



## NSW Legislative Council Hansard

### National Parks and Wildlife (Adjustment of Areas) Bill

Extract from NSW Legislative Council Hansard and Papers Wednesday 5 April 2006.

#### Second Reading

**The Hon. TONY KELLY** (Minister for Justice, Minister for Juvenile Justice, Minister for Emergency Services, Minister for Lands, and Minister for Rural Affairs) [4.45 p.m.], on behalf of the Hon. Ian Macdonald: I move:

That this bill be now read a second time.

I seek leave to have the second reading speech incorporated in *Hansard*.

#### Leave granted.

This bill proposes the revocation of approximately 1,000 hectares of the Bargo State Conservation Area at Hill Top in the Southern Highlands and vesting that land as part of the corporate lands vested under the Sporting Venues Management Act 2002 in the name of the Minister administering that Act, namely the Minister for Tourism and Sport and Recreation.

Also included in the bill is an amendment to the Sporting Venues Management Act 2002, the main variation being to amend Schedule 1 to incorporate the land being excised from the Bargo State Conservation Area. The Department of Tourism, Sport and Recreation will develop the site as the Southern Highlands Regional Shooting Complex.

The state conservation area land to be revoked is presently under the care and control of the Minister for the Environment, the responsible Minister for the National Parks and Wildlife Act. In outlining these proposals, I am doing so with the full agreement of my colleagues, the Minister for Environment and the Minister for Lands, who have been consulted on the draft bill.

The Hill Top Rifle Range is presently an existing range located in the Bargo State Conservation Area. It comprises a single 800 metre full-bore range. It is licensed from the National Parks and Wildlife Service Division, Department of the Environment and Conservation to the Southern Highlands Rifle Club until 2008. There are 6 other clubs in the region that will be consolidated to operate at this new facility.

The location of recreational and competitive shooting sites is, reasonably, a matter of which the community has a high interest. Large tracts of land are needed to allow for the varying shooting disciplines, including surrounding safe areas and configured land improvements to capture stray projectiles.

It is important that the shooting clubs continue to be provided with access to safe and well regulated sites. Consistent with the objectives of the States Shooting Club Development Program, one significant means of providing infrastructure support is through the development of regional shooting facilities and to consolidate ranges that are threatened by urban encroachment or environment issues. This approach also provides long term security of tenure for shooting clubs.

It is sound policy to bring the various shooting disciplines together in appropriate sites. Well governed regional committees can oversight, manage and promote their sport in a controlled environment and in accordance with lease, firearm licence and compliance requirements.

Bringing multiple shooting clubs and disciplines together frees up or reduces demand for other large tracts of land for shooting facilities. It also provides greater levels of certainty for shooting clubs whose current tenure is not secure and provides options for clubs whose current sites may not be appropriate.

Discussions facilitated by the Hon John Tingle MLC to identify a suitable site to establish a regional shooting complex were held with a number of Government agencies and the key shooting club stakeholders in the Illawarra, Shoalhaven and Southern Highland areas. Seven Clubs expressed interest. They are the Southern Highlands Rifle Club, Illawarra Regional Shooting Association, Illawarra Service Rifle Club, Kiama-Albion Park Rifle Club, "74" Pistol Club, Phoenix Pistol Club and Illawarra Branch, Sporting Shooters Association of Australia.

The present Hill Top Rifle Range site was identified with the best potential to be developed as a regional shooting complex for these Clubs. The proposal is to develop the existing site (800 metre full-bore range) by providing an additional rifle range (500m x 100m) and a pistol range (50m x 100m) along with basic infrastructure facilities. These disciplines cannot be conducted on the current full-bore range.

Funds for the regional shooting complex development have been allocated through the Department of Tourism, Sport and Recreation's Shooting Club Development Fund. The total site would allow future development possibilities to incorporate other shooting disciplines.

In terms of conservation values, the site for the proposed regional shooting complex supports primarily sandstone vegetation communities that are well represented in the vast reserves that surround Sydney. A large part of the site, approximately 80%, will remain vegetated and act as a safety envelope for the shooting complex once it is established. Vegetation clearance should not disturb glossy black cockatoo habitat or individual plant specimens.

In respect of Native Title issues, the Crown Solicitor has advised the Government that the Bill before the House needed to vest the land in a relevant body in order to be valid under the Commonwealth Native Title Act 1993. The proposal to vest the land under the Sporting Venues Management Act satisfies the requirements for validity under the Commonwealth Act, and the "right to negotiate" regime in the Commonwealth legislation will not apply to the vesting.

The bill therefore provides that native title rights and interests existing in relation to the land detailed in the Schedule immediately before the revocation or reservation are not extinguished.

