

Towards an Integrated Parks and Conservation Service

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The Conservation Council ACT region is the peak non-government environment organisation for the Canberra Region, and has been the community's voice for the environment in the Canberra region since 1979. We represent the interests of community conservation organisations in the region as well as the broader environmental interests of all the citizens of the ACT.

Our mission is to achieve an ecologically sustainable and zero net carbon society through advocacy, education, research and engagement with community, the private sector and with government.

The Conservation Council is active in a number of campaign areas. Our current focus includes biodiversity protection, urban planning and climate change.

1) Objective

Achievement of better biodiversity enhancement and protection and improved nature conservation outcomes through integration of all parts of biodiversity policy, biodiversity research, monitoring, enforcement, management and field based conservation rangers within one administrative unit – a single Biodiversity and Conservation Agency.

2) Rationale

Better biodiversity enhancement and protection and improved nature conservation outcomes will be achieved through:

- high level strategic policy based on sound evidence
- operational practices driven by policy informed by science and research closely monitored by operational staff, with results feeding back into policy and management
- effective linkages between policy, research and planning and on ground works
- linkages between strategies, action plans, various legislative instruments with appropriate reporting on outcomes and review.

3) Context

The Parliamentary Agreement between Ms Katy Gallagher MLA, Leader of the ALP (ACT Branch) and ACT Greens MLA Shane Rattenbury of 2 November 2012 states:

*"Clause 3.12: Merge the ACT's existing conservation services into a single Conservation Agency to achieve better integration of biodiversity policy, planning, research and management."*⁴

The Conservation Council has been advocating the need for a single integrated agency, given that over the last seven or so years administrative responsibilities for biodiversity policy, research, monitoring, management and enforcement have become subject to fragmentation and regular change with little justification or tangible benefits. The Conservation Council wants to see a stable administrative structure which has a focus on delivering long-term land management and biodiversity outcomes rather than short-term administrative efficiencies.

In late 2011, in order to address concerns regarding these issues, it was proposed by Government that Territory and Municipal Services (TaMS) develop and sign a Memorandum of Understanding (MoU) with the Environment and Sustainable Development Directorate (ESDD) to codify and regularise collaboration and integration between policy research and on-ground management.

Our understanding is that as at October 2012 no MoU had been finalised between the Directorates. A broad outline of the administrative changes to biodiversity policy and land management over recent years is included at [Appendix One](#).

4) Current Structure

Environment and Sustainable Development Directorate:

- Conservation, Planning and Research
- Conservator
- Support to the Conservator of Flora and Fauna
- Natural Resource Management Programs – including NRM Council
- Secretariat Flora and Fauna Committee

- Nature Conservation Policy – includes weeds policy, biodiversity planning, nature conservation strategy, threatened species action plans
- *Nature Conservation Act 1980*

Territory and Municipal Services:

- Land management and stewardship
- Boards of Management – Namadgi (not meeting) Tidbinbilla, Capital Woodlands and Wetlands Conservation Trust (Mulligans Flat Woodland Sanctuary, Jerrabomberra Wetlands)
- Rural Lands
- Law enforcement in relation to the nature conservation estate
- Parks Conservation Service including the Fire Management Unit and Natural Resource Protection Unit
- *Pest Plants and Animals Act 2005*
- *Tree Protection Act 2005*
- *Domestic Animals Act 2000*²

Nature Conservation Act 1980

The key legislation for protection of the ACT's biodiversity is the *Nature Conservation Act 1980* (ACT). It requires development of a Nature Conservation Strategy, creates a Conservator of Flora and Fauna, an ACT Parks and Conservation Service, establishes the Flora and Fauna Committee and has various mechanisms to identify and protect species and ecological communities at risk including through action plans.

The need to review the Nature Conservation Act and the need to address the role of the Conservator has been noted for many years. In late 2010 a discussion paper was released with public comment due in February 2011.³ Although the Minister made various statement regarding the release of the Exposure Draft this did not eventuate.

Prior to the 2012 Legislative Assembly election all three main parties identified the need to develop and pass a new Nature Conservation Act early in the term of the new Assembly.

