

TRANSCRIPT

LEGISLATIVE COUNCIL ENVIRONMENT AND PLANNING COMMITTEE

Inquiry into Ecosystem Decline in Victoria

Melbourne—Wednesday, 10 March 2021

MEMBERS

Ms Sonja Terpstra—Chair

Mr Clifford Hayes—Deputy Chair

Dr Matthew Bach

Ms Melina Bath

Dr Catherine Cumming

Mr Stuart Grimley

Mr Andy Meddick

Mr Cesar Melhem

Dr Samantha Ratnam

Ms Nina Taylor

PARTICIPATING MEMBERS

Ms Georgie Crozier

Mr David Davis

Dr Tien Kieu

Mrs Beverley McArthur

Mr Tim Quilty

WITNESS

Ms Kate Gavens, Chief Conservation Regulator, Office of the Conservation Regulator (*via videoconference*).

The CHAIR: I declare open the Legislative Council Environment and Planning Committee public hearing for the Inquiry into Ecosystem Decline in Victoria.

Please ensure that mobile phones have been switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the traditional custodians of the various lands which each of us are gathered on today and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings.

I would also like to welcome any members of the public who are watching these proceedings via the live broadcast as well.

At this stage I would just like to introduce committee members to you. My name is Sonja Terpstra. I am the chair of the Environment and Planning Committee. Mr Clifford Hayes has just left us momentarily. He will be back in a second. He is the deputy chair. Also with us is Dr Sam Ratnam. Appearing with us via Zoom are Ms Nina Taylor and Mr Stuart Grimley. Also we have Mr Andy Meddick and Ms Melina Bath.

In regard to the evidence that you will give today, all evidence is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

For the Hansard record, could you please state your name and the organisation you are appearing on behalf of.

Ms GAVENS: I am Kate Gavens. I am the Chief Conservation Regulator at the Department of Environment, Land, Water and Planning.

The CHAIR: Thank you. At this point I will invite you to make an opening statement, but I ask you to limit your opening statement to a maximum of 10 minutes to ensure that committee members have plenty of time to ask questions. The session in total is 45 minutes, so we will be trucking along quite quickly. I will also give you a 2-minute warning towards the end of your 10 minutes. Of course you do not need to take the full 10 minutes, but if we are approaching that maximum time, I will give you a prompt. Also, I just remind you that if you do have any technical difficulties during the hearing, just disconnect and call back in via teleconference. I also just remind members who are appearing via video link that if you could all just mute your microphones respectively while you are not speaking, that will help keep background noise down. All right. Over to you.

Ms GAVENS: Thank you very much. Thanks for the opportunity to speak to this hearing on such a critical issue. I will start by apologising: I am clearly losing my voice, so I will do my best to stay audible through the hearing. I would like to first pay my respects to the traditional owners of the lands on which we meet today and acknowledge elders past, present and emerging who might be with us today.

I would like to commence my statement by providing an overview of the Conservation Regulator and the important role that we play in conserving environment and biodiversity. The conservation regulator was established only back in 2019 to oversee the Department of Environment, Land, Water and Planning's regulatory functions in relation to timber-harvesting regulation, public land use, biodiversity and fire prevention. We have more than 120 offices across the state—from Mildura to Orbost, Wodonga down to Warrnambool—that are responsible not just for looking at compliance enforcement issues across the state but, as well as that, educating the public about the law, supporting compliance and undertaking a range of licensing functions, particularly for wildlife licensing. Our regulatory approach includes informing people about the law, supporting people to comply and enforcing the law where required.

As we enter our second year of operation, the events of last year have shown more than ever that it is really important to be ensuring we are protecting Victoria's natural environment. Of course at the start of the year we had the loss of 1.5 million hectares during the devastating bushfires, but we also had the ongoing issues that are really critical to us as a regulator to be understanding and responding to—in relation to climate change, population growth, habitat loss and exacerbating biodiversity loss—and we certainly take that into consideration in where we put our regulatory effort. As well as those impacts, the coronavirus has played a really interesting role in what we see as a regulator out there in the environment, and people's love for nature has really come through over the last year with significant increases in people using public land. That has meant that the wildlife natural environment interface with human contact has been an even more important issue for us to consider and regulate over the last 12 months.

