



Hon Lily D'Ambrosio MP

Minister for Energy, Environment and Climate Change
Minister for Suburban Development

8 Nicholson Street
East Melbourne, Victoria 3002
Telephone: 03 9637 9504
DX210098

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

Ref: MBR036595



Dear Secretary

NEW MINISTERIAL STATEMENT OF EXPECTATIONS - EECC REGULATORS 2018 – 2020

I am pleased to provide you with this Statement of Expectations (SOE) for the regulation of land and environment business activities by the Department of Environment, Land, Water and Planning (DELWP) in the Energy, Environment and Climate Change (EECC) portfolio. Specifically, these are activities administered by the EECC Group and the Forest, Fire and Regions (FFR) Group of DELWP.

This SOE applies for the period 2018-19 and 2019-20, or until otherwise amended.

Improving the administration and enforcement of regulation

This SOE sets out my expectations for the contribution of the EECC portfolio regulators to the government's program to reduce red tape affecting businesses, not-for-profit organisations, government service providers and households by promoting greater efficiency and effectiveness in the administration and enforcement of regulation. It also outlines my expectations on broader improvements for the EECC portfolio regulators' performance.

As Minister for Energy, Environment and Climate Change, I am responsible for administering Acts that affect businesses and the broader Victorian community. A list of the Acts is attached. The SOE should be read within the context of the objectives, obligations and functions outlined in these Acts (as amended).

This SOE outlines key governance and performance objectives and targets aimed at improving the administration and enforcement of regulation and thus reducing its cost impact on business and the community.

This SOE specifically applies to the following EECC portfolio regulatory activities:

- Beekeeping on public land;
- Flora and Fauna Guarantee Act regulation;
- Native vegetation clearing controls;
- Forest use on public land regulation;
- Tour operator licensing;
- Pipelines regulation; and
- Wildlife regulation.

Improvements and targets

Based on consultation across DELWP, I have identified key elements of governance and operational performance where there are opportunities for the EECC portfolio regulators to make improvements that would reduce cost impacts on business. The EECC portfolio regulators are expected to identify activities they will undertake to achieve the following performance improvements and targets:

Timeliness

Relevant EECC/FFR areas	Improvement Measure - Timeliness	Target
Native Vegetation Clearing Controls (NVR)	Reduce the time taken to respond to queries about the native vegetation removal regulations.	No more than 5 working days
NVR	Reduce the time taken to provide native vegetation removal reports, native vegetation offset reports and allocated credit extracts.	No more than 5 working days
Wildlife	Reduce the time taken for the Online Wildlife Licensing System (OWLS) licence application process.	15 working days and same-day for online customers
Beekeeping	Improve access to and the quality of information on public land beekeeping and bee site location to assist beekeepers with applications and management of bee sites.	Improved licence information online provided by 30 June 2019
Timber harvesting	Reduce the time taken to respond to public reports of threatened species in timber harvesting coupes.	No more than 2 days to respond
Timber harvesting	Resolve triage and preliminary (initial) investigation into alleged breaches of the Code of Practice for Timber Production 2014.	No more than 10 days to resolve

Risk-based strategies

Relevant EECC/FFR areas	Improvement Measure - Risk Based Strategies	Target
Wildlife	Mitigate critical-system and critical-person risks associated with the obsolete Wildlife Licensing System through the introduction of the OWLS system.	The OWLS system introduced by 30 June 2019
Pipelines	Implement a strategy that targets long standing legacy issues with non-compliance that are proportionate to risk.	All high-pressure pipelines are appropriately licensed by 30 June 2019
Beekeeping	Ensure that bee sites are located appropriately and recorded accurately and site location data amended where necessary.	System-wide review of bee site locations to be completed by 30 June 2020

Compliance related assistance and advice

Relevant EECC/FFR areas	Improvement Measure - Compliance related assistance and advice	Target
Native vegetation	Review current information materials and identify opportunities to improve information products to support the sourcing and securing of native vegetation offsets.	Publish an updated suite of documents on the DELWP website by 31 December 2018.
Wildlife	Update the Authority to Control Wildlife (ATCW) assessment and decision-making guidelines for DELWP staff.	Updated ATCW guidelines to be developed by 31 December 2018.
Flora and Fauna Guarantee (FFG)	Develop guidance materials for public authorities to better comply with their duty to have regard to the flora and fauna conservation and management objectives of the FFG Act.	Completed guidelines to be available to public authorities by 30 June 2019.

