

**NATIONAL PARKS AND WILDLIFE AMENDMENT (ADJUSTMENT OF AREAS)  
BILL 2012**

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**Second Reading**

**The Hon. MATTHEW MASON-COX** (Parliamentary Secretary) [12.17 p.m.], on behalf of the Hon. Greg Pearce: I move:

That this bill be now read a second time.

The National Parks and Wildlife Amendment (Adjustment of Areas) Bill 2012 amends the National Parks and Wildlife Act 1974 to achieve a number of positive outcomes for the people of New South Wales, each one balancing protection of our State's environment with the need to support essential public infrastructure development, improve public safety and support economic growth. The first proposal in this bill will give the outstanding conservation values of Berowra Valley the protection that they deserve. It will upgrade the protection of approximately 3,876 hectares of land currently included in Berowra Valley Regional Park, and create Berowra Valley National Park.

The second set of proposals contained in the bill will enable urgent highway upgrades by revoking around 38 hectares of land from reservation under the National Parks and Wildlife Act. This will enable essential safety upgrades to occur on both the Pacific Highway and the Princes Highway without further delay. It was heartening to hear members in the other place support this important issue and acknowledge the need for quick action. The third proposal will correct a boundary error that occurred when the previous Government mistakenly included a quarry in Bogandyera Nature Reserve in 2001. The bill will excise about seven hectares from the park so that the quarry can again be used by Tumbarumba Shire Council as a source of local road repair materials.

The final proposal contained in this bill also involves Bogandyera Nature Reserve. The bill will excise approximately 17 hectares of land associated with an existing fire trail to enable access to the adjoining State pine plantation—an important and sustainable timber source that contributes to jobs that support the regional economy. I seek leave to incorporate the balance of my second reading speech in *Hansard*.

**Leave granted.**

Let me address each aspect of this bill in more detail.

This bill recognises the outstanding conservation values contained within the existing Berowra Valley Regional Park and the desire by many in the community to ensure these values are afforded the highest level of protection. Many dedicated individuals and community groups have spent decades seeking improved protection for this special place and this Government is listening.

Berowra Regional Park is around 20 kilometres north-west of the Sydney CBD and covers approximately 3,884 hectares. Before being reserved under the National Parks and Wildlife Act in 1998, it was managed by Hornsby council. Since then, the National Parks and Wildlife Service and the council have worked collaboratively to manage the park and provide high quality facilities for the community. This first occurred through the Berowra Valley Trust, and more recently through shared management arrangements.

The regional park contains over 500 plant species, including two endangered ecological communities and at least 10 threatened plant species, some of which are only found in this location.

The rich diversity of high quality habitats in the park support many native animal species. Over 230 animal species have been recorded, including 12 threatened species such as the spotted quoll, giant burrowing frog and powerful owl.

In addition, the regional park has important Aboriginal and historic heritage values. The park contains 24 known sites of Aboriginal heritage, with the majority located in valleys, caves and open rock platforms.

Public access in the regional park has been promoted and well managed for many years, with investment in camping facilities, bike paths and picnic areas making it a popular visitor destination.

You might be wondering why it is not sufficient to retain these lands as Berowra Valley Regional Park. A regional park generally protects lands that are in a largely modified landscape which are suitable for public recreation and enjoyment.

It is clear that the level of protection offered by a regional park is not enough to protect the special conservation and community values of this area.

This bill will therefore give the land and its unique values a more appropriate level of environmental and cultural protection.

The Government also recognises the need to maintain and provide for existing recreational activities that were already occurring when the regional park was created back in 1998, and which have continued since then. We are retaining the much-loved Stringybark Ridge sporting and visitor facility.

One of the most popular recreational activities is dog walking. This is an activity that is not appropriate in national parks. Currently, however, leashed dog walking is allowed on specified trails within the regional park. I am pleased to advise that dog walking will continue to be allowed in these existing areas. This will be achieved by retaining the regional park reserve classification over approximately 8 hectares of land where dog walking currently occurs.

The establishment of Berowra Valley National Park will therefore be a win-win for the environment and the local community. Our natural and cultural heritage will be better recognised and protected, and continued access for recreational activities including dog walking will be provided.

The second important set of amendments in this bill involves the excision of approximately 38 hectares of land from reservation under the National Parks and Wildlife Act to enable essential public highway upgrade projects to proceed.

Around half of these lands, about 20 hectares, are necessary to deliver on the Government's commitments to improve road safety, congestion and freight efficiency on the Pacific

Highway. Seventeen hectares will be excised from Broadwater National Park, while 1.5 hectares is required from Yaegl Nature Reserve and 1.2 hectares from Cooperabung Creek Nature Reserve. All of the affected lands adjoin the existing alignment of the existing Pacific Highway.