One of the key changes that I have made since the conservation regulator has commenced has been to be really clear about where we need to focus our effort as a regulator, and the conservation regulator publishes annual regulatory priorities that outline where that focus of effort is going to be. I am just going to take you through those areas to give you a sense of where we are putting our regulatory effort.

Clearly timber harvesting is a key area of regulation for the Conservation Regulator. As you are aware, timber harvesting is permitted under the law, and there are a number of Acts and regulations which we administer to ensure that timber harvesting is happening in a legal way. Since our establishment we have made a number of key improvements in how we regulate timber harvesting, and that is about making sure we have got a key on-ground presence before harvesting occurs, during harvesting and after harvesting. Critical to this has been a proactive coupe inspection program. The regulator used to rely just on third-party allegations of non-compliance to determine where inspections would occur. We now have a proactive coupe inspection program where we do desktop analysis of where we think critical issues around biodiversity protection may be, and we target proactive coupe inspections to ensure that there is compliance with the law in those areas. Year to date we have undertaken 36 inspections across a range of coupes in a range of areas. The real benefit of that and what we are seeing on the ground is that getting out there and being proactive ahead of potential issues occurring means we see significantly better performance from regulated entities.

We also assess all allegations put to us of breaches of the law for timber harvesting. That is a really well governed process to make sure that every allegation is given due consideration, and a determination is made if an investigation is required. We run the forest protection survey program, which is a program about going out and surveying coupes ahead of harvest to look for detections of threatened species. We do a desktop assessment on every single coupe before harvesting. We have a requirement to survey 80 per cent of coupes ahead of harvesting, and in general we exceed that target every year. Last year we surveyed 86 per cent of coupes before timber harvesting occurred. In total that program has surveyed in its time over 1000 coupes, with 48 000 observations of species and over 10 000 actions being put in place to modify or exclude harvesting where target species have been found. We have worked hard since the 2019–20 bushfires to make sure VicForests is meeting its legal obligations, particularly around the mandatory action to apply the precautionary principle, and I think the result of that, certainly that we have seen, is modified harvesting in key bushfire-affected areas to make sure there are appropriate exclusions in place where there needs to be, and other modifications to timber harvesting aligned with the code to ensure the protection of threatened species, while there is a continued effort put in across the Victorian government to determine the long-term implications of the 2019–20 fires.

Turning to another of our key regulatory priorities, which is regulating the use, keep, trade and treatment of wildlife. That is a really critical issue for us as a regulator. Wildlife regulatory issues are driven by a number of factors. A big challenge for us is the human wildlife conflicts, and we see a range of those issues, from one-to-one issues—we see quite a lot of illegal shooting of wildlife, which might be an individual, through to baiting of wildlife, through to the illegal trade and traffic of wildlife, which has been a really critical focus for us. We are really focusing on how do we ensure we can eliminate the illegal trade in wildlife in Victoria, and we have had significant operations to support that. We are also focusing on making sure we can investigate wildlife crime in a timely way to be able to bring offenders to account and to send a really clear message to the community that this behaviour is inappropriate.

There is certainly a really strong demand for Victorian wildlife on the international market, and individual species can fetch up to \$12 000 on the black market internationally. Where wildlife is taken from the wild it does not just impact on those individual species, but often we see what is left behind is significant habitat destruction as well, which makes it even more important that we are tackling this really important issue. Just this week we have had a successful court case with a person who was smuggling wildlife from both Victoria

and New South Wales, with over a three-year custodial sentence being handed down this week. So we are really pleased to see that, and we hope that is going to be a real deterrent to this type of crime.

