

Application for assistance sent including letters of support from Gunns, tfca, tca, afca.

A letter on our behalf dated 29 Nov 11 was written by the Hon Bryan Green and sent to Joe Ludwig. Jo Ludwig responded 5 Dec 11.

30th Nov 11 letter from daff received notifying us our application is being processed. Signed by Courtney Bryant Program Manager Tas Forests Intergovernment agreement contractors Voluntary exit grants program.

23rd Dec 2011 letter from DAFF telling us an advisory panel has been established and is expected to complete assessments early 2012. Our application was referred to the advisory panel to assess the eligibility and/or merit of our application. Signed by ? Program Manager Tas Forests Intergovernment agreement contractors voluntary exit grants program.

17 Feb 2012 letter received from John Talbot Chair of the Advisory Panel with the decision of our application. "Unfortunately upon assessment your application has been deemed ineligible to receive exit grant as it did not meet the following eligibility criterion."

Under an ongoing contract or an ongoing arrangement, been conducting harvest, haulage or silvicultural operations in Tasmanian public native forests. This means that more than fifty percent of the native forest operations (including private native forest and excluding plantation forest) of a business must be in public native forest in at least one of the following four financial years: 2007-08, 2008-09, 2009-10, 2020-2011.

11 April 2012 letter was sent from our lawyer (Mark Rapley) to John Talbot requesting a review of the guidelines namely on the basis that clause 4c of the guidelines is entirely inconsistent with clause 16 of the TFIA the (IGA). Copy was sent to Joe Ludwig via fax and Hon Bryan Green MP via fax.

16th April 2012 Letter received from Ian Ruscoe A/g Assistant Secretary Forestry Branch re letter sent from Mark Rapley stating "the review officer can only assess DJ & PA Scott Pty Ltds claims against the approved program guidelines, and will not be able to amend any part of the guidelines including the eligibility criteria 4c that clearly states that more than 50% of a business, must be in public native forest operations in at least one of the following four financial years 07-08, 09-09, 09-10, 10-11. For these reasons your request to have the eligibility criteria for the program reviewed is beyond the scope of the departments review process. Alternatively, the option for an external review by the Commonwealth Ombudsman also exists for the applicant"

10th May 2012 Mark Rapley sent a submission to the commonwealth ombudsman requesting a review of our application.

5th June 2012 letter received from Mitchell Tucker Investigation officer of the Commonwealth Ombudsmans office regarding our complaints about DAFF. "I have asked DAFF for some information in relation to your complaint and I am waiting for its response. I have asked DAFF for information about its basis for the guidelines and, in particular the fifty percent requirement. I anticipate when I receive that information I will be able to consider whether the guidelines were open to DAFF to implement in the circumstances."

10th Oct 2012 letter received from Mitchell Tucker Commonwealth Ombudsmans office and unfortunately the effect of the ombudsmans findings is that it was not unreasonable for the IGACEP to impose a 50% threshold of operations in public native forests.