



National Park Estate (Reservations) Bill

Second Reading
In Committee
Third Reading

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NATIONAL PARK ESTATE (RESERVATIONS) BILL

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Second Reading

The Hon. IAN MACDONALD (Parliamentary Secretary) [8.00 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.

I am proud to introduce this bill, which is a key element in a process of forest conservation and reform unprecedented in the history of this State.

This bill brings the total area of new parks and reserves created by this Government, through its regional forest assessment process alone, to more than 1 million hectares.

This is an unparalleled conservation achievement.

This bill delivers to the people of New South Wales an additional 145,000 hectares of national parks and other reserves up and down the east coast.

It also gives additional statutory protection to more than 300,000 hectares in forest management zones in which logging is not permitted on state forests in the upper and lower north east regions.

And it achieves all this without any impact on the timber industry and without any impact on the forest agreements which this Government has forged to give certainty to industry and to ensure the ecologically sustainable management of our forests.

This bill is in many ways the culmination of all the achievements of our forest policy which this Government has delivered on since 1995.

It does not mean that the efforts to improve conservation and management of our forests is complete, but it does mean that this Government has put in place a reserve system, combined with a suite of other forest reforms, which not only increases the immediate protection of significant areas but also improves the way in which forests are managed for their conservation and resource values.

In delivering important conservation outcomes in the northern regions, the bill implements the Government's commitment to complete its assessment of public lands in the upper and lower north east regions of New South Wales, given in our 2001 *Action for the Environment Statement*.

As a result, approximately 145,000 hectares are being immediately added to reserves under the *National Parks and Wildlife Act* in north eastern NSW and in the southern and Eden regions.

This includes transfers from State forest, Crown land (including leasehold land), freehold land, and also transfers from Crown reserve to State conservation area.

I wish to emphasise that the State forest considered for transfer to national park and other reserves was confined to forest management zone 1, 2 and 3A. There are also some small areas of FMZ 7 (non forestry use) and FMZ 8, an interim zoning, which have been agreed for transfer.

Some small areas of forest management zone 3B and 4 within State forests were included in the bill in advance of their transfer to FMZ 2 or 3A.

These areas have been agreed between State Forests and National Parks and Wildlife Service for transfer to FMZ 2 or 3A—but this had not occurred by the time the bill was introduced.

Accordingly, the Government will move an amendment to remove these areas from the bill, to ensure no areas of State forest in which logging is permitted are transferred by the bill.

Logging is not permitted in forest management zones 1, 2 and 3A and, accordingly, timber volumes will not be affected by the outcomes enshrined in this bill.

Therefore the bill fully preserves the regional forest agreements this Government entered into with the Commonwealth, which allows for the upgrading of areas from informal to formal reserve.

Clause 69 of the Regional Forest Agreement for north-east NSW agrees to the enhancement of the reserve system through "the acquisition of private land by voluntary sale, transfers of Crown lands or transfer of land from an existing reserve tenure to one of higher conservation status."

The agreement requires that any enhancements do not "impede the management of State forest lands or the meeting of wood supply commitments in the region".

Consistent with this, the bill does not in any way affect the 20-year wood supply agreements entered into with the timber industry—agreements which provided it with the certainty they had long been seeking and which previous Governments had failed to deliver.

The timber industry is, of course, not the only industry with an interest in the management regimes of public land. This Government is mindful of the potential effects of changes in tenure over public land on surrounding neighbours and on licence holders.

The changes which this bill implements have been undertaken to improve conservation outcomes while taking into account the impact on other users.

The Government's occupational permit task force will consider management issues relating to impacts on licence holders. Any economic and/or social effects of termination on licence holders will, as far as possible, be dealt with on a case-by-case basis through the task force.

It is not the intention of the Government that licence holders be unduly disadvantaged by its decisions.

The role of the task force will be to assess the impact on land-holders of the revocation of occupational permits and permissive occupancies.

The task force will recommend on initiatives to ameliorate impacts such as the acquisition of freehold land and Crown leases that are no longer viable and on compensation for infrastructure that can be used in the management of the park or reserve.

The task force will include a representative of the NSW Farmers Association and will be based on the model effectively used following the upper north east and lower north east decisions in 1998.

The task force will also consider any economic and social impacts, and the amelioration of these

impacts, on occupational permits and permissive occupancies affected by these decisions such as transitional arrangements, fencing and access issues.

This Government has always aimed to achieve a balance with its forestry decisions—to take into account and deal with the issues which all stakeholders have.

That is why we will not allow licence holders to be neglected by this process, and will make every effort to ease the transition from one tenure to another.

I think it is also important to draw attention to the new category of State conservation area under the *National Parks and Wildlife Act*.

This new category of reserve was established with a dual purpose: to protect conservation values while permitting mineral and petroleum exploration and production.

The category of State conservation area has been created to allow for exploration and mining to proceed while also protecting conservation values.

While exploration and mining will require the concurrence of the Minister for the Environment and environmental impact assessments, it is important to emphasise that the Government intends that exploration and mining will occur within State conservation areas.

It is acknowledged that there will continue to be natural areas which have both high conservation values and high mineral value over which the category of State conservation area would still not be appropriate.

State conservation areas are those areas where it has been agreed that it is possible to manage the area for conservation and permit exploration and, if significant discoveries are made, to permit mineral and petroleum production.

If I can deal firstly with the key conservation outcomes on the east coast, in the upper and lower north east regions, the bill provides for the immediate addition of approximately 121,000 hectares to management under the *National Parks and Wildlife Act 1974*.

This is made up of approximately 69,700 hectares in national parks, 3,800 hectares in nature reserves and 47,500 hectares in State conservation areas.

State conservation area additions include both transfers from Crown reserve and the creation of new State conservation areas.

An additional approximate 59,000 hectares will be transferred to the National Parks and Wildlife Service estate after finalisation of discussions with stakeholders, and through voluntary acquisition of Crown leasehold lands by the National Parks and Wildlife Service, bringing the potential maximum reservation to approximately 204,000 hectares.

In the southern and Eden regions, the bill provides for the immediate addition of approximately 24,000 hectares of Crown reserve to management under the *National Parks and Wildlife Act 1974* as State conservation areas.

The bill creates 52 new national parks, nature reserves and State conservation areas and provides additions to 41 existing parks and reserves in the northern, southern and Eden regions.

Furthermore, the bill provides the increased statutory protection of special management zones on State forests under the *Forestry Act 1916*, which I will discuss in more detail at a later point.

This bill gives effect to key aspects of the Government's forest policy, including its commitment to the creation of a comprehensive, adequate and representative reserve system.

The bill also provides for other miscellaneous actions, including revocation of certain State forests in the Sydney and Eden regions for declaration as nature reserves and the transfer of an area in the Eden region to the local Aboriginal land council.

Our success in delivering on this policy is a great achievement for the people—not only of New South Wales but for those beyond our borders. The legacy of this Government's decisions on our forests will be applauded by future generations.

Seven years of forest assessments under this Government has resulted not only in unprecedented levels of scientific and other data, but also in the conservation of more than one million hectares of New South Wales forests.

It has also resulted in a legislative process for ensuring ecologically sustainable forest management through forest agreements and integrated forestry operations approvals.

And it has resulted in 20-year security for the timber industry.

Our aim has been to create a reserve system which is comprehensive, adequate and representative, protecting and conserving the biodiversity of the State's forests through scientific and systematic rather than piecemeal reservation, while at the same time creating viable and ecologically sustainable forest industries.

Central to this achievement has been the *Forestry and National Park Estate Act 1998*. That Act was a major piece of legislative reform which subsequent forestry legislation, including this bill, has been based on.

I am proud that I can set before you this bill which is a key element in such a major undertaking of forest reform.

I now turn to the details of the bill, the object of which is to transfer certain land to the national park estate and to make provision for the transfer of certain land to Aboriginal ownership.

The bill is divided into three parts, which I shall outline to the House.

The first part is the preliminary section, which, among other things, provides for the commencement of the proposed Act on 1 January 2003.

Part 2 deals with land transfers, the details of which are described in the schedules, which I shall discuss shortly.

I draw your attention to clause 11 of the bill, which enables the Director-General of National Parks and Wildlife to adjust the descriptions of land in schedules 1, 2, 3, 4, 6 or 7. These adjustments must be in order to alter the boundaries of the land for the purposes of the more effective management of national park estate land and State forest land and to adjust boundaries to public roads.

Any such adjustment must not result in any significant reduction in the size or value of the land. Adjustments are also authorised in connection with easements.

The Director-General must have the agreement of relevant Ministers to make any changes.

Adjustments must be made before 31 December 2003 or, in the case of an adjustment of the boundary of land adjoining a public road and land described in schedule 4, by 31 December 2007.

Part 3 of the bill covers a number of miscellaneous matters giving effect to the provisions of the bill.

I now turn to the schedules to this bill. Schedule 1 deals with State forest reserved as national

park, nature reserve or State conservation area in the northern region.

Schedule 2 deals with Crown lands that are reserved as national park, nature reserve, Aboriginal area or State conservation area in the northern, southern and Eden regions.

Schedule 3 sets out the lands within State forests that are declared as special management zones under the *Forestry Act 1916* in the northern region.

Schedule 4 sets out the land, whose dedication as State forest is revoked, and is vested in the Minister administering the *National Parks and Wildlife Act 1974* for the purposes of part 11 of that Act in the northern region.

Schedule 5 deals with State forest that are to be transferred to the Eden Local Aboriginal Land Council.

Schedule 6 deals with freehold land vested in the Minister administering the National Parks and Wildlife Act or Her Majesty, reserved as national park or State conservation area in the northern and southern region.

Schedule 7 deals with the revocation of remnant flora reserves in the northern and Eden regions. These are fragments remaining after the transfer of the bulk of those flora reserves to the national park estate by the *Forestry and National Park Estate Act 1998*.

Schedule 8 makes ancillary and special provisions relating to transitional arrangements. These include the exclusion of freehold and certain leasehold interests from the provisions of the bill, except in the case of land that immediately before the commencement of the Act was vested in the Minister or Her Majesty for the purpose of part 11 of the National Parks and Wildlife Act 1974.

It deals with existing interests and gives the Minister administering the National Parks and Wildlife Act administration of those interests where land is transferred to the management of the National Parks and Wildlife Service.

Schedule 8 also contains special provisions with regard to access roads within national parks, nature reserves et cetera.

Schedule 9 amends the *Forestry Act 1916* to provide that a notice declaring an area of State forest to be a special management zone may only be revoked by Act of Parliament.

Schedule 9 also amends the *Native Title (New South Wales) Act 1994* to preserve native title rights and interests in respect of a reservation, dedication or vesting of, or declaration over, land or waters by the operation of the proposed Act.

The assessment process in the east coast forests of this State has been conducted with the participation of stakeholders at every level. It has created unparalleled levels of conservation in our forests while ensuring the viability of ecologically sustainable forest industries.

I commend this bill to the House.

The Hon. PATRICIA FORSYTHE [8.01 p.m.]: It is a pleasure to speak on the National Park Estate (Reservations) Bill because it gives me the opportunity to make some comments on the environmental background to this legislation. This is an important bill, but, as the Coalition said in the other place, we have a great deal of concern about the process that has underpinned it, not with the principles enshrined within it. At the outset may I say that it is an enormous privilege to be the shadow Minister for the Environment—a privilege that would be surpassed only by being the Minister for the Environment.

The Hon. Ian Cohen: Hear! Hear!

The Hon. PATRICIA FORSYTHE: The Coalition intends to address that matter next year. I acknowledge the interjection because I believe all members of this House recognise that the environment is important. It is becoming more and more clear to the Coalition that the public policy decisions taken on the environment are important not only for the current generation but also for future generations. During a period of drought and at a time when serious adversity is being caused by bushfires, the environment is brought into stark focus. All honourable members must stop to consider whether decisions that have been taken in the past and decisions being made at present are in the best interests of the whole community and the future of the environment.

I have been reading with much interest "Blueprint for a Living Continent", a paper prepared by the Wentworth Group of Concerned Scientists and delivered to the Federal Government on 1 November 2002. This is a document of such importance that all members of this Parliament should pay close attention to it. The principles espoused in that paper make it clear that many of the decisions taken in the past will not serve us well in the future. If the environment has been an issue of importance and, indeed, some controversy for many years, it will again be brought into sharp focus in the next Parliament and parliaments of the future because we will have to come to grips with issues that have arisen out of the combination of the drought and other factors—particularly bushfires at this point of time—and all of those factors are relevant to this legislation. My attention was drawn to page 14 of the Wentworth paper, which points out that the reality is simple. The paper states:

... we cannot fix our environmental problems by wishing them away and we can't expect our farmers to pay the full cost of repairing past mistakes. Our nation was built on the back of our rural industries and all Australians have benefited, not just farmers.

I cite that reference as an introduction to the position that the Coalition will take on this legislation. As I stated at the outset, the Coalition does not oppose the bill in principle. The Coalition has a long history of support for the national park estate. The Coalition is proud of that history, which will underpin future Coalition policies. However, having said that, I must say that it is the responsibility of government not only to operate on good principles but also to follow good practices.

The Coalition accepts the proposal enshrined in this legislation to transfer 145,000 hectares of land comprising forests, Crown land, leasehold land, freehold land and Crown reserve land in the upper north-east region, the lower north-east region and the Eden region of New South Wales to the national park estate. However, the process giving rise to the legislation was flawed. I reiterate that the Coalition is not against the principle, and no-one should quote anything in this speech to support a claim that the Coalition opposes the objective of the legislation. However, we are absolutely convinced that the Government got the process wrong. Although this bill relates to national parks, it has been brought forward as a result of the Resource and Conservation Assessment Council [RACAC] process. This bill is the responsibility of the Minister for Planning—a Minister who is said to be impartial in the process—not the Minister for the Environment or the Minister for Forestry. I thank the Minister for Planning's advisers for providing me with an appropriate briefing. I was particular about the questions I asked at that briefing

One question that I asked related to permit holders, those people who had grazing licences, occupational permits to graze. I asked what was the likely number of families impacted by this legislation. I wrote down the answer, and there were two other people present at the meeting. The Minister's advisers told me that they expected the number to be about 35. After talking to the New South Wales Farmers Association and other people with knowledge of and an interest in the area and reading correspondence from people on the North Coast and the Grafton region, it seems that the number is more like 150. That is a fundamental issue because, first, it tells me that the Government does not know the impact the bill will have. Second, it is clear that the Government has not consulted. The Minister said in his speech in the other place that before introducing the bill the Government had not consulted with the people. Its intention is to do so after the bill has passed through Parliament. The Government will then set up a task force, which it claims will be appropriately representative of all the interests.

The Government particularly identified the New South Wales Farmers Association as one of the key groups, as if that is meant to justify the process. The Opposition believes that a better approach

would be to indicate an intention and bring in a draft bill. It has been a longstanding practice to introduce draft legislation as a basis for consultation and then work through the outcomes of the legislation. But the Government should not ask Parliament to pass the bill and then tell the affected people what will happen to them. That is the wrong way around. The Government should take the affected people into its confidence. Shortly, I will read into *Hansard* the views of some of those who will be affected.

While the bill is important to the future of the environment, we must never forget—and it will be a hallmark of my term if I am Minister for the Environment—that the process of dealing with this sort of legislation involves people as well. And this bill impacts on people. When the bill was debated in the other place the Coalition sought three principal assurances. The first was that the part of forest land to be excised from State forests and handed to the national park estate would in no way impact on the 20-year supply of timber under the regional forestry agreements. The Minister for Planning gave that assurance—and that is the key. If that assurance had not been given, many of the principles underpinning the bill would not have been achieved.

