

**INQUIRY INTO MANAGEMENT OF PUBLIC LAND IN  
NEW SOUTH WALES**

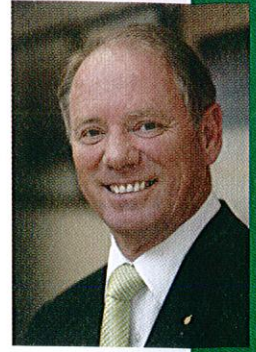
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Since the introduction of the CAR system in the 1990s, some types of forest vegetation has been over-reserved. This has resulted in a lack of timber supply and also poorly managed forest floors which are not ideal for koala habitat. Locking up forests as National Parks has also resulted in lack of management regarding weeds, bridges and fire trails.

Crown Lands which are managed by councils as reserves are not being adequately maintained because funds generated are being directed away from general maintenance of these areas. Key Performance Indicators should be introduced to ensure accountability and proper investment in these public assets.



28 August 2012

## **Inquiry into the Management of Public Land in New South Wales**

### **Submission by Andrew Fraser, Member for Coffs Harbour**

In the 1990s, in conjunction with the Commonwealth Government, a plan was developed for a Comprehensive, Adequate Reserve (CAR) system for native vegetation. It was agreed that the CAR criteria would preserve 15 per cent of the pre-1750 distribution of native vegetation. The intention at the time was to protect each different forest eco-system under these criteria. Unfortunately during this process, especially on the North Coast, subcategories were set up which resulted in an over-reservation of up to 2000 per cent of some forest types originally designated in the CAR.

In 1995 when Labor won government, the then Premier, Bob Carr, decided to become the greenest premier New South Wales had ever seen, and as a result over the next 16 years, forests which had been logged for over 100 years were converted to National Parks. The reason for the conversion of these forests into National Parks was the abundance of fauna such as koalas, in the State Forests. The easiest example I can give is the 2003 National Park Estate (Reservations) Bill, which included Pine Creek State Forest, which at the time was the most productive native forest in NSW.

I refer members of the committee to my speech in Parliament, dated 9 May 2003, in relation to the National Park Estate (Reservations) Bill which details the issue of lack of timber supply (attachment No 1.) I would also point out that at that time I proposed to the then Minister a number of amendments to this Bill which addressed the issue of timber supply through until 2023.

Whilst the Minister gave me an assurance that these amendments would be accepted, when the Bill went to the Upper House the Government reneged on that agreement, which has added to the insecurity and lack of supply for the timber industry ever since.

It should be noted that in many of the National Parks created from highly productive State Forests, plantation timbers are still plentiful. If these National Parks are to be returned to their 'native condition', surely management plans must allow for the removal of the plantation forests and regeneration of natural habitat. Whilst the regeneration would take many years, National Parks such as Bongil Bongil National Park (previously Pine Creek State Forest) contain hundreds of hectares of plantation forest. It should also be noted that Pine Creek State Forest was turned into a National Park because of the large number of koalas living in it, which clearly indicates, as has been confirmed by scientists, that koalas thrive in forests which have younger trees which are more accessible. By locking up forests as National Parks in time this would mean less age range of trees for koalas and other species, and unless the forest floor is properly managed koalas will continue to shift to State Forest areas adjacent which have generally have less entangled forest floors and a better age range of trees.

I also point out to the committee that other legislation in relation to Pilliga State Forest and River Red Gum State Forests has created a lack of supply of Cypress Pine from the Pilliga and Red Gum from the south of the state. The actions of the then Labor Government have caused decimation to the timber industry in many areas across the state and created hardship for those communities.

Once the National Parks were created across the state during the 16 years of Labor, management techniques saw fire trails closed, bridges removed and a general lack of management in relation to noxious weeds and the forest itself. This in turn, in my opinion, has created the opportunity for bushfires, such as the one seen in the Pilliga in late 2006 which all but destroyed the koala population in that area, estimated at the time to be some 15,000 koalas. Cypress Pine is regarded by some botanists as a "weed" which grows well with disturbance but needs to be managed because of the extreme bushfire risks.

This is the same for River Red Gum forests in the south of the state which have been turned into National Parks. The Red Gum industry has, over the years, conducted the best integrated forest management system of any forest in NSW. Once high quality logs have been removed,



any timber left is utilised for salvage such as sleepers and the heads and other waste was removed from the forest and sold as firewood in Melbourne. To see these forests now locked up as National Parks is poor management and has not delivered the promised returns from tourism.

The committee should consider the changing policies in other countries, such as the USA and Canada, which have seen the error in their ways of allowing previously forested areas to be converted back to National Parks and wilderness zones, and note that in these countries current policies now allow forestry as a management tool. Previous policies of 'lock up and lock out' resulted in massive bushfires and a loss of both flora and fauna because of those fires.

This can also be demonstrated by the disastrous fires in Canberra and in Victoria. In this regard I refer members of the committee to the 2009 Victorian Bushfires Royal Commission Final Report Summary, pages 15 and 16, as well as the recommendations made in that report in relation to private property and government management of lands.

I have had extensive discussions over many years with sawmillers, loggers and the Forest Products Association of New South Wales. I fully endorse the submission which the FPA have put forward.

### **Crown Land**

Under the last 16 years of Labor Government in New South Wales, Crown land was seen as a public asset which could be banked, and as a result much Crown land was sold to developers. By doing this, the government only receives a one-off advantage: that is the value of the cash sale.

Other parcels of Crown land are managed by public trusts or by councils. Much of the land managed by councils on the North Coast are reserves which are also utilised as caravan, camping and recreation reserves. Whilst 5 per cent of the gross turnover from these reserves is paid into the Crown Land Reserves Management Fund administered by the State, it would appear that vast profits from these reserves are being put back into increasing the revenue

from the commercial sections of the reserves, rather than maintaining other public lands attached to these reserves. These reserves are often seen as cash cows for councils, rather than the original intention of having the caravan and camping grounds provide income with which to manage the total area of the reserve.

As a result, management of these reserves leaves much to be desired.

Other reserves managed by council are often "co-operatives" such as fishing clubs, yacht clubs, surf clubs, golf clubs, tennis clubs and the like. The rents levied by councils for these reserves are based on commercial valuations of the land, even though the designated purpose of the land is usually public recreation in one form or another. It is my belief that rents should be set in such a manner that the organisations concerned are not unfairly targeted as revenue raisers and are given the opportunity to return excess revenue from these reserves back to the ongoing maintenance and future viability of the reserves.


