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program which 'calls for a percentage of electricity sold in the state to be from offshore wind energy'. The Act supports development of up to 1 100 megawatts of offshore wind energy and will see the state become 'a leading provider of offshore wind energy in the country'.

Building on the new procedures, in October, New Jersey Governor Jon Corzine said he wanted the state to 'triple the amount of wind power it plans to use by 2020 to 3 000 megawatts'. This would be 13% of the state's total energy.

In November the US Government announced a new project aimed at accelerating the development of clean offshore wind power along the Atlantic Coast. Over the next six months information will be gathered and verified identifying potential wind energy areas to enable a more streamlined process for environmental impact statements prior to approving projects in the area. To date, in addition to the Massachusetts wind farm, farms have also been approved in Rhode Island and Delaware. See: www.enn.com.

Wild tiger summit

The first international wild tiger summit concluded in Saint Petersburg, Russia, on 24 November 2010. A declaration was agreed by the 13 participating heads of state from tiger-range countries aimed at saving the wild tiger from extinction.

The summit was prompted by the alarming decrease in wild tiger populations, estimated to be down from 100 000 to just 3 000 over the last century. The summit hoped to increase wild tiger populations

to double existing levels in the next 12 years. The increasing population goal comes with a price tag of nearly \$350m. To make the goal achievable, a trust fund is to be established to help raise funds from the international community. Russian Prime Minister Vladimir Putin said 'it is hard to solve the issues of preserving wildlife in these countries.... We should support their governments in order to effectively solve environmental protection issues'. See: en.rian.ru.

Bid to ban lead ammunition

It is estimated that lead poisoning kills between 10 to 20 million birds and other animals each year. In a bid to reduce these deaths the Centre for Biological Diversity, Public Employees for Environmental Responsibility and the Hunters Group Project Gutpile petitioned the US EPA in August 2010 to ban lead ammunition and fishing tackle. The petition was unsuccessful with the EPA claiming it did not have the power to make such a ban under the *Toxic Substances Control Act*.

In mid-November the groups filed an action in the US District Court in Washington against the EPA seeking orders that the EPA 'develop rules to prevent wildlife poisoning from spent lead ammunition and fishing tackle' and a declaration the EPA does have the power to regulate chemical substances, which includes shot and bullets. Jeff Miller from the Centre for Biological Diversity said 'the EPA has the ability to protect America's wildlife from ongoing preventable lead poisoning, but continues to shirk its responsibility'. See: www.wtop.com and www.latimes.com.

FEDERAL

Dr Nicola Durrant

Basin plan guide released for public discussion

The Murray Darling Water Commission released the Guide to the Proposed Basin Plan on 8 October 2010.

The document includes the main elements of the proposed Basin Plan, including the controversial issue of setting sustainable diversion limits. The Guide anticipates the range of reduction in current diversion limits to be between 3 000 GL/y and

4000 GL/y, representing between 22% and 29% reductions.

The Guide was open for public consultation until 17 December 2010.

See: thebasinplan.mdba.gov.au/

On 17 October 2010, the Murray-Darling Basin Authority announced that it will commission an expanded detailed social and economic study into the likely social and economic impacts of the

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proposed Basin Plan on local communities. The new study is scheduled to be completed by 15 March 2011.

Australia's Biodiversity Strategy 2010–2030 released

Australia's Biodiversity Conservation Strategy 2010–2030 was released on 27 October 2010. See: www.environment.gov.au/biodiversity/strategy/index.html

The strategy's three priorities are:

- engaging all Australians
- building ecosystem resilience in a changing climate
- getting measurable results.

These are supported by 10 measurable targets for 2015, including:

- achieving a national increase of 600 000km² of native habitat managed primarily for biodiversity conservation across terrestrial, aquatic and marine environments
- ensuring that all jurisdictions review relevant legislation, policies and programs to maximise alignment with Australia's Biodiversity Conservation Strategy
- establishing a national long-term biodiversity monitoring and reporting system.

Montara Commission of Inquiry report and government response

On 24 November 2010 the Australian Government released the report of the Montara Commission of Inquiry and the Government's draft response to the report.

The inquiry was set up to investigate the likely causes of the uncontrolled release of oil and gas into the Timor Sea from the Montara wellhead platform on 21 August 2009, on a 'no-blame' basis, and to make recommendations on how to prevent future incidents.