Incentive based regulation

Relevant EECC/FFR areas	Improvement Measure - Incentive based regulation	Target
Tour operators	Work collaboratively with Parks Victoria to offer longer licences for businesses with a history of full compliance.	Prepare and release a policy update document including new licence terms by 31 July 2018. Publicly report on the take-up of longer licences by 30 June 2019.

Accountability and transparency

Relevant EECC/FFR areas	Improvement Measure - Accountability and Transparency	Target
Native vegetation	The native vegetation regulations monitoring and reporting framework and an annual report on native vegetation removal and protection to be made public.	Report to be published on the DELWP website by 31 October 2018 (then annually).
Wildlife	Improve governance with greater accountability and transparency of decision-making across the licensing process.	Introduce the Online Wildlife Licensing System by 30 June 2019.

In developing actions to achieve these improvements and targets, the EECC portfolio regulators are expected to consult with the Red Tape Commissioner, business and the broader community as appropriate.

Reporting

Reporting on your progress to achieve these SOE performance targets should be undertaken in the context of annual financial reporting to avoid dual reporting streams. As part of annual reporting, regulators are expected to report on:

- current baseline levels for performance targets set in this SOE; and
- activities to be undertaken to reach the performance targets and improvements set out in this SOE.

I also expect these SOE performance targets will be incorporated into the DELWP's Corporate Plan, and this SOE should be published on the DELWP website upon receipt.

On receipt of this letter, I expect that DELWP will respond to this SOE, outlining how it intends to achieve the performance improvements and targets set in this SOE. This response should include details of the specific activities that will be undertaken by the EECC portfolio regulators.

I look forward to seeing DELWP continuously working towards achieving best practice in the administration and enforcement of regulation.

Yours sincerely



Hon Lily D'Ambrosio MP
Minister for Energy, Environment and Climate Change
Minister for Suburban Development

22/8/18

Encl.

Attachment: Acts and Regulations for Energy, Environment, Land, and Fire Regulation

Catchment and Land Protection Act 1994

- Catchment and Land Protection Regulations 2012
- Catchment and Land Protection (Register of Interests) Regulations 2006

Conservation Forests and Land Act 1987*

- Conservation, Forests and Lands (Infringement Notice) Regulations 2013
- Conservation, Forests and Lands (Contracts) Regulations 2010

Flora and Fauna Guarantee Act 1988*

- Flora and Fauna Guarantee Regulations 2011

Forests Act 1958*

- Forests (Domestic Firewood) Regulations 2012
- Forests (Tour Operator Licence Fee) Regulations 2011
- Forests (Recreation) Regulations 2010
- Forests (Licences and Permits) Regulations 2009
- Forests (Fire Protection) Regulations 2004

Land Act 1958

- Land Regulations 2006

National Parks Act 1975

- National Parks Regulations 2013
- National Parks (Tour Operator Licence Fee) Regulations 2011

Pipelines Act 2005

- Pipelines Regulations 2017

Planning and Environment Act (s55 Referrals)

Sustainable Forests (Timber) Act 2004*

- Sustainable Forests (Timber Harvesting) Regulations 2006

Wildlife Act 1975*

- Wildlife Regulations 2013
- Wildlife (Tour Operator Licence Fee) Regulations 2011
- Wildlife (Marine Mammals) Regulations 2009

* Some parts are jointly shared or administered by the Minister for Agriculture and Food Security