Conservator

The *Nature Conservation Act 1980* creates the office of Conservator of Flora and Fauna [Div 2.1]. The Conservator of Flora and Fauna (Conservator) is a public servant appointed under the Act [s.7].

The Conservator:

- administers the licensing system for the taking of native plants and animals [Part 11];
- manages the nature reserve system in the ACT [Part 8];
- develops the ACT Nature Conservation Strategy [Div 3.1]; and
- makes declarations about special protection status and protected and exempt flora and fauna [Div 3.2].

The position of Conservator is currently held by the Deputy Director-General of the Environment and Sustainable Development Directorate. At some previous times the occupant has had the scientific/technical experience ideally required of the position, but in 2012 this is not so.

The Nature Conservation Act also gives power to the Conservator to regulate access to reserved areas in the ACT for public safety or conservation management purposes [Div 8.1]. The Conservator has a range of powers and functions under other legislation such as the *Planning and Development Act 2007* and the *Tree Protection Act 2005*.

The role and functions of the Conservator have also been under review as part of the review of the Nature Conservation Act. The Price Waterhouse consultancy report into the roles and functions of the Conservator has not been publicly released.

Parks and Conservation Service

The Australian Capital Territory Parks and Conservation Service (the Service) is also created under the Nature Conservation Act [s.12]. The Service comprises conservation officers, including rangers in parks and reserves [s.8].

The role of the Service is to assist the Conservator in the exercise of his or her functions under the Nature Conservation Act. The Conservator may delegate any of his or her functions under the Act to conservation officers [s.11], who also have specified investigation and enforcement powers. A conservation officer can ask a person to leave a reserved area if they are acting in an offensive manner, or are reasonably suspected of having acted in an offensive manner, or if they are creating a public nuisance [s.69].

A conservation officer may enter land and carry out investigations and examinations in relation to native animals or plants if he or she thinks that it is necessary or desirable to ensure their protection and conservation. However, the officer must receive written permission from the occupier to do this or give the occupier 24 hours written notice [s.59].

Conservation officers also have powers of inspection, search and seizure in relation to land, premises, vehicles and vessels [ss.130–133]. They can serve infringement notices under the Magistrates Court (Nature Conservation Infringement Notices) Regulation 2005 for certain breaches of the Nature Conservation Act.

The Service assists many volunteer environment and conservation organisations that contribute to biodiversity conservation in the ACT, including organisations in the Parkcare network.⁴

Fire Management Unit

The Fire Management Unit is responsible for planning, coordinating and managing implementation of operational plans for fire hazard reduction and ecological burns in parks and reserves and other Territory Land. On the ground hazard reduction burns and fire fighting require the participation of appropriately trained staff from the Parks and Conservation Service.

5) Proposed Structure and Administrative Option

Ensure all following components of biodiversity are located administratively together:

- Parks Conservation Service
- Fire Management Unit
- Natural Resource Protection Unit
- Reserves Operational Plans
- Plans of Management and threatened species Action Plans
- Reserves Boards of Management and Capital Woodland and Wetland Conservation Trust

- Weed and pest management policy, strategies and implementation
- Offsets policy and offset sites management
- Parkcare liaison
- Conservator
- Conservator support
- Conservation Planning and Research
- Biodiversity policy including – Nature Conservation Act, Nature Conservation Strategy
- Flora and Fauna Committee

It is not seen as necessary for Natural Resource Management Programs – including NRM Council to be located within the proposed Conservation and Biodiversity Agency.

The Conservation Council has identified four options:

- 1) re-locate Parks and Conservation Service including the Fire Management Unit to the Environment and Sustainable Development Directorate.
- 2) keep Parks and Conservation Service within TaMS and relocate Conservator, Conservation Planning and Research, Conservator Support and Nature Conservation Policy within the Territory and Municipal Services Directorate. [Natural Resource Management Programs to stay within ESDD]
- 3) create a new separate administrative unit however responsibility still to the Minister for TaMS.
- 4) re-establish an agency similar to Environment ACT (2002) including all of the above policy and service elements together with Environment Protection Authority and ACT Heritage Unit.

