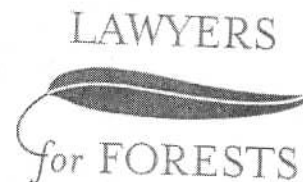


24 July 2009



The Secretary
Senate Economics Legislation Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

By email only: economics.sen@aph.gov.au

Dear Secretary

Renewable Energy (Electricity) Amendment Bill 2009

1 Introduction

Lawyers for Forests Inc (“**LFF**”) is opposed to the passage of the Renewable Energy (Electricity) Amendment Bill 2009 (“**the Bill**”) through the Australian Federal Senate.

The Renewable Energy (Electricity) Act (“**the Act**”), and the amendments made to it by the Bill offer no recognition of the vitally important role of Australia’s native forests and affords no protection for these assets. The Bill does not amend the Act in line with the objects of the Act to provide for a mechanism to ensure that each eligible energy source meets the Act’s objects. Indeed, LFF is concerned that the Bill encourages deforestation and land-clearing to provide for the burning of wood waste pursuant to s17(1)(j) of the Act.

2 Consumption of Biofuels and Biomass for Energy

LFF is concerned about the inclusion of the burning of biomass as a renewable energy source in the Act. Sourcing biomass for energy production from these carbon stores is neither greenhouse positive nor ecologically sustainable.

The inclusion of the burning of forest waste includes the burning of:

- Old trees not suitable for sawlogs;
- Silvicultural thinnings (trees removed to promote the growth of sawlogs);
- Sawdust, bark, heads and butts (these are uneconomical to woodchip and would be unlikely to be used as biomass); and
- Whole trees currently used for woodchips.

Between 60% and 90% of what is logged from our native forests is already declared waste and turned into woodchips. The removal of this material deprives forests of vital nutrients to the soil and endangers native species’ habitats.

Given recent research which establishes that Australia's native old-growth forests are extraordinarily effective carbon sinks,¹ LFF believes that the incentives created by including biomass as a renewable energy source are highly likely to create the perverse outcome of operators being rewarded for undertaking land-clearing and plantation activities which result in adverse impacts for the environment.

3 Conclusion

LFF believes that the Bill together with the Act are inherently flawed, due to the inclusion of burning native forests as a renewable energy source. The total lack of recognition and protection of native forests in the MRET scheme has the potential to actually increase carbon emissions, encourage the increase in carbon emissions, and facilitate increased land clearing which will in turn lead to soil degradation and loss of biodiversity.

LFF submits that the Bill should not be passed and that the Act should be amended to:

- (a) require that each energy source should meet a test to demonstrate that it is truly renewable and net greenhouse positive; and
- (b) exclude biomass from native forests and other natural ecosystems,

Please contact me by email (sophieb@lawyersforforests.asn.au) if you have any queries in relation to this submission.

Yours faithfully



Sophie Bird

Secretary

Lawyers for Forests Inc

on behalf of the executive committee of LFF

¹ *Green Carbon – The Role of Natural Forests in Carbon Storage* led by Professor Brendan Mackey of the Australian National University (released 6 August 2008)