



Australian Government



B10/2689

Mr Bill Kelty AC
Linfox Private Group
Level 3 493 St Kilda Road
MELBOURNE VIC 3001

Dear Mr Kelty

Following your nomination as the independent facilitator to progress the Tasmanian Forests Statement of Principles (the Statement) and our announcement of your role, we would like to take this opportunity to formally appoint you to that position. The Terms of Reference for this task, and the Statement of Principles is attached.

As you would be aware, the intent of the Statement is to protect native forests and develop a strong sustainable timber industry in Tasmania. However, there is considerable detail to be clarified and agreed on before an Agreement can be finalised.

The Australian and Tasmanian Governments wish to assist the signatories to the Statement and other stakeholder groups to reach a common understanding and interpretation of the Statement and to develop an implementation plan that would allow an Agreement to be finalised.

Senior officials from the Australian Government will contact you to finalise the details of your appointment and the support that you may require. The departmental contact officers are: Mr Tom Aldred, First Assistant Secretary, Department of Agriculture, Fisheries and Forestry (Phone 02 6272 4316, Mobile 0408 165 214), Dr Charlie Zammit, Assistant Secretary, Department of Sustainability, Environment, Water, Population and Communities (Phone 02 6274 2501, Mobile 0411 052 256) and Mr Bob Rutherford, Deputy Secretary, Tasmanian Department of Infrastructure Energy and Resources (Phone 03 6233 8677).

We have copied this letter to the Prime Minister, the Hon Julia Gillard MP, and the Australian Government Minister for Agriculture, Fisheries and Forestry, Senator the Hon Joe Ludwig, Minister for Regional Australia, Regional Development and Local Government, the Hon Simon Crean MP, and the Minister for Innovation, Industry, Science and Research, Senator the Hon Kim Carr.

We have also copied this letter to the Tasmanian Government Minister for Energy and Resources, the Hon Bryan Green MP and Minister the Hon Nick McKim MP.

The Hon Tony Burke MP
Minister for Sustainability, Environment, Water,
Population and Communities


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We would like to thank you for accepting this role and look forward to working with you over the coming months on this historic opportunity to secure an enduring outcome in Tasmania.

Yours sincerely



Tony Burke

David Bartlett

**TERMS OF REFERENCE FOR AN INDEPENDENT FACILITATOR
TASMANIAN FORESTS STATEMENT OF PRINCIPLES LEADING TO AN AGREEMENT**

CONTEXT

During 2010, forest industry, union and environment non-government organisations collaborated to develop the *Tasmanian Forests Statement of Principles to lead to an Agreement* (the Statement). The intent of the Statement is to resolve the conflict over forests in Tasmania, protect native forests, and develop a strong sustainable timber industry.

Governments were not part of the development of the Statement. Signatories to the Statement presented it to the Tasmanian Government on 18 October 2010 and to the Commonwealth Government on 22 November 2010.

The Statement demonstrates strong goodwill between the Signatories and support for developing a detailed Agreement. However, there is considerable detail to be developed before an Agreement could be concluded and it is apparent that there remains a divergence of views between the Signatories and with other stakeholder groups.

THE TASK

The Australian and Tasmanian Governments wish to assist the signatories to the Statement and other stakeholder groups to reach a common understanding and interpretation of the Statement and to develop an implementation plan that would allow an Agreement to be concluded.

TERMS OF REFERENCE

As a high-level independent facilitator the principal role is to act as an honest broker to bring stakeholders together to further develop the principles under the Statement and prepare an implementation plan. The Facilitator's Terms of Reference require him to:

- work with the Signatories and other stakeholder groups to determine how they wish to engage with each other and with governments to develop an implementation plan. This will be guided by the steps outlined in the Statement of Principles;
- work with the Signatories and other stakeholders to develop further detail and reach a common understanding of the principles under the Statement;
- facilitate agreement on, and access to, key data and information that allows assessment of available resources, the long-term industry structure and community (social and economic) implications of implementing the Statement;
- advise the Signatories, other stakeholder groups and governments on areas of common agreement, areas unable to be agreed and potential to reach an enduring Agreement;
- report regularly to both Governments on progress and make any interim recommendations which would assist progress; and,
- facilitate the preparation of an implementation plan that would allow an Agreement to be developed and concluded.

The facilitator will not have authority to commit governments, signatories or other stakeholders to any actions or expenditure.

The facilitator will report back to all parties by the end of June 2011.

The facilitator will be supported by a small secretariat provided by the Australian Government.