The report contains 100 findings and 105 recommendations. The Government proposes accepting 92, noting 10, and not accepting three of the report's recommendations. The Government

has stated that the three recommendations proposed not to be accepted primarily relate to actions and information that are already required by the regulatory regime or are technically inappropriate. The noted recommendations relate to aspects addressed within the regulatory regime or issues which are primarily operational matters for the offshore petroleum industry to address.

Key findings of the inquiry include that:

- the source of the blowout was the result of the primary well control barrier failing. Initial cementing problems were compounded by only one of the two planned secondary well control barriers being installed. The report concluded that PTTEP Australasia (Ashmore Cartier) Pty Ltd (PTTEP AA), an oil and gas production and exploration services company, did not observe sensible oilfield practices at the Montara oilfield
- the Northern Territory Department of Resources (NT DoR) was not a sufficiently diligent regulator, adopting a minimalist approach to its regulatory responsibilities which gave it little chance of discovering PTTEP AA's poor practices
- the existing objective-based regulatory regime is largely sufficient to allow effective monitoring and enforcement by regulators of offshore petroleum-related operations. However the Commissioner recommended that the proposal of the Productivity Commission's Review of Regulatory Burden on the Upstream Petroleum (Oil and Gas) Sector to establish a single national offshore petroleum regulator should be pursued. Such an independent regulatory body should have responsibility for well integrity, safety and environmental regulation.

The Northern Territory Government has moved to address the resourcing capacity of the NT DoR to ensure it is appropriately skilled and informed to administer the Designated Authority regulatory function. The Australian Government has also commenced work with all Designated Authorities to clarify the integrity of wells in their respective

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jurisdictions, and to develop a consistent approach to the regulation of Australia's offshore petroleum industry.

Proposed Federal Government response

The Federal Government will extend the functions of the proposed national offshore petroleum safety authority (NOPSA) to include regulation of structural integrity, environment plans and day-to-day operations associated with petroleum activities in Commonwealth waters. The expanded authority—to be named the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) – will regulate safety, integrity and environment plans for minerals extraction and greenhouse gas storage activities in Commonwealth waters. NOPSEMA will be established by 1 January 2012. The Government will also establish a National Offshore Petroleum Titles Administrator (NOPTA) which will primarily deal with title administration and resource management issues.

In the interim, Federal Parliament passed the Offshore Petroleum and Greenhouse Gas Storage Legislation Amendment (Miscellaneous Measures) Bill 2010 on 28 October 2010 to strengthen the role of the NOPSA in relation to structural integrity. The bill also imposed on offshore petroleum titleholders an occupational health and safety duty of care in relation to wells and well-related equipment, and improved NOPSA's inspection and investigation powers in relation to suspected breaches.

The Commission recommended amending the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) and Offshore Petroleum and Greenhouse Gas Storage (OPGGS) Acts to enshrine in law the polluter pays principle. Under these proposed arrangements companies involved in an incident would be obliged to meet the full costs of monitoring and remediation and penalties should be payable for pollution on a no fault basis. The Commissioner has recommended that this should apply to both prospective and existing operations in Commonwealth waters. The Government intends to accept and implement both recommendations and undertake a review of Commonwealth legislation as it applies to the offshore petroleum sector and the marine

environment.

The Government will pass amendments to the OPGGS Act to provide for increased civil penalties in relation to breaches by operators and titleholders. This is expected to be completed during the first half of 2011.

A comprehensive assessment and strengthening of the National Plan has been instigated by the Australian Maritime Safety Authority. This work, to be completed by the end of 2011, will consider Australia's marine oil spill preparedness and response capability and the National Maritime Emergency Response Arrangements. The Government will also implement a framework that provides equitable cost sharing arrangements between the shipping and the offshore petroleum industry relating to preparedness for and response to a future offshore petroleum incident.