The Government gave an assurance. I have now seen the amendments the Government intends to move to correct its mistakes. It did not get it right; I will say more about that later. What does that tell us? First and foremost it tell us that the process was wrong. The claims of the Opposition about the process have been proven by the fact that the Government has had to correct the maps and amend the bill. The assurance given by the Government that the bill will not impact on any timber supplies has proven to be unreliable. Mistakes have been found. That suggests to us that the bill has been introduced in haste.

We also sought an assurance that freehold land would be transferred into the national park estate only by voluntary agreement. The Minister's advisers assured me during my briefing that all of the freehold land that will go into the national park estate has already been purchased by the National Parks and Wildlife Service and it is now only a matter of transfer of title. I put that on the record because it was a matter of concern. Our concerns in that regard have been satisfied. However, the third issue for the Coalition, a matter that has caused us so much concern, is the fact that the bill is being dealt with on 5 December 2002 when two overwhelming events are occurring. Almost 100 per cent of the State and absolutely all of the areas to be incorporated in the National Park Estate (Reservations) Bill 2002 are drought declared. Secondly, on this very day the State is feeling the terrible impact of bushfires. Bushfires have already been through some of these areas and have had a terrible impact on many of the people there. So we are dealing with the bill on what is effectively the last sitting night of the Fifty-Second Parliament.

In the lower House the Coalition spokesperson said that the bill will make very little change but will have a large impact on people. The bill will not impact on the timber supply because the land involved is already in special management zones. It is already land that cannot be logged. It is already in the areas that have been determined to be inappropriate from which to gain timber, for topographical and other reasons. The freehold land has already been purchased; it is a question now of incorporation into a national park. So nothing changes there; it is already effectively in the hands of national parks. What is the only thing left? The impact on those people who have an occupational permit. I want the House to understand that this is about people. Yes, it is a bill about the environment, and environmental considerations are important, but we must never lose sight of what it means when we make decisions, when public policy impacts on individuals. I have a number of letters from people, broadly speaking in the Grafton community, who will be directly impacted by the bill. I thank each of them for their correspondence. I have not asked each of them for permission to identify them by name so I will not, but I will quote from each of them a little of what they say it will mean for them if the bill is passed. The first letter states:

Our family operates a grazing enterprise north west of Grafton, we have our freehold land and we also lease as an Occupation Permit (OP) a large parcel of land on an annual basis from State Forest. The OP lies between the two parcels of freehold.

This is the area that will be particularly affected by the bill. The letter states further:

The recent bushfires burnt 98% of our freehold and OP area, fires from Guy Fawkes and Gibraltar National Parks swept through our place and we are now faced with a lot of hungry cattle, no feed and burnt fences. We lost between 75 and 100 kilometres of fencing and at a minimum rate of \$3,500.00 per kilometre... who will pay? This latest move by the State Government will be the last straw for not only us but many farming families.

No one from government has talked to us about how this will impact on us, they make these decisions and just walk away.

This family has two freehold parcels of land with the leased land in the middle. If we pass the bill tonight, they will have not only hungry cattle, no feed and burnt fences, but also they will have to fence around the leased area because under the changes their cattle will not be able to stray onto the area that will become national park. They will have to retain the cattle on their burnt land without any feed at a time of drought. That will be the consequence if we pass this bill tonight. Another letter states:

Our family will lose the only remaining Occupational Permit when this National Park Estate (reservation) bill is enforced.

This is not new to us, we have lost a parcel of land with every announcement made by the Government since 1995.

They had extensive land and they say:

In 1996 the remaining thousand hectares and the adjoining occupation permit formed a new national park leaving us with a 66 hectare parcel of freehold too small to run cattle on, completely surrounded by national parks and no practical or legal access. This parcel was finally sold to national parks in 1999. We have one remaining occupation permit, it was riddled with forest management zones and just as we have been expecting we are now to be forced from this area.

Indeed, they may well be. Would it not be better if the Government had consulted with them prior to the bill coming into the House so they had some idea of their future? Because tonight, if and when this bill is passed, these people will know that hanging over their heads is an uncertain future. Where do they take their cattle in drought? There is no feed left in most of the rest of the North Coast. The cattle cannot be put on agistment when there is nowhere to put them.

The Hon. Richard Jones: Aren't you going to do anything for the wildlife?

The Hon. PATRICIA FORSYTHE: The Hon. Richard Jones could have been here earlier to hear the first part of the contribution. He might have understood the context in which I am putting this. Another letter states:

Along with the freehold area, parcels of Occupational Permits have always been a part of the Station dating back to the mid 1800's. Due to the long association with the freehold and always being managed as a whole property, the boundary between the lease and freehold is not defined nor fenced.

That clarification is going to be one of the issues because the next step for these people is that they are going to have to fence their property. What does that currently mean? Remember I am putting this in the context of time. For the benefit of the Hon. Richard Jones, who could have been here earlier, I am not saying it should not happen, I am saying that in the context of the drought and the fires and no consultation with these people, this is a very onerous piece of legislation. I quote from another letter I received from an affected land-holder:

The fires, the most severe coming from Chaelundi National Park, burnt 65 percent of our country. National Parks did not contact me or notify me of the approaching fire, the only contact made was after the first severe fire when they asked could they use the Station's airstrip.

We have lost fencing, drafting paddocks, gate posts and who will pay to replace them? The problem is, we put fences up and National Parks burn them down, this is the second time in three years fences have been burnt.

This latest Forest Management Zone Bill is nothing more than a land grabbing exercise by National Parks...

As I said, I am not objecting to the fundamental principles. But to put it into context, the affected people will have to deal with the issue of fencing. In many cases they will have no income. We are in a drought. Many of these people have had to get rid of stock.

The Hon. Richard Jones: We have always had droughts.

The Hon. PATRICIA FORSYTHE: You did miss the beginning of my contribution. I am not disagreeing, I am saying that the timing is wrong. The best thing the Government could have done was to have brought this in as draft legislation. The Government could have left it lying on the table for some time, and consulted first, not get the process the other way round, which is what has happened. These people have no idea about their future. I have already agreed that in the future we will have to change many practices. As I said earlier, I have read what the Wentworth group, as an eminent group of scientists, has said about the direction that we need to take. The need for environmental policy and agricultural policy is an important message we cannot ignore. But, in the process, we should not see everything in black and white but put it in the context of what it means for people on the ground and listen to what these people are saying. Another message headed "Another Blow for Farmers" states:

Notices will soon be sent to 154 farming families on the North Coast telling them to evict their cattle from Forest Management Zones within Occupational Permits (OP), as another 145,000 hectares are added to the National Park Estate.

The Minister's office told me they thought it might have been 35 families. The message that I have received states the number is 154 families. The Government does not know and it has not consulted. We are proud of the 145,000 hectares that might be there; we think it is important to add to the national park, but for goodness sake get the process right. Do not just go on principles, do not just have the Premier out there saying, "Isn't it fantastic we have added yet more land to the national parks", while ignoring the people. I came into this place to make a difference in the lives of people. I cannot just stand by and have people write to me that they have nowhere to take cattle to graze, or no money to rebuild fences that have been lost in fires. People will have to put in fences where they have never had fences because they are about to have a new boundary with national parks. It all has to be put in the context of the current drought. I ask that commonsense prevail. That is the position being taken by the Opposition. As one family wrote to me:

Many of the Forest Management Zones were burnt to a cinder in the recent fires when they ravaged through 470,000 hectares on the far North Coast and Northern Tablelands, nothing survived, flora burnt beyond its liking and the fauna is all gone. Nothing escaped this fire. The forest is silent. Now more of our land has been earmarked for the same type of management that allows this type of destruction to be so predictable.

Turning to management, I am perhaps a little softer than some of my colleagues who will speak tonight on this bill because I understand that there will be seasons when, for a number of climatic reasons, we are going to have severe bushfires. There will be severe bushfires that will ravage the national parks and other areas of the State—that is a given. The Government's argument is—and I do not think the facts in any way dispute it—that there is a culture now in the National Parks and Wildlife Service that is against appropriate hazard reduction and, in particular, hazard reduction where parks adjoin private land-holders.

I am a regular consumer of the New South Wales National Parks and Wildlife Service web site. I particularly like the section headed "Bushfires Summary", and I have been following its updates for weeks. Today we are going to add 145,000 hectares to the national park reserves. As at Tuesday 3

December, for the winter and spring period in an average year, over a five-year annual average, about 84,982 hectares would be burnt as a result of bushfires. How much would have been lost in the months from July to the end of November? It was 353,230 hectares. That is interesting because on 18 November the department was saying it was 359,000. I understand that one cannot be precise and the figures seem to have gone backwards. But the more significant issue is the number of fires that have started in a park and moved outside park boundaries. The five-year annual average is 21. These annual figures include the last bad bushfire year of 1997-1998—the worst year—and the annual average is 21. We were at 45 at the end of spring. Imagine what it will be like at the end of summer.

Fires have started outside parks and have moved into them. I do not want to get that out of balance, but when fires move outside parks, in almost all cases they will move into private land. Those are the sorts of messages we have heard here tonight. As we focus on adding to the national parks we have to ask the question, have we allocated sufficient resources to manage what we have? Have we allocated sufficient resources to be able to properly care for what we have and to deal with it at this most critical time? If we say we have sufficient resources in a normal year, that might be so, but this is not a normal year.

The National Parks and Wildlife Service web site always concludes with some fire fact, such as: Did you know that the National Parks and Wildlife Service is "the primary agency in New South Wales with fire suppression and fire management responsibility for parks and reserves in this State"? Notwithstanding the extreme weather conditions, the service has not been doing a good job. One only has to read what it means for people in the Grafton community who are about to lose their occupational permits. If the people affected were consulted, if they knew more about the declaration than when it appeared in the Parliament, and if the New South Wales Farmers Association and the Forest Products Association, who are both represented on the Resource and Conservation Assessment Council [RACAC], were given precise information about where it was to occur and what would be involved, not merely that it would occur, we could have worked through the process.

The Opposition will move a critical amendment to provide certainty for at least a minimum of three years. The drought may finish tomorrow or at some future time but we must have a starting point for proper consultation. Anything less and the process is flawed, which is proved by the fact that the Government will move many amendments tonight. The Government knows that when it gave a commitment in the other place that no timber supply would be impacted on, it got that wrong. If it got that wrong then potentially other aspects of the legislation could be wrong. If they accept the Opposition's amendment, we will be more than happy to support them at the third reading stage. If not, we will not be able to support the Government at the third reading stage of the bill.

The Hon. MALCOLM JONES [8.31 p.m.]: I oppose the National Parks Estate (Reservations) Bill, the object of which is to transfer certain land to the national parks estate in primarily the north-east region of New South Wales and to provide for the transfer of certain land to Aboriginal ownership. This follows land processed through the RACAC assessment system. One of the main complaints about the bill is a lack of consultation with stakeholders, who have not been informed. A number of families have been affected. Surprise! Surprise! Ever since I have been in this place I have continually drawn attention to the Government's lack of consultation on land tenure.

It seems that the hard lessons learned by the National Parks and Wildlife Service on consultation have not been transferred to PlanningNSW. I have been responsible for massive protests during the transfer of land tenure from one category to another. Generally, the National Parks and Wildlife Service have disregarded them. Over the years I have attempted to access submissions from the public to assess levels of support. Once upon a time this information was available under freedom of information, but some two years ago the current Minister for the Environment refused to grant access to public submissions on the basis that:

... copies of individual submissions could not be released to you as such disclosure may well breach relevant provisions of the Privacy and Personal Information Protection (PPIP) Act.

Because I was not happy with that response I took the matter to the Ombudsman. I argued that

public submissions made to local councils or development applications [DAs] were treated differently. Chris Wheeler from the Deputy Ombudsman's office, who has done a terrific job for the people of New South Wales, extracted the following comments on the National Parks and Wildlife Service:

We drew Mr Gilligan's attention to chapter seven of the *Ombudsman's FOI Policies and Guidelines* concerning rights of members of the public to obtain access to objections or submissions lodged with councils about DA's. As the relevant section observes, the Ombudsman considers that such objections and submissions about DA's should generally be disclosed by councils on request, without the need to lodge an application for such documents under the provisions of the FOI Act.

The NPWS has now written to us advising it has amended its guidelines relating to privacy and the handling of public submissions. Those amended guidelines now assert that confidentiality will generally not be available in respect of submissions received from members of the public about reviews or proposals for NPWS managed lands.

The very subtle and slight changes in the attitude of the National Parks and Wildlife Service to dealing with the general public are most welcome and nice to experience. PlanningNSW can learn from these subtle changes. The public must be consulted, otherwise resentment will grow. We must have the public on side when we make decisions that require large amounts of financial commitment from the public to finance land management on this scale, otherwise funding ultimately will dry up. Many people who have access to, or tenure of, public land or whose land adjoins such land will be affected by any changes in land management. People have tenure of public land that has been drawn into the national parks system. The drought and resulting lack of stockfeed across the State have resulted in notification to terminate access.

Transferring land to the national park estate can create access issues. I canvassed long and hard on that issue at this time last year during debate on the national parks and wildlife amendment legislation. The bill seeks to move a substantial quantity of land into the State's national park estate. This involves transferring State forest, Crown land, leasehold Crown land, freehold land and Crown reserve land. The Government has refused to guarantee that freehold land will not be identified as wilderness. The bill exposes further land to such vulnerability. Some 52 new national parks are being created and additions are being made to existing national reserves and parks, but extra resources for park management are not mentioned. The National Parks and Wildlife Service has a poor management record, especially in hazard reduction, control of feral animals and noxious weeds, and access. However, the more enlightened management practices of the National Parks and Wildlife Service, which are emerging, are promising. I would like the Minister to provide more information about due consideration of these issues.

The National Parks and Wildlife Service has a poor record of hazard reduction. I have quoted figures many times in this House. The National Parks and Wildlife Service has a philosophical reluctance to hazard reduction. Hence, insufficient hazard reduction has been undertaken. A great deal can be done to minimise risk if extensive back burning is carried out during wetter periods to reduce hazardous fuel loads. However, we have had to yield to extreme environmentalist ideology that has contaminated the good management practices of the National Parks and Wildlife Service. The results are there for everyone to see. We often lose sight of the big picture when we talk about bushfires in national parks. The "and Wildlife Service" in National Parks and Wildlife Service tends to be forgotten by some environmentalists. When these bushfires burn, as they are a burning now, implementing hazard reduction practices cannot stop them.

Hazard reduction will minimise the intensity of fire in some areas. If hazard reduction had been undertaken responsibly in the past seven years, we would not be experiencing these catastrophes. Notwithstanding that, we would still have bushfires. Fires kill animals in the most painful way possible. The National Parks and Wildlife Service [NPWS] has a duty of care; it must do the best it can for those animals. The practices employed over the past few years have been totally irresponsible. Given current public opinion, I do not believe that these practices will be allowed to continue in the future, once El Niño moves on and we return to more sane weather conditions.

I have referred to hazard reduction in this place many times. Premier Carr and Mr Debus have been told about this often enough to know better. Anyone who rejects that should check *Hansard* to see the number of questions that I have asked during question time and at successive estimates committee hearings. When I wrote this speech a few weeks ago I suggested that we should pray El Niño would spare us the drought conditions that could quickly create firestorm conditions. Unfortunately, we are currently experiencing the worst firestorms ever. This year will be worse than last year; there is no end to it. I have not been able to spend much time with my bushfire unit, but when the House rises I hope to be able to help out. The firefighters are real heroes. Today is the International Day of the Volunteer. These people do not seek praise, although they deserve it.

Phil Cheney, the Commonwealth Scientific and Industrial Research Organisation's principal scientist and bushfire researcher, has been studying bushfire management for 20 years but land managers do not heed his words. He laments that during his working life he has been trying to persuade people about the need to undertake prescribed burning. He pointed out that when State Forests managed much of New South Wales bush there were regular prescribed burns designed to manage the tree crop effectively, but that certain elements of the conservation and wilderness movement did not believe in man-set fires. That is the source of the problem; it is a political issue, not a management issue, and it is being driven by a ruinous ideology. This State is being burnt to a cinder.