6) Key issues

What is needed

There is a need to integrate biodiversity policies, plans, strategy, legislative tools and on-ground management implementation and to consolidate and integrate institutional arrangements.

The new Nature Conservation Act needs to ensure integration of higher level strategic policy outcomes and effective operational delivery of the Act and its associated instruments. Likewise the Act needs to be streamlined with other key environment and planning legislation with biodiversity implications such as the *Tree Protection Act 2005*, *Pest Plants and Animals Act 2005* and the *Planning and Development Act 2007*.

There is a need to have one agency responsible for biodiversity protection and management. The Conservator's role is important in this regard and its powers should be widened and strengthened.

The Conservation Council has argued the Conservator should be a statutory appointee independent of Government who reports directly to the Minister or the ACT Legislative Assembly. This should be considered in the context of the new Nature Conservation Act.

It is not appropriate for the Conservator to become part of the responsibilities of the Commissioner for Sustainability and the Environment. The Commissioner needs to be able to investigate complaints made about decisions by the Conservator and there would be a conflict in potentially dealing with complaints against their own decisions.

What integration will achieve

Integration will create a seamless linkage between policy setting, formulation of strategies developed from evidence-based science, implementation of adaptive management on-the-ground, and further support and development of effective partnerships with community groups.

Separation of land management operations, environment policy and planning and the role of Conservator into two Directorates, TAMS and ESDD, has been detrimental to integrated and evidence-based outcomes for the environment. Examples include:

- thinly spread field staff and reducing 'corporate knowledge-base' for operations
- separation of science/knowledge-based management policy from action oriented implementation staff (rangers) so that the latter tend 'to do their own thing according to their own experience' rather than evidence-based management
- poor environmental planning of projects (e.g. Urban edge, Lower Molonglo Corridor, Mulligans Flat road, Throsby playing fields, Majura Valley)
- planning projects adopt a 'tick the EIS box' at the end of the project, rather than achieve the best possible environmental outcomes that complement other social, economic and planning objectives.

An integrated model brings together ecological knowledge, natural resource planning, land management actions that lead to evidence-based policy and operations.

An integrated 'whole of environment' service is also more likely to focus scarce resources into a critical mass that can deal with the key ecological systems that underpin conservation and development issues (woodlands, grasslands, rivers, Canberra Nature Park).

Knowledge base of Conservation Rangers

Conservation Rangers are the 'eyes and ears' of the Conservator who 'owns' various key biodiversity policy and plans such as Management Plans, Action Plans etc. It is inappropriate for them to be in a separate Directorates.

Conservation Rangers provide information which in turns informs research and adaptive management practices. However Conservation Rangers do not have influence to ensure operational knowledge is incorporated into policy and research activities unless they have regular interactions with policy and research staff in a structured manner. An MoU would address this to a limited extent however it does not facilitate informal communications, knowledge transfer, tensions between directorates or funding allocations.

Conservation Rangers provide a rich 'evidence' base to inform policy and research. Science-based staff are the conduit from research learnings to evidence-based management and operations.

Implications of separating Conservation Rangers from City Rangers

The role of Conservation Rangers is quite different from City Rangers. While there are some synergies these are purely operational and these can be maintained through a MoU.

Conservation Rangers work in biodiversity conservation management that includes a major national park, wilderness, water catchments and nationally significant endangered ecological communities.

Integration of natural area management with feral animal and weed control, ecosystem recovery actions (e.g. as outlined in Commissioner for Sustainability and the Environment – Canberra Nature Park report) will be more productive for biodiversity conservation in the face of climate change.

Educational and work experience required for conservation staff is quite different to tree pruning and grass mowing. ACT needs post-secondary qualified staff who understand ecological issues, can monitor change and interact with research and planning staff to achieve sound outcomes.

The current arrangement (divided between TaMS and ESDD) promotes the wrong type of operational mix, and risks down-skilling conservation staff. The skilling mix required is between science staff in conjunction with ranger staff who together can develop evidence based management actions.