Turning to illegal take of firewood, which is another critical priority for us, this activity threatens habitats of owls, bats and possum species. Particularly the issue when it is being done illegally is that often there is no regard given to the habitat impacts, such as hollow-bearing trees and other important habitat for species.

The CHAIR: Ms Gavens, you have 2 minutes.

Ms GAVENS: Thanks. Over the last year we have seen a real increase in illegal take of firewood, and that is everything from what we call the small mum-and-dad people who might not know where to go to collect firewood through to significant commercial illegal operations where people go into forests in the dead of night, take commercial quantities of timber and then sell it on the black market. We have currently got four prosecutions underway for that activity, and we continue to focus on that because it does have such a critical impact on Victoria's habitat.

Our two other key priorities relate to illegal camp fires and illegal vehicle use, so this is about how the public is using the state forest. The criticality of that in relation to biodiversity is where people are illegally using our state forests often again that comes with impacts on habitat. We know that 10 per cent of bushfires are caused by unattended camp fires. Again, it is really critical that we are cracking down on these issues. We use a range of techniques, such as surveillance techniques, covert techniques and our intelligence sources to be able to target where we are attracting and looking at that crime.

In summary, the conservation regulator is a new regulator. We have been around for less than two years, but over that time our real focus has been on ensuring we understand the drivers of environmental crime in Victoria and making sure we are putting our resources in for the best bang for buck on those areas. Certainly we are seeing taking that approach we are able to better target environmental crime and we are seeing some really good outcomes in terms of proactive compliance with the law, but also through to getting some good prosecution outcomes which we hope will deter future activity in this area.

The CHAIR: Thank you, Ms Gavens. All right, first question to Mr Meddick.

Mr MEDDICK: Thank you, Chair, and thank you, Ms Gavens. Thank you for your presentation today. I have only just got really the one question. Cases such as the Cape Bridgewater koala massacre and the poisoning of wedge-tailed eagles are clearly very public examples of where breaches occur in terms of impacts on native species. Approximately how many cases or breaches are under investigation by your office now? I do not want specifics because obviously there will be legalities and all those sorts of things, but exactly how many, if you are able to provide that? I am happy for you to take that on notice; I realise you might not have that figure in front of you. People might be I think unpleasantly surprised to know exactly how many breaches and cases are under investigation or prosecution.

Ms GAVENS: Thanks for your question. In total for the 2019–20 year the Conservation Regulator had 46 prosecutions relating to environmental crime. Six of those related to wildlife crime, and a number of those had multiple charges under the *Wildlife Act* and the *Prevention of Cruelty to Animals Act*, so often when we are taking these cases we are seeing multiple counts of offending in relation to that. I am very happy to provide the committee with a breakdown of the total of the infringement notices, prosecutions and warnings that we have issued across the range of topic areas that we regulate.

Mr MEDDICK: Great. Thanks very much.

The CHAIR: Thanks for that. I might just have a bit of a follow-on question and I am happy for you to provide this on notice as well if you do not have the answer, and also for time purposes as well. You did mention that your office has been in operation for approximately two years now. Just specifically on timber, how prevalent were timber regulation compliance issues when you were established versus now? What have you found? Like I said, if you cannot unpack it for us now, I am happy for you to take that on notice.

Ms GAVENS: Sure. I think what I would say is that it is hard to compare because of the different way we are now regulating the industry. The introduction of the proactive coupe inspection program over the last two years has really meant that we are regulating in a different way and we are able to get ahead of a range of the issues where previously that activity was not occurring. I think certainly from a general point of view and

anecdotally we are seeing an improvement in compliance because of the significantly greater presence of the regulator in coupes before, during and after harvesting.

The CHAIR: Thank you. Ms Taylor.

Ms TAYLOR: On that note, when you say ‘significant improvement’, what does that look like? What does that really mean for the wildlife et cetera? I am really interested, so that is why I want to know. How does that translate in the local environment?

