

**National Parks and Wildlife Amendment (Reservation of Lot 490) Bill 2015 (Proof)****National Parks and Wildlife Amendment (Reservation of Lot 490) Bill 2015**

Extract from NSW Legislative Council Hansard and Papers Thursday 15 October 2015 (Proof).

NATIONAL PARKS AND WILDLIFE AMENDMENT (RESERVATION OF LOT 490) BILL 2015

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Bill introduced by leave, and read a first time and ordered to be printed on motion by the Hon. Walt Secord.

Second Reading

The Hon. WALT SECORD (Deputy Leader of the Opposition) [10.23 a.m.]: I move:

That this bill be now read a second time.

As the Deputy Leader of the Opposition and shadow Minister for the North Coast, I am pleased to bring before the House the National Parks and Wildlife Amendment (Reservation of Lot 490) Bill 2015. The long title of the bill is "an Act to amend the National Parks and Wildlife Act 1974 to reserve certain Crown Land known as lot 490 as a regional park." The object of the bill is to reserve certain Crown Land as a regional park under the National Parks and Wildlife Act 1974. The land concerned is Crown land located in Kingscliff, Tweed shire, and known locally as lot 490.

On 15 December 2014, I stood on the North Coast with Federal member for Richmond, Justine Elliot, Tweed Labor candidate, Ron Goodman, and Save Lot 490 members, Mr Ron Cooper and Jeremy Cornford, to pledge that Labor would turn lot 490 into a regional park under the National Parks and Wildlife Act. Putting lot 490 into the national parks system would protect it forever. After all, environmental protection is an area in which Labor has left a significant legacy. In New South Wales, there are 850 national parks and reserves, 350 of which were created by former Premier Bob Carr. They range in size from several hectares to Mutawintji National Park, formerly the Mootwingee National Park—a protected national park located in the far west—that covers almost 69,000 hectares. In total, there are more than seven million hectares of land in New South Wales that have been deemed national park or reserve.

Currently, the Tweed shire is home to the World Heritage listed national parks of Wollumbin-Mount Warning, the Nightcap ranges, the Border Ranges and a portion of the Lamington National Park. Those parks are both a source of local economy and local pride to the Tweed shire communities. They also are needed, due to increasing population pressures in the region. Adding lot 490 to the national parks system will be a welcome move on recreational and cultural use levels. Currently, there is a population explosion in the region. The Tweed Shire Council predicts the shire population, which is now approximately 90,000, will increase to 125,953 by 2036. That is an increase of almost 30 per cent, so it is important to protect the remaining coast reserves. I am pleased to introduce this important bill, which will protect the last remaining piece of coastal open space land and wildlife corridor in the Kingscliff area on the North Coast, to the New South Wales Parliament.

The Hon. Dr Peter Phelps: And, just like every other national park, it will end up full of feral animals and feral vegetation.

The Hon. WALT SECORD: I acknowledge that interjection. Sadly, we are talking about only 26 hectares of land, which is hardly a huge area; but it is an important coastal and wildlife corridor in an area that is under enormous pressure from urban growth. To give a comparison, the Barangaroo site in Sydney's central business district [CBD] is 22 hectares, but lot 490 is key and important land between Kingscliff and the Salt resorts. It is a vital green and wildlife corridor between development and more development. As a result, lot 490 has been at risk of unnecessary development for decades. It is time to protect it for the entire community, once and for all. Let me put it clearly: This bill puts a stake through the hearts of those who want to flog lot 490 to property developers. This bill will protect lot 490 forever. This bill will protect this unique piece of land from the white shoe brigade and their property developer mates. This bill will ensure lot 490 will be enjoyed by the entire State of NSW.

Unfortunately, the need for this legislation is urgent because the Baird Government—particularly, The Nationals—clearly has lot 490 in its sights. The Nationals do not want the land to be protected as a national park because that means they will not be able to develop the site. As recently as October 2015, the Baird Government admitted that its Crown Lands office had declared lot 490 as "Government property" on the register of potential properties to sell. Sadly, the North Coast is becoming a developer battleground, with The Nationals and their developer mates on one side and pretty much the whole community on the other. That was evident recently in the battle for the mayoralty of Tweed shire. But The Nationals are beholden to developer interests. The Nationals are doing everything in their power to wrest control of the council away from those who want to protect the unique quality of life on the North Coast.

