

## **RESERVES BILL 2023**

### *Second Reading*

Resumed from 11 October.

**MR M.J. FOLKARD (Burns Beach)** [1.32 pm]: I rise in support of the Reserves Bill 2023. This bill will have a small but significant impact in my electorate. The purpose of the bill is to amend various A-class reserves and other conservation reserves in order to facilitate a key government commitment, particularly in my electorate of Burns Beach, to unlock a small local piece of land and to correct some historical local land usage and management inconsistencies.

The bill will excise an area of land previously isolated from Neerabup National Park by Mitchell Freeway and its network to progress the residential development of Catalina Estate in Clarkson. With the extension of the Mitchell Freeway from Burns Beach Road through to Hester Avenue in 2015, a small pocket of land was left on the western side of the freeway and is still part of Neerabup National Park. It is a small piece of land. Although there is a small tuart woodland on the site, the area has been isolated by the Mitchell Freeway extension and is no longer part of a corridor for fauna movement. The area has been impacted by increasing pressures from feral weeds and other fauna, which has degraded the area. The proposed excision is part of long-term land-use planning for the north-west corridor by the Western Australian Planning Commission. The area was previously zoned “urban deferred” by an amendment to the metropolitan region scheme. The MRS amendment was assessed by the Environmental Protection Authority, which supported the proposal for adding uncleared land areas to the national park by way of offsets. The Western Australian Planning Commission facilitated a negotiated planning solution to mitigate the impacts on conservation values from the proposals in the scheme amendment. A negotiated planning solution provided a landscape-scale approach to mitigate the impacts on those conservation values expressed through Bush Forever areas 323 and 322, and Neerabup National Park, which is Bush Forever area 383.

The negotiated planning solution was developed collaboratively by the Western Australian Planning Commission and the seven councils that jointly own the area proposed for urban development—Catalina Estate. This was endorsed by the WAPC back in 2006. Around 23 hectares will be returned to the state by the Catalina Regional Council. This area is designated Bush Forever and will maintain a parks and recreation link between the western boundary of Neerabup and the coast, preserving and enhancing the current natural bushland. Herein lies my dilemma. The area has a small stand of tuart trees; I know that because I can see it from my home and when I walk in the local area with my wife. The developer has kept similar tuart trees in a new wonderful parkland and playground down near the corner of Neerabup Road and Connolly Drive. I hope that they will do a similar thing as it looks wonderful, attracting numerous species of bird and lots of local kids.

Balancing the interests of conservation with the demands of development has always been a complex issue. Land swaps with developers represent an innovative approach to addressing this challenge. By engaging developers in conversations about conservation and the importance of preserving natural areas, it is possible to reach mutually beneficial agreements. Developers often seek land with specific characteristics for their projects, such as proximity to infrastructure or picturesque views. In some cases, these areas may overlap with ecologically significant regions. A land swap involves exchanging a piece of land desired by the developer with an equivalent or better quality parcel of land that holds conservation value. This approach allows for the preservation of natural areas while accommodating development needs. A notable example of a successful land swap in Western Australia is the Ellen Brook Nature Reserve. Developers were interested in land adjacent to the reserve for a housing project. In exchange for the development site, they received land of equal or greater ecological value, ensuring that the conservation area remained protected. This approach is a win-win as it facilitates development without compromising the environment. However, land swaps also come with challenges. Identifying suitable exchange properties and ensuring that they hold ecological value can be complex. There is a need for transparency and public consultation to ensure that conservation interests are protected.

Although the Ellen Brook Nature Reserve is a remarkable case study of local developer land swaps in Western Australia, there are several other examples that highlight the importance of these conservation strategies. Point Fraser is located in East Perth along the banks of the Swan River. For those who do not know, Point Fraser is on the western edge of Heirisson Island. It is another real-life example of a local developer land swap in Western Australia. This case illustrates the importance of preserving natural areas while accommodating development interests. Point Fraser was a disused industrial site with significant redevelopment potential due to its prime riverfront location. For those who can remember, it used to have car bodies and all sorts of stuff dumped in proximity to the river’s edge. However, the area also held ecological significance, particularly as a habitat for local bird species and unique plant life. To balance the conservation interests, a local developer negotiated a land swap with the government. The developer, who planned for mixed-use development, agreed to exchange part of Point Fraser with a piece of land that was less ecologically sensitive. The land provided in exchange was of similar value to the development but held less conservation value. As a result of this land swap, Point Fraser underwent

a transformation into a vibrant urban precinct. The developer's project proceeded as planned, and included residential and commercial spaces. Simultaneously, the natural environment in this area was preserved and, in some cases, rehabilitated. This approach enabled birdlife to continue to thrive, contributing to the region's biodiversity. Point Fraser demonstrates that local developer land swaps can effectively achieve the dual goals of urban development and environmental conservation. This is important. The success of this initiative not only enhanced the ecological integrity of the area, but also contributed to the development of a beautiful riverfront space that residents and visitors can enjoy.