Ms GAVENS: There is a range of things that the Conservation Regulator is responsible for doing to ensure compliance with the law in relation to timber harvesting. One of those things is making sure we are undertaking the desktop assessments and the coupe inspections. When we go out there we are making sure that the *Code of Practice for Timber Production* is being complied with, so we check that the appropriate buffer distances are in place around, for example, waterways and streams, the appropriate culverts are in place for roading, the appropriate retention areas are in place for species. So having a regulator that is proactive and out there and known to be out there, that proactive response to regulation, whether it is in the timber harvesting industry or in other areas, it gives this sense for the regulated entities that the regulator is on the beat and doing its job, and that leads to culture change within regulated entities to make sure that they are complying with the law. So that is the part of proactive regulation and a really key change that we have tried to put in place in the last two years, making sure regulated entities know what the law is, know how to comply and they understand that we are going to be out there checking to make sure they are complying.

Ms TAYLOR: Okay. Good. The only other question: with the illegal wildlife trade, which just makes me feel sick to the stomach, do you liaise internationally? I mean, we are a state government. And what is the reciprocal support with that as well? I was just wondering.

Ms GAVENS: It is absolutely an international issue. In Australia we have really key partnerships with Australian Border Force, the commonwealth environment department and other state environment departments, because often these reptiles—in particular reptiles—are being moved across borders and then shipped through, for example, Melbourne international airport. In 2018 in the big wildlife smuggling case that we ran, where there are still a number of prosecutions ongoing, we found lizards and other reptiles wrapped up in Pringles packets, in rice cookers—really cruel behaviour—and the criticality of the partnerships with Australia Post, Australian Border Force and the commonwealth environment department has led to the success in really being able to crack down on that really cruel trade, and the result of that is that we are now not detecting that type of activity through Melbourne Airport in the way that we were two years ago. So I think that really shows the success of the operation.

The CHAIR: That is great. Thank you. Ms Bath.

Ms BATH: Thank you. Thanks very much, Ms Gavens, for your presentation. Ms Gavens, on the OCR website it does speak about public land use and wildlife and biodiversity, which is very crucial to this inquiry. But 94 per cent of all of our public land space is locked away in reserves and parks, and I would like to get a bit of a picture—for the OCR, how many staff do you have in the entirety, and what percentage or how many numbers are working in the rest of the 94 per cent of parks and reserves and what are they doing? Can you paint a picture there?

Ms GAVENS: Sure. We have got 120 staff within the conservation regulator, and we are not just looking at issues on state forests. Our role in wildlife protection and in administering the *Wildlife Act* means that we are also looking at issues around licensing of wildlife, the trade and traffic of wildlife and a range of other missions, so it is much broader than just the regulation on state forests. In terms of the broader estate, looking into national parks and the like, we have got a really stronger partnership with Parks Victoria and with other regulators such as the Game Management Authority and the Victorian Fisheries Authority. So we work really closely as natural resource management regulators to ensure that we are, again, looking at what are our key priorities. If we take, for example, the take of firewood, that is an issue that is prevalent in national parks and in state forests. We run joint operations and we combine our intelligence to make sure that we are targeting where this illegal activity is happening, and often Victoria Police will be involved in that as well. We will run these joint operations to be able to work across those land tenures to target that illegal activity. So that is a really critical part of our role as a regulator, those partnerships with other regulators to get the best outcomes in relation to areas like biodiversity.

Ms BATH: Thank you. We have heard from other members in previous days about the need for data collection and understanding of, I guess, the fate of threatened species in our parks and reserves. How is the regulator doing work in that space? What is your role to actually map or understand which of our wonderful native animals are threatened and where they are threatened in our parks and reserves?