The Federal Government is seeking submissions from interested parties in response to the Montara Report until 25 February 2011. This consultation will inform the Government's final response to the Report of the Montara Commission of Inquiry www.ret.gov.au/Department/responses/montara/Pages/MontaraInquiryResponse.aspx

See: www.ret.gov.au/Department/Documents/MIR/montara-ministerial-statement.pdf

See also: www.ret.gov.au/Department/Documents/MIR/response-to-montara-inquiry-report.pdf

Gladstone coal seam projects

On 22 October 2010, the Minister for Sustainability, Environment, Water, Population and Communities (Environment Minister) approved two coal seam gas projects at Gladstone:

- Santos Ltd's Gladstone liquefied natural gas (LNG) project, including coal seam gas production fields, a gas transmission pipeline, an LNG processing plant on Curtis Island, and associated marine facilities
- British Gas and the Queensland Gas Company's Queensland Curtis LNG project including five components are coal seam gas production fields, a gas transmission pipeline, an LNG

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processing plant on Curtis Island, associated marine facilities, and shipping activities.

The minister imposed over 300 conditions on each coal seam gas project designed to help protect groundwater-dependent species and minimise other environmental impacts, including requirements to:

- carry out detailed planning and monitoring to protect groundwater resources
- submit management plans for aquifers, groundwater and surface water for approval by the minister
- carry out pilots for aquifer reinjection and ensure that suitable water treatment programs are in place so that any water to be reinjected is of suitable quality
- maintain water pressure above conservative thresholds with agreed measures to re-establish pressure including reinjection or other suitable methods of replacing groundwater
- rehabilitate a large area of land and conservation of other areas in perpetuity
- cooperate with other coal seam gas proponents and the Queensland Water Commission in the development of a regional model for the ongoing assessment of the impacts of this industry on groundwater-related matters.

Prelude LNG project

On 12 November 2010 the Environment Minister approved Shell's Prelude floating LNG facility in the Browse Basin off the coast of Western Australia subject to a number of conditions, including that:

- Shell must develop a satisfactory oil spill contingency plan, to the Government's satisfaction, specifying how it will minimise the risks of oil spills and how it will minimise the environmental impacts in the event of an oil spill
- should such an accident occur, the company is required to pay for any environmental rehabilitation needed
- Shell must develop a satisfactory greenhouse gas strategy, which must be made publicly

available, that will detail the measures and offsets it proposes to reduce greenhouse gas emissions

See: www.environment.gov.au/epbc/notices/assessments/2008/4146/approval-decision.pdf

Southern Bluefin tuna listed as conservation dependent

The southern Bluefin tuna has been listed under the category 'conservation dependent'. The effect of this is that fishing can continue under existing arrangements but the species will be subject to a plan of management that includes actions to stop its decline and support its long-term recovery.

Media Release 24 November 2010, see: www.environment.gov.au/minister/burke/2010/mr20101124.html

Wildlife crime crackdown

As part of the INTERPOL-led Operation RAMP, more than 600 operational activities targeting illegal wildlife trade were carried out across Australia leading to the seizure of 36 animals, inspections and search warrants on 67 premises, and a number of arrests.

See: www.environment.gov.au/about/media/dept-mr/dept-mr20101103a.html

Murrumbidgee to Googong pipeline

The ACTEW Murrumbidgee to Googong pipeline has been approved subject to a number of conditions, including that ACTEW provide to the Environment Minister a plan detailing how river flow will be measured and maintained, and a plan detailing how impacts on nationally threatened fish species, including the Murray cod, trout cod, and Macquarie perch, will be minimised.

Media Release 29 October 2010, see: www.environment.gov.au/minister/burke/2010/mr20101029a.html

Nomination to list an ecological community as threatened under the EPBC Act

A nomination to list *Lowland Subtropical Rainforest on Basalt Soils and Alluvium within North Eastern NSW and South Eastern Queensland* as a threatened ecological community under the EPBC Act has been

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made.

The public comment period for this nomination closed on 24 December 2010: www.environment.gov.au/biodiversity/threatened/communities/lowland-rainforest.html

National product stewardship legislation consultation paper

Under the *National Waste Policy: Less waste, more resources* policy, the Australian Government agreed to develop and enact national legislation to support voluntary, co-regulatory and mandatory product stewardship and extended producer responsibility schemes. A consultation paper on the proposed design of the national product stewardship legislation was open for public consultation until 10 December 2010. Legislation is being drafted for introduction into the Australian Parliament.

According to the consultation paper:

the Product Stewardship Bill will establish a comprehensive national framework that will enable Australia to more effectively manage the health, safety and environmental impacts of products. It is intended to address the fragmented approach that has characterised product stewardship activity to date and allow for government activities on product stewardship to be strategically targeted and to apply nationally (p 17).