We also have problems with feral animals. General Purpose Standing Committee No. 5 has been involved in a lengthy feral animal inquiry and has produced a substantial report, which I commend to the Government. Sadly, the feral animal situation has reached crisis point. The committee visited constituencies throughout New South Wales and saw the devastation of properties and lives in rural communities. Feral dogs have been the main perpetrators of that devastation. The committee's report into feral animal says it all and contains many recommendations. I urge the Minister for the Environment, the Minister for Planning, the Premier and everyone else to read the report and the recommendations, especially the dissenting report, which was signed by the Hon. John Jobling, the Hon. Rick Colless and me. The report indicates that the feral animal crisis is worsening; it is far from over.

The NPWS must increase its funding commitment to feral animal management. It has the capacity to do so; it is extremely well funded when compared with other government agencies. If it were to focus more closely on this problem, it could target devastated communities. The transfer of land to the NPWS is fraught with danger. The Hon. Patricia Forsythe has eloquently enunciated the potential problems. We would be transferring land into a management system that is beset with difficulties that must be addressed. If they are not, we should not give the service any more land. It is as simple as that. My particular interest is the recreational use of public land. This bill lacks any safeguards for such use. For all of the reasons I and other honourable members have alluded to, I oppose the bill.

The Hon. RICHARD JONES [8.35 p.m.]: As I have said previously, the destruction of the Myall Lakes area by National Lead Inc. brought me into this Chamber. My involvement began about 30 years ago with the Myall Lakes committee. That is when I first met Milo Dunphy and the then Robin Askin—the former Premier later changed his name to "Robert"—told me that I might know something about publishing but I know nothing about politics. It is interesting that I have now come full circle: This will be my last speech on national parks and wildlife reserves. I am sure the Hansard reporters will be happy about that! I have previously shown the House a photograph of New South Wales taken a few weeks ago and one of Australia taken a few months ago. They demonstrate how little is left of our forests, particularly in New South Wales. We must take immediate steps to protect the remainder of the national estate.

The bulk of our forests are in public hands—most of the privately owned forests have been cleared, which is an indictment on those responsible. Far too much forest has been cleared over the years, and most of that clearing has taken place in the past 30 years since I first started campaigning on this issue. I am pleased to say that the Myall Lakes area has been a national park for some years. This bill will add another 69,700 hectares to the national parks system. People are

complaining about these additions for various reasons. They believe that because of the drought we should not be adding land to the national estate and we should not be asking people to take cattle out of national parks. We need areas in the State for wildlife as well as cattle. Cattle are relative newcomers to this country; in reality they are feral animals. The wildlife has been here for millions of years but we are leaving it very little space in which to live. Only about 6 per cent of western New South Wales has been included in the national parks system, which is barely enough to provide refuges in time of severe drought.

An NPWS ranger told me the other day that two months ago he was receiving requests to shoot kangaroos, but over the past two months he had received virtually none because there were no kangaroos left to shoot. The NPWS is relying on those refugia to provide stock for a future return to the natural population level. Cattle and sheep should not be grazing in western New South Wales because the country is too fragile. The return from grazing on land in that area is very small compared to the potential return from tourism. It is about time people woke up to the potential of tourism, particularly if tourists come from Europe. They would be fascinated to see mobs of red kangaroos. They were common 30 or 40 years ago, but they are rare now. Each of those kangaroos is probably worth between \$100 and \$1,000 as a tourist resource. During the 1920s, two or three million koalas a year were shot for the fur trade. No doubt members of the National Party would be involved in that industry today if it were still operating. Koalas were virtually wiped out, and they are now estimated to be worth \$1 million each in tourist dollars.

The Hon. Rick Colless: There are 15,000 koalas in the Pilliga scrub.

The Hon. RICHARD JONES: They would be worth \$15 billion in tourism dollars, I presume. Tourism is the biggest growth industry in Australia. Periodically we have droughts, but the current appalling drought is one of the worst for a long time and seems to be exceeding that of 1982-83, when up to 70 per cent of all kangaroos on the eastern seaboard died. However, the National Parks and Wildlife Service denied that fact in answer to a question I put to it a few days ago. Today the killing quota is much larger than it was 20 years ago. Fortunately we have some remaining refugia, which had been acquired by the service. We desperately need those refugia. I am pleased that the service is not cutting off watering points in those national parks during this heavy drought. If it were, we would have precious few kangaroos left. I hope that the drought will break shortly. A lot of nonsense is talked about the management of national parks. During the parliamentary committee inquiry into feral animals we heard plenty of evidence to the effect that feral animals are controlled much better in national parks than in State forests, land controlled by the Department of Land and Water Conservation or private land.

The National Parks and Wildlife Service has had a lot of pressure placed on it to deal with feral animals. It is spending a lot more money than other government agencies and, I suspect, the private sector with respect to controlling feral animals. It is a nonsense to suggest that when an area is declared a national park it suddenly becomes a haven for feral animals—the animals were there before the area was declared a national park. Hunters have introduced feral animals across the State, including those who benefited by the appalling Game Bill that was passed earlier this year. Pig doggers are introducing pigs, deer hunters are introducing deer—and that is what is causing the problem. I had my eyes opened to the problem in Myall Lakes by one Henry Jones, an old friend of mine. He became my campaign manager in 1972, and during the campaign we achieved a number of firsts that I will not go into at this stage. It is good to know that some remnant areas are in national parks; I hope wildlife will have some refuge in those areas. It is true that the fires that rage through those areas periodically are sometimes caused by lightning strikes and sometimes by motorists throwing cigarettes from their cars—an appalling thing to do.

Reverend the Hon. Fred Nile: Ban smoking in cars.

The Hon. RICHARD JONES: During times of severe fire risk, such as now, people who throw cigarette butts from their car windows should pay a fine. Perhaps the current litter fine should be doubled or tripled—perhaps it should be thousands of dollars instead of a few hundred dollars.

The Hon. Patricia Forsythe: It is a few hundred dollars only because the Coalition amended

the original litter bill.

The Hon. RICHARD JONES: Well, that is good. However, the fine should be a lot more than that. How many of the fires that sprung up instantly yesterday were caused by cigarette butts? Many times I have driven around the city and seen people throw cigarette butts out of their car windows—I am sure the Hon. Patricia Forsythe has seen that too. At night one sees the sparks hit the roadway. Recently in William Street I saw a person throw a cigarette butt out of her window. I opened the door and gave it back to her. She said, "I knew you were going to tell me off about that." I said, "Don't do it."

The Hon. Patricia Forsythe: It can be dealt with as a criminal offence.

The Hon. RICHARD JONES: Yes, especially at times such as this when it can result in the loss of life and property. The issue should be treated far more seriously. Smokers do not think about opening their car window and throwing out their cigarette butts. Smoking is not only a dreadful habit that kills people and causes problems for others—for example, infants—it also causes gigantic bushfires. It is one of those disgusting and disastrous habits that we have grown up with over the past 200 years, which is a pity. Garry West, a former National Party Minister, during a visit to the south, said that he would not add a single stick to the national parks system. The National Party has had an antipathy towards national parks forever. If the National Party had been in government during the past few years we would not have a fraction of the national parks that we currently have. I thank God that the National Party has been only a rump of the Liberal Party—if it had been in power many areas would be logged and not available for national parks. If that were so, we would have far fewer wildlife. Wildlife is under threat across the State.

The National Park Estate (Reservations) Bill creates 69,700 hectares of new national parks—we all welcome that—nature reserves and other informal reserves, which I am sure the community will welcome. However, a handful of anti-national park people will not welcome this bill—but they are a diminishing minority. Regional environment groups and I have a number of concerns about the bill and related policy decisions. Our main concern is the omission from the bill of key parts of the Government's environmental initiatives outlined in its Action for the Environment Statement in June 2001. To be consistent with and implement that statement this bill needs to include the following additional national park reserve outcomes. First, it needs to include the Brigalow Belt South reserve outcomes from the first western regional assessment. I have a photograph that shows that that is one of the last remaining areas and should be protected. Second, it should include the reserve outcomes of the Goulburn subregion of the southern comprehensive regional assessment [CRA] region.

Third, it should include the 14 icon areas under consideration by the Resource and Conservation Assessment Council [RACAC] in the north-east and the full complement of forest management zone [FMZ] 2 and 3A areas, previously agreed by the Government to be of sufficient size and configuration for transfer, including all those that are the subject of objections by the Department of Mineral Resources—that is, approximately 50,000 hectares. The bill is deficient in its provision of security for special management zones. While the bill attempts to provide improved security for State Forest informal reserves FMZ 2 and FMZ 3A by ensuring that the zones cannot be changed without an Act of Parliament, it places little legal constraint on the activities that can occur in the special management zones. Only a government policy decision prevents logging in that zone. Presumably, if the Coalition came to power in March 2003 it would start logging those special management zones.

The Hon. Rick Colless: Not true.

The Hon. RICHARD JONES: Well, the Hon. Rick Colless said that that is true. It is on the *Hansard* record, thank you.

The Hon. Rick Colless: Point of order: I did not say it was true. I said it was not true. The Hon. Richard Jones is verballing me and the Coalition. He is saying things that are simply not true. I ask him to withdraw those untrue statements.

The Hon. RICHARD JONES: I am delighted to withdraw that—I must have misheard him. I am pleased that he said "Not true." The map of the proposed special management zones is inadequate as it does not match the current agreed forest management zone map produced by State Forests in its "North-East NSW Ecologically Sustainable Forest Management Plan 2000". In fact, there are several map sheets from which the entire FMZ 2 and FMZ 3A areas appeared to have been deleted. Curiously, these match the areas where State Forests has been seeking to reopen rainforest for logging by overriding existing government mapping. I have seen an area of rainforest that has been left out. Therefore, I strongly object to this deletion and attempts by State Forests to reopen the existing rainforest mapping. The bill fails to include the upgrading of any FMZ 2 or FMZ 3A areas to flora reserves, despite both the New South Wales North-East Forest Agreement, section 2.3.3 and State Forests own forest management discerning guidelines requiring FMZ 2 and FMZ 3A to be upgraded to FMZ 1, and gazetted as flora reserves wherever possible.

This is the fourth year in which the Government has failed to implement that measure. One has to ask: why? The bill also provides for access roads to be excluded from new parks and reserves. Clause 7 (5) of schedule 8 to the bill requires the granting of a right of way to a land-holder that currently holds a right of way under the Forestry Act. However, this provision should be discretionary as there may be circumstances under which the right of way is no longer appropriate. The definition of "access" in the bill is very broad. Access provisions should apply only to motorised vehicles, particularly in light of the number of wilderness areas that would be affected by this provision. The time limit for amending boundaries, as set out in new section 11, is too long. All boundaries should be finalised within six months of the commencement of the bill and adjustments adjacent to roads after a maximum of 12 months. An Act of Parliament should not be required for changes to special management zones if the level of protection that they afford is improved. Requiring an Act of Parliament for such changes imposes a major administrative barrier.

All areas identified for reservation by the bill are encompassed by occupational permits. Despite the forest agreements for upper and lower north-east New South Wales requiring State Forests to phase out such permits by 1 July 2000, none have yet been phased out. Therefore, the bill should be amended to include the transfer of appropriate areas to FMZ 1 and their gazettal as flora reserves or, at the very least, the bill should specify that a thorough process to upgrade all FMZ 2 and FMZ 3A areas to the highest FMZ category possible should be conducted under the co-ordination of the Resource and Conservation Division of RACAC for completion by June 2003.

The bill should be amended to specify management criteria that include the protection of natural values such as the management principles referred to in section 30G (2) of the National Parks and Wildlife Act; specifically prohibit logging and other timber extraction in special management zones; and allow a special management zone to be amended if the area to be removed from the zone will immediately become a flora reserve—that is, FMZ 1—or reserved under the National Parks and Wildlife Act. The special management zone map should also be amended to put the missing map sheets back in so that the special management zones include all FMZ 2 and FMZ 3A from the SFM plans which have not been otherwise transferred to the National Parks and Wildlife Service estate. The bill should also be amended to identify and include FMZ 2 and FMZ 3A on State Forests purchasers which have since been gazetted as State forests. Proposed section 11 (9) should be amended to allow access roads to be closed where there is no physical means of vehicle access in existence and in use at the time of the commencement of the bill, bearing in mind that those who live in inholdings should have reasonable access.

I welcome these additions to the National Parks and Wildlife Service estate. I am positive that the majority of people in New South Wales, except for a very small rump, would also welcome these additions. It is extremely important that the people of New South Wales have adequate preserved areas to ensure that wildlife in this State does not become extinct. However, I regret that some of the areas that have been totally reserved do not include sufficient habitat to prevent the long-term extinction of some of our more endangered species. I hope that in the future we not only retain these areas for flora and fauna habitat but start reforesting some of the areas that have been unnecessarily cleared. I believe that with proper management we can have good farm production in some of these areas, as well as being able to conserve the flora and fauna of this State. I look forward to that

happening from next March onwards.

The Hon. RICK COLLESS [9.02 p.m.]: There is not a lot of difference between the vision that the environmentalists of this country have and the vision that is held by the majority of people in the Coalition parties, particularly the National Party. While that might surprise some of our colleagues on the crossbenches and their supporters, I believe that that is the case. No-one in this world is more committed to maintaining an environment in a sustainable state than people who work with that environment every day, people who rely on that environment for their day-to-day existence—unlike the people who most often are seen as the strongest supporters of the environment, the environmentalists, who do not rely on the land for their day-to-day existence.

The Hon. Richard Jones: We do.

The Hon. RICK COLLESS: You do not rely on the land for your day-to-day income.

The Hon. Richard Jones: I rely on the land, because I eat.

The Hon. RICK COLLESS: You do not rely on the land for your day-to-day income. The vast majority of people on this earth who look after the resources on a day-to-day basis rely on those resources for their day-to-day income. It is their livelihood. It is what they do for a living. They are not about to suddenly rape those resources into submission. When European farmers first came to Australia they brought with them European farming practices. My ancestors came to this land and they settled some of these properties under various arrangements. Many of them were granted soldiers' settlement leases following the various wars. A condition of those soldiers' settlement leases was that they had to clear the land, otherwise they forfeited it. So what were those people doing that was so wrong? They were meeting the conditions under which they were given that land as a reward for going overseas and fighting for Australia. It was a condition that those people cleared that land. Here we are, three-quarters of a century later, saying that these are the people who have been raping our resources.

It is simply a misnomer to suggest that those people did that knowing that they were deliberately doing damage to the land. It is easy to look back in hindsight, with the knowledge that we now have about land management, and say they did the wrong thing. I, for one, am the first to admit that. My family was part of that, but I make no apology for it because at that time my family was doing the right thing. They were doing the accepted thing. They were doing the thing that was sponsored by government. They were doing the thing that they were expected to do in the interests of this country. I make no apology for it. When I started my working career, I started work as a conservationist. I worked for the Soil Conservation Service for 26 years. I built hundreds of kilometres of contour banks to stop soil erosion. I trained farmers in better farming techniques to stop soil erosion. I believe that the vast majority of farmers have a deep understanding and great knowledge of the way the land works and the processes that occur on the land as they try to eke out a living from it.

Thirty years ago when I started work there was still a fair bit of what we can now loosely call the redneck image—if it grew, people wanted to cut it down; if it moved, they wanted to shoot it. But that was 30 years ago. The farming communities of today have a much greater understanding of the value of natural resources and the importance of managing those resources on a sustainable basis. Things are changing, and things are changing quickly—or they were until about 1995. I wish to share with the House an experience I had in the early 1990s when I was a soil conservationist in the Inverell district. I had a vegetation management program going, without the approval of the department—something I saw as a local need and I was pursuing it on a local basis. My philosophy at that time was that we needed to be careful about land clearing, and we needed to be sure that when we did clear some land we did it in a safe and sustainable manner.

