

BCC



Belconnen Community Council

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SUBMISSION TO THE REVIEW OF THE NATURE CONSERVATION ACT 1980

The Belconnen Community Council (BCC) shares the vision of *The Canberra Plan: Towards Our Second Century* at least to the extent that Canberra should aim to be a truly sustainable and creative city with a community that is socially inclusive. An integral element of achieving this vision is the preservation of the natural environment - enabling the natural environment to maintain its biodiversity, as far as is feasible.

Objective of the Nature Conservation Act 1980

The BCC notes that the *Nature Conservation Act 1980* does not have any stated objectives. The BCC is of the view that Acts should contain objectives that are measurable and easy for the public to understand. This would facilitate the community's ability to assess the objectives and whether they are being realised. A key objective of the *Nature Conservation Act* should be the maintenance of biodiversity.

A regional approach

In dealing with issues on behalf of the Belconnen community the BCC has on a number of occasions worked with other community councils and associated organisations within the ACT and the surrounding area. We have found that a number of issues have to be examined and dealt with on a regional basis - a parochial approach is of little or no value. The natural environment is one of the concerns that require a regional approach. The natural environment cannot be adequately monitored and protected by suburb, satellite city or political boundary. It requires consideration of the ACT and surrounds. Likewise, biodiversity is best maintained not by considering individual species in isolation but by considering the broader habitat, wildlife corridors and connectivity between remnants of native vegetation – that is the complete regional ecosystem.

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Penalties and Restoration

While the BCC recognises that fines have an important role in preventing unwanted actions, the level of the penalty has to be sufficient to deter. Frequently this does not appear to be the case in relation to the environment. Data presented in the review document, for example penalties in the ACT compared with those in NSW, show the ACT has low penalties in general. That said, the BCC is of the view that, where possible, repairing damage (restitutional remedy) is likely to be more effective than other forms of penalty in assisting the maintenance of biodiversity.

With regard to the broad issue of restoration and preservation of the environment, the BCC believes the Government (both ACT and Federal) should be subject to the same provisions as the public for invasive weed removal. The BCC also believes that catchment areas should be given greater protection from the risk of contamination and degradation to assist ensure the security and purity of the region's water-supply.

Delineation of Responsibility

The BCC notes that Dr Allan Hawke AC has conducted a review into the effectiveness, capacity and structure of the ACT public sector but, while his report has been provided to the ACT Government, it has not been released to the public. The BCC is hopeful that the report will provide greater delineation of responsibility, including for the natural environment.

The number of ACT Government Departments needing to be consulted on any issue is often bewildering to the public. There is a real or imagined element of 'buck-passing' between departments. Indeed, in holding community consultations on a topic the BCC often has to ensure that representatives of all the relevant departments are able to attend. The BCC would welcome a clearer delineation of portfolio responsibilities. These responsibilities need to be more consolidated and transparent in the most relevant department/organisation. With regard to the natural environment, and subject to the Conservator being provided with sufficient technical and administrative support, the Conservator would appear to be the appropriate authoritative centre. This central and controlling role of the Conservator should be reflected in the *Nature Conservation Act*.

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