



Hon Lily D'Ambrosio MP

Minister for Energy  
Minister for Environment and Climate Action  
Minister for Solar Homes

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Mr John Bradley  
Secretary  
Department of Environment, Land, Water and Planning  
8 Nicholson St  
EAST MELBOURNE VIC 3002

Dear Mr Bradley

## CONSERVATION REGULATOR STATEMENT OF EXPECTATIONS

I am pleased to provide you with this Statement of Expectations (SoE) for the delivery of regulatory functions relating to timber harvesting, use of public land, fire prevention, wildlife and biodiversity. These functions have been delegated by you to the Chief Conservation Regulator.

As you will be aware, in November 2021, the Victorian Government established a new *Statement of Expectations Framework for Regulators* to facilitate a dialogue between Ministers, departments and regulators to identify the government's priorities and emerging risks and to establish a process for addressing these priorities through regulators' business planning processes.

This includes the issuing of a SoE letter by the relevant portfolio Minister to the regulator. This letter and the included SoE reflect my expectations for fulfilling regulatory functions in relation to timber harvesting, use of public land, fire prevention, wildlife, and biodiversity.

It follows discussions on emerging priorities and risks related to these functions between you, the Chief Conservation Regulator, and the Deputy Secretary Forest, Fire and Regions Group.

Regulation of timber harvesting, use of public land, fire prevention, wildlife and biodiversity is of significant importance to the protection, management, and safe and equitable use and enjoyment of Victoria's 8 million hectares of public land. This diverse landscape is highly valued by Victorians for its environmental, economic, Traditional Owner cultural, aesthetic, and recreational values.

At the same time, our public land estate is under increasing pressures from climate change leading to increased frequency and intensity of major events such as bushfires. Significant parts of Victoria's natural environment are still recovering from the devastating 2019/2020 bushfires and major storm and flood events in 2021 and 2022.

Victorian community members' use and enjoyment of public land presents great opportunities but also challenges. Local visitation continues to be high following the COVID-19 pandemic with many Victorians choosing to holiday closer to home. Demand for resources such as firewood presents challenges for managing equitable access, as well as preserving our unique environment and species.

The conservation and welfare of wildlife is under increasing pressure from threats, such as loss and fragmentation of habitat, introduced pests, illegal take from the wild, wildlife trafficking, and climate change.

Informing and educating about the law, providing clear standards and guidance, monitoring compliance, and enforcing the law, is of continuing and increasing importance. It is within this context that I ask you to incorporate the SoE into the exercise of your functions.

I look forward to a continued constructive relationship with you as we work towards positive outcomes for Victorian public land management and use.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Lily D'Ambrosio', with a large, stylized initial 'L'.

**Hon Lily D'Ambrosio MP**  
**Minister for Energy**  
**Minister for Environment and Climate Action**  
**Minister for Solar Homes**

10 / 07 / 2022

Encl.

# **STATEMENT OF EXPECTATIONS 2022: regulation of timber harvesting, use of public land, fire prevention, wildlife and biodiversity**

## **1. Purpose**

The purpose of this Statement of Expectations (SoE) is to outline the Minister for Environment, Energy, and Climate Change's expectations of delivery of regulatory functions in relation to timber harvesting, use of public land, fire prevention, wildlife and biodiversity.

These functions have been delegated by the Secretary, DELWP, to the Chief Conservation Regulator.

## **2. Legislative context**

The Minister for Environment, Energy, and Climate Change is responsible for administering legislation relating to timber harvesting, public land, wildlife, biodiversity, and fire prevention. This Statement of Expectations should be read in the context of the objectives, obligations and functions outlined in the relevant Acts as amended. This guidance should also be read in the context of any other legislative and non-legislative obligations on the Chief Conservation Regulator.

The Chief Conservation Regulator is required to comply with all relevant legislation including:

- *Public Administration Act 2004*;
- *Financial Management Act 2004* and any Standing Directions, including the Resource Management Framework; and
- legislation relevant to the delivery of the Chief Conservation Regulator's functions.

As a delegate of the Secretary's statutory powers for regulation of wildlife, forests, fire prevention, and public land the Chief Conservation Regulator is legally free to exercise those delegated powers independently and without having to consult with the Secretary provided this is done within the scope of the duties of the Chief Conservation Regulator and in compliance with any conditions of the relevant delegations.

## **3. Duration**

This SoE has effect until revoked or amended.

