

Justice and Community Safety Directorate  
ACT Government  
By email: [civilconsultation@act.gov.au](mailto:civilconsultation@act.gov.au)

Level 3 329 Collins Street  
Melbourne Victoria 3000  
[info@alca.org.au](mailto:info@alca.org.au)  
ABN 80 637 680 310

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Dear Directorate,

**RE: Submission on the right to a healthy environment**

The Australian Land Conservation Alliance (ALCA) welcomes the opportunity to provide a submission to the ACT Government on its consultation for a right to a healthy environment.

Please note that ALCA is happy for this submission to be published in full.

## About the Australian Land Conservation Alliance

The Australian Land Conservation Alliance is the peak national body representing organisations that work to conserve, manage and restore nature on privately managed land. We represent our members and supporters to grow the impact, capacity and influence of private land conservation to achieve a healthy and resilient Australia. Our eleven members are:

- Australian Wildlife Conservancy
- Biodiversity Conservation Trust NSW
- Bush Heritage Australia
- Greening Australia
- Landcare Australia
- Nature Foundation
- Queensland Trust for Nature
- South Endeavour Trust
- Tasmanian Land Conservancy
- The Nature Conservancy Australia
- Trust for Nature (Victoria)

ALCA land conservation efforts stretch across over 3 million square kilometres with more than 3,000 landholders. We have over 50,000 supporters and our combined annual turnover exceeds \$270 million. Together ALCA and its members address some of the most pressing conservation issues across the country, including restoring endangered ecosystems, building the protected area estate, tackling invasive species, expanding private conservation finance and funding and using nature-based solutions to tackle climate change.

Through their active land management, ALCA member organisations are deeply embedded in rural communities and economies, providing jobs, securing significant regional investment, and safeguarding remaining native habitat, with its many positive spillover effects for community, wellbeing, and food security. We seek to demonstrate the role and value of private land conservation as a cornerstone of the Australian economy.

Some ALCA members are statutory entities; the views expressed in this submission do not necessarily represent the views of the Government administering those statutory entities.

## Summary

ALCA supports the introduction of a right to a healthy environment as an important pathway for recognising the inextricable importance of protecting and restoring biodiversity and ecosystems to our collective wellbeing, both as a group of separate individuals, and together as a community.

As noted by the World Economic Forum:

*Human societies and economies rely on biodiversity in fundamental ways. ...over half the world's total GDP – is moderately or highly dependent on nature and its services.*<sup>1</sup>

**Enshrining a right to a healthy environment would help to reflect the fundamental importance of protecting and restoring nature to our health, food security, and our wellbeing.**

ALCA notes the consultation only relates to human rights and is not considering the rights of nature and non-human species in their own right. ALCA response is focused solely on the consultation as it relates to human rights.

## Recommendations

1. **A right to a healthy environment should be included in the *Human Rights Act 2004 (ACT)*.**
2. At minimum, there should be procedural rights for the assessment of environmental impacts and for making environmental information public.
3. At minimum, there should be a substantive right to a healthy environment, and one which includes **the right to have the natural world protected for the benefit of present and future generations**. This intergenerational, future-leaning approach will help to balance the right with other socially and economically beneficial activities.
4. The right to a healthy environment should be a specific definition, and in broad alignment where possible with the substantive elements of the right to a healthy environment outlined by the United Nations Special Rapporteur on Human Rights and the Environment<sup>2</sup>.
5. Within that specific definition, ALCA particularly stresses the importance of including:
  - a. the right to **healthy biodiversity and ecosystems**; and
  - b. Where relevant, **specific cultural considerations** should be recognised, especially – although not only – for Aboriginal and Torres Strait Islander people.

Thank you again for the opportunity to contribute to the ACT Government's thinking on a right to a healthy environment. ALCA looks forward to ongoing engagement with the ACT Government as it progresses this work.

**Australian Land Conservation Alliance**

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<sup>1</sup> See: World Economic Forum, *Nature Risk Rising: Why the Crisis Engulfing Nature Matters for Business and the Economy*, January 2020; <https://www.weforum.org/reports/the-global-risks-report-2020>

<sup>2</sup> As per: United Nations, Office of the High Commissioner for Human Rights; <https://www.ohchr.org/en/special-procedures/sr-environment>