



KEMPSEY
Shire Council

DIRECTOR CORPORATE SERVICES REPORT

18th July 2006

**DCS5 GOOLAWAH RESERVE
FILE: 142 & 798 GBS**

SUMMARY:

Reporting on a petition received in support of the Goolawah Reserve being managed by the National Parks and Wildlife Service.



DESCRIPTION:

Council has received a covering letter and petition containing 989 signatures.

A copy of the letters are attached at [\(Appendix C\)](#).

The petition was worded –

"We the undersigned request Goolawah Reserve be managed as a Nature Reserve or Regional Reserve under the care of National Parks and Wildlife Service."

Under the terms of the Forest Agreement for Lower North east NSW, the Goolawah reserve lands, and the lands at Grassy Head/Stuarts Point, were agreed for transfer to the Department of Environment and Conservation (DEC) by the former Department of Land and Water Conservation (DLWC) in July 2002 subject to the consent of Kempsey Shire Council as reserve trust manager in respect of certain portions.

Council met with DEC on a number of occasions to seek clarification of issues such as beach access, access for dogs, boundaries, proposed management regimes, and future requirements for water supply and sewerage disposal.

In 2004 the Department of Lands (DoL) reversed the DLWC's previous agreement to transfer.

The matter was discussed with the Minister for Lands, the Hon. Tony Kelly MLC, during his visit to Kempsey on Thursday, 22nd June 2006. The Minister indicated that the Department of Lands would not be transferring the lands (both Goolawah and the Reserve lands around Grassy Head/Stuarts Point), to the Department of Environment and Conservation.

The Minister expressed the view that his Department was quite capable of managing environmentally sensitive lands given the plethora of environmental legislation, and announced that \$100,000 would be made available for the preparation of Plans of Management for the coastal reserves within Kempsey Shire.

Following the meeting with the Minister, Council convened a meeting with staff from both DoL and DEC (NPWS Division) to clarify the situation for all parties.

In summary, in respect of the lands south of Crescent Head;

- i) the DoL retains "ownership".
- ii) two (2) Reserve areas are under the control of Kempsey Shire as Trustees.
- iii) The Racecourse and Delicate camping grounds, which are part of Reserve 88664 under Councils control, are being managed under contract by Family Holiday Experiences Pty Ltd (5 years from 1st July 2006).
- iv) Other Reserve areas remain under DoL control ie. Council is not the Trustee.
- v) The DoL will undertake a process to prepare Plan of Management for all Reserves in this coastal area.

The petition is indicative of the continuing strong local interest in the Goolawah Reserve lands. The process for the preparation of the Plan of Management will undoubtedly include a public consultation phase, during which the petitioners and other interested community members will be able to contribute.

REPORT IMPLICATIONS:

- ***Environmental***

The Goolawah Reserve area is a beautiful coastal environment which is an important natural asset for the community, both local and regional. A Plan of Management exists but requires review and updating.

- ***Social***

The Reserve is an important public space offering recreational opportunities such as camping, bushwalking, beach access, contact with nature etc. It has aboriginal significance and is a gateway to Limeburners Nature Reserve.

- *Economic (Financial)*

Council's net cost on management of Goolawah Reserve is estimated at \$16,698 for 2006/07.

- *Policy or Statutory*

Nil.

- *Director's Review*

As per report.

RECOMMENDATION:

That Council advise the petitioners:-

- a) that any decision to transfer the Goolawah Reserve lands to Department of Environment and Conservation (National Parks Division) rests with the Department of Lands,
- b) that the Minister for Lands has advised that the lands would not be transferred, and
- c) that the Department of Lands has allocated \$100,000 for the preparation of Plans of Management for all Reserves in the coastal area of Kempsey Shire, including the Goolawah lands.

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G B Snape
DIRECTOR CORPORATE SERVICES