Why an MoU does not address key concerns

This is not a simple bureaucratic transfer of direction or division of duties. What is needed is a more organic truly integrated Service that promotes enthusiastic, committed and trained staff who can respond to the environmental management needs of areas such as Namadgi, Canberra Nature Park, Murrumbidgee and Molonglo Rivers and endangered ecological communities and threatened species. These are not urban tidiness, mowing and tree-pruning activities, they require a more sophisticated and informed approach to land management.

We want long-term land management and biodiversity outcomes rather than perceived short-term administrative efficiencies.

In late 2011, to address concerns on these issues, it was proposed that TAMS sign a MoU with ESDD to codify and regularise collaboration and integration between policy/research and on-ground management.

Our understanding is that as at October 2012 no MoU between the Directorates had been finalised. We note that, arising from a November 2011 Conservation Council meeting with the Chief Minister, TaMS was directed to share any agreement with the Conservation Council.

Structural separation of policy and operations not in other sectors

If separation of the 'doing' arm and the 'policy' arm is such a crucially important structural relationship why is the model not used for teachers and the Education Directorate, or hospital staff and the Health Directorate? These are similar operational and policy arms of government. Modern, best practice environmental management is best done by a fully integrated policy, research and implementation service.

Skills of Conservation Rangers

Conservation Rangers are biodiversity management specialists and City Rangers are not. Key tasks of Conservation Rangers and the skills required are:

Management of nature reserves, conservation of natural resources, developing and implementing management plans, monitoring ecological conditions	Degree or diploma in natural resource management
Undertaking field based activities such as animal and plant wildlife management, weed and pest animal control, minor erosion mitigation, vegetation and threatened species monitoring	Capacity, skills and knowledge to implement practical, but environmentally appropriate solutions to natural resources management issues
Interpretation of biodiversity research and policy and integration of that into on-ground management	As above
Oversight of contracted works on conservation land (e.g. building and maintaining recreation and bush-fire tracks, infrastructure works (by others eg electricity communications services)	As above
Participate in bush-fire mitigation and fuel reduction activities under ESA control	As above
Public contact, education, interpretation and law enforcement	Interest in education etc and ability to relate to nature reserve users.
Liaise with Parkcare and other community groups using nature reserves	As above

Key tasks and skills of City Rangers are:

Management of sports grounds, sports ovals and urban parks, including turf and facility upkeep, opening and closing gates	Horticultural and or relevant trade training and certificates. Note tertiary qualifications NOT required
Weed control and litter picking on roadways shopping centres and urban paths	Practical skills related to built or landscaped settings, understanding of safety protocols
Maintaining and cleaning BBQs, toilets and other facilities in urban parks	As above
Maintaining urban landscapes, including pruning, planting, and related maintenance	As above

7) Appendix One: Chronology of administrative arrangements

Up until the mid-2000s all functions – policy, research, monitoring, management and enforcement – relating to biodiversity management were located in the same administrative unit, even though not physically co-located.

In the mid-2000s following the functional review the policy and operational side of were separated. In 2006-07 Budget Paper 3 the Government announced that as part of its structural reform: “the environment functions of the Chief Minister’s Department will transfer to the Department of Territory and Municipal Services to achieve the integration of all urban and non-urban land management functions.⁵. At this time however Nature Conservation policy had not been located within Chief Minister’s Department.

Initially the separation was between divisions/networks within Territory and Municipal Services (TaMS) with policy going into the environment side of TaMS under the Minister for Environment and with enforcement, research, monitoring and management staying within TaMS under the Minister for Municipal Services. The Conservator and Conservator support was located in parks side of TaMS. Although there were two Ministerial allocations both were held by Jon Stanhope MLA.

Following the 2008 election the division was via two separate Departments’ with two Ministers’. The Department of Environment, Water and Climate Change (DECCEW) under Minister Corbell held responsibility for nature conservation policy and the Conservator, although for some time Conservator support remained within TaMS. The Department of Territory and Municipal Services under Minister Stanhope had responsibility for Parks, Conservation Service which includes the Fire Management Unit, as well Conservation, Planning and Research.

