

21 June 2018

Mr Mark Gifford  
Chief Environmental Regulator  
NSW Environment Protection Authority  
Mark.Gifford@epa.nsw.gov.au

Cc Anthony Lean, Chief Executive, Office of Environment and Heritage  
Karen Gleeson, Senior Investigation Officer, Public Administration Division, NSW Ombudsman

Dear Mr Gifford,

I recently lodged a complaint to the EPA about the process for the second and third five yearly reviews of the Regional Forest Agreements. I have yet to receive a written response to my complaint, a copy of which is attached.

Also attached is a copy of my paper *Questioning Application of Procedural Justice Principles Within the NSW Government's Regional Forest Agreement Public Submission Process* which indicates the reasons why my complaint to the Ombudsman's Office was made.

I would be pleased if you would advise me in writing by Friday 20 April 2018 on the EPA's progress on the investigation of my complaint and when I can expect advice on the outcome. A copy of this letter has been provided to the NSW Ombudsman's Office.

Yours sincerely,



Dr Bronte Somerset  
Committee member: South East Region Conservation Alliance | <http://www.serca.org.au>  
Founder: Great Southern Forest | <http://www.greatsouthernforest.org.au>  
Member: National Parks Association Far South Coast Branch

Attachments:

1. My complaint to the NSW Ombudsman made 8th February 2018.
2. My paper *ethics.pdf*

## **My complaint to the NSW Ombudsman sent 8<sup>th</sup> February 2018.**

The Department of Primary Industries (DPI) and the Environment Protection Authority (EPA) have simultaneously called for feedback from the public on management of past (EPA) and future (DPI) logging practices in NSW's State's native forests.

We claim that the feedback process is inaccessible to the general public and weighted towards the industry, and the outcome pre-determined and supports continued destruction of threatened species' habitat.

Firstly, the EPA seeks public opinion by 22.02.2018 on a Report of native forest logging activities from 2004 and 2014. The background documentation comprises 411,134 words; thus, intentionally inaccessible to the public. Conservationists find that the Report includes selectively chosen records, the economic data is ambiguous and extensive officially recorded logging breaches are omitted.

Secondly, the DPI seeks public opinion by 12.03.2018 on the method of re-implementing the Regional Forest Agreements for native forest logging in perpetuity. Their background documentation is uninformative about intended outcomes apart from stating that the RFAs will be renewed.

This is a highly unreasonable expectation of community members. People's experiential knowledge and their will to protect the environment take a different worldview. They see trucks on the Princes Highway with logs destined for the chip mill for export, and they understand the damage to wildlife, habitat, soil, water, carbon sequestration and beauty are the consequential results.

The Federal and State Governments have agreed that loss-making native forest logging sector should continue in perpetuity, so no matter how loud people's voices, they will not be heeded. There is no survey option for a person to choose not to implement the RFAs. The question *Please select your interest/s with extending the RFA* 'lures' participants into choosing honourable elements within a dishonourable practice.

The process makes people feel inadequate about stating their case because their standpoint on native forest protection does not lie in the ability to evaluate and make an informed decision on 429,733 words about an industry.

Conservationists think that the process is unjust, unethical, unfair, exclusive, and lacks credibility. Both departments draw assumptions regarding public knowledge, access to technology, and understanding of expressions used in the logging sector. Feedback from friends and colleagues indicates confusion and lack of comprehension; thus disempowerment. This highlights the discriminatory and questionable nature of the feedback and assessment processes. The enquiry is not based on an honest intention to benefit the people or the State forests which they own.

We urgently request that the Ombudsman halt the Report Review of the EPA and the DPI's submission process on re-implementation of the Regional Forest Agreements.