The Nationals want to build Byrrill Creek dam. They want to rezone the site for the Pottsville high school for development rather than for educational purposes. The Nationals want to see coal seam gas [CSG] and unconventional gas exploration on the North Coast, and The Nationals want to see development on lot 490. That is why they are not removing the exploration licences, despite repeatedly promising to do so. That is why this bill is so important. The National Parks and Wildlife Amendment (Reservation of Lot 490) Bill 2015 will reserve Crown Land known locally as lot 490 as a regional park under the National Parks and Wildlife Act 1974. The New South Wales Parks and Wildlife Service defines regional parks as:

... areas of open space for recreation as well as for conserving fragile ecosystems...

And

... as offering recreational opportunities in or adjoining areas with high current or future recreation demands, whilst also providing conservation benefits.

Clause 1 of this bill sets out the name—also called the short title—of the proposed Act and clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act. Schedule 1 inserts proposed clauses 3 and 4 into schedule 1A to the National Parks and Wildlife Act 1974. Proposed clause 3 gives effect to the object referred to in the overview. Proposed clause 4 enables the description of the land to be adjusted to provide a more detailed description of the boundaries of the land by a notice published on the New South Wales Government legislation website that amends proposed clause 3.

I will now go into the detail of clauses 3 and 4 and their impact in the bill before the House. The land, as referenced in schedule 1, part 3, clause 1 (a), (b), (c), (d) and (e), identifies the land that is to be protected. The area to be protected as a regional park covers both sides of Casuarina Way, beginning north of when the properties abutting Snapper Avenue and Cathedral Crescent conclude, reaching out on either side to the Pacific Ocean on the east and Cudgen Creek on the west. The boundaries continue along the mean high water mark on each respective side, heading generally north. The reservation boundaries conclude at a generally horizontal line between the two points identified in clause 1 (c) and (d). That is, the mean high water mark points bordering the Pacific Ocean and Cudgen Creek nearest 28° 15' 54" S, 153° 35' 4" E and 28° 15' 51" S, and 153° 34' 56" E respectively.

Clause 3 from this section provides a name for the park which, if this bill passes, will become known as Kingscliff Regional Park, and also provides the aforementioned coordinates. However, I think there should be community discussion on the final name of the park. This bill will enable an adjustment of the description identified in clause 3 (1) (a) through to (e) in clause 4 (1). This is to enable the State Government authorities to appropriately amend the specific boundaries to provide a more detailed boundary description.

Clause 4 (2) will ensure that when greater details are provided it will be appropriately gazetted to the community. Clause 4 (3) gives the discretion of this gazetting to the relevant Minister. Clause 4 (4) declares that the Chief Executive of the Office of Environment and Heritage is required to certify in any notice under this clause that the adjustment effected by the notice will not result in any significant reduction in the size or value of national park estate land. Clause 4 (5) restricts adjustments under this clause to within 12 months from when this bill commences. Finally, clause 4 (6) enables the capacity of section 188C to amend boundaries to ensure appropriate management of the land and to ensure road access is not hindered and that existing roads through the identified boundaries are not impacted.

As I said before, the protection provided by this bill is now urgently necessary. Not only is there developer pressure on the site—for example, a number of years ago, Leighton Properties had plans to place 180 units, retail premises, tennis courts, basketball courts, a conference centre and even a bar on this public land—but also, and even greater, is the threat of the circling Nationals desperately trying any tactic they can to avoid protection for this site. At one point, the member for Tweed, Geoff Provest, even proposed a caravan park and a casino. The latest claim by Tweed Nationals member Geoff Provest is that there is an Aboriginal land claim over Lot 490. Again, this is a convenient and completely mischievous excuse, and even conflicting. The Nationals suddenly discover a deep love for native title. If The Nationals are serious about this and any other Aboriginal land claim, as a Government they should press forward to get determinations over such land rather than placing

these claims in a state of limbo.

