

14 NOVEMBER 2013

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FERNLEIGH TRACK CONSERVATION AREA PROTECTION BILL 2013

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Bill introduced on motion by Ms Sonia Hornery, read a first time and printed.

Second Reading

Ms SONIA HORNERY (Wallsend) [10.06 a.m.]: I move:

That this bill be now read a second time.

I am pleased to introduce the Fernleigh Track Conservation Area Protection Bill to the House. The bill seeks to ensure that State Government owned land zoned for conservation around Fernleigh track cannot be sold, leased or otherwise disposed of without the approval of both Houses of Parliament. For those members not familiar with the area, Fernleigh Track is a much loved 15 kilometre walking and cycling track that forms part of a wildlife corridor connecting the beautiful Glenrock Conservation Area, Awabakal Nature Reserve and Belmont Wetlands State Reserve. It provides a wonderful setting for residents to walk amongst the bushland and wetlands, and is also very popular with cyclists. It is also home to a number of diverse species of plants and wildlife and has significant biodiversity value.

Section 3 (2) of the bill ensures that the "relevant land, or any part of it, cannot be lawfully sold, transferred, mortgaged, charged, leased or otherwise alienated or encumbered except with the approval of both Houses of Parliament." The purpose of this provision is to preserve the land zoned conservation and ensure that any future attempts to sell it must be approved by both Houses of Parliament. "Relevant land" is defined as land which has been zoned 7 (1), 7 (2) and 7 (3), meaning for primary, secondary or general conservation as listed in the Lake Macquarie Local Environmental Plan 2004, Amendment No. 53.

The genesis of this bill lies in the Government's attempts to sell this land for development purposes, including land at 14 Lonus Avenue, Whitebridge. In what has become a trademark for this Government, it did this with no consultation or consideration of local community concerns. In fact, the first time the community became aware of the Government's plans was when the local school was advised they could no longer park their cars at 14 Lonus Avenue, Whitebridge as it was on the market for sale. What those opposite did not count on, of course, was that community members were both vigilant and enraged when they became aware that two hectares of conservation land had been attached to the sale of this land.

One has to wonder what the local member for Charlestown, Andrew Cornwell, was doing to look after his constituents while his colleagues in Government were busy planning a fire sale not just of residential land but also conservation land adjoining the Fernleigh Track. Ironically, over 50 years ago the land that now makes up the Fernleigh Track was originally slated for development for the East Charlestown Road Bypass Project, but the project was dumped as the land was deemed too environmentally significant to develop. This point seems to have been lost on the O'Farrell Government and local Liberal members.

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The sale of conservation land will pose an environmental risk for both Glenrock State Conservation Area and Awabakal Nature Reserve and detrimentally impact on the historical elements of the former Burwood Colliery. Enacting this bill will preserve the natural environment, landscape and character of the area. After a public rally by local residents opposing the sale of the land in April this year, the State Government was forced to abandon the proposed auction of the land at 14 Lonus Avenue, Whitebridge. However, the sale of other parcels of land, which included conservation land, was proceeded with by the State Government.

As I mentioned earlier, the people who live in this area have shown strong views on this issue and robust support for the introduction of this bill into the Parliament. I have consulted with residents in order to gauge an appropriate response to ensure preservation of this important public land. It is an important asset for the area and clearly means so much to the residents. Local residents, the Federal member for Shortland, Ms Jill Hall, and the Lake Macquarie City Council have all voiced their outrage at the proposed sale of this land. Community groups have been established and petitions circulated that show strong public sentiment to keep conservation land in public hands. In particular, environmental scientists have raised concerns about the effects on biodiversity if conservation land adjoining the Fernleigh Track is transferred to private hands.

The local council has received applications for rezoning to residential private land that adjoins the Fernleigh Track presently zoned conservation. The Lake Macquarie Council has shown significant support for this bill, with councillors and the mayor publicly offering support. Councillors from the neighbouring Newcastle City Council have also indicated support for preserving this parcel of precious land. This widespread support shows the significance this area has not only for residents in the immediate area affected but also for people from all around Newcastle and the Hunter Valley who regularly use this space. Many residents in my electorate of Wallsend join the tourists who travel to view the natural wonders and enjoy this unique track that hugs our beautiful coastline.

The State Liberal member for Charlestown, Andrew Cornwell, has previously stated that he is opposed to the bill and believes that this is a matter for the Lake Macquarie City Council to deal with. He may want to familiarise himself with the issue and the local area a little more closely before making such misleading comments. The member for Charlestown has described this bill as a "useless exercise". This land is owned by the State Government, not Lake Macquarie City Council. More precisely, it is owned by Roads and Maritime Services, and therefore the impetus to rezone the land can only come from Roads and Maritime Services and this Parliament. Under this Government rezoning will not protect the transfer of these lands from public hands to private hands. Certainly conservation zoning has failed to stop this Government from attempting to sell, in some cases successfully, these lands.

If local members, Andrew Cornwell, Tim Owens and Garry Edwards are serious about protecting this important environmental corridor then they will support this bill. Enacting this bill is the only way to protect the transfer of public lands into private hands. This bill does not require funding; it simply requires the will of the local members to protect the land. The key to representing the views of their local community and preventing the sale of land adjoining the Fernleigh Track is bi-partisan support of this bill. I commend this

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bill to the House.

Debate adjourned on motion by Mr Mike Baird and set down as an order of the day for a future day.