The proposed legislation is intended to:

- reduce the environmental, health and safety impacts of products across the manufacture-supply-consumption chain and at end-of-life, including through:
 - o avoiding the generation of waste
 - o reducing or eliminating the amount of waste for disposal
 - o designing products in a way that reduces or eliminates hazardous substances in products
 - o managing waste as a resource
 - o ensuring that waste treatment, disposal, recovery and re-use is undertaken in a safe, scientific and environmentally

sound manner

- assist in the co-operative implementation of Australia's international responsibilities concerning the environmental, health and safety impacts of products across the manufacture-supply-consumption chain and at end-of-life
- contribute to reductions in greenhouse gas emissions, energy use and water consumption by encouraging responsible management of products across the manufacture-supply-consumption chain and at end-of-life (p 23).

The legislation will provide for accrediting voluntary product stewardship and regulating specified products and industries through either a co-regulatory or mandatory approach (p 19). The legislation and associated instruments will also provide the structure to require appropriate standards of good governance (including transparency) of product stewardship organisations and product stewardship arrangements (p 21).

In the first instance all products must meet two or more of the product criteria which will be contained in the legislation (p 22). These criteria include that:

- they are products or materials in a national market (the Government is considering making this a mandatory criteria for all products)
- the product contains hazardous or toxic substances
- there is the potential, in relation to the product, for increased resource recovery, material conservation, re-use, recycling, or contribution to greenhouse gas reduction, energy or water conservation
- the product places significant economic burdens on jurisdictions (including local government) for end-of-life management
- the consumer is willing to pay for management of the product
- management of the product offers business opportunities that would make a contribution to the economy.

Consideration is also being given to inclusion of an

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additional criterion to reflect the role that product stewardship can play in helping Australia meet its international obligations (p 24).

For more information see: www.environment.gov.au/settlements/waste/product-stewardship/consultation/index.html

See also *National Waste Policy: Less Waste, More Resources, Status Report* November 2010 NEPHC: www.nepc.gov.au/taxonomy/term/86

Australian National Audit Office report on the Home Insulation Program

The Australian National Audit Office (ANAO) report on the performance of the Home Insulation Program was released in late September 2010.

The report concludes that:

- the program's administration problems were, to a very large extent, caused by an absence of effective governance by the department during the program's design and early implementation...the Green Loans program required greater oversight than the department's business-as usual activities, but, this did not occur (p 18)
- day-to-day program management responsibility was assigned to sub-executive level officers who had little program delivery experience (p 18)
- the program's visibility to the department's senior executives was poor (p 18)
- the former minister received incomplete, inaccurate and untimely briefings on program design features and implementation progress, challenges and risks (p 18).

The department has publicly accepted the findings in that report.

See: www.environment.gov.au/anao-reports.html.

Climate change committees and roundtable discussions

The Prime Minister announced in September 2010 the establishment of the Multi-Party Climate Change Committee. The Committee has been established to investigate options for implementing

a carbon price and help build consensus on how Australia will tackle climate change. It held its second meeting on 10 November 2010.

The Prime Minister chairs the Committee, with the Minister for Climate Change and Energy Efficiency serving as the Deputy Chair. Australian Greens Senator Christine Milne is the co-Deputy Chair. The other Committee members are Senator Bob Brown (Australian Greens), Mr Tony Windsor MP (Independent) and Mr Rob Oakeshott MP (Independent). The Committee is advised by a panel of four independent experts – Professor Ross Garnaut, Professor Will Steffen, Mr Rod Sims and Ms Patricia Faulkner.

Two roundtables for the business community and the non-government sectors have also been established. Roundtable discussions will focus on the introduction of a carbon price into the economy, particularly the need to give businesses certainty to invest in low-pollution technologies, and may also cover a range of other climate change measures.

The first business and non-government organisation (NGO) roundtables were held on 26 November 2010.

The Prime Minister has indicated that a decision on the way forward will be made in 2011.