The ecological significance of Western Australia's unique flora and fauna cannot be overstated. Personally, I have a passion for our native birds. Every day I am amazed by the little djiti djiti or willie wagtails that surround the area in which I live. Our region is home to the most diverse range of endemic species in the world. Our vast landscapes and climate have given Western Australia an astonishing array of life forms, from our iconic kangaroo species to our striking wildflowers and, my favourite, our birdlife, whether it be our iconic wrens or djiti djiti, our parrots or the osprey that fly along our coastline. Expanding national parks and enhancing our preserved bushland is critical to protecting our rich biodiversity. These areas serve as sanctuaries to our native species, some of which are found nowhere else on earth, such as the numbat, a small marsupial that can be found only in Western Australia. These national parks act as refuges, allowing these species to thrive in their natural habitats without the threat of habitat destruction or pollution.

One compelling example of the importance of national parks and conservation efforts in Western Australia is the Shark Bay World Heritage area. It is beautiful. This unique coastal ecosystem boasts extensive seagrass meadows that in turn support a significant population of dugongs. The bay is also a critical habitat to various species of fish and maritime birds. These interconnected ecosystems not only support local wildlife but also have far-reaching ecological implications. The expansion of national parks in Western Australia provides the opportunity to create larger, more connected habitats. Fragmented ecosystems are more vulnerable to the impacts of climate change, invasive species or habitat degradation. Larger intact areas offer more resilience to these threats and allow species to adapt to changing conditions. This reflects the small piece of land I referred to at the beginning of my speech that is located on the corner of the freeway and Neerabup Road. It is small, but it is isolated.

Furthermore, national parks offer educational and recreational benefits and provide opportunities for people to connect with nature, learn about the environment and enjoy outdoor activities, like hiking, camping and, my favourite, birdwatching. The economic advantages of promoting ecotourism and outdoor recreation cannot be understated as they generate revenue for our local communities and create jobs. Evidence of this is the biodiversity and richness of Yellagonga Regional Park and Neerabup National Park in my local area in the northern corridor. Biodiversity is not just a matter of aesthetics or ecological concerns; it plays a vital role in maintaining the health of ecosystems and our local community. As a whole, there is a need for biodiversity in both bushland and coastal areas in Western Australia. That cannot be overstated. Bushland biodiversity is crucial for several reasons. First and foremost, it supports a wide range of native species. Our diverse species include everything from our iconic kangaroos and wallabies to elusive marsupial moles. I believe there are some of those in Yellagonga park. These species play a vital role in our ecosystem, from seed dispersal to controlling insect populations. In summary, the way in which these moles work is that they dig up the land around where they reside and turn it over. Someone once said to me that they can turn over as much as a tonne of weight in a 12-month period. Moreover, biodiversity in our bushland ensures an ecosystem's resilience. A diverse range of species can adapt to changing environmental conditions. For instance, some plants might be more drought tolerant while others might be better suited to periods of heavy rain. This adaptability is essential as Western Australia faces challenges related to climate change and shifting weather patterns.

Biodiversity in coastal areas is equally significant. Western Australia's coastline extends for thousands of kilometres and coastal regions host a wide array of marine and terrestrial life. Coastal biodiversity includes habitats such as seagrass beds, mangroves and rocky shorelines, like in my electorate, that support a rich tapestry of species. My electorate has a significant coastline. Protecting coastal biodiversity is essential to preserving the health of maritime ecosystems. For instance, seagrass meadows are critical nurseries for fish species and provide food for marine animals like dugongs and turtles, although not particularly down my way, where it is more about creating nurseries for our snapper et cetera. Coastal habitats also protect against erosion and provide recreational opportunities for locals and tourists alike. Furthermore, coastal biodiversity is closely linked to human wellbeing. All of us strive to live closer to water—hello; everyone loves a view! These areas provide resources such as seafood, support tourism and contribute significantly to our community.

Protecting coastal biodiversity is not just an ecological imperative but an important economic one as well. Expanding national parks and preserving bushland in Western Australia is not just about ecological preservation; it has to have economic and recreational advantages as well. These areas provide opportunities for ecotourism and outdoor recreation, and related economic benefits. A good example in my electorate is the dual-use pathway that connects Mindarie to Burns Beach. It runs through an A-class reserve on the western edge of Tamala Park. This pathway

is used by cyclists, walkers, birdwatchers and families—ages both young and old. Thousands of people use this path, which is one of our hidden gems on our coastline. Some of the views that can be found along this footpath are spectacular. The construction of the pathway came about through a hybrid of stakeholders—state government, local governments and developers. I know; I had the headache of trying to get all four of them together!

Ecotourism is a rapidly growing industry worldwide. Western Australia has a wealth of natural assets that can be showcased to a global audience.

[Member's time extended.]