In February 2011 the Hawke Review recommended that:

11. Settle the roles of the Conservator of Flora and Fauna, the Commissioner for Sustainability and the Environment and the need for an ACT Arborist in light of the Review of the Nature Conservation Act 1980, consultations on expanding the role of that Commissioner and the soon to be delivered report into the Government’s tree management practices and renewal of Canberra’s urban forest.⁶

In 2011, following the re-structure post the Hawke review, what is now known as Conservation Planning and Research, including Conservator Support, was also re-located to the Environment and Sustainable Development Directorate (ESDD).

In July 2011 an Assembly motion expressed concern regarding proposed restructures of the Fire Management Unit to outside of PCS. The motion required that the restructure not occur until a report had been tabled in the Legislative assembly outlining the proposal. This report was not forthcoming and the restructure did not occur. For more detail see Appendix Two.

The 2011-12 Select Committee on Estimates recommended (Recommendation 156) that:

- “the ACT Government consider integrating the officials involved with the management of non-urban parks, nature parks and national parks, as well as those involved with the management of weeds and pests with the Environment and Sustainable Development Directorate.”⁷

The Government response to this recommendation was “Noted” with the comment:
“This matter has already been considered by Government and the land management function will not be split between Territory and Municipal Services directorate and Environment and Sustainable Development Directorate.”

More information is at Appendix Three.

8) Appendix Two: Assembly motion on Parks Conservation Service

On 29 June 2011 the Legislative Assembly passed a motion⁸ mostly relating to the Fire Management Unit and the Parks Conservation Service (*No. 110—29 June 2011* 1391:

MINUTES OF PROCEEDINGS

No. 110

WEDNESDAY, 29 JUNE 2011

9 FIRE MANAGEMENT UNIT—FUTURE

Mr Smyth, pursuant to notice, moved—That this Assembly:

(1) notes:

- (a) that the McLeod Report into the ACT bushfire disaster in January 2003 devoted an entire section to the relationship between the fire management and land management agencies;
- (b) that the ACT Government's Fire Management Unit currently is located within the Parks and Conservation Service, Parks and City Services Division, Territory and Municipal Services Directorate;
- (c) that this Fire Management Unit provides an essential function in fire mitigation through effective land management in the ACT, particularly in rural areas within the Territory; and
- (d) that the ACT Government has decided to abolish the Fire Management Unit as from 1 July 2011; and

(2) calls on the Minister for Police and Emergency Services to:

- (a) reverse the decision to abolish the Fire Management Unit within the Territory and Municipal Services Directorate; and
- (b) provide a report to the Assembly by the first sitting day in August 2011 of the reasons on which the abolition decision was based.

Debate ensued.

Mr Rattenbury moved the following amendment:

Omit subparagraph (1)(d) and paragraph (2), substitute:

"(d) that the ACT Government has decided to restructure the Fire Management Unit; and

(2) calls on the Minister for Territory and Municipal Services to commit to not restructuring the Fire Management Unit until a report is tabled in the Assembly outlining the proposal in detail including:

- (a) the current structure of the Parks and Conservation Service and the number of full time equivalents (FTEs) in each work unit and their specified role;
- (b) what effect the restructure will have on that structure and the number of FTEs and their specified role;
- (c) how the proposed restructure maintains commitments made by the ACT Government in response to the Coronial Inquiry into the 2003 bushfires, the McLeod Report and the Hawke Report;
- (d) how the restructure will improve the functioning of the Fire Management Unit and the Parks and Conservation Service; and
- (e) all details of the consultation undertaken with staff."

Debate continued.

Mr Corbell (Minister for Police and Emergency Services) moved the following amendment to Mr Rattenbury's proposed amendment: In proposed paragraph (2), omit the words "to

commit to not restructuring the Fire Management Unit until a report is tabled”, substitute: “to table a report”.

Debate continued.

Amendment to proposed amendment negated.

Amendment agreed to.

Debate continued.