Domestic Offsets Integrity Committee

An expert panel to assess proposed methods for developing and selling carbon credits was announced by the Federal Government on 27 October 2010. The members of the Committee are:

- Mr Duncan McGregor (Chair)
- Prof Rob Fowler
- Dr J Mark Dangerfield
- Professor Annette Cowie
- Dr Brian Keating
- Ms Shayleen Thompson

See: www.climatechange.gov.au/minister/greg-combet/2010/media-releases/October/mr20101027.aspx

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Carbon farming initiative consultation

On 22 November 2010 the Federal Minister for Climate Change and Energy Efficiency announced the release of a proposed framework to allow farmers, foresters and landholders to generate carbon credits under the Carbon Farming Initiative (CFI). This includes the generation of both Kyoto compliant and non-Kyoto units.

Potential eligible abatement activities include:

- reforestation and revegetation
- reduced methane emissions from livestock
- reduced fertiliser emissions
- manure management
- reduced emissions or increased sequestration in agricultural soils (soil carbon)
- savanna fire management
- avoided deforestation
- burning of stubble/crop residue
- reduced emissions from rice cultivation
- reduced emissions from landfill waste deposited before 1 July 2011.

The consultation paper adopts the majority of provisions developed for use in reforestation projects and eligible domestic offsets under the former carbon pollution reduction scheme (CPRS). This includes requirements for additionality, permanence (in this case 100 years) and independent expert verification. Public consultation is open until 21 January 2011.

See: www.climatechange.gov.au/government/submissions/cfi.aspx

Garnaut Climate Change Review – update

Professor Garnaut will update significant elements of his 2008 *Climate Change Review*. Terms of reference were released on 16 November 2010 and include consideration of:

- international developments on climate change mitigation efforts
- developments in climate change science, and understanding of climate change impacts

- previous proposals to develop a carbon price in Australia, and the ensuing public debate
- domestic and international emissions trends
- changes in low emissions technology costs and availability
- the potential for abatement within the land sector
- developments in the Australian electricity market.

The final report is expected to be published by 31 May 2011.

See: www.climatechange.gov.au/en/media/whats-new/garnaut-update.aspx

Global study of emission reduction policies

The Federal Government announced on 16 November 2010 that the Productivity Commission would undertake a study of emission and energy-reduction policies in key international economies to help inform the Government's plan to introduce a carbon price in Australia.

The Government has stated that the study will determine the effective carbon price of a range of policies including carbon taxes and emissions trading schemes as well as those where the price is less transparent, such as renewable energy targets and subsidies for low-emission technologies.

The Productivity Commission is expected to report to the Government by the end of May 2011.

See: www.climatechange.gov.au/en/media/whats-new/emission-reduction-policies.aspx

Prime Minister's Task Group on Energy Efficiency Report released

On 8 October 2010 the Government released the *Prime Minister's Task Group on Energy Efficiency* report.

The Report provides advice on policy options to strengthen Australia's response to climate change and reduce pressure on the energy costs for all Australians. The findings of the Report are intended to complement improvements in energy efficiency that the Government is making through the National Energy Efficiency Strategy and other

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energy efficiency programs.

The Government has stated that the recommendations of this report will also be considered as part of the Government's *Energy White Paper* process.

See: www.climatechange.gov.au/en/media/whats-new/prime-minister-task-group-energy-efficiency-report.aspx

Program for energy efficient buildings launched

The Commercial Building Disclosure Program commenced on 1 November 2011.

Under the program, from 1 November 2010, most sellers or lessors of office space of 2 000 metres² or more will be required to obtain and disclose an up-to-date energy efficiency rating. Certain exceptions and exemptions apply.

There is a transition period for the first year of the program where a valid National Australian Built Environment Rating System (NABERS) can be disclosed.

From 1 November 2011 a full Building Energy Efficiency Certificate (BEEC) will be required to be disclosed.

BEECs are valid for 12 months, must be publicly accessible on the online Building Energy Efficiency Register, and include:

- a NABERS Energy star rating for the building
- an assessment of tenancy lighting in the area of the building that is being sold or leased
- general energy efficiency guidance.

The NABERS Energy star rating must also be included in any advertisement for the sale, lease or sublease of the office space.

See: www.cbd.gov.au/

Draft renewable energy target regulations

The Government released public exposure drafts of the:

- Renewable Energy (Electricity) Amendment Regulations
- Renewable Energy (Electricity) Amendment (Transitional Provisions) Amendment Regulations.

The Government has also released a commentary

paper to explain the technical detail of the draft regulations.