**Mr M.J. FOLKARD:** Tourists are increasingly seeking authentic nature-based experiences. National parks and protected areas offer opportunities for, as I said before, hiking, wildlife viewing and camping. A prime example of this tourism potential is in the Kimberley region of Western Australia. Its rugged landscapes, waterfalls and stunning gorges attract visitors from all over the world. Purnululu National Park is of particular significance to me because my wife worked at the Purnululu primary school. Purnululu is home to the unique Bungle Bungle Range and is an excellent illustration how natural wonders can drive tourism and benefit local economies. National parks and conservation areas create jobs. Rangers, guides and hospitality staff are needed to support visitors and thriving local businesses as tourists seek nearby accommodation, food and services. This economic impact reaches beyond just the parks themselves and positively effects the surrounding communities. We see this with the Yarrowonga Regional Park and Neerabup National Park. Furthermore, access to natural outdoor recreation contributes to the wellbeing of residents and offers opportunities for activities like hiking, birdwatching and camping—I will say it again, birdwatching—that encourages physical activity, promotes mental health and fosters a deeper connection to nature. National parks provide residents with a valuable escape from the stresses of urban life and offer a place to unwind, reconnect to the environment and enjoy the simple pleasures of the outdoors.

Despite the numerous benefits of expanding our national parks, challenges persist when preserving bushland. The most significant challenge is often the conflict between the interests of development and conservation. Developers seek land for various projects, including residential, commercial and agricultural ventures, which overlap the ecological values in significant areas. This conflict breaks my heart. Surely, there must be a way that both sides can win. One of the ways to address this challenge is through the strategic land use planning. Governments and conservation organisations can work together to identify areas of high-conservation value and prioritise them for their protection. In some cases, it may be possible to design certain areas that are off limits to development altogether. We have done that in the northern corridor with Yarrowonga Regional Park and Neerabup National Park. That ensures the preservation of vital ecosystems. Another solution is improved cooperation between developers and conservation groups. By engaging in open dialogue and offering incentives such as the land swaps that we have in this legislation and providing compensation, it is possible to find common ground that benefits all parties. These agreements should be transparent, involve public input and ensure that the conservation interests of the wider community are protected. Additionally, public awareness and education are critical in building support for conservation efforts. When people understand the ecological and economic benefits of preserving natural areas, they are more likely to support and advocate for the conservation initiatives. Environmental education programs, community engagement and outreach efforts play a vital role in fostering this understanding.

In conclusion, the expansion of national parks and the preservation of Western Australian bushland is of paramount importance. These actions safeguard our unique ecosystems, support biodiversity and offer economic benefits through ecotourism and job creation. The need for biodiversity, and bushland and coastal areas is essential for the health of the ecosystem and the wellbeing of our local communities. Overcoming challenges and fostering public support are crucial steps in achieving the long-term preservation of Western Australia's natural heritage. By recognising these efforts and values, we can secure a more sustainable and prosperous future for an ecologically diverse region.

The land swap in my area is small. That came about because it was left out of the realignment of the freeway. It was like a line was drawn on the map to put the freeway there but the small pockets of land on the edges were never addressed when the land was taken for the freeway. That strikes me as lazy. We could have done this 15 or 20 years ago but we did not and the headache we have now is the headache that we have inherited. Hence, the good minister has introduced this legislation. I hope that this small land swap we do will enhance my local environment. It is my understanding that the land swap based on this small piece of land will go down to the coastal regions, which will enhance the biodiversity of the coastal path that I mentioned earlier. That coastal path is used by thousands of people on a weekly basis. I have not seen the figures, but I believe it is counted by a meter. When the developers first developed the area, the land swap was right down on the coast. People can walk there and see osprey and reptiles. Throughout summer, it is very rare that I will not see a nice photo of a really large snake that managed to cross the path and everyone there has seen it. Another thing that has been discovered since the path has been there is a small colony of blue wrens. The only reason they can survive is because of the lack of cats in the area. There are about 15 or 20 wonderful small blue wrens. They are a highlight in the area and it is very heartwarming to see them. With that, I commend the bill to the house.

**MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition)** [1.56 pm]: I rise on behalf of the opposition to speak on the Reserves Bill 2023. I confirm that the opposition will support this bill. I will raise a few questions and issues and I may get slightly sidetracked to some extent. I will raise a few questions during my contribution that the minister might answer during his reply.

The Land Administration Act 1997 affords a high level of protection to crown land that has been reserved as class A nature reserves, conservation parks and national parks. That is a good point. I certainly thank the member for Burns Beach for his solid account of the history of that piece of land up near Neerabup. I was unaware of the Catalina Regional Council, to some extent, until I did some research on this bill. It is quite an interesting concept in some ways because several councils have got together to develop that land and have taken a certain percentage each. I will refer to that later in my contribution.

An act of Parliament is needed to cancel or change a reserve or conservation area, and that is where this bill has come from. Probably the biggest feature for me is the Helena and Aurora Ranges. I recall when I was first elected in 2017, seeing former federal Labor Minister Gary Gray, who was working for Mineral Resources Limited at the time, feature quite often at Parliament House in the courtyard where he talked to members of the opposition and, no doubt, government members because obviously that area contains a very rich iron ore formation. In the second reading speech, the minister said that it is apparently 2.5 billion years old. I did not realise there was anything that is 2.5 billion years old, Minister for Environment, but that is what was said in the second reading speech. Certainly, I was very interested to read that. But I know that it is a very rich iron ore formation. Certainly a pretty strong case was put. The Minister for Environment at the time, Minister Dawson, and his department no doubt have a fair bit of thinking to do about how they reacted to the lobbying from one of Labor's former federal ministers.