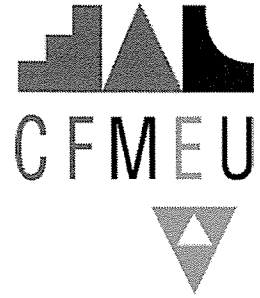


11 11 November 2011

Renewable Energy Target Team
Energy Markets and Renewables Branch
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DRAFT RENEWABLE ENERGY TARGET (RET) REGULATIONS

Thank you for the opportunity to comment on the *Exposure draft regulations to exclude native forest biomass as an eligible renewable energy source under the Renewable Energy Target (RET) scheme*.

The Construction, Forestry, Mining and Energy Union of Australia, (CFMEU) welcomes the opportunity to make this brief submission. The CFMEU consists of three Divisions namely the Mining and Energy Division, Forestry and Furnishing Products Division and the Construction and General Division. We are the major union in these industries.

The CFMEU is disappointed with the lack of consultation from the Government prior to the policy announcement which has led to this proposed amendment to the Regulations which the CFMEU does not support. The policy justification that to do otherwise: 'could lead to unintended outcomes for biodiversity and the destruction of intact carbon stores' represent a serious policy contradiction for the Government.

This is particularly the case regarding the exclusion of the eligibility of biomass from public native forests managed under Regional Forest Agreements (RFAs) which are policy instruments of the 1992 National Forest Policy Statement. Consistent with the 2009 ALP platform and according to the draft platform:

'Future development of the forest and forest products industry must take place on an ecologically and economically sustainable basis, by ensuring the full implementation of the Regional Forest Agreements processes'

Given the above, it may make sense from a policy point of view to exclude wood residues from public native forests if they were being harvested in breach of RFAs requirements which regulate the environmental management of public native forests, for instance if:

1. Harvesting is occurring inside the Comprehensive Adequate and Representative (CAR) reserve system.
2. Harvesting is occurring in multiple use forests in a way contrary to prescriptions and codes of practices etc.

There is no evidence that this is occurring on a scale that would justify the exclusion as proposed by the amendments to the Regulations. Further, there is little prospect that the harvesting rate or method could intensify (affecting environmental management systems) beyond that which is permitted, mandated and envisioned by the Regional Forest Agreements as they stand. Therefore assumedly, the cited 'unintended outcomes' fuelling this amendment, are actually in reality, 'the full implementation of the Regional Forest Agreement processes' or the success of the processes from an economic and social perspective.

Please contact my office if you have any queries regarding this submission.

Sincerely,

Michael O'Connor,
National Secretary
CFMEU