

LETTER TO: matthew.dejongh@agriculture.gov.au from Seán Burke. 17.09.2018

Hi Matthew,

I write to ask that your department strongly oppose the rollover of the NSW Regional Forest Agreements (RFAs) at least until the results of the Senate Inquiry into the Faunal Extinction Crisis are fully assessed.

Under the current RFAs, the Forestry Corporation of NSW totally ignore the conditions of their Threatened Species Licences (TSL), as well as their Environment Protection Licences (EPL), and treat the breaches of these licence conditions by the NSW Environment Protection Authority (EPA) with utter contempt. I compiled a list of breaches over the 10 years of the 2nd and 3rd five-yearly reviews from the EPA's annual reports and the details are attached as Attachment2. I also included this information in my submission to the Senate Inquiry as also attached. I've also attached Fact Sheet 4 (Attachment7) of the Independent review of the EPBC Act 1999 where Dr Hawke proposes:

"...that interaction between the EPBC Act and RFA forestry operations also be clarified – the approval, which has been issued on certain terms (as outlined in the RFAs themselves) allows forestry operations to occur without being subject to Part 3 of the Act, however, if the terms of the approval are not complied with, or if there is insufficient reporting information to verify that compliance, Dr Hawke recommends that the approval should be terminated."

It seems impossible to me that given the history of the abuse of the RFAs and the exemption from the provisions of the Environment Protection and Biodiversity Conservation Act (EP&BC Act), the Government would even consider signing off on the NSW RFAs whilst retaining the exemption from the EP&BC Act. It also astounds me that the NSW Government is proposing to roll over the RFAs without updating the science that was used in developing them over 20 years ago. Should the Federal Government now proceed with the sign-off without considering the results of the Senate inquiry, I'm sure that lots of media would be interested in running a fascinating expose of the possible corruption of proper processes by both the NSW and Federal Governments.

Could you please let me know how your branch is heading in terms of the signing of the RFAs and what steps have been taken to address the issues that I have raised.

Oh, and incidentally, your webpage on Regional Forest Agreements <http://www.agriculture.gov.au/forestry/policies/rfa> is over a year out of date and mentions nothing about RFAs ending or proposals to renew them.

Yours sincerely,

Seán Burke
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