

no new date set. According to Prime Minister Howard, climate change will be a focus of the **Asia-Pacific Economic Co-operation Forum (APEC)** meeting of its 21 members (including the US and China), proposed for this September in Sydney, will be used to get more regional agreements on greenhouse gas reductions. It is unclear what might happen to the AP6 partnership if APEC results in agreements regarding climate change.

International Wildlife Trade – agreement on further ivory sales

In June 2007 in the Hague a conference on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) debated how CITES can advance the broader biodiversity and sustainable development agenda. Issues on the agenda included the need to protect the livelihoods of poor communities reliant on wildlife trade and the growth of trade via the internet.

One key area of change was African ivory trade. International commercial trade in ivory was banned by CITES in 1989. In 1997 one-off sales were permitted from stocks considered healthy and well managed. Further one-off sales were agreed in principle in 2002 subject to a monitoring program compiling comprehensive data. A compromise was reached at the June meeting allowing four southern Africa countries to make a further single sale using registered government-owned stocks, followed by a nine year 'rest' period.

COMMONWEALTH AND NATIONAL

Simon Batten

Review of the *Great Barrier Reef Marine Park Act 1975*

A report with the above title was released in October 2006, together with the Australian Government's response to the review. Key review recommendations related to governance, accountability and transparency in the management of the Great Barrier Reef were implemented by the *Great Barrier Reef Marine Park Amendment Act 2007* which commenced on 1 July 2007.

In particular, it provides for:

- A five-yearly, peer-reviewed 'Outlook Report' to be tabled in Parliament and published, documenting the overall condition of the Marine Park, effectiveness of management, and risks and pressures on the ecosystem;
- An enhanced process and requirements for engaging stakeholders in the development of zoning plans for the Marine Park;
- Zoning plans to be 'locked down' for a minimum of seven years from the date they come into force to provide stability for business, communities and biological systems;
- The Great Barrier Reef Marine Park Authority (the Authority) to be subject to the financial management framework of the *Financial Management and Accountability Act 1997* instead of the *Commonwealth Authorities and Companies Act 1997*; and
- The Great Barrier Reef Consultative Committee to be replaced by a non-statutory Advisory Board, reporting directly to the Minister for the Environment and Water Resources.

The review of the Act recommended that 'Statements of Expectation and Intent' be used in relation to the Authority, in order to provide structure, clarity and transparency in the setting of government expectations and the oversight of the performance of the Authority.

A second amendment Act is under development to implement all remaining Review recommendations, which could come into effect in mid-late 2008. These changes will relate primarily to the regulatory environment applying to the Great Barrier Reef and are intended to reduce 'regulatory red tape', enhance consistency in Australian Government environmental regulation and improve the capacity of governments to effectively enforce laws applying in the Great Barrier Reef. In particular, the changes will provide for:

- The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to be the primary basis for environmental impact assessment;
- A new permitting part of the *Great Barrier Reef Marine Park Regulations 1983*, consolidating existing provisions and providing for regulatory streamlining;

- Enhanced investigation, enforcement and offence provisions in the Great Barrier Reef Marine Park Act to help meet future compliance challenges and provide greater consistency with the EPBC Act;
- A more transparent and accountable framework for administration of the Great Barrier Reef Marine Park Act and improved integration between that Act and the EPBC Act;
- Implementation of other Review recommendations will involve the establishment of the Great Barrier Reef Advisory Board and of a new Intergovernmental Agreement for the Great Barrier Reef World Heritage Area between the Australian and Queensland governments.

Commonwealth response to Productivity Commission Report on Waste

The Treasurer and the former Minister for the Environment and Heritage announced an inquiry by the Productivity Commission into waste generation and resource efficiency in October 2005. The inquiry received 273 submissions and held public hearings around Australia. The final report, *Waste Management*, was provided to the Commonwealth on 20 October 2006, and tabled in Parliament on 19 December 2006. The inquiry was not intended to cover hazardous wastes.

The Commonwealth Government issued its response to the Productivity Commission's final report in July 2007. The Commonwealth noted that it has limited constitutional powers to engage directly in domestic waste management issues; responsibility rests largely with state and territory governments and local governments, and the primary forum for Commonwealth jurisdictions on waste matters is the *Environment Protection and Heritage Council* (EPHC). However, the role of the Commonwealth has evolved in recent years, and it now has a strategic involvement in waste policy development, with a particular focus on developing consistent national approaches for key product sectors. The Commonwealth also has the leading role in waste policy where it relates to Australia's international commitments for the movement of hazardous waste. Its specific responses to recommendations of the report can be found at: <http://www.environment.gov.au/settlements/publications/waste/waste-efficiency-inquiry-response.html>

Commonwealth response to Senate Committee Report on Invasive Species

In September 2007, the Australian Government issued its response to the 2004 report of the Senate Environment, Communications, Information Technology and the Arts References Committee on the regulation, control and management of invasive species and the *Environment Protection and Biodiversity Conservation Amendment (Invasive Species) Bill* 2002. There are responses to all of the Committee's 27 recommendations. For more details see <http://www.environment.gov.au/biodiversity/invasive/publications/invasive-challenge.html>

EPBC Act prosecution for illegal fishing in Kakadu National Park

A Darwin magistrate has fined a commercial fisherman \$8,750 and ordered the forfeiture of fishing dinghies and crab pots valued at between \$10,000 and \$20,000 for illegal fishing in Kakadu National Park. His Honour Mr Wallace SM found Barry William Johnston guilty of seven charges under the Commonwealth Environment Protection and Biodiversity Conservation Act (the EPBC Act) and one charge under the Fisheries Act (NT) for offences committed over a week in late October and early November 2006. Prosecutor Catherine Hamilton from the Commonwealth DPP told the court that a recreational fisherman had tipped off park wardens about a large illegal crabbing operation in the creeks of Field Island. After aerial surveillance by helicopter, park wardens seized more than 100 baited crab pots, a spear, three nets, and 47 shark fins. A number of mud crabs were released back into the creeks. See <http://www.environment.gov.au/media/dept-mr/pubs/dept-mr31may07.pdf>