Ms GAVENS: Over the last two years we have built a monitoring evaluation framework that sits behind where we are putting our regulatory effort. A really important part for us is directing our regulatory effort to where it is going to matter most, and that is also really critical when we are doing wildlife-related permissions: to understand, for example, if we get an authority to control wildlife application, what is the conservation status of that species, and how do we take that into consideration in issuing a licence? So we have built a monitoring evaluation framework that then informs us about the state of the environment, whether that is flora or fauna, to be able to then use that information at the back end to inform how we do our job. We draw that information from a range of sources. We certainly draw it from the Department of Environment, Land, Water and Planning's biodiversity division, the Arthur Rylah institute. We draw it from research and academia. We also draw information from social media about trends in likely non-compliance, even, to take the last year as an example, information about trail bike sales. We know there has been a 42 per cent increase in trail bike sales. We know that that is going to translate into more people on the public land estate. We know that is likely going to translate into more people illegally using off-road vehicles. So we draw on a range of sources to be able to look at how do we best target our regulatory effort, and of course scientific research is a really key part of that.

Ms BATH: Just a quick follow-up, thanks, Chair. I guess the concern is if there is someone out there listening who has just bought a trail bike, I am assuming the Office of the Conservation Regulator is not insinuating that they are going to do the wrong thing, because we have public spaces for healthy pursuits. So I would just flag that I hope that you are not saying you are not allowed to be out there. It is just you are saying—

Well, I will let you say that, but I just putting it on record that we need to have public access to our public spaces.

Ms GAVENS: Absolutely. And thanks for the clarification. Absolutely. Our position as the Conservation Regulator is about supporting people being able to use the natural spaces. Our officers get out there into the field and interact with the public on a day-to-day basis. Over the last two years the feedback that we have got from the public on the public land estate is they like having us there because the presence of a regulator means that they know that there is going to be orderly behaviour and orderly conduct.

As I said, regulation is not just about compliance enforcement. It is about getting out there and educating the public on what they can do and how to do it safely. When we talk about trail bikes, we partner with the Transport Accident Commission to get out to trail bike rallies and talk to trail bike owners about how to make sure they are riding safely in the state forests. We have got really good relationships into those user groups. It is absolutely about education first and encouraging people to get out there and use the bush and use it safely.

The CHAIR: Great. Thank you. Mrs McArthur.

Mrs McARTHUR: Thank you, Chair. And thank you, Ms Gavens, for your presentation. I am interested in your regulation of the environment. In September 17 000 kilometres of river frontage will be made available for people to camp. There is a very limited number, it seems, of fisheries inspectors and so on who will be policing this activity. One of the proposals in the regulations provides for 28 days of camping continuously on this land. How will you be involved in protecting the environment and indeed the land that is in the private estate but actually is going to be providing access, or potentially, to the public in these Crown lease areas, of which there are 10 000?

Ms GAVENS: Thank you for that question. While the Victorian Fisheries Authority are going to take the lead role in the regulation of that issue, certainly as I have talked about in relation to the partnerships we have with other regulators, the Conservation Regulator will of course be playing an important role as well. We are very much used to dealing with the types of regulatory issues that we are likely to see on those Crown land parcels, and similar to what we do in other areas of state forests, we will be working with the Victorian Fisheries Authority to make sure we are undertaking patrols where necessary. Where there are issues, where we have people, for example, potentially overstaying 28 days or rubbish issues or camping issues, certainly there is a role as a regulator to support ensuring compliance, and we are very well versed in being able to undertake that activity. Again, education here is key. I have a stakeholder reference group and within that we have already been talking about, with some of the key user groups, 'How do we make sure we well educate people who are

likely to use this Crown land so they know what the law is, they can go in with confidence knowing what they need to do to comply?', and that is going to be a really critical part in the lead-up to that becoming law.

The CHAIR: Great. Thank you.

Mrs McARTHUR: Is there time for one quick question?

The CHAIR: One quick question.

Mrs McARTHUR: If you are regulating the foresters, are you involved in regulating protesters who might be disrupting legal activity of forestry and the damage that potentially can be done to the environment by that activity?

Ms GAVENS: No. The regulation of timber harvesting protesting is undertaken by the Game Management Authority—a separate regulator.

Mrs McARTHUR: So even if they cause damage to the environment or to the habitat of species by camping in areas where they should not be to protest about the logging, you are not involved?

