These small encroachments, in six separate land parcels, totalling only 981 square metres, make up only 0.1 per cent of the entire nature reserve. It is also important to note that this stage two Indigenous Land Use Agreement with the Bundjalung people will deliver the addition of more than 70 hectares of Crown land to national parks and nature reserves in the area. This agreement is the second of its kind in Byron Bay. The first Indigenous Land Use Agreement was signed in 2001 and resulted in the creation of the Arakwal National Park. This was the first such agreement in Australia that created a national park, which is jointly managed by the National Parks and Wildlife Service and the Bundjalung people of Byron Bay.

In recognition of its success and significance, the New South Wales Government and the Bundjalung people of Byron Bay were honoured with an award from the World Conservation Union for distinguished achievements in wildlife conservation and for joint management of the Arakwal National Park. The revocation of these small parcels of land from Broken Head Nature Reserve and transfer to the Bundjalung people of Byron Bay—the Arakwal people—as part of Broken Head Caravan Park, will enable the implementation of the stage two Indigenous Land Use Agreement and support further Aboriginal co-management of national parks in Byron Bay. I commend the bill to the House.