In all cases, if this were allowed to happen, these organisations would be able to upgrade and improve their facilities, which would improve the value of the Crown asset and the amenity these assets provide to the community. It would also largely negate the need for these groups to seek funding from the State Government for improvements.

Quite often this infrastructure is infrastructure which the government cannot provide due to lack of finances: for example golf clubs, surf clubs and marinas. I would urge the committee to consider a new paradigm of management of Crown lands which would see continued returns to the government under the Crown Land Reserves Management Fund but at the same time give an opportunity for fair profits to be made by clubs and other leaseholders in order that they could service any debts they incur. Obviously, any move in this direction would need stringent leases with actionable key performance indicators (KPIs) which would ensure ongoing maintenance and improvement of these Crown assets.

This, I believe, would be in the best interests of the government and the community.

I enclose for your information a copy of correspondence forwarded to Mr Michael Carapiet who is currently conducting a Comprehensive Review of NSW Crown Land Management on behalf of the Government.

I would be happy to attend the committee and give evidence in relation to both the management of State Forests and National Parks and generally on Crown land.



ANDREW FRASER MP  
Member for Coffs Harbour  
Assistant Speaker in the Legislative Assembly

## NATIONAL PARK ESTATE (RESERVATIONS) BILL

Page: 584

## Second Reading

Debate resumed from 7 May.

**Mr FRASER** (Coffs Harbour) [10.00 a.m.]: I lead on behalf of the Opposition on this bill. I will deal first with the history of the forest debate and the regional forest assessment [RFA] since 1995. When the Government came to office it struck a deal with the timber industry, a deal that I could not agree with. I believed that it would see resource lost to the timber industry over time. My advice to the timber industry at the time, especially in my electorate, was not to accept the contracts and conditions being offered to it by the Government. Unfortunately, the industry was so compromised by the Government that what I said then would happen did happen, and will continue to happen under this bill and any other legislation that this Government introduces. The industry participants were sitting like crows on a fence waiting for one another to fall off so that they could pick the body of what was left.

By the year 2000 an RFA was completed. When the legislation was introduced in 1998 the Government assured the industry, as it did with the RFA, that the forests that were set aside under the RFA for timber production would be left for timber production. In fact, the original comprehensive regional assessment [CRA] over-reserved vast forests on the North Coast purely because of categories within categories. Instead of blackbutt forests there were blackbutt and spotted gum forests or blackbutt, spotted gum and blue gum forests. The original intention of the RFA and the CRA was lost because of green dominance in the committees. The information that was provided by the National Parks and Wildlife Service then, as it is now, was flawed.

Not only have the forests that were reserved shrunk in volume; now they are shrinking in area. The protocols or descriptions put in place meant that the forest industry could not log buffers on buffers. Forest management zones such as FMZ8s and FMZ3s covered vast tracts of the forests set aside for timber production and did not allow logging. It is arguable whether that was in the best interests of the environment or whether it was purely another green grab. But the timber industry continued. The Government introduced the forest industry structural adjustment package. Parliament set aside \$60 million initially and then another \$20 million to assist the industry to do a number of things.

The first was to assist displaced workers. So there was an admission from the Government at the time that there would be a loss of jobs in the industry. The second object was to assist businesses that had to exit the industry: businesses were paid to get out of the industry, disproving the rhetoric from the Government that its policies have not cost jobs in regional and rural New South Wales, especially on the North Coast, and in the south-east. I note that the honourable member for Bega is in the Chamber. He has grave concerns about what may happen in his area. The Government's policies have cost the industry dearly and will continue to do so. Another object was worker assistance.

There was also financial assistance for mills to retool and upgrade their plants to ensure that the timber supply that was left, which was nowhere near as good in commercial value as we were led to believe, would be able to be harvested and utilised to the maximum benefit of the industry—and to ensure that the greens did not have another stick to throw at us. To that end the Government, in association with the Commonwealth Government, provided \$138.5 million worth of assistance to retool. Sadly, the mills that spent the money will now have the resource taken from them under this bill. The resource that was promised to them for which they retooled with the government money basically has now been declared redundant by this bill. On 12 November 1998 in a media release the Premier stated:

The New South Wales Government has now declared a total of 151 new national parks and nature reserves since coming to office. This exceeds our election commitment of creating 24 new national parks.

That demonstrates that the Government made a commitment to the green movement and the people of New South Wales. We accept its mandate to do that, although it was slim in 1995. The Premier went on to say:

The Northeast Forest Agreement is the most historic decision in New South Wales. It also delivers unprecedented security to the timber industry and workers and incorporates a substantial industry assistance package. The decision is a fair and balanced outcome following more than three years of detailed scientific analysis and stakeholder and community consultation.

One would think that when the Premier issued such a press release we could have expected some security, that the last green grab had been made. The Premier went on to say that there would be a guarantee to the industry of a minimum allocation of 129,000 cubic metres in the upper north-east and 149,000 cubic metres in the lower north-east over the next 20 years. That was a per annum figure, a total of 269,000 cubic metres. Yet since that declaration



by the Premier a further 219,000 hectares of State forest has been reserved by the Government. If one million hectares was set aside in the first place to provide 269,000 cubic metres it cannot be claimed that the same production can be expected if the area is reduced by 219,000 hectares. It is impossible. Yet the Premier tells us now that the decision will not affect supply. Mathematically, physically and ecologically it is not possible. On that same day, 12 November, there was a media release from the Minister for Urban Affairs and Planning, who introduced this bill, which stated:

The decision on the upper and lower northeast forests is a fair and balanced outcome in that it protects jobs, provides certainty and significantly increases forest reserves.

The media release went on to state:

To achieve this we implemented an inclusive and transparent process which has involved more than three years of hard work and detailed examination of land use in this region. Mr Knowles said, "It would be difficult for anyone to sustain an argument that the Government had not met conservation targets.

This was in 1998. The media release continued:

Given that the processes set up by the Resource and Conservation Assessment Council had already been recognised as well by leading conservation groups—

The same groups that have put pressure on the Government to reserve this extra 65,000 hectares. The article continued:

Never before have all the interested groups been brought to the table to resolve what has been, historically, a volatile and highly sensitive policy debate.

The Minister used the word "resolve". The Premier said, "We have done more than we needed to do." The former Minister for Urban Affairs and Planning said, "We have got the result we need." On 12 November, the then Minister for Forestry said that the Government had set the timber industry in a direction that would allow new business growth and support for rural industry. He then confirmed the Premier's figures. He stated that the industry has been guaranteed a minimum of 129,000 cubic metres in the upper north-east and 140,000 cubic metres in the lower north-east for the next 20 years.