I believe Lot 490 could be like the more than 25 other national parks and reserves in New South Wales that are managed by or jointly managed with local Aboriginal communities. But that is not the real point of The Nationals. Their real agenda is that they want to kill off Kingscliff's last coastal reserve and wildlife corridor. In this, they have lost touch with the Tweed community and they have lost their sense of balance. Tweed shire residents are not anti-development; they recognise that there needs to be responsible development and they welcome the jobs they generate. But they will not stand idly by while they lose everything that makes the Tweed great.

Kingscliff, and indeed the entire Tweed, is a wonderful part of the world. It is wonderful because of its amazing beaches, exotic wildlife, stunning hills and, most of all, its great people. But The Nationals are, almost literally, like the farmer who kills the goose that lays the golden eggs. We cannot take this wonder for granted. We need to be ever vigilant and protect what it is that makes the Tweed great. Kingscliff has one of the last coastal reserves left and it is our duty to protect it. It is part of the intergenerational estate of New South Wales. Lot 490 is a beautiful part of the world in which we can enjoy nature, local flora and fauna, as it was intended to be enjoyed. The vulnerable glossy black cockatoo, two species of wallaby, blossom bats, native plants and other birds and animals call Lot 490 and its surrounds home. They cannot protect themselves from the greed of developers so it is incumbent on us as legislators and the wider community to protect them through this legislation.

On that note, I wish to thank members of the Tweed community for fighting to save Lot 490. This legislation is their work. I thank them for bringing this important issue to the attention of me and the Parliament. The community campaign undertaken by the Save Lot 490 team is a true story of people power and what can happen when the community does not lie down, roll over and give in to big business and The Nationals. I give credit particularly to Ron Cooper and his team, whose work on this issue has been remarkable. This team of concerned locals has gathered more than 16,000 signatures and has demonstrated the passion the Tweed shire community has for its environment and for protecting Lot 490. It is unsurprising that The Nationals are ignoring the wishes of the community. They have a track record of ignoring locals—no greater example is The Nationals pro-coal seam gas and unconventional gas fracking agenda.

New South Wales Labor stands by the Tweed community on this important issue. I implore The Nationals to follow suit. Certainly, The Nationals' track record on listening to the Tweed community has not been good, and record swings away from The Nationals at the last election reflect growing rejection of The Nationals' "anything for a developer" attitude. The member for Tweed has done nothing to protect Lot 490 from unnecessary development, just as he did nothing to protect the land dedicated for Pottsville High School. The member for Tweed, Geoff Provest, is rolling out the red carpet so that developers can have their way. Indeed, I think the member for Tweed is a lost cause on most issues. He is so steeped now in pro-development tradition—

The PRESIDENT: Order! The member is clearly out of order and he knows that. The member should not make reflections on other members.

The Hon. Dr Peter Phelps: There go three pages of his speech.

The Hon. WALT SECORD: It was actually about six pages.

The PRESIDENT: Order! Then the member would be well advised not to do what he did on a previous occasion.

The Hon. WALT SECORD: Mr President, I listened clearly to your advice and made the necessary adjustments.

The Hon. Dr Peter Phelps: Bring Walt back. What have you done with him?

The Hon. WALT SECORD: The Hon. Dr Peter Phelps should not provoke me. Protecting Lot 490 will by no means undo the damage that The Nationals have caused to the region. Again I implore The Nationals and the other side to save Lot 490 for the vulnerable glossy black cockatoo; to save Lot 490 for the wallabies and the blossom bats; to save Lot 490 for the native flora and fauna; to save Lot 490 for the community that has worked so hard for this. I commend the National Parks and Wildlife Amendment (Reservation of Lot 490) Bill 2015 to the House. I urge Nationals members, in particular, Sarah Mitchell, Ben Franklin and Niall Blair, to support this bill.

The Hon. Niall Blair: Point of order: The member was doing so well with his editing but he knows that he must address members by their correct title.

The PRESIDENT: Order! That point of order has been taken frequently before and it is always upheld.

The Hon. WALT SECORD: On that note, I urge the Hon. Niall Blair, the Hon. Sarah Mitchell, the Hon. Trevor Khan, the Hon. Ben Franklin, the Hon. Duncan Gay, the Hon. Bronnie Taylor and their Liberal Party colleagues

to support the National Parks and Wildlife Amendment (Reservation of Lot 490) Bill 2015. I commend the bill to the House.