My colleague, the Minister for the Environment, can assure the House that the Department of Environment and Conservation carefully considers all alternatives to the revocation of land and their merits before revocation of land from a reserve may be considered. To off-set the excision from the Bargo State Conservation Area, the bill proposes to reserve certain Crown land to establish a new Bargo River State Conservation Area and the Yengo National Park.

A further addition of the crown land currently leased to the Illawarra Regional Shooters Club will also occur to the Dharawal State Conservation Area via gazettal action at a subsequent point. The total yield of Crown land to the state conservation reserve will be approximately 2,831 hectares, well compensating the loss from the Bargo SCA.

The Minister for the Environment is able to confirm for the House the conservation benefits that the compensation package will provide to the State. I offer this advice on his behalf to the House.

Firstly, the package includes a Crown land area of 552 hectares that comprises part of the Mellong Swamps, an inholding to the Yengo National Park on the Putty Road. This site is a long standing reserve proposal due to its unique wetland features and value as a fauna habitat. The site had been identified as a possible option to relocate the Phoenix Pistol Club from the Scheyville National Park. The Club however participated in discussions about establishing a regional shooting facility and is now committed to being part of the Hill Top regional shooting complex. This leaves the Mellong Swamps area available to consolidate within the Yengo National Park.

A second parcel of Crown land (1956 hectares) will be provided to allow for the establishment of a new park to be called the Bargo River State Conservation Area. This area provides a crucial stepping stone in the ring of reserved lands around Sydney, linking the Nattai and Blue Mountains National Parks to the Metropolitan Water Catchments in the east. They include the headwaters of the Bargo River and part of the Bargo Gorge system that supports several species of threatened flora and fauna. This addition is part of the Government's "Circle of Reserves" initiatives.

These two additions to the States conservation area holdings will be achieved via the bill. A third addition will be achieved through gazettal once the Southern Highlands Regional Shooting Complex has been completed. The Dharawal State Conservation Area contains extensive areas of upland swamp and is considered to have high conservation value for its biological and catchment protection values. The proposed addition is a crown land inholding of 323 hectares within the existing SCA. Conservation groups have been lobbying for a number of years to have this parcel of land added to the reserve and it has been a long standing commitment of the Government.

This Crown land is currently leased to the Illawarra Regional Shooting Association for the development of a rifle range. The Association has withdrawn their Development Application for the site and will relinquish their lease concurrent with the development of the Southern Highlands Regional Shooting Complex. They will become a welcome partner in the regional shooting complex at Hill Top.

When this land becomes vacant Crown land, it will be available for gazettal under the National Parks and Wildlife Act as an addition to the Dharawal State Conservation Area. This will achieve a long sought after and most welcome upland swamp addition to this conservation area.

The Minister for Lands has endorsed the proposal to transfer the three parcels of Crown Land I have just

detailed to the jurisdiction of the Minister for the Environment for administration as additions to the state conservation areas under the National Parks and Wildlife Act.

I am advised that the Department of Environment and Conservation has carefully considered the revocation and off-set compensation package. They confirm that the proposal is consistent with the principles detailed in their "Revocation of Land" Policy. That Policy requires that the compensatory land should be of greater size than the area of land to be revoked, have similar conservation values and, where possible, be adjacent to the reserve where land is being revoked.

The compensatory lands are nearly three times the size of the excision, have very high conservation values and two-thirds are adjacent to the Bargo SCA.

Additionally, the proposals have been presented to the National Parks and Wildlife Advisory Committee and the Sydney South Regional Advisory Committee. They support the bill and requested appropriate land management initiatives be implemented.

On going management of the site will be a high priority for the Department and the leaseholder. The Government will require that when the Southern Highlands Regional Shooting Complex is constructed, a Range Management Committee - equally representative of all users - is established to plan, coordinate and manage the site. A lease will be negotiated, in consultation with the Department of the Environment and Conservation, between the Department of Tourism, Sport and Recreation and the established Range Management Committee.

One of the responsibilities of the Committee will be to work with representatives of the Department of the Environment and Conservation to prepare a Land Management Plan. The Plan will need to identify the sites natural and cultural values, any threats to those values and appropriate management actions for the site.

This bill seeks to achieve a positive outcome for recreational shooting in the Illawarra and Southern Highland areas that will bring together on one site shooting facilities and ranges within a defined regional area consolidated into a single site. Equally significant, it will yield three highly significant and long anticipated additions to the NSW conservation reserve system. This includes two diverse and productive wetland areas within Dharawal State Conservation Area and Yengo National Park and a key regional corridor link joining the Greater Blue Mountains World Heritage Area to the southern water catchments and through to the Victorian border via the Morton National Park.

I commend the bill to the House.