The Minister said that new jobs in the region would include 61 jobs in forest thinning, 25 jobs in plantation expansion, and 105 jobs to manage the new areas of national park. In addition the Government has committed \$2 million to a potential new biomass energy plant at Walcha that would create 42 more new jobs. During the past three years there has been unprecedented investment in the industry, and new equipment upgrade operations have seen timber millers move into more value-added markets. What the north-east decision means is that the industry can have confidence to continue developing new value-added markets and make better use of our timber resource.

Honourable members should understand that that was in 1998. It was to be the last of the last; it was the decision that was to give security and guarantee the industry a timber supply of 269,000 cubic metres a year. I ask, again, how can the Government take away 219,000 hectares of State forest and still guarantee the industry a supply without an over-cut of massive proportions? I hope the Government accepts my proposed amendments to the bill, because they would excise plantations from those new areas. That in itself sets an absolutely bizarre precedent, because all the plantations are next to national parks and State forest land, and possibly private land. At some time in the future that land could be eyed jealously by the green movement, as was Pine Creek. That land could then be converted to some form of conservation area. The precedent has been set by the Government to say that plantation timber is capable of being declared a national park, or a reservation of an area managed by the National Parks and Wildlife Service. It is bizarre! The then Minister for the Environment, who recently had a swipe at me in the House, said:

The State Government has consulted all stakeholders involved in this complex process and has come up with a balanced outcome that provides much needed certainty to the timber industry and ensures the protection of some of the most biodiverse areas of this part of New South Wales.

I cannot emphasise this enough: That was done in 1998. After it was done the RFA was signed by the Premier and the Prime Minister. That agreement guarantees supply to the timber industry and guarantees other areas to be reserved for conservation. The Coalition thought that by March 2000 that debate had finished. To digress slightly, it needs to be understood that that decision was made in the middle of an election campaign. The Premier declared the extra 65,000 hectares of State forests as national parks in the middle of an election campaign. A cynic would ask: I wonder why? Was it for Greens preferences? After that decision was made, the Greens preferences flowed to the Labor Party.

**Mr Orkopoulos:** I didn't get any.

**Mr FRASER:** No, but as the honourable member for Swansea is part of the left wing of the Labor Party I think he is a green. It is sad that one would do that to an industry on the basis of retaining one's own job; it was a disgrace. The jobs of all those hard-working mill workers on the North Coast—and I note that on the North Coast in direct employment in mills and with bush contractors, there are 1,872 jobs—

**Mr George:** How many?

**Mr FRASER:** At the moment there are 1,872. The industry claimed that up to 1,400 jobs could be lost. Those claims are not unfounded, and I will address that later. Clause 69 of the RFA states:

Parties agree that through the acquisition of Private Land (by voluntary sale), transfer of lands to the Crown, or transfer of land from an existing reserve tenure to one of higher conservation protection status, enhancements to the CAR Reserve System could occur. Both Parties agree that such enhancements to the CAR Reserve System will not impede the management of State forest lands or the meeting of the wood supply commitments in this Agreement (Clauses 79, 80 and 84)

Clause 71 states:

Parties agree that changes to the CAR Reserve System will only occur in accordance with this Agreement, will be made publicly available, and will not lead to deterioration in the representation or protection of identified CAR Values, except that minor changes to the levels of representation or protection of specific CAR values may occur.

That guarantees the continuation of log supply and protection of areas, which we all want, but it will give some surety to the industry. The agreement has been thrown in the bin by the Premier. Under the heading "Industry and Regional Development, clause 73 states:

The Parties agree that State forest outside the CAR Reserve System is available for timber harvesting in accordance with this Agreement and the laws of New South Wales.

That is fairly plain, and we could all understand it. The document continues:

Parties agree that any changes to the total area of State forests or areas excluded from harvesting or Regional Prescriptions applied to State forest will not lead to a net deterioration in the capacity to supply wood from the Upper North East region and the Lower North East region, in terms of the volumes as specified in this Agreement and in terms of species and quality.

It is an agreement; it exists. The industry invested dollar for dollar with the State Government and the Federal Government \$138 million. The agreement states that the industry will not lose supply, yet this bill and the bill passed last November can only lead to a reduction in supply, and that will lead to a reduction in jobs. One does not have to be a genius to work that out. I will quote facts and figures. The economic benefit of 35 loads of timber per week is equivalent to \$7.45 million per annum, employs 70 people directly and uses \$1 million worth of fuel. I suggested that is a miniscule part of State forests at Pine Creek, Whian Whian, Wollumbin or Queens Lake. If that amount of timber is taken from the industry, the industry and the communities of the North Coast will suffer a huge economic loss. The agreement also states:

The Parties acknowledge that the forest-based industries in the Upper North East and Lower North East regions contribute to both the regional and State economies.

That is the sort of effect that this bill will have, and the agreement acknowledges that. However, the Premier has decided to throw that into the bin because of Greens preferences. The document continues:

The Agreement will provide long-term stability for these industries through including long-term certainty of timber supply.

The Government has thrown out that stability. The vast majority of the area contains plantation timber, yet the Minister and the Premier have decided to let the agreement go. In the past seven months the Government has breached that historic agreement: last November and now with this bill. I hope I can salvage something for the industry. The Coalition is asking the Government to accept its amendments to the bill. Those amendments will be moved during the Committee stage. I have provided a copy of them, but I believe that they need to be redrafted; they are becoming unwieldy. At the end of the day, we should provide security to an industry that supposedly had its security guaranteed.

The Government cannot say that it did not know what impact this legislation would have. In October last year, the Government was presented with a report produced by Jerome Vanclay of the Southern Cross University. It is good to see the former Minister for Forestry in the Chamber. In a first for me, I place on the record that I believe the former Minister saw the death of State Forests. I commend him because this legislation is the reason he is sitting on the back bench. He stood up for the workers and the industry. He provided Cabinet with a minute telling it not to agree to these measures. He endorsed the Vanclay report, and paid a very high price for that, as did Bob Smith and Ridley.