I would like to take this opportunity to acknowledge the Bandjalang People—the traditional custodians of the land that encompasses Broadwater National Park. The New South Wales Government is currently in the process of negotiating an Indigenous Land Use Agreement with the Bandjalang People in relation to Broadwater National Park.

Upgrading the Pacific Highway is one of the Government's top priorities. Lives depend on it—problems with the highway and the history of deaths and injuries over many years make this abundantly clear.

Last year the Government committed an additional \$468 million to the project, more than making up for the \$300 million cut by the previous Government.

The Government also recognises that the Pacific Highway is not the only road infrastructure requiring substantial investment and upgrade. Previous coronial inquiries have particularly highlighted the need for action along the Princes Highway.

This bill will support that outcome. It will excise approximately 18 hectares of land from Kooraban National Park, adjoining the Princes Highway at Dignams Creek around 20 kilometres south of Narooma. This stretch of road is steep and winding and has a history of fatal collisions.

While the Government is moving to fix the problems flowing from years of neglect it has not forgotten the need to take account of the environmental and community values of these lands.

All lands excised from national parks for highway upgrades will be compensated by the protection of other lands of at least equivalent conservation value. Let me make it clear that we will protect lands that provide like-for-like in conservation value. This will ensure that there is no net loss in such values across the national park system.

The bill will also provide that the lands will not be transferred for the purposes of the highway projects until I am satisfied that appropriate compensation has been received. This is similar to the approach used in previous legislation involving the excision of land from national parks for essential public infrastructure projects.

This is an important provision as it 'locks-in' the Government's commitment to deliver both road safety and environmental improvements. It also means that planning for the Pacific and Princes Highway upgrades can proceed with a high level of certainty and avoiding unnecessary project delays.

The final two proposals in this bill both involve the excision of land from Bogandyera Nature Reserve, located approximately 10 kilometres south of Tumbarumba. The reserve has an area of around 8,700 hectares and was established in 2001.

In the first case, at the time of gazettal a gravel quarry situated on Crown land was mistakenly included within the southern boundary of the nature reserve. Tumbarumba Shire Council had

previously accessed the quarry for materials to be used in local road repairs. The council needs this boundary error to be corrected so that they can again gain access to the quarry.

This is clearly a sensible proposal. The bill simply corrects the mistake of the previous Government. The lands in question are around seven hectares in size and have been highly modified and degraded by the previous quarry operations. They have no conservation value.

I am pleased to advise that the bill provides for these lands to be removed from the nature reserve, to enable Tumbarumba Shire Council to continue to use the quarry. As this was a simple error in the original establishment of the nature reserve, there is no need for compensation.

However, I understand that council has agreed to provide a boundary fence to assist in managing the interface between the quarry and the nature reserve. This is a good outcome and I congratulate the council on its sensible approach to supporting good land management practices.

Finally, in another part of Bogandyera Nature Reserve the bill provides for the revocation of around 17 hectares of land associated with an existing fire trail. This trail requires realigning so Forests NSW can access and harvest an adjoining pine plantation which was planted 16 years ago, before the nature reserve was established.

The access road that was originally used to plant the pine forest has since been surrounded by residential and other development. It would now require road and bridge works to upgrade it to a standard suitable for logging trucks, and this would cause substantial noise impacts and inconvenience to local residents.

It is therefore clearly preferable that use be made of the existing fire trail, which is already disturbed and can be upgraded at lower cost and with less interference to the community.

I am pleased to announce that agreement has already been reached regarding compensation for the excision of these lands from Bogandyera Nature Reserve. A total of 350 hectares at Imerson's Swamp, near Everlasting Swamp State Conservation Area will be reserved under the National Parks and Wildlife Act. A further 300 hectares from within Tumut State Forest will also be transferred for future reservation.

These are significant gains which more than adequately compensate for the removal of 17 hectares from Bogandyera Nature Reserve.

All of the proposals in this bill will deliver good results for the people of New South Wales with very little impact on our national park system. They will support critical improvements to road safety, thereby saving lives. They will also support the sourcing of local materials for road repairs and the delivery of timber from sustainable sources—this is good for regional economies.

Importantly, with the exception of the quarry proposal, all excisions of land from the national park system will be compensated by the protection of other lands of at least equivalent conservation value and of greater size.

I would like to make it clear that the land will not be transferred from the national park

system until the Minister is satisfied that appropriate compensation has been provided. The bill makes clear provision for this, following similar approaches that have worked in previous legislation.

This bill provides sensible amendments to the National Parks and Wildlife Act that balances the importance of preserving high value conservation lands with the need to provide for essential infrastructure that protects public safety, and promotes economic growth and development of our wonderful State.

I commend the bill to members.