I had an advisory program. I did a few radio interviews and a couple of television interviews, and I put a few articles in the newspaper about the need for better vegetation management. And do you know what happened? Surprise, surprise, I got a lot of response. The farmers in the district wanted to know this information, so they came to me as their advisory officer. I would sit down with them, we would work through some clearing plans, look at the vegetation and soil types, look at the

topography and all the matters that were relevant, and we would map out a plan for them. I would say, "Because of all these factors, you should clear this area but leave those areas," and they responded to that. Then, in about 1996 or 1997, an instrument called State environmental planning policy [SEPP] 46 was suddenly announced in the *Sydney Morning Herald*. After SEPP 46 was announced, all those requests I was getting for advice on vegetation clearing stopped overnight.

Do honourable members know why the requests stopped? They stopped because the farmers were scared witless that, if they talked to me, I would prosecute them. So they just pushed the lot over anyway. That was the wrong result. The legislative process had the reverse effect to that which the Government intended. That is the danger with overregulating our natural resources. We are better off working with people and encouraging them rather than standing over them with a big stick and saying, "You do that or do not do that or we will belt you around the ears with a \$1.1 million fine". I have plenty of letters in my briefcase from farmers who have been threatened by the Department of Land and Water Conservation with a \$1.1 million fine. Guess what farmers do when they receive such letters? They laugh at them. How many farmers do we think have \$1.1 million?

The vast majority of those in the farming industry do not have two bob to rub together at present: they are asset rich and cash poor. They do not have \$1.1 million. That sum is so preposterous that the people who receive those letters laugh and say, "Well, let them come and get it if they can". They know that \$1.1 million could not be collected even if the charges were proven in a court of law—and that has never happened. How do we put natural resource management issues into perspective? I believe we should sit down with all the stakeholders—all the players in the game—and formulate carefully our vision for the future. I put it to the House that my vision for our natural resources is not terribly different from that of the Hon. Ian Cohen. He and I have had this discussion and I think he agrees with me.

The Hon. Ian Cohen: Are you verballing me again?

The Hon. RICK COLLESS: No, I am just saying that I do not think the honourable member disagrees. We both want to see sustainable natural resource management. We want our natural resources to be looked after. That vision must be enunciated. We should not have a vision for the next five, 10 or 20 years; we should have a vision for the next 100, 200 or 500 years. I want to make sure that my kids, their kids and their kids' kids can enjoy the quality of life to which I aspire. We must consider the quality of life issue. What is quality of life about? It is about the sorts of things that we want to enjoy and that we want our families and our communities to enjoy. It is pretty simple stuff.

I bet that if everyone who is in the Chamber at present wrote down their 10 quality of life goals, they would not be very different because, fundamentally, we all want the same sorts of things. I will share my goals with the House. I want to have a nice home, I want to be able to afford to take a holiday each year, I want to be able to educate my kids and I want good health care—they are quality of life goals to which every individual aspires.

The Hon. Jennifer Gardiner: And you want to win the next election.

The Hon. RICK COLLESS: Yes, that is a real quality of life goal.

The Hon. Peter Primrose: We do have a lot in common.

The Hon. RICK COLLESS: We do. If we want to enjoy our quality of life for the next 50, 100, 200 or 500 years we must be able to create enough wealth to support it. We must generate enough income to send our kids to school, to buy them nice clothes so that they are not heckled by their peers, to keep a roof over our heads, to buy food and so on. That costs money. But real wealth is not simply dollars and cents; it is something that money cannot buy. Look around the Chamber. I challenge anyone in this Chamber to point out one thing that is not derived from either mining or primary production. Look at the beautiful timber, the steel in the microphones and the calcite in the statues. Where does it come from?

The Hon. Duncan Gay: What about Henry's wig?

The Hon. RICK COLLESS: That is debatable. Where does the paper in the books and the leather on the chairs and benches come from? All these things are derived from either mining or primary production—agriculture and forestry. Mining and agriculture are the wealth-creating industries upon which our whole society depends for its very survival. We must ensure that our environment is sufficiently looked after and managed so that we can continue to produce beautiful timber, leather, the clothes we wear and the sort of food we ate for dinner tonight. The environment provides the resources upon which our very existence relies. We must enunciate how we want our environment to look in 100 years. I will share with honourable members my personal vision for the environment in 100 years, when my grand-kids are—God help them—as old as I am now.

The Hon. Duncan Gay: In 100 years they will be a bit older than you are now.

The Hon. RICK COLLESS: I did say my grand-kids. We must have healthy soil—that is the foundation of all our production. Our soil must be nutritionally balanced and high in organic matter and in soil-borne biodiversity. Biodiversity and nutritional balance make our soils truly productive. We also want 100 per cent groundcover as protection against erosion. We want biodiversity of our flora and fauna. Our flora should be based on deep-rooted perennial plants balanced with productive annuals that can utilise quickly any available moisture, which often comes in small licks. We must provide a safe environment for our special native animal species as well as for domesticated livestock. Our water resources must be healthy and vibrant. We need a healthy river system, with clean water, sustained flows in even the driest of years and a high level of aquatic and avian biodiversity.

How is that achieved? The argument is not so much about how it is achieved, but about creating goals that we want to work towards. If honourable members got their minds around that concept, I have no doubt that we could move towards those goals with a lot less conflict than we have had in this place. The bottom line is that we must manage and maintain all aspects of our environment in a condition that continues to create the wealth—the leather, timber, wool, cotton, silk, food and calcite or whatever else we need to enjoy our quality of life. I have read several times in this House an excerpt from a book that has a great deal of merit. I have given a copy of that book to the Hon. Ian Cohen. The book from which I quoted, which is entitled *Holistic Management: A New Decision Making Framework*, was written by Allan Savory, who started work as a national park ranger in Zimbabwe about 50 years ago. He states in chapter 5:

In my university training I learned, like all scientists of that era, that large animals such as domestic cattle could damage land. Only keeping numbers low and scattering stock widely would prevent the destructive trampling and intense grazing one could expect from livestock.

Once I left university and went into the field as a biologist, my observations led me to question that dogma. I now defend the exact opposite conclusion. Relatively high numbers of heavy, herding animals, concentrated and moving as they once did naturally in the presence of predators, support the health of the very lands we thought they destroyed. This revelation came slowly and only after experience in a large variety of situations, because herding animals, like others, have more than one behaviour pattern, and the effects on land are often delayed, subtle, and cumulative.

In the mid-1960s Zimbabwe erupted in civil war and I was given the task of training and commanding a tracker combat unit. Over the next few years I spent thousands of hours tracking people over all sorts of country, day after day. This discipline greatly sharpened my observational skills and also taught me much about the land, as although I was hunting humans, my thoughts were constantly on the state of the lands over which we were fighting. I doubt many scientists every had such an opportunity for learning. I tracked people over game areas, tribal areas, commercial farms and ranches, and over all different soil and vegetation types in all rainfalls. Often I covered many different areas in a single day as I flew by helicopter from one trouble spot to the next. Everywhere I had to inspect plants and soils for the faintest sign of disturbance by people trying to leave no hint on their passage.

Gradually I realised that vast difference distinguished land where wildlife herded naturally, where people herded domestic stock, and where stock was fenced in by people and not herded at all. And compared to areas without any large animals, such as tsetse fly areas in which all large game had been exterminated, the differences were startling indeed. Most obvious was the fact that where animals were present, plants were green and growing.

Allan Savory continues:

In areas without animals they were often grey and dying—even in the growing season—unless they had been burned, in which case the soil between plants was bare and eroding and tracking was easy. When I compared areas heavily disturbed by animals, where soil was churned up, plants flattened, and tracking was difficult, it became clear that the degree of disturbance had a proportionately positive impact on the health of plants and soils and thus the whole community.

Savory's work is being adopted by farming communities all around the world—in all States of Australia, the United States of America, New Zealand and South America. It is also being adopted by government agencies in the United States that had previously been locking up land for conservation purposes—as Australia is now doing. Savory's work is being adopted by those agencies concerned about fire risk, in particular, in locked up areas. I refer in particular to areas in California which have been ravaged by fires in recent years, just as Australia has recently been ravaged by fires.

This Government introduced a bill that will ensure that more than 145,000 hectares of land up and down the east coast of New South Wales are not managed. As a result of the provisions in this bill a further 300,000 hectares of land will not be grazed or logged. What impact will that have on the coastal communities that are living in areas where this land will be locked up? What will happen to the quality of life of people such as the Freeman family and Leith Towns and his family in the Clarence area? What emotional impact will it have on them and on their day-to-day operations? I received a letter from the Freeman family, which states:

Notices will soon be sent to 154 farming families on the North Coast telling them to evict their cattle from Forest Management Zones within Occupation Permits [OPs], as another 145,000 hectares are added to the National Park Estate ...

More than half the 154 families are from the Clarence area, the impact will not only affect these families but the whole community, some families will lose two or more Permit areas.

The loss or displacement of around 15,000 head of cattle, the loss of 94,000 hectares of rateable land for Pristine Waters Shire Council, the loss of 110,000 hectares of rateable land for the Grafton Rural Lands Protection board, plus the social and economic turmoil on top of a severe drought and bushfires, makes this a cruel farce.

Other problems and associated costs will be insurmountable, such as defining boundaries, the practicality and cost of fencing and impossible access issues. The question of continuing viability for families with the loss of winter grazing country for breeders and the pressure of having to deal with National Parks, when stock enter their estate, the letters and the threats of prosecution.

Some OPs or Annual Leases have a long history, some dating back to the mid 1800s and these areas formed an important part of the whole property management. Lessees must have done something right with management over the last 150 years as these areas now meet all conservation criteria.

Such letters demonstrate the tremendous emotional impact that this legislation will have on 154 farming families in the Clarence Valley who have been on their land for three to four generations. This legislation will have a severe economic and social impact on those families. Since 1995, 45,000 head of cattle have been removed from those areas. The loss of another 15,000 head of cattle will mean that a total of 60,000 have been taken out of the system. The wealth created by those cattle at the farm gate is approximately \$8 million to \$12 million at early 2002 pre-drought prices, which

are somewhat depressed at the moment because of the drought. In Grafton, the long-term impact of that amount of \$8 million to \$12 million would be of the order of \$50 million annually. Even the most optimistic supporter of the tourism industry would not suggest that tourism could generate anything like that amount of money.

Minister Refshauge said in his second reading speech in another place that timber values would not be affected by the outcomes enshrined in this bill. He emphasised that State forests transferred to national parks and other reserves were confined to forest management zones [FMZs] 1, 2 and 3A. However, I understand that forest management zones 4, 7 and 8 will also be transferred, and that those zones are now producing timber. So what did the Minister mean when he said that? Did he mislead the House? It would appear that he did, given that FMZs 4, 7 and 8 are included for reservation while he said that only FMZs 1, 2 and 3A would be affected.

There are social and economic impacts for these communities. However, the real sting in the tail will be the environmental impact. I want to focus on fuel reduction fire hazard, which has been happening in the area. North Coast forests and northern tablelands forests have been burning since early September, and a tremendous amount of environmental damage has been done, particularly to the native wildlife, because of excessive fuel build-up and no hazard reduction over a long period.

Recently I was in Tenterfield, where many people said to me, "Come out into the forest." And I did. When we walked into the forest it was like a series of black sticks. They said, "Listen, the forest is silent." Those are pretty powerful words. The forest was black and it was silent. There were no birds, wallabies or koalas; there was nothing in the forest except ash. We found one little echidna wandering around. Honourable members who have been in the bush and seen an echidna know that when an echidna senses the presence of people it quickly buries itself in the leaf litter and disappears. This poor little fellow was just walking around bumping into things. He was blind and the end of his snout and his feet were burnt; he was only just alive. That is a fairly horrifying indictment of what national parks are doing to our wildlife.

I spoke to some of the farmers in the area who were rebuilding their fences. They said, "I wouldn't advise you to walk over into that section. It is very high. There are so many dead and burnt animals in there that you can't stand the smell." That is the real impact of National Parks and Wildlife Service management; it is murdering our wildlife. It is not natural and it is devastating. The people who owned the land or ran their cattle on the land previously are absolutely furious that such devastation has occurred through mismanagement since management of the land was taken out of their hands.

Some of the fires were deliberately lit, many were started by lightning and some were prescribed burn escapes. Essentially, the problem is that they burnt because of high fuel levels. It would be a great shame to see the removal of grazing animals from those areas. People like Allan Savory are many steps ahead of the current environmental management of this land. They are setting the way forward for environmental management without the continued dedication of national parks. The mindless blocking out of any grazing animals, based on some ideological premise that it is bad for the environment, is the wrong way to go. We need to open our minds, remove some of our paradigms, remove the blinkers and have a look at a better way of managing the land.

The Hon. IAN COHEN [9.34 p.m.]: I seek leave to table a map I have shown many honourable members. It is called "Additional Areas (Special Management Zones) 2002", and I will seek to incorporate the map into the bill in Committee.

Leave granted.

Map tabled.

The Hon. IAN COHEN: The current bill fails to deliver the outcomes foreshadowed in the New South Wales Government's Action for the Environment Report 2001, and the Australian Labor Party's 1999 election commitments. The area in the bill proposed for current and future reservation in the national parks estate is only 30 per cent of the total unloggable areas that were available for

transfer from State Forests, and which could have been transferred to the national parks estate. New South Wales Government agencies such as New South Wales State Forests and the Department of Mineral Resources have clearly resisted the process from the outset, and the result is an inadequate national park reserve outcome and many significant high conservation areas remaining under State Forests tenure that are not adequately managed for conservation.

This process was a unique opportunity for the New South Wales Government to deliver major conservation gains without affecting timber supply. All the areas that are to be protected under this bill, and that could have been protected under this bill, were not available for logging. Only a fraction of those gains are realised by this bill. While all areas of State Forests are zoned according to their forest management zoning, for the purposes of this speech when I refer to forest management zonings [FMZs] I am referring to FMZs 1, 2 and 3A, which are unavailable for logging. It is absolutely clear that the conservation values of the FMZ 1, 2 and 3A areas warrant their protection in secure national park reserves. Extensive areas of identified wilderness, old-growth forests, rainforest, poorly reserved ecosystems and endangered species habitats are left out of national parks under the current proposal.

The contribution that these areas make to conservation is especially critical because of the position of north-east New South Wales as one of the principal centres of biodiversity and one of the most poorly reserved forested regions in Australia. Many unique and irreplaceable forest areas were identified, by the best science available, for reservation in the forest assessment process in 1998, and are still available for logging or have been logged in the intervening period. Over the past four years State Forests has consistently failed to upgrade the level of protection of unloggable forest management zones in accordance with the Forest Agreement and its own zoning guidelines. Once again, its intransigence has won, over government policy. Similarly, the objections of the Department of Mineral Resources to reservation appear to have been excessive, and have certainly prevented the secure reservation of significant and extensive areas.

The department's widespread objections to all forms of reserve are especially curious, given that State conservation areas legally protect mineral interests. However, it is good to see that this bill improves the security of existing unloggable forest management zones by requiring an Act of Parliament for amendment or revocation. Unfortunately, this still leaves these areas in State Forests' unsafe hands and, the level of protection afforded from most threatening processes is considerably less than that provided by the national parks management. State Forests has consistently failed to manage for biodiversity over its long and sorry history in charge of our public forests. There is no evidence to suggest that it will change now. On the contrary, recent logging in north-east New South Wales has involved flagrant breaches of the logging requirements and resulted in trees many hundreds of years old being logged illegally.