Ms GAVENS: So if they were in state forests, like anyone in state forests, and if there were allegations put to us of people camping in state forests and doing that in a way that was non-compliant with the law, then we would investigate those allegations.

Mrs McARTHUR: And have you done so?

Ms GAVENS: I do not have that information available to me in relation to any specific cases.

Mrs McARTHUR: Perhaps you could take that on notice.

Ms GAVENS: Sure.

The CHAIR: Thank you. Dr Ratnam.

Dr RATNAM: Thank you very much, Chair. Thanks, Ms Gavens, for your presentation today and the work that you do; it is so important. Going back to the issue of native forest logging and the questions that were started around VicForests, are you able to tell the committee how many reports the Conservation Regulator has received against VicForests since you were formed?

Ms GAVENS: Sure, and I can probably provide more detail on notice. There are two aspects of the reports that we get on timber harvesting-related matters. We get reports on the presence of threatened species—so third parties report to us of the alleged presence of a threatened species. I think for the 2019–20 financial year we had 74 reports put to us of threatened species within state forests. What we do when we receive those reports is that there are immediate interim exclusions put in place while those threatened species reports are verified, which essentially protects those areas as if a positive detection has been found until a determination can be made as to what needs to occur there. In the 2019–20 financial year we had 29 allegations of non-compliance in relation to timber harvesting matters. Now, as I said, all those are then investigated or assessed to determine if an investigation is required.

Dr RATNAM: Thanks very much for that. In terms of the allegations of non-compliance are you able to talk about what the nature of those allegations are? What are the things that you are seeing that people are reporting?

Ms GAVENS: Sure. They can be quite varied, and some of these have been reported through the media. There has been a lot of interest about harvesting on steep slopes and legal requirements in relation to that, and allegations in relation to ensuring that buffer distances are being complied with. Certainly I could provide on notice some examples of the allegations put to us.

Dr RATNAM: Thank you. That would be really helpful. Just related to that question, how many penalties have been issued by your office against VicForests?

Ms GAVENS: For the 2019–20 financial year there were four official warnings on timber-related matters and four section 70 direction notices issued. A section 70 direction notice is a notice where we require a

regulated entity to modify activities within a timber harvesting coupe to ensure they are complying with the law.

Dr RATNAM: Great. Related to that system of warnings and that kind of enforcement framework, I am interested to know whether you think that is strong enough to be a deterrent, to actually stop the compliance breaches that we are seeing? For example, in the case of the Castella quarry coupe your office found 10 breaches by VicForests, yet the response was to send a warning letter. Is it possible to get a copy of that warning letter? And on that point do you think that is a strong enough deterrent? Is it actually modifying the practices of VicForests which are having multiple allegations of breaches being brought to you?

Ms GAVENS: Yes, certainly. I will not talk about specific cases, but I will talk in generalities about the way we enforce the law. The Conservation Regulator has a publicly available compliance and enforcement policy which talks about what you can expect from us as a regulator and how we will act based on culpability and harm. Every single case that we investigate and every single enforcement action that we take we do on the basis of an understanding of: how serious is the harm and how culpable was the offender in relation to that. You will see in our compliance and enforcement policy we talk about, depending on where that lands on that spectrum, whether we will issue warnings, whether we will issue infringements or whether we will take something to prosecution. So without talking to specifics of cases, that is the approach that underpins us as a regulator, which is a really common approach that other regulators take.

The CHAIR: Thank you. We are going to have to move through. Thanks for that. Mr Grimley, a question?

Mr GRIMLEY: Thank you, Chair. Thank you, Ms Gavens, for your submission. My question is in relation to some submissions that we have received in the inquiry that have questioned whether the legislative basis for your office actually provides adequate independence, resources and enforcement powers to be effective. Can you comment on those concerns?

