



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, TRANSPORT, AND CITY SERVICES
Ms Jo Clay MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Mr Mark Parton MLA

Submission Cover Sheet

Inquiry into Urban Forest Bill 2022

Submission Number: 6

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Jochen Zeil



Submission to NEW INQUIRY INTO THE URBAN FOREST BILL 2022 of the Legislative Assembly for the ACT Standing Committee on Planning Transport and City Services.

LACommitteePTCS@parliament.act.gov.au.

Thank you for inviting submissions to your inquiry into the Urban Forest Bill 2022 which will replace the Tree Protection Act 2005.

Background:

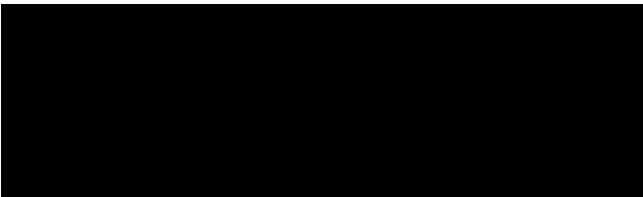
- (1) Informed sources have it that breaches of the Tree Protection Act 2005 have rarely or never been prosecuted by relevant compliance units in the ACT government.
- (2) I have personally experienced this lack of enforcement of the Tree Protection Act 2005 in a clear and documented case of a breach. The Rapid Regulatory Response Team (Chief Minister, Treasury and Economic Development Directorate), the Response, Compliance & Investigations Unit (Chief Minister, Treasury and Economic Development Directorate) and the ACT Conservator for Flora and Fauna (Environment and Sustainable Development Directorate) all failed to (a) even acknowledge that there has been a breach of the Tree Protection Act 2005 and (b) clarify what consequences breaches of the Tree Protection Act 2005 have for developers, builders and building certifiers in general and in this particular case.

Recommendation:

The committee should investigate

- (1) to what degree the provisions in the Tree Protection Act 2005 have actually been enforced by relevant compliance units in the ACT government;
- (2) whether compliance management was effective in supporting the intentions and regulations of the Tree Protection Act 2005;
- (3) if not why not and
- (4) whether the compliance management and enforcement provisions in the Urban Forest Bill 2022 constitute an improvement over the Tree Protection Act 2005, in particular with respect to the effective operation of relevant compliance units within ACT Government departments.

With kind regards,



2 September 2022