Management of these areas for conservation is essential. Responsible management to control feral animals, weeds, fire, roads, mining and grazing is absolutely crucial to the biological integrity of these areas. The Greens do not believe they will get responsible management from State Forests of New South Wales. For example, the forest agreement required State Forests to phase out occupational permits in clumped non-loggable forest management zone [FMZ] areas by 1 July 2000, but State Forests have not implemented such a phase-out and have in fact shown no intention of doing so. Nor have State Forests of New South Wales shown any intention to purchase Crown leasehold over non-loggable FMZ areas. Similarly, State Forests of New South Wales have not developed plans of management for these areas over the past four years, despite the requirement to do so under various agreements and guidelines.

Furthermore, the gazettal of these areas as special management zones only protects them from logging by tortuous references through Government policy, and there is no direct and explicit protection from logging for these areas. For this reason the Greens will move an amendment to the bill to make this policy explicit. The map of the proposed special management zones is also inadequate. It does not match the current agreed forest management zone map produced by State Forests of New South Wales in their ecological sustainable forest management plan for north-east New South Wales. There are three map sheets from which significant FMZ 2 and 3A areas have been deleted. These match the areas where State Forests of New South Wales has been seeking

to re-open rainforest for logging, by revisiting the agreed Government mapping. The areas deleted include more than 8,000 hectares of government-defined high conservation value old-growth forest and research covering 8,000 hectares notes 17 rainforest. We strongly object to these areas being deleted and will move an amendment to re-insert these areas.

The failures of the current process leave vast areas of old growth and rainforest outside National Parks tenure. Three of the most critical, poorly reserved subregions in north-east New South Wales—the Hunter, Clarence and Tenterfield regions—all have extensive areas of FMZ left outside National Parks estate by this current proposal. The FMZ areas left out total 12,000 hectares in the Hunter, 5,000 hectares in the Clarence and 20,000 hectares in Tenterfield, a total of approximately 40,000 hectares of some of the most diverse and poorly represented forests in north-east New South Wales. The proposal also leaves approximately 20,000 hectares of identified wilderness outside National Parks. This includes all of Cataract and Timbarra identified wilderness and parts of Bindery-Mann, New England, Stockyard Creek, Guy Fawkes River, Binghi and Washpool wilderness areas. The transfer of these lands to National Park has been opposed by the Department of Mineral Resources [DMR] only. It is clear that State Forests of New South Wales are completely incapable of managing these areas to protect wilderness values.

Crown leasehold over State forest will only be voluntarily acquired. Requirements are set out in the forest agreement for appropriate consultation. The process in no way interferes with the rights of leaseholders, although it is hoped that it may increase their awareness of their responsibilities for sustainable use of high-value public forests in keeping with public expectations. It is clear that the reservation of all "unloggable" FMZ areas represents a far higher value to the regional communities than the likely utilisation of known or potential mineral deposits within the next decade or more, and the extremely low value of grazing in leasehold areas affected. Both of these activities compromise conservation values.

In the 1998 survey of community attitudes in upper north-east New South Wales, 66 per cent of people surveyed responded that if timber production affected the abundance of species then environmental costs were too high and it might be better to compromise on forestry activities, compared to 15.6 per cent, considering "this is unfortunate but we need forestry products and employment." Given that FMZ areas have no impact on timber supply the community support for their reservation can be expected to be even higher. An objective analysis of mineral issues proves that many of the current objections by DMR are excessive. Given the outstanding values of the FMZ areas it is apparent that the current proposal does not strike a balance between mineral interests and conservation.

An analysis of mineral potential in the "unloggable" areas, using DMR's own data, indicates that they encompass only 3 per cent of the region's highest potential deposits and 2 per cent of the highest value areas. Furthermore, the inclusion of all of the areas proposed for reservation in the secure reserve system will still leave 1,761,463 hectares or 80 per cent of the highest potential deposits, and 522,910 hectares or 95 per cent of the highest value areas available for exploitation, with 47 per cent and 60 per cent respectively of these occurring under cleared land. The results were similar for each of the highest-value known deposit types. With the inclusion of all areas proposed for reservation in the reserve system, the vast majority of the known major deposits of gold, 86 per cent; silver, 92 per cent; antimony, 88 per cent; copper, 90 per cent; and tin, 74 per cent, across the whole of north-east New South Wales would remain available for exploitation outside the reserve system.

I would like to use the Hunter region of north-east New South Wales to exemplify the worst failures of this bill. In the Hunter region, the DMR has objected to 12,000 hectares of "unloggable" areas being transferred to the National Park estate. The region south of the Hunter received the worst forest reserve outcome in north-east New South Wales in 1998 due to the demands of the coal industry. The productive forests of the region are very poorly represented in reserves. Existing reservation is mostly of sandstone ecosystems that support a completely different set of species and ecosystems. In the Morisset subregion alone, there are 35 threatened and significant species for which insufficient habitat has been protected to meet the minimum set down for their survival by scientists during the regional forest assessment process in 1998. The areas required to maintain

minimum viable populations have not been protected.

In the wider Hunter region, 75 out of the 96 threatened and significant species considered during the assessment process have insufficient area reserved to meet their identified requirements for survival of viable populations. The productive forests south of the Hunter River are completely isolated by the extensive clearing of the Hunter Valley to the north, the sandstones to the east and Sydney to the south. These all represent major and almost insurmountable barriers to dispersal and re-colonisation. It is critical that viable populations of threatened species are protected south of the Hunter because they must survive in isolation or not at all. If such viable populations are not maintained then there will be localised extinctions and the species will be lost to the region.

The Olney, Heaton and Awaba areas are particularly important because of their size and contribution to biodiversity targets. They would make a major and invaluable contribution to the national park reserve system in the region. Objections to all forms of national parks tenure by DMR in the Hunter region means that it will remain one of our most threatened and vulnerable forested regions. It also means that the people of the Central Coast—including the Special Minister of State—will continue to have their water supply diminished by logging. The Greens support this bill, but we propose amendments to improve the bill, and address some of the deficiencies I have mentioned.

I am pleased that with the help of Miss Susie Russell the Greens are able to produce the facts. Despite the rhetoric of the green Carr Government and others attempting to show their green aspirations, it is fantastic that we have a statement in the right direction. It is clear that scientifically a huge number of areas are not adequately protected. I thank Susie for the preparation of this information and for her extensive work over a long period. I commend also the many forest activists who work long and hard with no thought for themselves in mapping and investigating these areas so that the Greens have a thorough knowledge of these areas. Despite the rhetoric of the Government, other agencies and individuals in this House, we still have a long way to go to adequately protect the wonderful, irreplaceable assets of our forested areas of New South Wales.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [9.49 p.m.]: Initially the Democrats were very pleased about this bill. However, after consultation with the National Parks Association, we have some reservations about it. The National Park Estate (Reservations) Bill has several objectives. Under schedule 1 to the bill a total of 64 cells of parcels of land currently dedicated as State forests in the north-eastern forest region will be transferred to the National Parks and Wildlife Service to become national park, nature reserves or State conservation areas. Schedule 2 lists Crown land that will be incorporated into the national park and reserve system. Those include additions to the Oxley Wild Rivers, Willi Willi, Guy Fawkes, Nymboida and Washpool national parks. Schedule 5 transfers approximately 24.5 hectares of the East Boyd State Forest to the Eden Local Aboriginal Land Council. Schedule 6 lists the freehold land vested in the Crown that will be reserved as national park and as State conservation areas.

If and when passed, the bill will create up to 69,700 hectares of new national parks and conservation reserves. The Environmental Liaison Office sent me a fax dated 26 November outlining some of its concerns. The Environmental Liaison Office is concerned that key initiatives outlined in the Government's Action for the Environment Statement are missing from this bill. Reserve outcomes from the first western regional assessment for the Brigalow Belt South, reserves in the Goulburn subregion, and 14 icon areas under consideration by the Resource and Conservation Assessment Council [RACAC] are missing from this bill. It is a pity because obviously this would have been a good opportunity to include those areas under protection.

Another of the failures of this Government relates to declaring compartments of Pine Creek Forest bordering on Bongil-Bongil National Park, 10 kilometres south of Coffs Harbour. It is an important wildlife corridor between the rainforests of the Dorrigo escarpment and the coast, providing a habitat to about 23 threatened species. Compartments of Pine Creek Forest have been logged by State Forests for the past two years now. However, the Friends of Pine Creek Forest and the Ulitarra Society consider that certain areas of the forest should be portioned off as reserve to protect the population of 800 koalas, which is considered to be the largest on the North Coast.

The National Parks and Wildlife Service and State Forests have acknowledged the significance of the area and have put into place a koala management plan. Fourteen compartments have been set aside by State Forests for further assessment. However, logging practices and a move towards single-timber species plantation forestry still pose a significant threat to the koala habitat. Therefore the Democrats would seek from the Minister in reply a commitment to portion off relevant compartments in Pine Creek Forest to be included as either national park or regional reserve. The National Parks Association also expressed several concerns about the bill. On behalf of the Environment Liaison Office and the National Parks Association Andrew Cox said:

We appreciate the attempt by the Government to provide in the bill improved security for State forest in formal reserves FMZ 2 and FMZ 3A... While the bill will ensure that the zones cannot be changed without an Act of Parliament, there is little legal constraint on the activities that can occur in the special management zones.

Section 21A of the Forestry Act (inserted in 1998) only restricts management of the special management zones beyond conditions determined at the discretion of the Minister for Forests...

This does not adequately restrict the type of activities that can occur. The prohibition of operations is optional, and there are no conservation-based management criteria...

Removing the need for an Act of Parliament to improve the level of protection would remove a major administrative barrier. Examples where this may occur include the purchase of an underlying grazing lease by NPWS or as a result of the 5 yearly review of the mineral prospectivity rating of the land as required under the NSW Forestry Agreement...

The map of the proposed Special Management Zones is inadequate. It does not match the current agreed Forest Management Zones map produced by SFNSW in their Ecologically Sustainable Forest Management plan for north-eastern NSW... There are several mapsheets from which the entire FMZ 2 and 3A areas appear to have been deleted. These match the areas where SFNSW has been seeking to re-open rainforest for logging by overriding existing Government mapping.

We strongly object to this deletion. It would be a major mistake to re-open the existing rainforest mapping in this way as it would require the complete re-mapping of large areas of the north-eastern region, or even the entire region, both of which are completely impractical.

The Special Management Zone map should be amended to put these missing mapsheets back in so that the Special Management Zones include all FMZ 2 and FMZ 3A from the ESFM plans which has not been otherwise transferred to National Parks and Wildlife Service estate. It should also be amended to identify and include FMZ 2 and FMZ 3A on SFNSW purchases which have since been gazetted as State Forests.

Both the NSW NE Forest Agreement (Section 2.3.3) and SFNSW's own Forest Management Zoning Guidelines require that FMZ 2 and 3 A must be upgraded to FMZ 1 and gazetted as Flora Reserves wherever possible. We understand that on several occasions throughout the Government process on Forest Management Zones, North-East Forest Alliance was informed that this would take place as an outcome from this process. Four years after the agreement was signed, the Government has failed to implement this measure.

We note that the bill does not include the upgrading of any FMZ 2 or 3 A areas to Flora Reserves. The bill should be amended to include the transfer of appropriate areas to FMZ 1 and their gazettal as Flora Reserves. At the very least the bill should specify that a thorough process to upgrade all FMZ 2 and 3 A areas to the highest FMZ category possible should be conducted under the coordination of RACD for completion by June 2003...

Schedule 8, Clause 7 of the bill provides for access roads to be excluded from new parks and reserves. There are a number of concerns with this provision.

Subclause 5 requires the granting of a right of way to a landholder that currently holds a right of way under the Forestry Act. This provision should be discretionary as there may be circumstances where the right of way may no longer be appropriate.

The definition of access is very broad. We consider that these access provisions should only apply to motorised vehicles. This is a particularly significant concern with respect to the number of wilderness areas that would be affected by this provision.

Subclause 9 should be amended to allow access roads to be closed where there is no physical means of vehicle access in existence and in use at the time of the commencement of the bill...

Areas for future reservation

Government has released a map showing areas of State forest for future revocation pending the voluntary acquisition of the private land lease over the same area. Unfortunately, several areas of identified wilderness that are suitable for purchase by the Dunphy Wilderness Fund were omitted from this map because of objections by the Department of Mineral Resources.

The validity of the DMR objections to other areas of private land already purchased by the Dunphy Wilderness Fund was the subject of a review earlier this year. This earlier review resulted in DMR modifying the extent of its objection to reservation under the National Parks and Wildlife Act and led to the reservation of eight parcels of land. No such review was undertaken for the lands remaining to be purchased within identified wilderness areas over State forest.

The omission of these leasehold areas from the map creates genuine administrative problems with the Dunphy Wilderness Fund and pre-empts the wilderness acquisition and declaration. We seek your agreement that all identified wilderness within State Forest will be added to maps N2 and N4 that indicate areas of future State forest revocation pending acquisition of the underlying lease.

Protocol for purchase of leasehold with FMZ 4

We note that leasehold boundaries often cut across the boundaries of 'unloggable' FMZs and loggable FMZ 4. Therefore, it is often difficult for the NPWS to purchase leases because they include large areas of FMZ 4. They cannot justify spending the money buying loggable land which SFNSW then block them from reserving. As a result, they miss out on purchasing the 'unloggable' leasehold when it is available. A recent example is the lease over the Chaelundi blockade compartments which was not purchased and thus prevented their reservation.

We agree that there is no justification for spending the scarce conservation dollar buying leases that then remain partly available for State Forest to log. State Forests of NSW gain considerably when NPWS do purchase leases with some FMZ 4 because they no longer have to pay royalties and they are free of leasehold interests which are often problematic and expensive.

We are proposing that a protocol or memorandum is finalised between National Parks and Wildlife Service and SFNSW to ensure that unique opportunities to purchase leaseholds identified for reservation are not lost. This would involve SFNSW contributing funds to buy the lease. The cost of the lease would be divided between the National Parks and Wildlife Service and SFNSW according to the proportional area of 'unloggable' FMZ to loggable areas. We propose that RACD are also signatory to the agreement to resolve any disputes that may arise.

Occupational Permits

We note the Ministers' references to occupational permits in the Second Reading Speech. The NSW Forest Agreements for upper and lower north-east NSW required SFNSW to phase out Occupational Permits in clumped FMZ areas by 1st July 2000. This encompasses all the areas identified for reservation by this bill.

SFNSW have not implemented the OP phase-out required by the Forest Agreement. Instead, permit holders in FMZ 2 & FMZ 3A have had three years notice of the situation as well as having an Occupational Permit Taskforce to oversee the process. Therefore, to ensure the long overdue phase-out of OPs does actually occur, the bill should require the phase-out of Occupational Permits and Permissive Occupancies from areas identified for reservation and clumped FMZ areas identified by the Forest Agreement, by the end 2003.

Another aspect that needs to be addressed is management of the forests. I have received a number of letters from constituents who have held leases for a long time and who will be economically disadvantaged by the loss of those leases. One could argue that those leases have always been discretionary: The fact that they no longer exist puts the Government in the position of a landlord reclaiming his house. Leaseholders have not been in a position to assume that possession would be forever.

Reverend the Hon. Fred Nile: It is the leaseholder's house, in this case.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The house may be part of the lease over the land. Some properties that are contiguous with leasehold land may become economically non-viable. The Government should think about that. I am not sure that the bill addresses that point to the extent that it should. The point made by Hon. Malcolm Jones and others was that the National Parks and Wildlife Service has not been allocating sufficient funds to the management of the national park estate, particularly bushfire management, and that has caused great problems. The Government must not just declare land as additional national park estate, particularly just before an election, but should manage it, and that means allocating sufficient financial resources. Poorly managed land will lead to the spread of bushfires or indeed to the destruction of forests that have been preserved as icons of conservation values. That is quite unsatisfactory. The national park estate must be properly managed, and that may involve allocations of additional funds. Ecotourism could be a systematic statewide method of raising funds to manage the national park estate properly. Although I praise the Government for increasing the size of the area preserved in this State as national park land, I point out that the Government has obligations beyond merely increasing the area of the national park estate.

