

NSW Parliament Questions & Answers 20 Dec 2011

1004—CUMBERLAND PLAIN WOODLAND

Ms Faehrmann to the Minister for Finance and Services, and Minister for the Illawarra representing the Minister for the Environment, and Minister for Heritage—

- 1)
 - a) In reference to remnants of critically endangered Cumberland Plain Woodland remnants in Western Sydney, does the Minister for the Environment intend to only spend 25 per cent of the \$530 million Growth Centres Conservation Fund within the Cumberland Plain area of Western Sydney?
 - b) If so,
 - i) What are the reasons for this?
 - ii) Where does the Minister intend to spend the other 75 per cent?
 - c) If not, will the Minister guarantee that all of the \$530 million will be spent to conserve native vegetation remnants within the Cumberland Plain which is the area where the land clearing is occurring?
- 2)
 - a) Has there been a delay in transferring ownership of Shanes Park in Western Sydney to the New South Wales Government?
 - b) If so, why?
- 3)
 - a) Given the extremely high conservation value of the Shanes Park remnant, will the Government conserve it as a Nature Reserve, in the same way that the Cranebrook Cumberland Plain Woodland remnant was recently conserved as a Nature Reserve?
 - b) If not, why not?
- 4) The St Marys Development Agreement 2002 between the Commonwealth Government, New South Wales Government and Lend Lease states that as soon as possible after the 16 June 2003 commencement date that Lend Lease must transfer 900ha of the site to the New South Wales Government to be run as a Regional Park:
 - a) Are only 63 hectare of the 900 hectare in the ownership of the New South Wales Government as a Regional Park?
 - b) Why is the New South Wales Government delaying taking ownership of the other 837 hectare from Lend Lease?
 - c) Is it appropriate for a developer to manage Priority Conservation Land zoned Regional Park?
 - d) When will the remainder of the 900 hectare be transferred to the state and incorporated into the Regional Park?
- 5)
 - a) How does the Regional Park on the former ADI site at St Mary's meet the Office of Environment and Heritage guideline for an offset to be 'supplementary' to the biodiversity that is lost to development on the site when the Regional Park is the remainder of the woodland remnant after the rest is developed?
 - b) Can areas already reserved for conservation be used as an offset?
- 6)
 - a) Has the Minister or Department given consideration to listing remnants of Cumberland Plain Woodland as critical habitat under the Threatened Species Conservation Act 1995 since the ecological community was upgraded to critically endangered?
 - b) If not, why not?

Answer—

I am advised as follows:

- 1)
 - a) No
 - b) Not applicable
 - c) The NSW Government is fully committed to conservation outcomes in western Sydney and will only spend the Conservation Fund outside of this area in the exceptional circumstances stated in the Biodiversity Certification which has been conferred on State Environmental Planning Policy (Sydney Region Growth Centres) in 2007 in accordance with the Threatened Species Conservation Act.
- 2)
 - a) and (b) The Shanes Park land has not yet transferred to the State. The Australian Government's requirements for the transfer are being reviewed by the NSW Government.
- 3)
 - a) and (b) A condition of transfer imposed on Air Services Australia under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 is for the site to be reserved as Regional Park.
- 4)
 - a) There are currently 63 hectares of land gazetted as Wianamatta Regional Park.
 - b) The Development Agreement provides that the developer has the right to put in place easements for essential services through the future Park where this is necessary (i.e. no alternative route possible). The NSW Government will progress the transfer of lands and gazettal when these essential services have been put in place.
 - c) The developer has been the manager of the land since 1999. Over this time it has managed the land in accord with the National Parks and Wildlife Service's (NPWS) Statement of Management Intent, and more recently, in accordance with the adopted Plan of Management for Wianamatta Regional Park.
 - d) The remaining 837 hectares will be transferred in sections as soon as NPWS is satisfied that all necessary easements have been established, and that the developer has met any obligations necessary for transfer.
- 5)
 - a) The former ADI site was rezoned under the 2001 Regional Environmental Plan to allow a mix of conservation and development following extensive environmental studies. The 2003 development agreement also provides the framework for balanced planning outcomes for the site, including consideration of impacts on biodiversity and the establishment of the 900 ha regional park.
 - b) The planning process for the site, in effect, determined that the offset would be the establishment of the regional park.
- 6)
 - a) No
 - b) The Cumberland Plain Recovery Plan states that declaration of critical habitat under the Threatened Species Conservation Act 1995 is not considered a priority for any of the threatened entities in the recovery plan because other measures will be implemented as part of the plan to increase the security of threatened biodiversity through regional conservation priorities.