Question—That the motion, as amended, viz:

“That this Assembly:

(1) notes:

- (a) that the McLeod Report into the ACT bushfire disaster in January 2003 devoted an entire section to the relationship between the fire management and land management agencies;
- (b) that the ACT Government’s Fire Management Unit currently is located within the Parks and Conservation Service, Parks and City Services Division, Territory and Municipal Services Directorate;
- (c) that this Fire Management Unit provides an essential function in fire mitigation through effective land management in the ACT, particularly in rural areas within the Territory; and
- (d) that the ACT Government has decided to restructure the Fire Management Unit; and

(2) calls on the Minister for Police and Emergency Services to commit to not restructuring the Fire Management Unit until a report is tabled in the Assembly outlining the proposal in detail including:

- (a) the current structure of the Parks and Conservation Service and the number of full time equivalents (FTEs) in each work unit and their specified role;
- (b) what effect the restructure will have on that structure and the number of FTEs and their specified role;
- (c) how the proposed restructure maintains commitments made by the ACT Government in response to the Coronial Inquiry into the 2003 bushfires, the McLeod Report and the Hawke Report;
- (d) how the restructure will improve the functioning of the Fire Management Unit and the Parks and Conservation Service; and
- (e) all details of the consultation undertaken with staff.”

be agreed to—put and passed.⁹

9) Appendix Three: 2011-12 Select Committee on Estimates

The 2011-12 Select Committee on Estimates recommended (Recommendation 156) that:
“the ACT Government consider integrating the officials involved with the management of non-urban parks, nature parks and national parks, as well as those involved with the management of weeds and pests with the Environment and Sustainable Development Directorate.”¹⁰

The Government response to this recommendation was “Noted” with the comment:
“This matter has already been considered by Government and the land management function will not be split between Territory and Municipal Services directorate and Environment and Sustainable Development Directorate.”

Extract from SELECT COMMITTEE ON ESTIMATES 2011-2012 page 178:

Land Management

9.60 The Committee considered a wide range of dimensions to this output relating to the management of both the urban and rural areas of the ACT.

9.63 Regarding rural areas, the Committee heard of various initiatives, including woodland restoration, pest control (including rabbit control), and weed control projects. 639 There was also discussion of the number of rangers employed and questioning whether current employment levels were adequate. The relevant officials suggested there was fluctuation in the number of rangers over time and ongoing turnover. It was noted that a recruitment process had recently been undertaken and that this would create a pool to fill future vacancies as they arose. It was also noted that some land management activities (such as pest and weed control) were sometimes performed by contractors or non-ranger staff.

9.64 The Committee noted that members of the public are often concerned that weed and pest management is not happening in their area, or that work the previous years will not be followed up in consecutive years. Annual release of the operational plans would provide transparency about how this money is to be spent in any financial year and could seek to alleviate public concern.

RECOMMENDATION 155

9.65 The Committee recommends that the annual operational plans for weeds management and vertebrate pest management are made publicly available each year so that they are accessible to Park Care groups and other volunteers and land managers.

9.66 The agency’s Bushfire Operations Plan was discussed, including the non-achievement of the target for the proportion of land to be treated to reduce bushfire risk. It was suggested that recent wet weather had meant the fuel mitigation burning could not take place and that additional effort had to be given to grazing and slashing activities. The Committee sought details of any fuel load analysis that had been conducted.

9.67 Following on from the Hawke Report’s recommendation that there should be a reduction in the number of logos used by different parts of the Government, it was asked if the Parks, Conservation and Lands unit of the Directorate would retain its gang-gang insignia. The Minister indicated that no decision had been made by the Government at this time.

Organisational structure of the Parks Service

9.68 The Committee considers that the ACT Government should take the opportunity of the Hawke Review to significantly rebuild the capacity and effectiveness of land management by reinstating a separate unit within the new Sustainable Development Directorate that is responsible for managing national parks, nature reserves and other areas of high conservation value that currently do not have reserve status.

9.69 The Committee is a concerned that the Territory is not building the skills and knowledge of natural resource managers to the best advantage, nor utilising this expertise effectively. National parks and reserve rangers are often highly trained ecologists or people with similar backgrounds, whose policy advice on land monitoring issues is integral to the ongoing development of the land management policies. There is a valuable role that parks managers can and should play in the development of policy, management plans and the monitoring of the implementation of management and operational plans.

RECOMMENDATION 156

9.70 The Committee recommends that the ACT Government consider integrating the officials involved with the management of non-urban parks, nature parks and national parks, as well as those involved with the management of weeds and pests with the Environment and Sustainable Development Directorate.

