



NSW Legislative Council Hansard

National Parks and Wildlife (Further Adjustment of Areas) Bill

Extract from NSW Legislative Council Hansard and Papers Thursday 23 June 2005.

Second Reading

The Hon. ERIC ROOZENDAAL (Parliamentary Secretary) [5.55 p.m.]: 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.

The purpose of this bill is to allow for the upgrade of a major regional road link on the south coast, and the development of tourist facilities in the Wollongong area. To achieve these necessary projects, the revocation of small areas of land is required from two national parks and one State conservation area.

The Department of Environment and Conservation has worked with the proponents of the proposals contained in this bill to ensure the best possible conservation outcomes are achieved. These proposals will deliver a significant public benefit, while at the same time protect and enhance the national parks reserve system.

Revocation of Land Policy

Lands reserved under the National Parks and Wildlife Act may not be revoked except by an Act of Parliament. The situations in which the need for a revocation may arise include boundary errors, boundary encroachments and development proposals that are of public value but are not permissible on land reserved under the National Parks and Wildlife Act.

The proposals contained in this bill fall into the latter category. A thorough assessment of these proposals was undertaken, and it has been determined that they represent the best practical option available to the proponent and the Department of Environment and Conservation.

By way of background, in 2001, the then National Parks and Wildlife Service undertook a review of its revocation procedures to improve administrative and consultative processes. The Revocation of Lands Policy was subsequently developed and adopted in 2002.

The Policy stipulates that where revocation is considered necessary to correct a boundary encroachment or to provide for a development proposal, the advice of the relevant National Parks and Wildlife Regional Advisory Committee and Advisory Council must be sought.

The Revocation of Lands Policy also requires that compensation be sought for all revocations that are necessary to remove a boundary encroachment or for a development proposal that is otherwise not permissible in the national park system. Compensation will generally be in the form of the transfer of land to the Minister for the Environment for subsequent reservation under the National Parks and Wildlife Act. I will elaborate on the details of the compensation packages shortly.

Let me outline the proposals:

Morton and Jerrawangala National Parks

The Roads and Traffic Authority is the proponent for the upgrade of 54 kilometres of Main Road 92 from Nowra to Nerriga. This upgrade will improve the safety and reliability of the road link between Canberra and Nowra, and will substantially reduce travel time between these cities.

Stage one of the upgrade works will require the revocation of less than one and a half hectares of Jerrawangala National Park, at the junction of Turpentine Road and Main Road 92. This work will provide a safer road intersection.

In addition, less than 22 hectares will be revoked from Morton National Park to enable the realignment of the road and the relocation of approximately 15km of Telstra optical fibre cable. Currently, this cable is located within or adjacent to Morton National Park on either side of Sassafras.

As part of the compensation package, the Roads and Traffic Authority has settled on the purchase of a property

of some 24 hectares at Sassafras. This property will be added to Morton National Park. The compensatory land contains moist eucalyptus forest with habitat for numerous threatened species. In addition to its conservation value, the compensatory land will also enhance park and wilderness management and improve public access to Morton National Park.

Further, suitable areas of the existing road reserve will be rehabilitated and also added to the national park system on completion of the road upgrade, subject to the concurrence of the Department of Environment and Conservation.

Consultation

While the National Parks and Wildlife Advisory Council and South Coast Region Advisory Committee do not support the upgrade of Main Road 92, members were involved in developing the compensation and mitigation package. The Committee considers this package to be largely satisfactory and has raised a number of issues, including speed limits.

The Department of the Environment has already negotiated with the RTA to reduce the speed limit from 100 kilometres per hour to 80 kilometres per hour over most of the road, and 70 and 60 kilometres per hour in specific locations. As well, DEC has asked the RTA to source light coloured aggregate to make wildlife more visible on the road at night. DEC will take expert advice from the RTA on detailed designs to reduce potential impacts on wildlife.

Illawarra Escarpment State Conservation Area

Bulli Tops

Turning to that part of the Bill affecting the Illawarra Escarpment State Conservation Area.

Wollongong City Council is proposing revocations from the Illawarra Escarpment State Conservation Area to allow the development of the Gateway tourist project at Bulli Tops, and to permit the upgrade of water treatment infrastructure at Sublime Point which will service the Gateway facility.

The Gateway project is a proposed tourist information facility to service tourists traveling from Sydney into the Wollongong area. The proposed revocation is located along the southern boundary of the existing Horizon's Cafe on the plateau between the Princes Highway and the cliff. For the project to remain feasible, Council requires less than half a hectare of disturbed land to be revoked from the Illawarra Escarpment State Conservation Area to avoid an RTA road reserve.

Wollongong City Council has completed an assessment of the conservation values of the proposed revocation site, and has confirmed that there are no threatened species, or any other significant conservation features present on the site.

Sublime Point

Currently, Council operates sewage and water treatments plants at Sublime Point, that are located within the State Conservation Area. Council intends to upgrade the water treatment plant to service the needs of the new Gateway proposal.

After careful consideration, the Department of Environment and Conservation recommends that the existing and proposed infrastructure be revoked from the Illawarra Escarpment State Conservation Area. This assessment is based on the fact that such uses are inappropriate for a conservation reserve, and given the operational difficulties for the Department and Council in maintaining, upgrading and operating the plant.

The area recommended for revocation comprises:

- the water tank compound with an additional four metre wide buffer around the compound and a five metre wide corridor connecting the compound to the picnic area, total about 1500m²; and
- the sewage effluent tank compound with an additional four metre wide buffer around the compound and four metre wide corridor connecting the picnic area, total about 400m².

As compensation for the revocation proposals, Wollongong City Council has agreed to transfer to the Minister for the Environment, for addition to the Illawarra Escarpment State Conservation Area, two parcels of land at Sublime Point of just over one hectare.

In addition to the compensatory land, Wollongong City Council has resolved to transfer about 92 hectares of Council-owned land to the Minister for the Environment for addition to the Illawarra Escarpment State

Conservation Area.

This transfer is in recognition of the high conservation values of the land and to indicate Wollongong Council's very strong commitment to the conservation of core Illawarra Escarpment lands.

These additional lands will add a number of high value rainforest communities into the reserve system, and will strengthen the integrity of what is a fragmented reserve. By any measure, this is an absolutely clear and comprehensive net gain for nature conservation in the Illawarra region.

Consultation

The National Parks and Wildlife Advisory Council and Sydney South Region Advisory Committee have been briefed and are supportive of the proposed revocations. DEC has also consulted with Wollongong City Council to ensure the construction of the Gateway proposal has no impact on the surrounding State Conservation Area.

Conclusion

The proposals contained in this Bill represent a rational and logical answer for delivering projects of critical public importance, while at the same time protecting and enhancing the State's protected areas system. These proposals have been prepared consistent with the requirements of the Department of Environment and Conservation revocation of land policy.

I commend the Bill to the House.