Public consultation on the draft Renewable Energy Target regulations took place between 10 October and 29 October 2010.

See: www.climatechange.gov.au/government/submissions/renewable-energy-target/consultation-ret-regulations.aspx

Reduction in solar credits

The Government has announced that support for household solar installations will begin to be phased out a year earlier than previously planned. The phase out of the Solar Credits multiplier will be brought forward by one year, from:

- 5 to 4 on 1 July 2011
- 4 to 3 on 1 July 2012
- 3 to 2 on 1 July 2013
- 2 to 1 from 1 July 2014

The reasons for this reduction provided by the Government include that:

- the cost to install solar panels has reduced substantially since the Solar Credits mechanism was first announced in December 2008, driven by a strong economy, a high dollar and falling technology costs
- demand for solar installations has increased rapidly, as the out-of-pocket cost to households has dropped and generous State and Territory feed-in tariffs have provided additional support to households

See: www.climatechange.gov.au/en/media/whats-new/amendments-to-solar-credits.aspx

National Greenhouse Gas Inventory

The latest Quarterly *National Greenhouse Gas Inventory report* has been released and provides estimates and trends in Australia's greenhouse gas emissions up to the June quarter of 2010.

See: www.climatechange.gov.au/climate-change/emissions.aspx

Climate change adaptation

National climate change forum

The report *Developing a national coastal adaptation*

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agenda, was released 23 November 2010 and identifies the national priorities for preparing our coasts for climate change that were discussed at the National Climate Change Forum in February 2010.

See: www.climatechange.gov.au/~media/publications/adaptation/developing-national-coastal-adaptation-agenda.ashx

Government response to coastal zone climate change impacts report

The report of the inquiry *Managing our Coastal Zone in a Changing Climate: the time to act is now* was tabled in the Parliament on 26 October 2009. The House of Representatives Standing Committee on Climate Change, Water, Environment and the Arts held the inquiry.

The Australian Government's response to the inquiry recommendations was released in November 2010, accepting 9 of 47 recommendations. The Government supports the major theme of the report – the need for national leadership – and intends to work with state and territory governments, and local governments through the Australian Local Government Association, to develop a national coastal adaptation agenda, including:

- investigating the barriers to the effective

operation of insurance markets in the coastal zone under a changing climate and related issues (rec 19)

- considering the adoption of a nationally consistent sea-level rise planning benchmark including agreement across jurisdictions of a common methodology for developing a sea-level rise planning benchmark (rec 21)
- updating building regulations and to increase the resilience of the Building Code of Australia to climate change (rec 22)

The Government also recognises the importance of addressing knowledge gaps in relation to legal issues and climate change impacts on the coastal zone, including the clarification of legal liability issues. The Government has stated that it will engage with the legal profession and research bodies as appropriate on legal issues associated with climate change impacts in the coastal zone. Where there are national implications cutting across jurisdictional boundaries, the Australian Government will seek the agreement of the states and territories and ALGA to pursue these issues under a COAG work agenda.

See: www.climatechange.gov.au/~media/publications/adaptation/HoR-managing-coastal-zone.ashx

AUSTRALIAN CAPITAL TERRITORY

Kirsten Miller

Review of Nature Conservation Act

The ACT Government has recently released a discussion paper on the review of the ACT's *Nature Conservation Act 1980*. The Nature Conservation Act is the ACT's primary legislation aimed at protecting biodiversity in the ACT.

The Nature Conservation Act provides a framework for protecting native fauna and flora through a process of identifying and listing vulnerable or endangered species or communities or threatening processes. The Act creates a number of offences which relate to the impact on animals and plants.

In addition the Act seeks to protect biodiversity through restricting activities in wilderness areas, national parks or nature reserves, known as

'reserved areas'. Reserved areas are established under the Territory Plan and the Nature Conservation Act restricts the activities, for example building, camping, clearing native vegetation, which can be undertaken in these areas. The Act also provides a licensing system for the Conservator to allow certain licensed activities.

The Act also provides for management agreements to be set up where an agency, such as a water or electricity utility, is conducting activities on public land or unleased land, with the aim of setting out standards or conditions for avoiding or minimizing conflict with land management objectives for the land.

The Government has indicated that it is timely to review the Act so that 'it reflects more recent