9.71 The Committee was also concerned that there were no ecological indicators in the Budget for the management of reserves and national parks.

RECOMMENDATION 157

9.72 The Committee recommends that the ACT Government investigate indicators that measure ecological values, biodiversity outcomes and water quality

10) Appendix Four: Extracts from Hawke Review

Below are extract from the Hawke Review relating to the Parks, Conservation Service and to the Conservator. The Hawke Review was a major review of the ACT Public Service.

ACT Government, ACTPS Review Final Report, *Governing the City State: One ACT Government – One ACT Public Service*, February 2011, (the Hawke Review)¹¹

Non-Urban Parks

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Arguments were advanced in consultations that management of non-urban parks (e.g. Namadgi National Park) is not a municipal function and should be transferred elsewhere in government. Parks Conservation and Lands (PCL) manages more than 73 per cent of the ACT's total area including one wilderness area, one national park, three major water catchments, 1,325 urban open spaces, 12 lakes and ponds and 33 sites that make up the Canberra Nature Park. In addition to parks and reserves, PCL also manages more than 630,000 urban trees, 84 shopping centres, 21 buildings, two visitor centres, 50 picnic areas, 189 barbecues, 115 toilets, 452 playgrounds, 188 Aboriginal heritage sites, 121 European heritage sites and 40 natural heritage sites.

PCL's role extends to fire fighting and maintenance of fire trails and other infrastructure in areas under its control. In relation to hazard reduction burning, TAMS conducts operations with the approval (and assistance) of the Emergency Services Agency. In the event of an emergency, however, TAMS firefighters come under the control of the Chief Officer of the ACT Rural Fire Service and function as one of the RFS brigades. No arguments were advanced to the Review that this arrangement poses any issues of concern.

The operations of PCL, which cover urban and non-urban parks, are not readily unraveled and have been the subject of a recent and significant internal review. In this context, the Review does not recommend structural separation. Other changes recommended for TAMS and DECCEW are considered higher priorities. The Government may wish to return to consideration of this issue, but there is no need to pursue change in this sphere now."

Conservator

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Support to the Conservator for Flora and Fauna

The Office of Conservator of Fauna and Flora is established under the *Nature Conservation Act 1980* 225 and the Conservator has additional responsibilities under the *Planning and Development Act 2007* and the *Tree Protection Act 2005*. The Conservation, Planning and Research team within TAMS, in effect, works to the Chief Executive of DECCEW in the capacity of Conservator of Flora and Fauna. Briefing is also provided to the Chief Executive of TAMS, which risks muddying accountabilities and responsibilities. Support for this function should be transferred to Sustainable Development.

Endnotes:

¹ <http://act.greens.org.au/sites/greens.org.au/files/2012%20Parliamentary%20Agreement.pdf> p6

² <http://www.legislation.act.gov.au/ni/2011-712/current/pdf/2011-712.pdf>

³ http://www.environment.act.gov.au/environment2/review_of_the_nature_conservation_act

⁴ <http://www.edo.org.au/edoact/factsheets/FS%235%20Biodiversity%20law.pdf>

⁵ http://www.treasury.act.gov.au/budget/budget_2006/html/paper3.htm p21

⁶ Governing the City State - One ACT Government – One ACT Public Service

http://www.cmd.act.gov.au/_data/assets/pdf_file/0011/224975/Governing_the_City_State.pdf p176.

⁷ Select Committee on Estimates 2011-2012

<http://www.parliament.act.gov.au/downloads/reports/Estimates%202011-12.pdf> p179-80

⁸ Debate is at: <http://www.hansard.act.gov.au/hansard/2011/pdfs/20110629.pdf> pp2834-2854.

⁹ Motion is listed at <http://www.parliament.act.gov.au/downloads/minutes-of-proceedings/11MoP110.pdf>

¹⁰ Select Committee on Estimates 2011-2012

<http://www.parliament.act.gov.au/downloads/reports/Estimates%202011-12.pdf> p179-80

¹¹ http://www.cmd.act.gov.au/_data/assets/pdf_file/0011/224975/Governing_the_City_State.pdf