**Mr Yeadon:** You are giving me a bad name.

**Mr FRASER:** No, I am complimenting the former Minister. He obviously already has a bad name in the Premier's mind because he has been flicked. He let a great deal go through but finally stood up and said enough is enough. He advised the Government not to implement the measures in this bill and, as a result, he lost his ministry—not that I thought he was a good forestry Minister. The Vanclay report was provided to the Government and was in the Premier's possession in October last year. It clearly showed that the Government would be able to supply to the

industry a maximum of 220,000 cubic metres of timber a year.

The Premier had the report on his desk and he guaranteed 269,000 cubic metres of timber to certain sawmillers—I do not want to embarrass them by naming them. He lied to those sawmillers. That occurred prior to his declaring an extra 219,000 hectares as national park. That report should be made available to everyone in New South Wales so that they can see the sorts of grubby deals the Premier has done to get preferences from the Greens. I also draw the attention of the House to a document presented to Cabinet late last year by State Forests entitled "Status of discussions—New national parks on North Coast". The report, which was commissioned by State Forests from PricewaterhouseCoopers, contains the following table:

OPTION	New reserves (ha)	VOLUME IMPACT	COMPENSATION
New NP plus NEFA priority 1, 2, 3 and Candidate Old Growth impacting on WSA	>386 871 ha (including 150K ha/100K ha from FMZs)	1 650 377 m3 (82 500 m3 per year)	Up to \$238.3M. Reserves make additional compensation

This is a Cabinet document which shows that the decision last November on a reduction of 82,500 cubic metres would cost this Government \$238.3 million. We have seen industry claims suggesting that the remaining resource will be as low as 158,000 cubic metres. That is lower than the estimate in the PricewaterhouseCoopers report. That 158,000 cubic metres would mean compensation in excess of \$238.3 million would need to be paid. Even if we managed to claw back some of that resource, massive compensation would still need to be paid to the timber industry under existing agreements.

It is bizarre that this Government asked industry to sign memorandums of understanding [MOU]—including with Boral—with regard to those agreements prior to the election. Part of the deal to reduce the figure was to forgive the 2006 interim assessment and provide a guaranteed annual volume of 165,000 cubic metres rather than 184,000 cubic metres. How the Premier or anyone else can suggest that no volume will be lost by creating these parks is beyond me. If that is the case, why is Boral—one of the biggest players in the industry—suffering a reduction from 184,000 cubic metres to 165,000 cubic metres? The Government has offered these MOUs to other quota log millers on the North Coast. I note the presence in the Chamber of the newly elected honourable member for Clarence. He won the seat not only because of his fine personal attributes. The timber industry voted Labor out because it knew this measure was imminent.

Mill owners have informed me and the honourable member for Clarence that State Forests indicated this week that as part of these MOUs and new agreements they are expected to take supply cuts of up to 50 per cent. According to the Premier's and other Ministers' media releases, Boral has 165,000 cubic metres of guaranteed supply under the RFA. That leaves 104,000 cubic metres for the rest of the industry. If that were cut in half, the rest of the industry would have only 52,000 cubic metres. How can anyone tell me in all honesty that the industry will survive at that level and that the 1,800 jobs are safe? Even if we manage to claw back these plantations, the precipice will be reached. We might delay the process, but I suspect the timber supply will dry up in 2008 or 2009. The majority of the industry operators will be asked to mothball their plants and those jobs will permanently disappear. This is not a scare tactic or idle gossip; these are facts supported by PricewaterhouseCoopers and Jerome Vanclay. They have told us that timber supply will not continue and that compensation must be paid, but the Government is ignoring them.

The Premier has told us that, under new prescriptions proposed by State Forests and the Environment Protection Authority, buffers on buffers will be available for logging, which will provide another 50,000 cubic metres of timber. I do not believe that, because those buffers on buffers are in the parks that are being reserved. If that area has been reserved, no-one will be able to access it because loggers will not be able to log the buffer, the buffer on the buffer or the park. The industry estimates that the maximum amount obtainable from buffers in the upper and lower north-east is 18,000 cubic metres.

If that is the case, and 50,000 cubic metres is being removed, the RFA has been breached. Sawmilling operators will not receive the supply level guaranteed by this Government in the agreements and the MOUs with Boral and the rest of the industry. Therefore, compensation will need to be provided by the taxpayers of New South Wales. We will have a budget black hole of more than \$238 million. I cannot understand how a responsible Government that gloats about its sound economic management can present this sort of legislation to the Parliament and expect the people of New South Wales to accept it. I have been told that the Treasurer was not advised about the black hole and that he supported the establishment of the new national parks because they would not cost the industry anything.

I suggest that Michael Egan has been misled. I am quite happy to make available to him the Vanclay and PricewaterhouseCoopers reports, which show where compensation has been provided. Perhaps Michael Egan would then be prepared to argue my case and that of the industry in Cabinet, to claw some of this timber back. The Treasurer of this State has stated that he was told there would be no impact on the industry. I have a State Forests board briefing note that I am sure the former Minister is well and truly familiar with, because the document came from his briefing note. The former Minister could probably quote the document to me. The briefing note reads:

RACD advice appears to be:

- Available supply:
- 200-210,000 cu.m (comment: confirmed by Director RACD be about 200k per year).

This goes back prior to the election. The document continues:

- Plus 11,000 cu.m from private property ...
- Plus 20,000 cu.m from FMZ 8 ...
- Plus 1500 from Crown land ...
- Plus 15,000 from bringing forward timber needed for the 21-100 year period ...
- Plus up to 50,000 from buffers on buffers and unmapped drainage line
- Plus unknown volume from other areas on State forests identified ...
- Less 30,000 icon volume impact
- Total 267,000 plus
- Required volume:
- 269,000 Wood Supply Agreement Commitments

The briefing note concludes:

State Forests advised Government the shortfall in volumes is compensatable. Furthermore, because the higher volume areas now excluded from logging as a result of the new reserves combined with logging having already focused over recent years on areas outside the new reserves, State Forests would not be able to make supplies available in a few years' time.

The FPA have advised they believe the new reserves will make a shortfall in supply of about 100,000 cu.m/year. Therefore, the Government's commitment to Boral without a Resource Review will mean virtually no timber is available for non-Boral mills. Legal advice is being sought by the FPA. RACD has provided advice to the Government and have chosen not to seek or adopt advice provided from State Forests based on Prof Vancley's best available estimate and has not to engage with State Forests to test their deliberations.

Clearly, the advice was ignored by the Government. The board was advised, and Cabinet was advised by the former Minister, but the advice was ignored. The briefing note then states:

The Minister's advice to the Premier is attached.

