

**RESERVES (DAMPIER TO BUNBURY NATURAL GAS PIPELINE CORRIDOR)  
BILL 2002**

**EXPLANATORY MEMORANDUM**

The Bill is to excise areas from two class “A” reserves and a conservation park so that the land can be set apart to accommodate the widening of the Dampier to Bunbury Natural Gas Pipeline corridor.

**Part 1 — Preliminary**

**Section 1 Short title**

This Act may be cited as the *Reserves (Dampier to Bunbury Natural Gas Pipeline Corridor) Act 2002*.

**Section 2 Commencement**

This Act comes into operation on the day on which it receives the Royal Assent.

**Section 3 Definition**

Defines “Commission” for this act as the Conservation Commission of Western Australia established by section 18 of the *Conservation and Land Management Act 1984*.

**Section 4 Plans held in DOLA graphic bank**

Requires that plans referred to in this Act are held in the graphic bank within the Department of Land Administration and are therefore readily available to the public.

**Part 2 Excision of land from reserves**

Pursuant to Section 45 of the *Land Administration Act 1997*, such amendments to these conservation reserves can only be made by an Act of Parliament.

In December 1997, Parliament ratified the *Dampier to Bunbury Pipeline Act 1997 (DBPA)*, which, amongst other things, established the DBNGP corridor and provided for existing and future pipelines to transport gas from the northwest to the southwest of the State.

The majority of the 30 metre corridor between Karratha and Bullsbrook has been subsequently widened to 100 metres to accommodate additional pipelines or the looping of the existing pipeline.

The sections of the corridor that pass through the conservation estate reserves are currently subject to easements created in 1983-4 the time of the DBNGP construction. It is now proposed

to excise them entirely from the reserves, as pipeline activities are considered inconsistent with the designated purpose of the reserves.

The Department of Conservation and Land Management (CALM) acknowledges that the existing corridor should be excised from the specified reserves, as the ongoing pipeline management of the corridor is incompatible with management objectives under the *Conservation and Land Management Act 1984*. CALM has agreed to support the excision of the corridor from the conservation reserves and have the land set aside specifically as a reserve for “Natural Gas Pipeline Purposes” under the management of the DBNGP Land Access Minister. CALM is to provide, on a cost recovery basis, an ongoing environmental monitoring role of this section of the alignment and prepare recommendations to the DBNGP Land Access Minister to facilitate the management of the area from an environmental and conservation perspective.

The Conservation Commission of Western Australia has also agreed to the excisions. The excision of these areas from the conservation estate will facilitate the establishment of appropriate tenure so that rights can be conferred to gas pipeline operators in accordance with the *Dampier to Bunbury Pipeline Act 1997*. This will provide appropriate security of tenure for pipeline operators in which to invest in future infrastructure developments of this scale.

Since the Labor Government has been in office, 4209 hectares have been added to the conservation estate in other areas of the State. A further 614,629 hectares of unallocated Crown land is currently managed by CALM and is proposed to be included in the conservation estate in the future.

#### **Section 5 Reserve no. 27219 (Minyulo nature reserve)**

Removes 6.8555 hectares from Reserve A27219 (Minyulo Nature Reserve) reducing the area of the reserve to 192.9074 hectares.

Minyulo Nature Reserve, located between Cataby and Dandaragan, extends in an east-west configuration and the Minister for the Environment determined on advice from the Environmental Protection Authority, that it was impractical to deviate the corridor route around the reserve.

#### **Section 6 Reserve no. 31809 (Badgingarra National Park)**

Removes 12.799 hectares from Reserve A31809 (Badgingarra National Park) reducing the reserve to 13, 107.7546 hectares. The area being excised from the Badgingarra National Park is already part of the 30 metre wide corridor. The area formerly held as an easement is now being excised.

#### **Section 7**

Removes 268.5813 hectares from Reserve 46122 (Cane River Conservation Park) reducing the reserve to 147,574.4187 hectares. The widening of the corridor adjacent to the existing alignment through Cane River Conservation Park has been accepted as it would be impractical to deviate around this large reserve due to the significant extra distance involved.