## **4. Roles and relationships**

The Chief Conservation Regulator reports to the Deputy Secretary Forests, Fire and Regions, who in turn reports to the Secretary DELWP (as Department Head). As an executive appointment within the Department, the Chief Conservation Regulator is an employee of the Secretary DELWP within the meaning of the *Public Administration Act 2004*.

The Secretary DELWP is accountable to me for the general conduct and effective and efficient management of DELWP's functions and must advise me in all matters relating to DELWP, including the Chief Conservation Regulator's discharge of responsibilities.

The Chief Conservation Regulator communicates with me directly through Quarterly Ministerial Reports, Year in Review Reports, sharing Annual Regulatory Priorities, and regular updates and briefings on emerging and priority issues as required. This is for information purposes and does not detract from the Chief Conservation Regulator's independence of delegated decision-making authority.

In relation to delivery of its organisation and business management functions, I expect the Chief Conservation Regulator to observe the same practices and requirements as for other Divisions of DELWP.

I expect the Chief Conservation Regulator to maintain open and regular communication with the Deputy Secretary Forest, Fire and Regions on delivery of its functions in line with this Statement of Expectations and key deliverables in its business plan.

## 5. Planning

Planning is critical to effective delivery and enables the prioritisation of resources to achieve regulatory outcomes in alignment with the Chief Conservation Regulator's functional responsibilities.

I expect the Chief Conservation Regulator to develop, periodically update, and implement key planning instruments including –

- Annual business plan that identifies key deliverables and milestones (as part of the DELWP business planning process);
- Annual regulatory priorities;
- Statements of regulatory intent; and
- Any other planning documents required to support operational strategy.

I expect these plans to:

- be informed by relevant DELWP strategic and planning documents and advice;
- align with and indicate how the Chief Conservation Regulator will deliver on this Statement of Expectations;
- have regard to Victorian Government priorities:
  - as communicated through the Minister's Charter letter and Premier's Priorities letter;
  - as provided at item 6 of this Statement of Expectations; and
  - as advised by the DELWP Secretary or Deputy Secretary FFRG from time to time.

I expect the Chief Conservation Regulator's draft annual business plan to be submitted to the Deputy Secretary and have regard to any feedback provided.

I expect the Chief Conservation Regulator's final annual business plan to be submitted to the Secretary on completion.

I expect the Chief Conservation Regulator to regularly assess regulatory risk and identify and adapt regulatory priorities reflecting key issues in regulation of wildlife, forests, fire prevention, and public land. I expect the Chief Conservation Regulator to consider systemic issues with a strategic, preventative and intelligence-led approach. I expect the Chief Conservation Regulator to provide prompt advice to the Secretary DELWP where Chief

Conservation Regulator becomes aware of a material risk to its operations or Government and its proposed action in response.

## 6. Government Priorities

I expect the Chief Conservation Regulator to endeavour to deliver on Government priorities as relevant to its functions.

The Chief Conservation Regulator is expected to contribute to the implementation of key policy and regulatory initiatives, within the scope of its functions, including:

- The Victorian Forestry Plan;
- Modernised Victorian Regional Forest Agreements;
- Implementation of the *Forests Legislation Amendment (Compliance and Enforcement) Act 2021*;
- *Biodiversity 2037*; and
- Aboriginal self-determination and *Pupangarli Marnmarnepu*;
- Any guidance material issued by Better Regulation Victoria to support regulators in meeting Ministerial expectations.

The Chief Conservation Regulator is expected to contribute to the development and implementation of outcomes of regulatory and procedural reforms including:

- Proposed new Victorian animal care and welfare Act;
- Proposed improved timber harvesting coupe finalisation and reintegration procedures;
- Review of the *Wildlife Act*;
- Renewal of Victorian public land legislation.

The Chief Conservation Regulator is expected to incorporate insights and implement recommendations, within the scope of its functions, from relevant audits and inquiries including:

- VAGO audit *Protecting Victoria's Biodiversity* October 2021;
- Parliament of Victoria *Inquiry into ecosystem decline in Victoria* December 2021.

## 7. Reporting

In addition to the communication expectations outlined at item 4, I expect the Chief Conservation Regulator to develop, periodically update, and implement systems for transparent and accountable operations including reporting on –

- milestones included in its business plan in annual reporting;
- progress in delivering on this Statement of Expectations;
- other matters relevant to Chief Conservation Regulator's functions as requested by me, the DELWP Secretary or the Deputy Secretary FFRG from time to time.