



# Friends of Grasslands

*supporting native grassy ecosystems*

ACT Sunsetting Legislation Team Territories  
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Dear Sir/Madam

## **Exposure Draft – Unleased Land Ordinances**

### **Friends of Grasslands**

Friends of Grasslands (FOG) is a community group dedicated to the conservation of natural temperate grassy ecosystems in south-eastern Australia. FOG advocates, educates and advises on matters to do with the conservation of grassy ecosystems, and carries out surveys and other on-ground work. FOG is based in Canberra and its members include professional scientists, landowners, land managers and interested members of the public. It has a strong interest in national lands within the ACT that contain listed threatened grassland species and grassy ecosystems.

### **Our interest in national lands**

FOG has a particular interest in the effectiveness of these ordinances as we have had an environmental care (partnership) agreement since 2009 with the National Capital Authority for the restoration and conservation of high biodiversity conservation value sites on national lands. National lands contain habitat of many threatened species and ecological communities of national environmental significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. It is of particular concern to FOG that many anti-social activities that degrade national lands are poorly covered by the present ordinances and have been effectively unenforceable. This include such activities as theft of timber and rocks, rubbish dumping, camping and fire lighting, and vandalism.

We welcome the exposure drafts as a means of consolidating and updating the ordinances and making their provisions consistent with those under a Territory Act. In particular, we ask that the government give thought to how the provisions will be enforced, for example, by Australian Federal Police officers.

### **Specific comments:**

#### *Division 2, section 25 - Damage*

Under section 25 we ask that the follow examples be added: a) a fence, b) a sign, c) rocks or soil. In our experience these are commonly damaged or removed assets.

Our reading of section 25 is that a person causing damage may be issued a repair damage direction and only fined if they do not comply. Since in many cases damage to environmental or heritage assets cannot be readily repaired, we ask that there is provision to directly fine offenders (or is this covered under section 27?). For example, a hollow bearing tree important for wildlife that is cut down for firewood cannot be replaced with a new tree in under a hundred years or so.

We note that these concerns may be partly covered under Part 5.

### *Division 5 – Objects left on national lands*

Similarly to our concerns with Division 2, what provisions are there to directly fine offenders? In our restoration work we are dealing with dumping of garden waste and soil (that is a significant biosecurity threat to biodiversity), building waste (that historically has included asbestos), and other litter. In these cases, substantial direct penalties are warranted.

Another major problem is off-road vehicle access onto national lands, for example, to fish at Attunga Point and Yarramundi Reach. This often involves vandalism of ACT or NCA fences, damage to native vegetation and littering. Does Division 5 allow offenders to be directly penalised?

Similarly, we ask you to explicitly regulate the landing of hot air balloons (or similar vehicles?) on national lands. This is a frequent occurrence at Stirling Park and Yarramundi Reach despite the NCA having a policy prohibiting the practice due the fire risk and damage to significant ecosystems. The NCA should be able to designate no landing zones with penalties for offenders.

### *Section 68 – unauthorised camping*

We ask this provision to be expanded to cover lighting of fires (e.g. camp / picnic fires) which poses a huge risk to safety where this has been occurring on national lands in Stirling Park. There have also been drunken parties with fires, smashing of bottles and littering at places like Attunga Point. Could such unruly parties be defined as 'camping'?

### *Other matters to be included*

We ask you to consider regulation of three additional matters:

- a) Protection of native fauna. National lands include various wildlife that is commonly illegally taken, such as lizards.
- b) Uncontrolled domestic animals / release of non-native species on national lands.
- c) Protection of Indigenous cultural heritage sites. National lands include significant Indigenous cultural heritage sites that include particular trees, rock arrangements and implements. While this may double up with some provisions (e.g. harm to vegetation) we suggest that particularly punitive penalties should apply to damage to such sites.

Thank you for your work on this important regulatory revision. We would be pleased to provide further clarification on any of these matters if desired. Please contact FOG President, Prof. Jamie Pittock on 0407 265 131.

Yours sincerely



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Advocacy coordinator

7 November 2021