Reverend the Hon. FRED NILE [10.01 p.m.]: The Christian Democratic Party supports, in principle, the National Park Estate (Reservations) Bill because we share concerns that have been expressed by the Opposition and reflected in its amendment, which may provide some small degree of comfort for leaseholders who virtually will be kicked off their land. The amendment foreshadowed by the Opposition seeks a continuation of existing grazing interests to ensure that an existing grazing interest "is not to be terminated or revoked before 1 January 2005, unless the NPW Minister is of the opinion that the holder of the existing grazing interest has contravened any condition of the existing grazing interest or any obligation with respect to the existing grazing interest arising under any Act". The Christian Democratic Party's support for the bill is qualified because leasehold land has been held by families for generations and in some cases for more than 100 years. Pioneer leaseholders moved onto untamed land and had to begin from scratch: they had to build their own homes and their own fences. This bill, in common with similar legislation that is currently in force, shows leaseholders very little consideration and forces them from land that they have been leasing for grazing purposes.

This background highlights the approach adopted by the Christian Democratic Party—an approach that is balanced on legislation that affects the environment as well as the agricultural and timber industries. We have tried to find the middle ground wherever possible, and that has not always been easy. It is often the case that two extreme positions are involved, namely, the extreme environmentalists' position and the position of the ruthless exploiters. Perhaps the extreme environmentalists could be labelled as the Greens, but I think that there are environmentalists who are even more extreme than the Greens.

The Hon. Ian Cohen: What is your interpretation of "extreme"? People might regard your attitudes as rather extreme.

Reverend the Hon. FRED NILE: I will explain it to the Hon. Ian Cohen right now. Extreme environmentalists have a romantic view of the environment. They are trying to turn back the clock to recreate the Garden of Eden, and that is impossible. It cannot be done. Judging by what these people say and their proposals, that is what I think they are trying to do, but it is impossible. Extreme environmentalists also take no account of the impact on humanity of their policies—the impact on farmers and timber workers, et cetera. Sadly, over the years the Labor Government has tried to compromise, negotiate and reach agreement with these groups, but has discovered that, far from agreement having been reached, a new set of demands had been made. Subsequently the Government has found itself on the back foot, and again threats are made. Although originally agreement may have been based on a promise by the extreme environmentalists to stop protesting and blocking forestry roads, the environmentalists renege and make greater demands that are reinforced by a resumption of protests. It seems to be very difficult to satisfy some of the extreme environmentalists, and the tactics I have described define the term "extreme environmentalists".

I do not believe that God created planet Earth to simply be an empty, green planet, without human beings who become farmers and have families. God created Earth for mankind to enjoy it, to develop it, to protect it and to be good stewards of it. Because some honourable members have explained their philosophy, I will point out a couple of creation principles that are followed by the majority of people in the world, including Christians, Jews and Muslims. Those principles are expressed in *The Bible* in Genesis 1:9:

And God said, "Let the water under the sky be gathered to one place, and let dry ground appear." And it was so. God called the dry ground "land," and the gathered waters he called "seas." And God saw that it was good.

That is why I often say that God was the first greenie. *The Bible* continues:

Then God said, "Let the land produce vegetation: seed-bearing plants and trees on the land that bear fruit with seed in it, according to their various kinds." And it was so. The land produced vegetation: plants bearing seed according to their kinds and trees bearing fruit with seed in it according to their kinds. And God saw that it was good.

Later, in Genesis 1:24, *The Bible* states:

And God said, "Let the land produce living creatures according to their kinds: livestock, creatures that move along the ground, and wild animals, each according to its kind." And it was so. God made the wild animals according to their kinds, the livestock according to their kinds, and all the creatures that move along the ground according to their kinds. And God saw that it was good. And later in Genesis 1:26-31:

Then God said, "Let us make man in our image, in our likeness, and let them rule over the fish of the sea and the birds of the air, over the livestock, over all the earth, and over all the creatures that move along the ground."

So God created man in his own image, in the image of God he created him; male and female he created them.

God blessed them and said to them, "Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish of the sea and the birds of the air and over every living creature that moves on the ground.

Then God said, "I give you every seed-bearing plant on the face of the whole earth and every tree that has fruit with seed in it. They will be yours for food. And to all the beasts of the earth and all the birds of the air and all the creatures that move on the ground—everything that has the breath of life in it—I give every green plant for food." And it was so.

God saw all that he had made, and it was very good.

That is the basic philosophy of creation. We are never to worship the creation; we are to worship the Creator who created the creation. The battle that we have to fight is one of balancing the extreme environmentalists' views with the actions of ruthless exploiters who often use large impersonal corporations and whose main concern is profit, not long-term conservation. I do not believe that farmers are in the latter category. Farmers are the ham in the sandwich; they are being squeezed and crushed. They endure increasing pressure on their farmlands from legislation that prevents more and more farmland from being used for agricultural purposes.

The Federal Government has adopted a great policy that there should be compensation for farmers, but it will not provide the compensation; the State governments should provide it. That policy will not take us very far if the State governments will not provide compensation. So there is a deadlock. Again the farmers are the ham in the sandwich. Everybody says that they should have compensation but no-one is prepared to give it to them. They get only a slap in the face. The Christian Democratic Party seeks to be a voice for farmers, especially those with family farms. We believe the family farm is the backbone of our nation.

We do not consider just the value of their agricultural produce; we see them as providing far more than that. That was my personal observation before I came to Parliament in the work that I was doing in Christian ministry but it has been my view especially in the 21 years I have been in Parliament. I visit an average of 85 country communities a year. I see first-hand that they are providing not just the valuable agricultural produce as an asset to our nation; they are providing solid Christian and family values, which makes them truly the backbone of the family. If I were the Government I would have policies that give a lot more consideration to these farmers, wives and children to enable our State to move ahead and to be positive and strong with a strong foundation.

I can see no compensation provided in the bill. It does not even give farmers the time of day to reorganise their lives when they have to move off their grazing leases. The Opposition amendment proposing a date of 2006 is a reasonable compromise. As one of the leaders of the National Party said to me, it should really be for as long as they wish but we have to be realistic at this time. The bill has a number of positive aspects. It is clear that it will bring the total area of new parks and reserves created by the Government through its regional forest assessment process alone to more than one million hectares. State Forests land considered in the assessment was confined to forest management zones 1, 2 and 3a. Logging is already not permitted in those zones.

The Christian Democratic Party has to take the Government's word that timber volumes will not be affected, the timber industry will not be affected, and no more timber towns will die. Families are distraught when they see that they no longer have a future and they cannot sell their homes because no-one wants to move into the area. The bill will also immediately provide a reservation of 145,000 hectares including 121,000 hectares in the northern region and 24,000 hectares in the southern and Eden region. This is very pleasing. I and the Christian Democratic Party have had a great deal of association with the Aboriginal communities in the Eden area with Pastor Ossie Cruse and other leaders of the community.

We are very pleased that the bill will include revocation of certain State forests in the Sydney and Eden regions for declaration as nature reserves and the transfer of an area in the Eden region to the local Aboriginal land council. We congratulate the Government on that initiative. From our past association we believe that the Aboriginal community will act responsibly in its care and stewardship of the land. We will hold the Government to the promise it made in the second reading speech of the Deputy Premier, Dr Refshauge when he said that the National Park Estate (Reservations) Bill:

... achieves all this without any impact on the timber industry and without any impact on the forest agreements which this Government has forged to give certainty to industry and to ensure the ecologically sustainable management of our forests.

Even though this is not a large bill it is complex and deals with a large part of New South Wales. We have to take the Government's assurances on face value. We certainly have not been lobbied by the timber industry expressing concern so we assume that the promise is genuine. We thank the

Government for it. It has taken a lot of consultation and debate to reach those agreements and achieve the aim of providing at least a 20-year guarantee of timber supply to the forest industry. In the second reading speech in the other place the Government restated that "it has resulted in a 20-year security for the timber industry". We do not want to see that 20-year security suddenly disappear. We are pleased to support the bill. We have noted our concern about the treatment of the people with existing grazing interests. We will support the Opposition amendment.

The Hon. Dr PETER WONG [10.06 p.m.]: I congratulate the Hon. Rick Colless on his insightful speech so eloquently delivered. In recent years I have visited many country towns. I share his sentiment that many country people care for the environment as much as we city people do. I support the importance of conservation and the need to protect the environment. Indeed, we should make every effort to repair the damage that we have done to our environment over the years. I believe it is a view shared by many that some time and somehow we have to make some sacrifice, either personally or as a nation, to rectify the harm we have caused. But who will pay for the conservation, be it of rivers or land? Unfortunately, it has become a never-ending battle in which everyone wants to be a winner without losing something.

No-one so far has been able to offer an adequate answer to this conflict. Federal and State governments all want to show that they are pro-environment without committing adequate funding for rehabilitation or compensation. In the meantime so-called environmentalists and farmers are often taking totally opposite views, both believing it is for the good of the people of Australia. Recently rice growers from the Riverina visited me. They too expressed concern about the health of our rivers and suggested that governments should buy back farms for reforestation. But, of course, no government would be interested in this expensive way of conservation. They want it done, but preferably without paying for it. In reality, however, Australia is in relatively good shape compared with our neighbours. I accept that a lot more can be done. But what we need is a partnership rather than to work as enemies. I acknowledge that this bill is not perfect. It will result in an improvement to the present situation and I support it in principle.

The Hon. MELINDA PAVEY [10.20 p.m.]: The Coalition condemns the Government for the lack of consultation on this bill. Many stakeholders had no forewarning that this bill was going to be introduced. Some people's voices need to be heard tonight. David and Andrew Scott state:

Our family operates a grazing enterprise north west of Grafton, we have our freehold land and we also lease as an Occupation Permit (OP) a large parcel of land on an annual basis from State Forest. The OP lies between the two parcels of freehold.

On Thursday the 21st of November the State Government passed a Bill through the Lower House to add parts of our Occupation Permit to National Parks, this will destroy our ability to manage our land in a sustainable manner and we will find it impossible to remain viable.

To fence the extensive area of intended National Parks is just not a viable proposition as we do not have security of tenure over the residue of the OP, therefore we could lose the remainder say next year, the only option we have is to vacate the whole OP.

Our father logged this Occupation Permit area 50 years ago and it has been logged on many occasions since and as recent as 12 months ago, yet it is now classified as "old growth" and has to be reserved.

The recent bushfires burnt 98% of our freehold and OP area, fires from Guy Fawkes and Gibraltar National Parks swept through our place and we are now faced with a lot of hungry cattle, no feed and burnt fences. We lost between 75 and 100 kilometres of fencing and at a minimum rate of \$3,500.00 per kilometre... who will pay? This latest move by the State Government will be the last straw for not only us but many farming families.

No one from government has talked to us about how this will impact on us, they make these decisions and just walk away.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.22 p.m.], in reply: I thank honourable members for their very thoughtful and detailed contributions. This has been one of the more interesting debates that I have heard in some time. All of the positions have incredible merits. It is a very difficult issue to match up, in many ways. The Hon. Patricia Forsythe raised the 150 occupational grazing permits that will be affected by this bill. That is not so. That is the number that were affected on State forests under the 1998 decision, supported by the Opposition.

It is correct that about 35 occupational permits will be affected by this bill, and many of those are within the 150 following the 1998 decision. The honourable member makes it sound as if these grazing occupational permits will stop immediately. The Government has written to NSW Farmers and given a clear undertaking that all occupational permits will continue for a minimum of 18 months, or until the official listing of the drought declaration. Additionally, each case will be considered individually for a further extension to allow for transition from the drought.

Payment for fencing adjacent to new reserves has also been raised. I am informed that the National Parks and Wildlife Service has a policy whereby the costs of such fencing are shared. I am also told that over the last five years the National Parks and Wildlife Service has shared in the funding of hundreds of kilometres of fencing on the North Coast. I commend the bill to the House. I will deal with some of the issues that have been raised in the course of the debate in Committee.

Motion agreed to.

Bill read a second time.

In Committee

Clauses 1 to 10 agreed to.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [10.24 p.m.], by leave: I move amendments Nos 1 to 3 in globo:

No. 1 Page 6, clause 11, line 2. Omit "3,".

No. 2 Page 6, clause 11, line 15. Omit ", or".

No. 3 Page 6, clause 11, lines 16 and 17. Omit all words on those lines.

These three amendments remove from clause 11 a reference to schedule 3, which allows adjustment of the land description, thereby preventing the boundaries of special management zones from being altered. The boundaries of the special management zones have already been finalised in detail under the north-east forest agreement and the associated integrated forest operations approval. Thus the new special management zones referred to in schedule 3 do not need to be further altered. If the boundaries of the special management zones are able to be altered it will leave the way open for State Forests to change the boundaries in a way that may exclude from protection important conservation areas such as rainforests. I commend the amendments to the Committee.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.26 p.m.]: The Government opposes the Democrats amendments. The subclause in the bill is required because the land is described in schedule 3 by reference to a map as time did not permit detailed preparation of property descriptions. These property descriptions will be prepared to ensure accurate boundaries. This subclause is needed to allow this process to take place.

Amendments negatived.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [10.27 p.m.]: I move my amendment No. 4:

No. 4 Page 6, clause 11, line 36. Omit "31 December". Insert instead "30 June".

This amendment ensures that the boundaries of the new national parks are finalised within six months, rather than one year. The National Park Estate (Southern Region Reservations) Act 2000, which created the new national parks in the southern region on 1 January 2001, contained a similar provision to vary the park boundaries—section 10—but allowed only three months to finalise the boundaries. To provide certainty to park neighbours, forestry management and park visitors, the park boundaries must be finalised within as short a time as possible. I propose that six months is more than enough time to fine-tune the park boundaries with more detailed boundary descriptions, especially as the Government did it in three months last time.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.27 p.m.]: The Government opposes this amendment. While work will commence immediately to identify any necessary boundary adjustments, it cannot be guaranteed that the work involved will be completed by 30 June 2003. Sufficient time is needed to identify and prepare all adjustments. It is therefore appropriate that the relevant date remain as 31 December 2003.

The Hon. PATRICIA FORSYTHE [10.28 p.m.]: The Opposition also opposes this amendment. It seems that when the impact of bushfires in the region has been described in letters from some of the adjoining landowners or those with occupational permits, and when we have already expressed concern that National Parks does not have enough resources to manage the parks during the bushfires, we are now assuming that it will be able to direct all of its resources into getting the boundaries right in six months. That would not make sense, given the logic of some of the statements the Hon. Dr Arthur Chesterfield-Evans made about the resources in park management.

Amendment negatived.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [10.28 p.m.]: I move my amendment No. 5:

No. 5 Page 7, clause 11, line 1. Omit "2007". Insert instead "2003".

Similarly, this amendment limits the time that the Government must take to finalise a new national parks boundary adjacent to a road by reducing the period from five years to one year. I agree that park boundaries close to roads may take more time to confirm to ensure that the boundary properly aligns with any existing roads, but five years is too long. It would create a long period of uncertainty. The Government needs to finalise the boundary issues in a short period, and one year should be reasonable.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.29 p.m.]: The Government opposes the amendment. The bill currently requires these adjustments to be completed by 31 December 2007, which is four years later than the proposal. Additional time is needed because the relevant land requires a detailed process of investigation to ensure that all boundaries adjoining public roads are correct and that boundaries for existing interests, such as easements, in land held by the Minister are accurately identified.

Amendment negatived.

Clause 11 agreed to.

Clauses 12 to 15 agreed to.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.30 p.m.], by leave: I move Government amendments Nos 1 to 78 on sheet C-129 in globo:

No.1 Page 10, schedule 1, line 14. Omit "840". Insert instead "836".