Unfortunately I could not get hold of a copy of the Minister's advice, but I read it. It was identical to the briefing note. That is why the former Minister was removed from his portfolio. The briefing note continues:

An analysis of the impact of the decision is being undertaken.

### **Recommendation**

The Board note

- The Government's decision as understood by State Forests.
- The decision is being analysed.
- State Forests advice that they will not be able to meet Wood Supply Agreement commitments.

**Furthermore, State Forests will implement the Government's decision.**

In other words, State Forests has been forced into a corner. That briefing note shows that a minimum of \$238.3 million must be paid. The report that I referred to earlier shows that the volumes are not there. That is the report that the Premier, following the former Minister's advice to Cabinet, chose to ignore for Greens preferences. That report will result in jobs being lost in the upper north-east and lower north-east region. That report will result in dole cheques being given to the Greens and to timber industry employees on the North Coast. That document is damnable. I challenge the former Minister and the Premier to deny its existence. We will see that document in 30 years time, when those Cabinet papers are released and the industry has long gone.

The former Minister knows that the advice from PricewaterhouseCoopers is available. I feel sorry for him, because



he finally stood up for the workers. It is a little sad that he has been removed from his portfolio because he stood up for the workers of this State. I know that he is a good union man, even though he might be from the Left. All that was done because of Greens preferences—the Greens closing in on historical forests decisions. A media release from the Greens in Monaro, under the heading "Greens offer preferences in return for key commitments" states:

In a final attempt to secure some key Green social justice and environmental outcomes for Monaro, The Greens have opened up the possibility of preferencing the ALP in the forthcoming election ...

In a letter to Steve Whan and the ALP sent on Sunday, Catherine Moore said:

"Although it was announced yesterday that the Greens in Monaro would be recommending that voters exhaust on March 22, we would like to investigate all avenues for achieving some key outcomes.

To that end, we are willing to preference the ALP if there is a public announcement that:

- No NSW native forests will be used for charcoal production or biomass burning;
- There will be an immediate moratorium on the logging in the CRPs already identified, being Deua, Badja, Nalbaugh, Cathcart, Monga, Wandella, Coolangubra, Murrah and Yurammie, a reduced logging regime for the Clyde River catchment, and a commitment to the creation of National Parks out of these CRPs within twelve months.

The list of forests set out in that document mirrors the list set out in the document that has gone to the North East Forest Alliance. The document was authorised by Virginia Young on behalf of the Wilderness Society. I will read to the House the list of forests set out in that document, which, interestingly, matches the list of forests referred to in the Premier's media release. The forests listed are Whian Whian, Wollumbin, Chaelundi, Bungawalbin, Shea's Nob, Sherwood, Little Wonder, Pine Creek, Queens Lake, Tuggolo, Copeland Tops, Jilliby, Butterleaf and Myall River.

All those forests are provided for in the legislation. Interestingly, that list of forests is identical to the list set out in the Premier's media release issued during the election campaign for the forests that are now reserved under this bill. Even the areas claimed by the Greens were the areas notified by the Premier. In fact, there is a CD-ROM from State Forests, which I am quite happy to make available to those honourable members who want to see it. The CD-ROM lists all those forests and reserve areas and has a schedule attached to it. This is the CD-ROM that was utilised by Cabinet, State Forests and the Government to reserve these forests. The author of that CD-ROM was Carmel Flint, a member of the North East Forest Alliance.

I have evidence, which I will present to the Committee of this House, that Cabinet, in making its decision, did not seek State Forests advice, yet the information, which was prepared by the Greens and the North East Forest Alliance, was accepted by Cabinet. Neither the National Parks and Wildlife Service nor State Forests, who are both capable of providing accurate information to the Government, was consulted. The information on which the Government acted and prepared the maps referred to in the legislation comes directly from the North East Forest Alliance. That is absolute lunacy! Why did the Government not consult Ian Cranwell from the Resource and Conservation Division, who is in the Chamber today, and ask him for maps? Instead, it got the maps and descriptions from the North East Forest Alliance. Tell me that that is not a Green deal! The Coalition has absolutely no problem accepting the fact that we need to reserve areas of importance.

The funny thing is that the areas claimed are already protected by prescription or by forest management zones [FMZ]—FMZ8s or FMZ3s. Their protection is absolute. For example, Sherwood Forest has small logs that the industry retools until harvest. I am the first to admit that the forest has areas of old growth that have never been touched. Those areas are protected by prescription, by legislation and by regulation, but the remainder of the forest is available to the timber industry. The Greens, in their ambit claim, are seeking the reservation of 800 or 900 hectares of Sherwood Forest, which is only half a kilometre from my home. That is unbelievable. Why reserve that forest when its sensitive areas are already protected? There is no reason for it.

The Premier made a preference deal with the Greens in an effort to convince us that he is our greenest Premier ever. This proposal flies in the face of the regional forest agreement and was formulated on the basis of a document provided by the Wilderness Society prior to the last Federal election and on the basis of maps prepared by Carmel Flint from NEFA. It is bizarre for government, with its many resources, to accept advice that cannot be substantiated by fact. Even now, the areas claimed are disputed by State Forests and, I suggest, by the National Parks and Wildlife Service and PlanningNSW.

Another sad element of this debate is industry expectations—what the Government promised to deliver to the industry. The Government claims that the industry fully supports this legislation. I have media releases from the Forest Products Association [FPA] and from Boral that claim that this bill will give the industry surety. It will have surety for another 20 years but the bill will not maintain the volumes of timber—158,000 cubic metres, for example—that the industry has at present. The media releases were issued because the Government gave those bodies memorandums of understanding [MOUs]. I want honourable members to understand what the Government is asking of the industry in those memorandums of understanding. The memorandum of understanding for members of the FPA—which is currently under negotiation and is yet to be signed—states:

Objectives. The New South Wales Government acknowledges the Company's desire to renegotiate the Agreement with a view to obtaining greater certainty—

it has already been guaranteed 269,000 cubic metres—

as to the supply of hardwood timber under the terms of the Agreement until [insert year] ... The Company acknowledges that the NSW Government wishes to declare additional conservation areas, some of which are areas that might otherwise be used to supply hardwood timber under the Agreement, in the following areas (as shown on the attached map).

