

Environment Protection and Biodiversity Conservation Amendment (Great Barrier Reef) Bill 2013

Introduced into the Senate on 20 March 2013

By: Senator Waters

Overview

1.37 This bill amends the *Environment Protection and Biodiversity Conservation Act 1999* to:

- prohibit developments within and outside existing port areas along the Great Barrier Reef coastline;
- implement a moratorium from 20 March 2013 on approval of developments impacting on the Great Barrier Reef World Heritage Area until a strategic assessment is completed and deemed adequate by the World Heritage Committee; and
- prohibit approval of any developments that do not deliver a net benefit to the Great Barrier Reef World Heritage Area.

1.38 The explanatory memorandum sets out the specific UNESCO World Heritage Committee¹ recommendations that the bill seeks to implement.²

Compatibility with human rights

1.39 The bill is accompanied by a short, self-contained statement of compatibility which concludes that the bill does not engage any human rights:

This bill is confined solely to changing how major ports and other industrial developments which would impact the world heritage values of the Great Barrier Reef are regulated under our national environment laws. The changes implement key recommendations of the World Heritage Committee has made to ensure the Great Barrier Reef does not get added to the 'world heritage in danger' list. The bill does not engage any human rights in a positive or negative manner.

1 The World Heritage Committee is responsible for implementing the UNESCO Convention Concerning the Protection of the World Cultural and Natural Heritage, to which Australia is a party. It examines reports on the state of conservation of inscribed properties and asks States Parties to take action when properties are not being properly managed. It also decides on the inscription or deletion of properties on the List of World Heritage in Danger.

2 The committee notes that the references to the relevant UNESCO decision in the explanatory memorandum erroneously refer to 'Decision 36 COM 7B.B' instead of 'Decision 36 COM 7B.8': <http://whc.unesco.org/en/decisions/4657/>

1.40 The committee considers that the bill does not appear to give rise to any human rights concerns.