No. 2 Page 10, schedule 1, line 19. Insert "(3rd edition)" before "in".

No. 3 Page 10, schedule 1, line 22. Omit "174". Insert instead "172".

- No. 4 Page 10, schedule 1, line 26. Insert "(3rd edition)" before "in".
- No. 5 Page 10, schedule 1, line 30. Omit "370". Insert instead "369".
- No. 6 Page 10, schedule 1, line 33. Insert "(3rd edition)" before "in".
- No. 7 Page 12, schedule 1, line 11. Omit "1409". Insert instead "1404".
- No. 8 Page 12, schedule 1, line 16. Insert "(3rd edition)" before "and".
- No. 9 Page 12, schedule 1, line 21. Omit "717". Insert instead "688".
- No. 10 Page 12, schedule 1, line 26. Insert "(3rd edition)" before "in".
- No. 11 Page 13, schedule 1, line 18. Omit "1154". Insert instead "1150".
- No. 12 Page 13, schedule 1, line 23. Insert "(3rd edition)" before "in".
- No. 13 Page 15, schedule 1, line 10. Omit "3811". Insert instead "3790".
- No. 14 Page 15, schedule 1, line 18. Omit "Misc. R 00152, Misc. R 00154 and Misc. R 00155".
Insert instead "Misc. R 00152 (3rd edition), Misc. R 00154 (3rd edition) and Misc. R 00155 (3rd edition)".
- No. 15 Page 17, schedule 1, line 17. Omit "348". Insert instead "347".
- No. 16 Page 17, schedule 1, line 21. Insert "(3rd edition)" before "in".
- No. 17 Page 17, schedule 1, line 26. Omit "14". Insert instead "9".
- No. 18 Page 17, schedule 1, line 29. Insert "(3rd edition)" before "in".
- No. 19 Page 18, schedule 1, line 3. Omit "248". Insert instead "247".
- No. 20 Page 18, schedule 1, line 7. Insert "(3rd edition)" before "in".
- No. 21 Page 18, schedule 1, line 12. Omit "75". Insert instead "74".
- No. 22 Page 18, schedule 1, line 15. Insert "(3rd edition)" before "in".
- No. 23 Page 18, schedule 1, line 27. Omit "65". Insert instead "57".
- No. 24 Page 18, schedule 1, line 30. Insert "(3rd edition)" before "in".
- No. 25 Page 19, schedule 1, line 2. Omit "1583". Insert instead "1475".
- No. 26 Page 19, schedule 1, line 7. Insert "(3rd edition)" before "in".
- No. 27 Page 19, schedule 1, line 11. Omit "212". Insert instead "195".
- No. 28 Page 19, schedule 1, line 16. Insert "(3rd edition)" before "in".
- No. 29 Page 19, schedule 1, line 21. Omit "397". Insert instead "363".
- No. 30 Page 19, schedule 1, line 26. Insert "(3rd edition)" before "in".
- No. 31 Page 19, schedule 1, line 30. Omit "390". Insert instead "383".

- No. 32 Page 19, schedule 1, line 34. Insert "(3rd edition)" before "in".
- No. 33 Page 20, schedule 1, line 2. Omit "6". Insert instead "3".
- No. 34 Page 20, schedule 1, line 5. Insert "(3rd edition)" before "in".
- No. 35 Page 21, schedule 1, line 3. Omit "1162". Insert instead "1161".
- No. 36 Page 21, schedule 1, line 8. Insert "(3rd edition)" before "in".
- No. 37 Page 21, schedule 1, line 31. Omit "8". Insert instead "5".
- No. 38 Page 21, schedule 1, line 34. Insert "(3rd edition)" before "in".
- No. 39 Page 22, schedule 1, line 10. Omit "2949". Insert instead "2944".
- No. 40 Page 22, schedule 1, line 14. Insert "(3rd edition)" before "in".
- No. 41 Page 23, schedule 1, line 3. Omit "140". Insert instead "136".
- No. 42 Page 23, schedule 1, line 6. Insert "(3rd edition)" before "in".
- No. 43 Page 23, schedule 1, line 11. Omit "4713". Insert instead "4708".
- No. 44 Page 23, schedule 1, line 16. Insert "(3rd edition)" before "in".
- No. 45 Page 24, schedule 1, line 3. Omit "1310". Insert instead "1309".
- No. 46 Page 24, schedule 1, line 7. Insert "(3rd edition)" before "in".
- No. 47 Page 24, schedule 1, line 11. Omit "512". Insert instead "495".
- No. 48 Page 24, schedule 1, line 15. Insert "(3rd edition)" before "in".
- No. 49 Page 24, schedule 1, line 20. Omit "1479". Insert instead "1478".
- No. 50 Page 24, schedule 1, line 24. Insert "(3rd edition)" before "in".
- No. 51 Page 25, schedule 1, line 12. Omit "437". Insert instead "434".
- No. 52 Page 25, schedule 1, line 17. Insert "(3rd edition)" before "in".
- No. 53 Page 25, schedule 1, line 27. Omit "75". Insert instead "71".
- No. 54 Page 25, schedule 1, line 30. Insert "(3rd edition)" before "in".
- No. 55 Page 26, schedule 1, line 19. Omit "1505". Insert instead "1327".
- No. 56 Page 26, schedule 1, line 22. Insert "(3rd edition)" before "in".
- No. 57 Page 27, schedule 1, line 2. Omit "980". Insert instead "979".
- No. 58 Page 27, schedule 1, line 6. Insert "(3rd edition)" before "in".
- No. 59 Page 27, schedule 1, line 19. Omit "515". Insert instead "510".
- No. 60 Page 27, schedule 1, line 23. Insert "(3rd edition)" before "in".

- No. 61 Page 28, schedule 1, line 3. Omit "81". Insert instead "71".
- No. 62 Page 28, schedule 1, line 6. Insert "(3rd edition)" before "in".
- No. 63 Page 28, schedule 1, line 11. Omit "63". Insert instead "61".
- No. 64 Page 28, schedule 1, line 15. Insert "(3rd edition)" before "in".
- No. 65 Page 28, schedule 1, line 34. Omit "884". Insert instead "883".
- No. 66 Page 29, schedule 1, line 1. Insert "(3rd edition)" before "in".
- No. 67 Page 29, schedule 1, line 19. Omit "663". Insert instead "661".
- No. 68 Page 29, schedule 1, line 24. Insert "(3rd edition)" before "in".
- No. 69 Page 31, schedule 1, line 3. Omit "2949". Insert instead "2948".
- No. 70 Page 31, schedule 1, line 8. Insert "(3rd edition)" before "in".
- No. 71 Page 31, schedule 1, line 13. Omit "529". Insert instead "528".
- No. 72 Page 31, schedule 1, line 16. Insert "(3rd edition)" before "in".
- No. 73 Page 31, schedule 1, line 28. Omit "1773". Insert instead "1772".
- No. 74 Page 31, schedule 1, line 31. Insert "(3rd edition)" before "in".
- No. 75 Page 32, schedule 1, line 22. Omit "2745". Insert instead "2735".
- No. 76 Page 32, schedule 1, line 27. Omit "Misc. R 00118 and Misc. R 00119". Insert instead "Misc. R 00118 (3rd edition) and Misc. R 00119 (3rd edition)".
- No. 77 Page 33, schedule 1, line 6. Omit "248". Insert instead "246".
- No. 78 Page 33, schedule 1, line 11. Insert "(3rd edition)" before "in".

Some smaller areas of forest management zones [FMZ] 3B and 4 within State Forests were included in the bill in advance of the transfer to FMZ 2 or 3A. Logging is permitted in these zones. These areas have been agreed between State Forests and the National Parks and Wildlife Service for transfer to FMZ 2 or 3A, but this had not occurred before the bill was introduced. The transfer was agreed to because, on close inspection, it was found that there was no commercially viable timber and in order to provide rational boundaries for management. Some of FMZ 3B and 4 had been under consideration as a result of the Government's 1998 forestry decisions, which included land earmarked for further consideration—often called FURCONS—and land set aside pending decisions on wilderness boundaries. These decisions are documented in the New South Wales forest agreements and the integrated forestry operations approvals. The Government has made it clear that the bill will not impact on timber supplies, and it will not.

To emphasise this and to deliver what we have said, the Government will remove these small areas of FMZ 3B and 4 even though they have been found not to contain commercially viable timber. Areas to be removed total about 500 hectares in a bill that adds approximately 145,000 hectares to reserves under the National Parks and Wildlife Act, and gives additional statutory protection of special management zone to more than 300,000 hectares of State Forests. These areas represent about only one-tenth of 1 per cent of the total area of FMZ 3B and 4 in the upper and lower north-east regions. The amendment removes these smaller areas of FMZ 3B and 4 from the bill to honour the commitment that no areas of State forest in which logging is permitted are transferred by the bill. It is the Government's intention that at some future time these areas will be transferred to

the reserve system when the transfers to FMZ 2 and 3A have been completed.

The Hon. RICK COLLESS [10.32 p.m.]: My colleague the shadow Minister has advised me that we will not oppose the amendments. The Government has moved 78 amendments based on areas. How much work was done before the bill was drafted? The Government did not even know what areas were covered. An area of about 140 hectares will be amended to an area of 136 hectares. It is not good enough to introduce such an ill-prepared bill that the Government has to move 78 amendments to correct the areas that were not properly surveyed prior to the drafting of the bill. One can only wonder at the dedication of the Government when it gets the numbers wrong. The bill was introduced to satisfy some misguided, ideological pursuit.

Amendments agreed to.

Schedule 1 as amended agreed to.

Schedule 2 agreed to.

The Hon. IAN COHEN [10.34 p.m.], by leave: I move Greens amendments Nos 1 to 5 in globo:

No. 1 Page 40, schedule 3, lines 5 to 14. Omit all words on those lines. Insert instead:

Part 1 Special Management Zones

The whole or the parts of the State forests designated as "existing FMZ 2" and "existing FMZ 3A" and shown by blue and red tint respectively on the Special Management Zones Map.

Part 2 Definitions

In this Schedule, **Special Management Zones Map** means the map marked "Additional Areas (Special Management Zones) 2002" and presented to the President of the Legislative Council (by or on behalf of the Hon Ian Cohen, MLC) during consideration by the Legislative Council of the Bill for this Act.

No. 2 Page 55, schedule 9.1 [2], lines 8 and 9. Omit all words on those lines.

No. 3 Page 55, schedule 9.1 [3], lines 10 and 11. Omit all words on those lines.

No. 4 Page 55, schedule 9.1 [6], lines 19 to 22. Omit all words on those lines.

No. 5 Page 55, schedule 9.1 [7], proposed section 21A (1A), line 25. Omit "sections 16A and 19B". Insert instead "section 16A".

Amendment No. 1 replaces the Forestry Commission [FC] map of special management zones with the map the Greens tabled during the second reading debate. The only difference between the FC map and the Greens map is that we have included the FMZ 2 and 3A areas on the three map sheets that have been deleted from the Forestry Commission map. The Greens map, "Additional Areas Special Management Zones 2002", is the agreed Government data set for FMZ 2 and 3A areas for north-east New South Wales. It is only additional in the sense that it is those areas that the Government has arbitrarily deleted. It includes no areas of FMZ 4, which is the general harvest zone.

Greens amendments Nos 2, 3, 4 and 5 ensure that the boundaries of FMZs cannot be changed without an Act of Parliament. This is consistent with the legislation with respect to national park boundaries. Under the bill introduced by the Government it is possible for FMZ boundaries to be changed, areas to be swapped and even areas of up to 20 hectares to be cleared for special works. I commend Greens amendments Nos 1, 2, 3, 4 and 5 to the Committee.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.36 p.m.]: The Government opposes

the amendments. In relation to amendment No. 1, the bill already adds 300,000 hectares of land to the special management zone. The Government has deferred two blocks of FMZ 2 and 3A totalling about 24,600 hectares to allow investigation of claims that the mapping could be usefully refined. I can give a commitment that the resultant FMZ 2 and 3A will be added later to the special management zone. Amendments Nos 2 and 3 would make the treatment of special management zones inconsistent with the balance of State forests, including for reserves and national forests. An Act of Parliament would be necessary to revoke an area of special management zones to give effect to a land swap arranged under section 16A of the Forestry Act. In relation to amendments Nos 4 and 5, it is reasonable and desirable to allow for small parts of State forests to be revoked to allow for important public works such as roads and other infrastructure.

Amendments negatived.

Schedule 3 agreed to.

Schedules 4 to 7 agreed to.

The Hon. PATRICIA FORSYTHE [10.37 p.m.]: I move Opposition amendment No. 1:

No. 1 Page 50, schedule 8. Insert after line 17:

4 Continuation of existing grazing interests

- (1) In this clause, **existing grazing interest** means any authority, authorisation, permit, lease, licence or occupancy that:
 - (a) is in force immediately before the commencement of this Act, and
 - (b) authorises the use or occupation of land reserved by this Act under the *National Parks and Wildlife Act 1974* for the purpose of grazing.
- (2) An existing grazing interest is not to be terminated or revoked before 1 January 2006, unless the NPW Minister is of the opinion that the holder of the existing grazing interest has contravened any condition of the existing grazing interest or any obligation with respect to the existing grazing interest arising under any Act.

The amendment would make it unlawful to terminate or revoke an occupational permit before 1 January 2006. I welcome the commitment from the Government tonight that it will do nothing for a period of at least 18 months or until the drought has lifted, but it is quite possible that the drought will continue in these areas for at least that length of time. Three years will barely be enough time for people to deal with it. It is not just the ending of the drought: many of these people do not have an income at this time because of the drought.

Three years is at least a starting point and a time during which they can start to work out their future with the Government. The Government has talked about addressing matters on a case-by-case basis. The Opposition believes that that process should be under way well before 1 January 2006. This amendment will provide a time frame that recognises the real problems that these farmers are facing. Those problems have been highlighted by many members reading onto the record letters from the people affected. We are not dealing with lines on a map; we are dealing with people in everyday circumstances and trying to work out how they will cope with the impact of this legislation.

Reverend the Hon. FRED NILE [10.41 p.m.]: I foreshadowed during the second reading debate the support of the Christian Democratic Party for this amendment. I understand that the Government is offering an 18-month minimum time frame, perhaps even more if it starts after the drought breaks—and no-one knows when that will be. The Government is offering these grazing rights until 2004-05. This amendment changes that date to 1 January 2006. It is a minor extension of time, but it may be important to families on the land. I ask the Government to show some compassion in this

matter.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.42 p.m.]: The Government is very compassionate in this matter. As I said and made it clear, these permanent occupation permits will remain in force until at least the end of the drought or for 18 months. However, as I pointed, if the drought continues, the Government will allow the permits to continue on a case-by-case basis. The Government will not throw people out of these areas while the drought continues.

The Hon. Malcolm Jones: You are not saying that.

The Hon. IAN MACDONALD: The Hon. Malcolm Jones has no idea. He should read the bill. The Government has given a written commitment to New South Wales farmers that all permanent occupation permits and licences for grazing current at the time of transfer will continue until the official lifting of the drought declaration or for 18 months, whichever is the longer. In addition, the permanent occupation permit task force will consider further extensions of time on a case-by-case basis to allow transition from the drought. The Government is sensitive to the concerns of farmers, especially in these difficult times, and believes these measures are adequate to address those concerns and to cover the 35 leaseholders in question.

The Hon. PATRICIA FORSYTHE [10.43 p.m.]: The Parliamentary Secretary has been a farmer and he knows that the end of the drought will not see the end of the farmers' problems. There is a shortage of food across the State. Although he has talked about transition, that will take a long time for many farmers. The least we can do is to provide some certainty about working through the process.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [10.43 p.m.]: The letters I have received from some leaseholders have been very moving. They have been on the land for a long time. As has been pointed out, the proposed extension is not long. The Australian Democrats support the amendment and hope that the Government sees fit to do the same. I urge the Government to deal compassionately with these people. Often if they lose some of their leasehold land the rest of their farm is no longer viable. That is another serious issue being exacerbated by the drought. It is not a long period in which to plan such a move.