Ms GAVENS: Yes, sure. Look, there are many different ways that regulators are established under the law. Some are established as separate statutory authorities, some are administrative offices of departments. The Office of the Conservation Regulator is an administrative office of the Department of Environment, Land, Water and Planning. That is consistent with the recommendations that were made out of the 2018 independent review of timber harvesting. That independent review and DELWP's response committed to establishing the office and establishing a senior executive responsible for regulatory decision-making within the department, so that is what the department has done—and ensured the relevant powers, functions and duties stick with myself and with my officers to be able to effectively undertake that task. From my point of view the discussion about whether you need a statutory authority or whether it is enough to have an administrative office does not really come into it for me. I have got the powers and duties and functions under law to do what I need to do.

Mr GRIMLEY: Okay. Thank you for that. Just one more question: you mentioned the three-year custodial sentence that was handed down recently, which is pleasing to hear, but in your experience are the penalties for wildlife crime sufficient deterrents, or would you like to see them or other alternatives enforced at all?

Ms GAVENS: I mean, as you would be aware, there is a review of the *Wildlife Act* that is currently being looked at by an independent panel. Certainly penalties are one of the things that will be explored by that panel, and we will certainly put our views into that process. But from our point of view as the regulator the current penalties are what the current penalties are. Our job is to investigate the law, to bring that through to the courts, and then ultimately it is a matter for the courts to determine using a range of factors what is an appropriate penalty for that particular activity.

Mr GRIMLEY: Okay, thank you.

The CHAIR: Thank you. I will just remind members that we are getting close to time. We have got about 5 minutes left. I just remind everyone that if you do have further questions, you can submit them on notice to Ms Gavens. Ms Bath, you had a quick question. You have got about 5 minutes.

Ms BATH: Thank you. The recent CSIRO report spoke to one of the greatest threats to species across Australia and also Victoria being fire, and we have seen that borne out in the previous fire season shockingly and sadly. But you also spoke about camp fires, as in camp fires that are unattended and left. What are some of the recommendations that you would give to us that need to be addressed because of people coming in who do not understand fire in the bush? They may be, for example, Melbournites who do not know the bush quite as well as others. What are some of the specific things that we need to know from your point of view?

Ms GAVENS: Look, it is a really challenging issue, and it has been a real big focus for us over the last four months with, as I said, post COVID significant numbers of people in the natural estate. I think it is a combination of factors. I think education is a really big part of that, and certainly one of the things we have been doing over the last four months is trying to really get saturation of the media in relation to, 'What are you required to do in relation to camp fires?', which includes never leaving camp fires unattended. I think continuing to really drive home those media messages is a really critical part of it. I think trying to reach out to CALD communities as part of that is really important.

I think there is also a bit of an issue of complacency. People do not make the connection between an unattended camp fire and the potential to start a bushfire. Often what we say is, 'It takes only one ember to start a bushfire'. You leave your camp, you go down for a swim at the creek, you come back—you could have a bushfire on your hands. So I think we need to continue to make that connection for people a lot more.

Then the third aspect is always going to be deterrence. So again, we have been really active in being out there in the state forests over the last four months talking to people: telling them about the law, talking to them about the implications of that. Having our officers out there talking to people and educating them at place is a really critical component to our success here as well.

Ms BATH: And I guess ultimately, if you are making recommendations for increasing penalties, is that something that you as a regulator would look to or suggest for us in terms of unattended camp fires? And I guess how do you find them if they have left the building, if they have left the camp site?

Ms GAVENS: Look, certainly detection is one of the critical issues because often it is that problem: we run a patrol on a Sunday afternoon and we come across a packed-up camp with a still-burning camp fire. There is not a lot we can do post fact. However, we do increasingly use covert surveillance in the state forests to try and identify some of those issues.

I think in relation to penalties, there are significant penalties for non-compliance with camp fires. There are significant infringement notices. Having a camp fire going on a total fire ban day leads to prosecution, and we have taken a number of cases forward to prosecution in recent times. I think it does get back to the issues of not understanding the law and complacency.

The CHAIR: Great. All right. Thank you very much for your evidence today, Ms Gavens.

Witness withdrew.