



The Hon Luke Foley MP
Parliament House
Macquarie Street
SYDNEY NSW 2000
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20 February 2018

Dear Mr Foley

We are writing to you on behalf of eight conservation groups and the Nature Conservation Council and its members in relation to the current review and proposed extension of NSW Regional Forest Agreement (RFA)s.

Our call to NSW Labor

1. Use your position in the Legislative Assembly to question Government Ministers on the RFA process and raise the profile of the issue in Sydney.
2. Make a strong public statement along the lines of your policy of opposing the roll-over of RFAs and the extension of Wood Supply Agreements without a full scientific and economic review that provides adequate protection for threatened species and accounts for the impacts of climate change. We would also welcome a commitment that this should be undertaken in an open and transparent process involving genuine and meaningful consultation with conservation groups.

3. Move NSW Labor to a policy position of protecting public native forests, given the arguably overwhelming support for this position as demonstrated by recent polling in two electorates subject to public native forest logging.
4. Liaise with your Federal colleague, Tony Burke, and urge him to adopt NSW Labor's position of no roll-over without a full scientific and economic review that provides adequate protection for threatened species and accounts for the impacts of climate change.

The reasons for our request

On 21 November 2017, the NSW Minister for Lands and Forestry announced that NSW and Commonwealth Governments had commenced formal negotiations to extend the current NSW RFAs which expire between 2019 and 2021. This was followed by the subsequent announcement just prior to Christmas 2017 of a two-pronged consultation program on NSW RFAs:

- (1) Consultation being led by the Environment Protection Authority on the *NSW Regional Forest Agreements: A report on progress with implementation of the New South Wales Regional Forest Agreements, Second and third five-yearly reviews July 2004-June 2014*. This consultation closes on 23 February 2018 and submissions made will be provided to Ewan Waller who has been engaged to conduct the review of the performance of RFAs.
- (2) Consultation being led by the Department of Primary Industries (DPI) on the shape future RFA should take. According to information published on DPI website, "[T]he NSW and Australian governments will also be considering feedback given to the RFA review, which will help us to understand which parts of the existing RFAs worked well and which parts could be improved".

These two consultation processes are being undertaken simultaneously with a predetermined outcome, the extension of NSW three RFAs.

We are strongly of the view that the weight of evidence demonstrates that the RFAs have failed to meet their objectives - environmental, economic and social – and that logging does not represent the best environmental, economic and social use of NSW state forests. For this reason, we are opposed to the extension of NSW RFAs and strongly believe that before this could be countenanced the following steps would be required:

- (1) An independent scientific review of the performance of RFA (10 and 15-year reviews) against their stated objectives with a decision on whether to renew RFAs to follow public consultation on the outcomes of the review. This should include a credible scientific analysis of the impact of the current RFAs on non-timber forest values.
- (2) The preparation and public release of a full socioeconomic assessment of all land-use options over the next 20 years and beyond with:
 - (a) any RFA renewal option to include information on the intended purposes for which state forests would be logged over the next 20 years
 - (b) all options to be founded on credible science on the potential impacts of climate change on forests and the connected environmental values

- (c) all options to include an independent analysis of the potential to reduce Green House Gas emissions associated with logging and of the carbon sequestration potential from allowing forests to recover their natural carbon stocks
- (3) Subject to the outcome of (1) and (2), a formal negotiation process on the renewal of RFAs with balanced representation of all interest groups moderated by a credible independent party as was the case for the Comprehensive Regional Assessment (CRA) that preceded the current RFA in the late 1990s and including a commitment to undertaking the required studies to update and complete the data collected in the CRA.
- (4) Elements (1) to (3) to be carried out sequentially and not concurrently.
- (5) Consultation processes that genuinely and effectively engage stakeholders and the community in the independent review of RFAs, assessment of options for the future use of state forests, and their renewal (if any), with criteria for benchmarking and monitoring the consultation process to be set up in advance and reported on publicly.

Forests, and forest wildlife, are at a crucial juncture. Decades of wood-chipping in southern NSW—an area identified as candidate World Heritage as far back as 1992—has exhausted vast tracts of forest of large trees, and driven koalas to the brink of extinction. Over-logging in northern NSW is occurring in one of just 36 global Biodiversity Hotspots, and has depleted large sawlogs with the NSW Government arguably promoting logging for wood-fired power stations. Climate change appears to be being ignored in the context of logging. There are other options. We can have wood and healthy forests but this cannot occur through the current RFA review and extension process.

The NSW community is on the side of forest protection. Polling in the electorates of Lismore and Ballina in December 2017 shows that the protection of forests for nature, water, carbon storage and recreation is supported by approximately 90% of people. In Ballina, just 9.2% of polled voters supporting logging and in Lismore just 7.3%. It is notable that after a century or more of logging, people feel that it is a poor use of forests.

We are concerned that without urgent action the NSW and Commonwealth Governments will extend NSW existing RFAs and issue new Wood Supply Agreements leaving future governments liable to significant compensation payments should they wish to terminate these. In the case of NSW Labor such an outcome would be inconsistent with its stated commitment to “not allow the Abbott Government to simply “roll over” the Regional Forest Agreements (RFAs) without a full scientific and economic review” (*Labor’s Plan for our Environment*).

It would also significantly constrain a future NSW Labor government to implement its commitments to "expanding ... our National Park network" and "continuing the task of building a fully comprehensive, adequate and public reserve system in New South Wales". Most notably it will foreclose NSW Labor’s ability to honour its commitment to the creation of the Great Koala National Park and your personal commitment to create a National Park including Royal Camp and Carwong State Forests for their important koala populations. We recognise that many other State Forests throughout NSW will require transfer to National Parks to create a full CAR reserve system.

Conservation groups are united

Because of the inadequacies of the current reserve system, the failure of Forestry Corporation to act responsibly, the plight of native animals, the value of forests for recreation and water supplies, the importance of retaining forests as carbon sinks, and the widespread degradation of public forests due to logging, NSW conservation groups are united in believing that the only sustainable way forward is to stop logging public native forests and implement a just transition of forestry workers to alternative employment including to undertake the necessary widespread rehabilitation of degraded stands.

We also encourage NSW Labor to reiterate its other commitments in relation to forests including:

- Reinstating the prohibition on burning native forests and cleared vegetation for electricity.
- Banning cable logging in NSW and ensuring no wind back of Integrated Forestry Operations Approvals (IFOAs).
- Increasing penalties for forestry breaches ten-fold and re-introducing third party appeal rights.

Please do not hesitate to contact us should you wish to discuss any aspects of this letter.

We look forward to your urgent reply and to decisive action by NSW Labor on this issue.

Yours sincerely

Kate Smolski
Chief Executive Officer
Nature Conservation Council of NSW

Alix Goodwin
Chief Executive Officer
National Parks Association of NSW