Those areas are Bungawalbin, Butterleaf, Chaelundi, Copeland Tops, Jiliby, Little Wonder, Myall River, Pine Creek, Queens Lake, Sheas Knob, Sherwood old growth—there is only a little old growth in that forest; it is not an old-growth forest—Tuggolo, Whian Whian, Wollumbin, Black Bulga and other old-growth additions. That is the proposal that the Government has put to FPA members. The agreement with Boral, which was signed prior to the election, bears the signatures of Rod Pearce and the Deputy Premier. I once again compliment the honourable member for Granville, the former Minister for Forests, for not putting his signature to that document—he was sacked from the Cabinet as a result. The document states:

The Companies acknowledge that the NSW Government wishes to declare additional conservation areas in the following areas (as shown on the attached map and the schedule of associated zones and timber volumes, subject to the negotiations relating to Pine Creek and Queens Lake hereunder): Bungawalbin, Butterleaf, Chaelundi, Copeland Tops, Jiliby, Little Wonder, Myall River, Pine Creek, Queens Lake, Sheas Knob, Sherwood old growth, Tuggolo, Whian Whian, Wollumbin, Black Bulga, other old growth additions.

The industry issued media releases in support of the Government because it would have looked foolish if it had not done so. I suggest that the Government has forced the industry to sign memorandums of understanding acknowledging that forests that supplied timber, and which had been set aside for timber production, would be reserved and incorporated in national parks. How duplicitous for the Government to claim that it has industry support when it is forcing the industry to sign MOUs. The Government pressured Boral and the FPA to issue releases saying that they agree with the reservations by making promises about a 20-year extension and the 2006 review. If the Government claims that the industry has not raised any objections I will show them the documents—one specifically about old growth and the other about forests—that were presented to both the Minister Assisting the Minister for Natural Resources (Forests) and the Minister for Natural Resources. The documents contain an assessment of the future of the industry. One document states:

This announcement removes the balance between conservation and social and economic values that was derived in the Comprehensive Regional Assessments and Forest Agreement legislation that followed.

In other words, balance was provided by the comprehensive regional assessments. It continues:

The attached maps show that the harvestable area, after accounting the various classes of exclusions, is very fractured and in many cases is rendered unviable simply by inefficiency or inaccessibility through reserved areas. Specific harvest plan and operational exclusions under the Integrated Forestry Operations Approvals further diminish the harvestable area.

That is what the industry told the Government a week or 10 days ago. It told the Government that the industry will lose timber as a consequence of this proposal. The document goes on:

North of Sydney there are 27 casual and long term logging contractors operating under contracts with State Forests (with a further five contracts awaiting approval). Approximately 150 people are employed in this sector ... Family-owned sawmilling companies are by far the largest employers in the industry, accounting for 390 of the 400 mills. Approximately 2,000 of the 2,500 people working in the hardwood sawmilling sector are employed by family-owned companies ... Extensive plantation resource at Queens Lake, Pine Creek, Whian Whian and Wollumbin has been included in the announcement. These areas produce timber yields from 50 to 80 m<sup>3</sup> per hectare including very high proportions of veneer logs, poles and export quality timber.

That is a submission from the industry to the Government asking it to stop what it is doing or, at the very least, to excise the plantation areas. The Government's claim of industry support is nothing short of a lie. Industry submissions, other than that from Boral, want the Government to stop because the industry needs its timber resource. We are not talking about the rape and pillage of national parks; we are talking about the removal of forests. The director of the Department of Urban Affairs and Planning, Mr Cranwell, who is in the advisers' area, knows that at a meeting with industry representatives in Port Macquarie—I could produce the agenda from the meeting but I do not need to as I have discussed this matter with Mr Cranwell—the industry was told that it would not lose any supply as a result of this announcement. In fact, Mr Cranwell told the industry that no plantation timber or regrowth plantation timber would be in the announcement. I ask the Minister and the Government to meet the commitment that the Government and Mr Cranwell gave to the industry and excise those plantations.

I would love to see this entire bill thrown out. However, I am pragmatic enough to realise that the Government has the numbers to push the bill through in this place and has the support of the Greens in the upper House. Nevertheless, I urge the Government to consider my amendments, which I produced in concert with the industry, and to try to give some timber back to the industry. It will not save it; it probably will not give us the volumes we require under the RFA; but at the end of the day it will give some surety to the industry, to those family companies mentioned in the RFA report, to Minister Costa and Minister Knowles, and to the Premier—at least in the short term.

It will protect their investment of more than \$138 million and it will give them an opportunity to continue for a number of years yet.

I will not put all of the many arguments today, I will put them when the amendments are discussed in Committee. But I draw the attention of the House and the Minister to a report entitled "Checking of CRAFTI (CRA) API by Paul McDonald September 2002 Various State Forest and Properties of K. and N. Ellem and G. Cartmill". I am quite happy to make this report available to the Minister. Referring to compartments 353, 354 and 355, Kangaroo River State Forest—which is not included in the legislation but I wanted to point out how dodgy the descriptions, mapping and everything else have been in this process—the report says:

Some of the stands have a component of eucalypt or Brush Box present and have been coded accordingly, but they are still regarded as rainforest in the CRA. Areas of Lantana have been coded as L. This is often misinterpreted as rainforest.

That is a groundbreaking exercise by a man who is well regarded by the National Parks and Wildlife Service and the State Government; he is writing a private report for two people who have gone out and made an assessment, and he is telling us that in one forest, Kangaroo River State Forest, lantana has been mapped under this system as rainforest. For the benefit of city dwellers, lantana was brought into Australia as a pot plant from England and it is now rife in most national parks and many State forests in New South Wales. The original deal, which guaranteed the 269,000 cubic metres, actually mapped areas as rainforest, yet the report says lantana is often misinterpreted as rainforest. Referring to an area that is included in this legislation, Compartments 111, 113 and 119, part 79, Clouds Creek State Forest, the report states:

Only the rainforest has been mapped in these areas. Mapping of these areas was extremely difficult and open to interpretation. As in other areas, the rainforest is heavily disturbed by heavy logging, and in many areas the eucalypt overstorey has been removed or reduced in logging. This is further complicated by the presence of a dense cover of regeneration due to the heavy nature of the logging. There is a continuous cover of regeneration and understorey species from the gully to the ridges. In some areas, where the eucalypt regeneration is advanced and/or dense enough, rainforest can be separated from the eucalypt stand. But in many cases this is extremely difficult. How far one extends the "rainforest" in these circumstances is very difficult and depends on the bias of the interpreter.

This means that areas that were typed as type 47 etc are under RN17, are now very open, with lots of regeneration of many species including rainforest, and under CRAFTI rules much of it was called rainforest.