The Hon. Dr PETER WONG [10.44 p.m.]: I also support the amendment. I concur with the Hon. Dr Arthur Chesterfield-Evans. The difference between the date in the bill and 2006 is not much. The Government should show compassion for country people.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.44 p.m.]: The Opposition is locking this into 2006 regardless of the drought.

The Hon. Patricia Forsythe: No, we are not.

The Hon. IAN MACDONALD: That is precisely what you are doing.

The Hon. RICHARD JONES [10.45 p.m.]: It is absurd to say that the Government has no compassion for the farmers. Of course it has. That is why it is allowing them to use the land until after the drought has broken. If we make the date 2006, there could be another drought, another good time and another drought in the meantime.

The Hon. IAN MACDONALD (Parliamentary Secretary) [10.46 p.m.]: I want to make this clear. The amendment states:

- (2) An existing grazing interest is not to be terminated or revoked before 1 January 2006, unless the NPW Minister is of the opinion that the holder of the existing grazing interest has contravened any condition of the existing grazing interest or any obligation with respect to the existing grazing interest arising under any Act.

This sets it in motion. While the drought continues, the leaseholders will not lose their licences. The

drought could end next year, and this locks the leaseholders in so that they cannot be put aside under the provisions of the legislation until at least 1 January 2006. This amendment locks them in regardless of whether there is a drought. The Government believes that is unreasonable.

The Hon. DUNCAN GAY (Deputy Leader of the Opposition) [10.47 p.m.]: I wish I could quote the Country Labor member's words and convey the tone of his voice. He was angry that the Opposition, with the support of the crossbench members, was tying this in to 2006.

The Hon. Ian Macdonald: Regardless of the drought.

The Hon. DUNCAN GAY: That is true. If I had my way I would tie it up longer than that. We are taking it beyond the drought because farmers need time to recover from a drought. There will not be instant feed and good times at the end of the drought and the farmers will need time to regroup. That is why we have moved this amendment to make the date 2006. If I thought there was one iota of a chance that the Committee would support an amendment removing the date altogether, I would move it. The Opposition has moved an amendment which will help these people and which has a chance of attracting broad-based support in this Chamber. That is why the amendment refers to 2006. That period will give farmers a chance to regroup. The convenor of Country Labor is in the Chamber tonight but he has not spoken out against what the Parliamentary Secretary has said. The Government is trying to have these farmers evicted immediately after the drought breaks.

The Hon. Richard Jones: He didn't say that.

The Hon. DUNCAN GAY: He did say that. In fact, he said it in his speech and again to emphasise that the Opposition's amendment was designed to take it beyond the drought.

The Hon. Ian Macdonald: You are an absolute liar!

The Hon. DUNCAN GAY: The Parliamentary Secretary called me a liar. I ask anyone who is listening to check *Hansard* to establish who is telling the truth.

The Hon. IAN COHEN [10.49 p.m.]: I am concerned about the frenzy that is developing. The Opposition, particularly the National Party, is using some of the crossbench members. It does not want to see any end to grazing in these protected zones. It is pushing the boundaries as far as possible to reach its goal, which is unsustainable.

The Hon. Rick Colless: It isn't.

The Hon. IAN COHEN: That is the honourable member's opinion. It is not supported by science. We have been relying on the fact that members opposite have said in the past that their forebears made mistakes by clearing and grazing these areas. They are now trotting out an example in Africa of hard-hoofed animals somehow improving the land and they think it translates to Australia. Unsustainable agricultural processes are being used in areas that are under stress because of the drought. We know what members of the National Party want. They talk about being green, but they want to continue grazing in these areas despite the fact that it is unsustainable. They want to kill native animals coming out of national parks and to graze cattle into areas that cannot sustain them. They will not allow the reasoned position, which I am also not happy about. The Government is referring to the time it takes after the drought breaks for the grass to grow enough to accommodate grazing cattle. The Hon. Rick Colless knows that areas are purposely burnt so that the green pick that comes up straightaway can be grabbed. He should be honest about it: he does not give a damn about the environment!

Question—That Opposition No. 1 amendment be agreed to—put.

The Committee divided.

Ayes, 14

Dr Chesterfield-Evans	Mr M. I. Jones	Mrs Pavey
Mrs Forsythe	Mr Lynn	Dr Wong
Mr Gallacher	Reverend Dr Moyes	<i>Tellers,</i>
Miss Gardiner	Reverend Nile	Mr Colless
Mr Gay	Mr Oldfield	Mr Pearce

Noes, 15

Mr Breen	Mr R. S. L. Jones	Mr West
Dr Burgmann	Mr Macdonald	
Ms Burnswoods	Ms Rhiannon	
Mr Cohen	Ms Saffin	<i>Tellers,</i>
Mr Costa	Mrs Sham-Ho	Ms Fazio
Mr Della Bosca	Mr Tsang	Mr Primrose

Pairs

Mr Harwin	Mr Dyer
Mr Jobling	Mr Egan
Dr Pezzutti	Mr Hatzistergos
Mr Ryan	Mr Obeid
Mr Samios	Ms Tebbutt

Question resolved in the negative.

Amendment negated.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS [10.56 p.m.], by leave: I move Australian Democrats amendments Nos 6 to 9 in globo:

No. 6 Page 51, schedule 8, lines 28 to 33. Omit all words on those lines. Insert instead:

- "(b) roads used, immediately before the commencement of this Act, for access by vehicles to private land holdings within those lands,
- (c) roads used for access by vehicles through those lands to State forests or private land holdings that adjoin or are in the vicinity of the lands."

No. 7 Page 52, schedule 8, line 12. Omit "must". Insert instead "may".

No. 8 Page 52, schedule 8, line 20. Omit "2007". Insert instead "2003".

No. 9 Page 53, schedule 8, lines 8 to 10. Omit all words on those lines. Insert instead:

- "(9) While a private land holding is in private ownership, nothing in this clause authorises the NPW Minister to close any access road that:
 - (a) comprises the only practical means of access by vehicles to the land holding,
 - and
 - (b) immediately before the commencement of this Act was used for access by vehicles to the land holding."

Amendments Nos 6 to 9 refer to access roads in the new national parks as provided in clause 7 of schedule 8 to the bill. Amendment No. 6 restricts the definition of access to access used by

vehicles. As it stands, the bill provides that if any form of access to any future national parks is used prior to the commencement of the bill, that access route will automatically be excluded from the new national park. That is extraordinary. It means that if someone was going for a walk along a bush track through one of the State forests this week, that route would be left out of the new national park. The exclusion would be impossible to map and would create all sorts of enforcement and legal issues, because each new national park would be riddled with all the excluded roads and tracks that nobody could easily define.

I am aware that that provision is similar to those in previous bills over the past five years that created new national parks. However, the Government provided little opportunity for those bills to be amended. That provision must be improved now. I am sure that the intention of the Government is for those exclusions to apply only to roads being used by cars and trucks, not those used by any form of access whatsoever. For example, the bill as it stands would exclude horse bridle paths from the new national parks, limiting the ability of the National Parks and Wildlife Service to restrict that type of access and to control impacts such as introduced weeds. The amendment specifies that the only means of access must be by motorised vehicles.

Amendment No. 7 makes discretionary the granting of a right of way to a land-holder that already existed under the Forestry Act. The bill as it stands requires that the granting of the right of way in a new national park is mandatory. That gives the Minister some discretion in granting access to private land-holdings through national parks. There may be cases in which historical access is no longer appropriate. Amendment No. 8 shortens the time in which a notice is to be published confirming which access roads will become parts of national parks from five years to one year. As with amendments Nos. 1 to 4, the Government should resolve the uncertainty about the final national park boundaries, and whether roads of access should be in the new national park, or are to remain vested with the Minister for the Environment. Similar Acts that created new national parks gave less time to finalise the status of access roads. The bill should have a much shorter time than five years to resolve these issues: one year is reasonable.

Amendment No. 9 restricts the means of vehicle access referred to in clause 7 (9) of schedule 8 and ensures that the access was already in existence. The amendment ensures that a reference to access is access by vehicles only, similar to amendment No. 6. Paragraph (b) of the amendment is to make sure that the access was used for access before the commencement of the Act. Without this amendment a land-holder adjacent to or within one of the new national parks can create a new access road through the national park without any permission being required by the National Parks and Wildlife Service. If there is presently no formed access to the inholding, that land-holder should not be granted any new access rights. That is entirely consistent with the normal practice when national parks are created. There are provisions in the National Parks and Wildlife Act that allow for the formalisation of access to inholdings, subject to specific criteria. I commend the amendments to the Committee.

The Hon. IAN MACDONALD (Parliamentary Secretary) [11.00 p.m.]: The Government opposes the amendments. The Government is committed to trying to minimise the impact of access routes on the values of national parks and other reserves. It would be unfair to restrict the protection of access to situations where the access was previously used by vehicles just before the commencement of the bill, or where it was used for other means of access such as walking or cycling.

Amendments negatived.

Schedule 8 agreed to.

The Hon. IAN COHEN [11.02 p.m.], by leave: I move Greens amendments Nos 6, 7 and 9 in globo:

No. 6 Page 55, schedule 9.1 [7]. Insert after line 27:

(1B) Despite subsection (1A), the Governor may, by notice published in the Gazette,

revoke the declaration of any land as or as part of a special management zone and by that notice set apart the land as or as part of a flora reserve.

(1C) Despite subsection (1A), the Governor may, by a notice under Division 1 of Part 4 of the *National Parks and Wildlife Act 1974* that reserves land under that Act:

(a) revoke the declaration of the land, or any part of the land, as a special management zone, and

(b) revoke the dedication of the land, or any part of the land, to which the declaration as a special management zone applies, as a State forest.

No. 7 Page 55, schedule 9.1. Insert before line 28:

[8] Section 21A (2A)

Insert after section 21A (2):

(2A) The carrying out of general purpose logging is prohibited in a special management zone.

No. 9 Page 55, schedule 9.1. Insert before line 28:

[10] Section 21A (4) and (5)

Omit "the Minister" wherever occurring. Insert instead "or".

Greens amendment No. 6 allows the Government to upgrade the level of protection of a forest management zone [FMZ] 2 or FMZ 3A to FMZ 1 or flora reserve without requiring an Act of Parliament. Currently FMZ 2 allows mineral exploration and FMZ 3 also allows grazing. An upgrade would be possible only where mineral interests or grazing leases no longer existed. Greens amendments Nos 7 and 9 exclude general purpose logging from special management zones. That will not preclude the removal and use of any trees that may be felled as a result of road construction, but makes it clear that these are conservation zones that are not to be logged. I commend the amendments to the Committee.

The Hon. IAN MACDONALD (Parliamentary Secretary) [11.03 p.m.]: The Government accepts Greens amendments Nos 6, 7 and 9. I refer first to amendment No. 6. Given that the Government has announced that it intends to upgrade some forest management zones 2 and 3A, which are also to be made flora reserves, it is reasonable to allow that to occur without the need for legislation to revoke special management zones. With regard to amendment No. 7, whilst it is clear government policy for general purpose logging not to occur in special management zones, there are minor exceptions. The Government believes that amendment No. 9 is acceptable within the framework of the proposed changes.

The Hon. MALCOLM JONES [11.04 p.m.]: If Greens amendments Nos 6, 7 and 9 were to be considered collectively rather than individually, it may be possible to declare an area a special management zone by regulation. In turn, that may prevent logging in that area without adequate discussion; it would simply be controlled by regulation. As the Parliamentary Secretary explained to me earlier, whilst it may appear that these may be minor amendments if considered individually, they are not minor amendments if considered collectively. We should be wary of this practice when amendments are placed before the House. I oppose the amendments.

The Hon. PATRICIA FORSYTHE [11.05 p.m.]: I seek the Government's clarification as to whether it is intended that these areas would be changed by regulation and not legislation.

The Hon. IAN MACDONALD (Parliamentary Secretary) [11.05 p.m.]: The answer is yes.

Amendments agreed to.

The Hon. IAN COHEN [11.06 p.m.]: I move Greens amendment No. 8:

No. 8 Page 55, schedule 9.1. Insert before line 28:

[9] Section 21A (3A)

Insert after section 21A (3):

(3A) A special management zone is to be managed in accordance with the following principles:

- (a) the conservation of biodiversity, the maintenance of ecosystem function, the protection of geological and geomorphological features and natural phenomena and the maintenance of natural landscapes,
- (b) the conservation of places, objects, features and landscapes of cultural value,
- (c) the undertaking of mining, mineral or petroleum exploration in the special management zone, to the extent permitted by other provisions of this Act and having regard to the conservation of its natural and cultural values,
- (d) the undertaking of grazing or bee-farming in the special management zone, to the extent compatible with the conservation of its natural and cultural values,
- (d) the promotion of public appreciation and understanding of the special management zone's natural and cultural values, to the extent compatible with the conservation of those natural and cultural values,
- (e) the sustainable visitor use and enjoyment of the special management zone, to the extent compatible with the conservation of its natural and cultural values,
- (f) the undertaking of research and monitoring, to the extent compatible with the conservation of its natural and cultural values.

The purpose of this amendment is to make explicit the current Government policy. Special management zones should be managed in a manner that is compatible with the conservation of their natural and cultural values. I commend the amendment to the Committee.

The Hon. IAN MACDONALD (Parliamentary Secretary) [11.06 p.m.]: The Government opposes Greens amendment No. 8. The Government accepts the intent of the amendment, and it is consistent with Government policy. However, there is some concern about elements of detail. In particular, the principle relating to mining and mineral exploration would require careful consideration, given that some forest management zones 2 and 3A were specifically assigned to these particular categories of reserve because of agreements and decisions about retaining access to mineral reserves and the potential to explore for minerals.

Amendment negated.

Schedule 9 as amended agreed to.

Title agreed to.

Bill reported from Committee with amendments and report adopted.

Third Reading

The Hon. IAN MACDONALD (Parliamentary Secretary) [11.07 p.m.]: I move:

That this bill be now read a third time.

The House divided.

Ayes, 19

Mr Breen	Mr Macdonald	Mr Tsang
Ms Burnswoods	Reverend Dr Moyes	Mr West
Dr Chesterfield-Evans	Reverend Nile	Dr Wong
Mr Cohen	Mr Obeid	
Mr Della Bosca	Ms Rhiannon	<i>Tellers,</i>
Mr R. S. L. Jones	Ms Saffin	Ms Fazio
Mr Kelly	Mrs Sham-Ho	Mr Primrose

Noes, 10

Mrs Forsythe	Mr M. I. Jones	
Mr Gallacher	Mr Lynn	<i>Tellers,</i>
Miss Gardiner	Mr Oldfield	Mr Colless
Mr Gay	Mrs Pavey	Mr Pearce

Pairs

Mr Egan	Mr Harwin
Mr Costa	Mr Jobling
Mr Dyer	Dr Pezzutti
Mr Hatzistergos	Mr Ryan
Ms Tebbutt	Mr Samios

Question resolved in the affirmative.

Motion agreed to.

Bill read a third time.

Bill Name: National Park Estate (Reservations) Bill
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Keywords: 2R, COMM, 3R
Speakers: Wong, The Hon Dr Peter; Pavey, The Hon Melinda; Forsythe, The Hon Patricia; Jones, The Hon Malcolm; Jones, The Hon Richard; Colless, The Hon Rick; Cohen, The Hon Ian; Chesterfield-Evans, The Hon Dr Arthur; Nile, Reverend The Hon Fred; MacDonald, The Hon Ian; Gay, The Hon Duncan
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