He is saying that what has been interpreted as rainforest—and therefore included in this legislation—is not rainforest; it does not meet the criteria that NEFA, the Greens or the Government claim it does. Mr McDonald continued:

However, I believe some of it was mistakenly called rainforest, and is just eucalypt regrowth with moist understorey species present.

The report goes on to prove that the Greens' claims for reservation of these State Forests areas do not stack up. This is a report from a fellow who is well respected by both industry and government departments. This man is independent. Unfortunately, he has not reported on other areas but his report proves that, at least in Clouds Creek, the conservation values claimed by the Government do not add up. That area should not be anywhere within the attached schedule. Why include it if it does not meet the minimum criteria?

The bill will have an impact on Crown leases. I have had discussions with the Minister's staff. The Minister stated that if Crown lease management is vested in the National Parks Minister, the people who own that Crown lease or perpetual lease will not be disadvantaged. But it is important to look at the history of Crown leases and perpetual leases in New South Wales. A perpetual lease is a title that is described in a document entitled "Department of Lands Reform of N.S.W. Crown Land Laws—Effects on Existing Crown tenures", which states:

The State's interest in Crown land held under perpetual lease is limited. The concept of a "perpetual lease" was first introduced into N.S.W. in 1894 in the form of a "homestead selection". Since then some 18 different forms of perpetual lease have been created. A perpetual lease confers on the holder a right to the exclusive possession of the land in perpetuity and has on many occasions been categorised as being "as good as freehold". All perpetual leases may be transferred, mortgaged, etc., as with freehold land, although in most cases dealings other than mortgages, can only be made with the Minister's consent.

What this legislation does, especially in the Chaelundi area, is capture perpetual leases owned by families for generations. Many years ago those leases were declared to be State Forests land and they were managed by New South Wales Forestry. This legislation seeks to transfer management of the leases to the National Parks and Wildlife Service. There is the conundrum: the lease is owned by individuals but has been declared to be State Forests land. I believe that vesting the management of that lease in the Minister is contestable and could be enjoined by anyone who has a perpetual lease.

The Minister's office tells me that a precedent has been set, that the provision was in the 1998 legislation but it has never been tested. I have had discussions with officers from the National Parks and Wildlife Service in Coffs Harbour. I have been told that their understanding of the amendments relating to the management of these Crown leases by the National Parks and Wildlife Services is that if someone wishes to sell those leases, the only person they can sell those leases to will be the National Parks and Wildlife Service. The report from the Crown Lands

Department back in 1989 said that a perpetual lease is "as good as freehold". So I would suggest that the Government has taken away a freehold title from these people. It is a leasehold but, as the department said, it is as good as freehold. That is like going to someone's home in Sydney and saying, "I am vesting the management of your home and property in the National Parks and Wildlife Service." Those home owners would go through the roof because the occupation and management of their own property would be restricted. That is the effect of this legislation.

I ask the Minister to carefully consider my foreshadowed amendments and exclude these leases at least until the legal definition is clarified. If, as I am advised by the National Parks and Wildlife Service [NPWS] in Coffs Harbour, these leases can be sold only to the National Parks and Wildlife Service, the value of the land will be substantially diminished. The Minister has taken away the right of landowners to manage their land and sell it on the open market. In effect, under this legislation, the Government has frozen their asset. I compliment Bronwyn Petrie from NSW Farmers—who owns leases and is desperate to protect them—on her wonderful work on this legislation. I will make the press release of NSW Farmers available to the Minister.

There are grave concerns about the value of properties. If a property is mortgaged and its value diminished by this legislation, will the bank foreclose on a mortgage? The Government should allow the leases to remain under their existing management. Having a forest declared as a national park is a difficult area and the Government should closely examine the matter before a decision is made. I also refer to a matter I recently raised in Parliament that the Premier laughed off. On 12 November 1996 he issued a memorandum to all Ministers, No. 96/17, relating to rural community impact statements. The memorandum stated:

As recently announced, any major changes proposed by government agencies in rural New South Wales will, in the future, be subject to a rural community impact statement ...

Cabinet proposals which have a clear economic and social impact on rural areas should fully analyse and assess those issues in the body of the Cabinet minute.

That direction by the Premier to his Ministers and departments sought to ensure the inclusion of social and economic impact statements but that has not happened. In fact, the advice received by Cabinet and State Forests from PricewaterhouseCoopers clearly indicates that the minimum cost to the Government will be \$238 million. People must be compensated for loss of timber and jobs, which will have an adverse impact on rural communities. I outlined earlier that 35 truckloads of wheat would cost communities more than \$7 million, plus \$1 million worth of fuel. Despite this economic impact on communities, the Government has not undertaken an economic impact statement.

It is farcical for the Premier to issue a memorandum to all Ministers in 1996 and then totally ignore an issue that could potentially cost the Government in excess of \$238.3 million in compensation alone. Assessments should be carried out because this will result in increased rates and taxes throughout New South Wales. Even if assessments are not carried out for budgetary purposes, they should be done for the sake of those communities that are reliant on value adding, timber supplies and timber production. I lay upon the table of the House my foreshadowed amendments, together with maps, which I have already provided to the Minister's office. The amendments cover a number of areas, including new clause 12 relating to long-term wood supply agreements stating that not less than 269,000 cubic metres of timber per calendar year will be supplied until the end of 2023. That figure is not unreasonable and is included in the regional forest agreement.

The Premier said that this declaration will not affect timber supplies to the community and that should be enshrined in legislation. That simple amendment merely confirms statements by the Premier, so the Government should not have a problem with that declaration. The foreshadowed amendment relating to Bongil Bongil National Park basically removes plantations west of the highway. I know the Minister has already sterilised some of the areas and said they will be able to be logged, but there are huge areas of additional plantation in that and other forests about which I will not refer individually until the Committee stage. The Opposition seeks to remove from the bill those areas relating to Myall Lakes, Queens Lake and Lake Innes. If the Government were serious about not including plantations in national parks—and Mr Cranwell told the industry they would not be included—it would accept the amendments and provide short-term security to the industry.

Other amendments deal with leases because it is imperative for the issue to be resolved prior to the legislation being enacted. Landowners need the continued security of tenure they have enjoyed over many years. They need assurances that grazing rights on their lands will continue because they have a perpetual lease. To do otherwise will send the wrong message to leaseholders, especially in the Western Division. The matter needs to be resolved to deal with future declarations of conservation areas that will impact on freehold leases in the Western Division. This bill creates major legal impediments to all leases in New South Wales. I ask the Government to remove those areas from the bill because their inclusion at this stage is too dangerous.

The Opposition's amendments will provide surety to the industry for a time. We believe that this legislation is devastating to our communities. Although the Government has the numbers to push through this legislation, the Opposition believes it will have a detrimental effect on rural communities. I would suggest that the Government lost the seat of Clarence on this issue, yet it will press ahead with the Greens deal. Although the Opposition does not agree with the Government's proposal, it urges the Government to agree to the foreshadowed amendments in order to give the industry some security. The Coalition does not oppose the creation of national parks, but seeks to ensure that they are properly managed.

It is ironic that this legislation will create an extra 65,000 hectares yet no money has been provided by the Minister



to the National Parks and Wildlife Service to manage those additional areas. Over the past few years mismanagement and climatic conditions have caused devastating fires. Poor management of our national parks means a possible loss of natural resources and heritage. The sensitive areas have already been protected by logging protocols and prescriptions under forest management zones, so I regard this bill as mere window-dressing. In his second reading speech the Minister did not give any reason as to why these areas need to be declared reserves. One of his statements was:

The new conservation reserves have been shown to contain over 500 species of birds and animals and 4,000 plant species.

Is that a reason for conservation? We acknowledge the presence of those birds, animals and plant species in those areas—but their presence is due to the management of State Forests. They are in those areas because they can co-exist with State Forests operations. The Minister is not saying that those animals and plants are endangered, or that they will be wiped out because of current management practices. He merely said they are there. Of course they are there. But leave their protection to State Forests under existing protection measures. The Minister said further:

... the decision to include these important areas in reserves has been made only after careful assessment of the implications for timber supplies ...

If that is a fact, the House should accept the Opposition amendments designed to ensure the continued supply of 269,000 cubic metres of timber. The Minister went on to "reaffirm the Government's intention and capacity to maintain timber supplies". If that is so, it should do that by way of legislative prescription. The Minister said that these measures "allow for the conservation of the icon areas while maintaining timber supplies." I maintain that that is already being done. The Minister then said about current logging restrictions:

Studies have estimated that up to 18 per cent of timber theoretically available is, in practice, unavailable as a result of these restrictions.

We know that. If that timber is unavailable now, will it be available as a result of this bill? It is lunacy to suggest that this bill will have any impact in that respect. The Minister also said:

Measures to address supply issues are being taken to ensure that the industry continues to be supplied and receives a more reliable flow of timber.

The industry already had that assurance. Why does the Government need these legislative amendments if the timber resource is available and these areas are already reserves? We are told by the Minister, the Minister's staff and by Ian Cranwell that prescription changes to integrated forest operations approvals have already taken place. We in the Opposition have some questions about whether those prescription changes are in the best interests of ecological sustainability. We do not believe that timber logging should take place too close to rivers, creeks and so on. We believe in a balance. But this bill does not provide any such balance; it locks up the forests. That will result in an overcutting of the remaining timber resources.

The Opposition cannot accept what the Government has put to us. We cannot accept the Minister's assertion that this bill demonstrates the Government's commitment to the regional forest agreement. We believe it breaches the regional forest agreement—not purely in respect of wood supply, but also with respect to ecological sustainability. I have had long discussions with the honourable member for The Hills, the shadow Minister for the Environment. We do not regard this Government proposal as being in the best interests of the relevant forests or the reserves. I return to this statement by the Minister about adjustment of descriptions of land in schedules 1, 2, 3 or 4:

Any such adjustment must not result in any significant reduction in the size or value of any such land ...

Those schedules cover leases. The Minister identified that in his second reading speech. Once again I ask him to exempt those leases from the provisions of the bill until he can ascertain their legal status. As I said, the Opposition proposes to move a number of amendments. I ask the Government to accept those amendments. I have already asked the Minister, as I now do in the Parliament, to provide us with certain material. Our amendments have created a few headaches for Fiona Barker of the Parliamentary Counsel's Office. I commend Fiona for her patience and diligence over the past three or four days in trying to get our amendments into a form that is acceptable to the Chamber.

I ask the Minister to supply the Opposition with a copy of the CD-ROM with maps on it, in an art-view form, so that in about a week's time we can present the amendments in a form that is far more presentable than they are at the moment. Even though I believe that the maps we have presented are better than those of the Government, because at least they show compartment numbers to identify the areas, if the Government supplies that CD-ROM we will ensure that the amendments are consistent with the maps that accompany the bill. I acknowledge that the wording of some of the Opposition's amendments is not good, but it was the best the Opposition could do in the circumstances. If we have the maps on CD-ROM, we will be able to frame the amendments in a form and language that will be acceptable to the Minister and the Government.

I acknowledge that the Government has indicated that it is prepared to consider some of these plantation issues. I am quite happy to sit down with the Minister, industry representatives and departmental officers to work through some of these matters so that in a week or fortnight's time the House may have before it schedules that the Opposition can accept. I know that we will not be able to agree on everything, and that there will be divisions on

some amendments that the Opposition will move. But, we should at least work co-operatively. As I said, I cannot agree with the bill but, if we work co-operatively in trying to resolve some of the issues, we might be able to extract sufficient resources to at least give some surety to the industry of an increase in timber volumes. The indication is, as I have said, that the remaining resource volumes will be at a cost to the taxpayer. If we can minimise the effect of the bill, that will be a win for the Government and a win for industry and possibly, instead of losing 1,400 jobs on the North Coast, we might lose only a couple of hundred jobs. In fact, in the short term, we might not lose any jobs.

Whilst the Opposition cannot support or agree with the bill in principle, I ask that the Government give some leeway, cut us some slack, and give us an opportunity to improve the legislation, which I believe results from a Green preferences deal, not on scientific, economic or ecological bases for the benefit of the State. I believe this legislation is solely based on the Premier's determination to be re-elected to government. I look forward to the Committee stages of this bill. No further Opposition member will speak on the second reading of this bill. I suppose I have spoken too long already. However, the concerns I have raised today must be recorded in *Hansard* so that the Minister will be aware of them, and to help him understand that the advice he is getting is not necessarily the best advice. It is coming from the Greens, and it is advice to lock up and lock out. It reflects a lock-up and lock-out mentality. As far as I am concerned, that will not do our economy any good. The Opposition's amendments present an opportunity to somewhat improve the bill, but they will still not provide what we need for the State. I am grateful for the indulgence of the House.