

Regulation of Great Barrier Reef Marine Park Permits and Approvals

Audit Report No.3 2015–16

Opening Statement by Auditor-General

JCPAA Review 11 February 2016

1. Good morning Chairman and committee members.
2. The key message for the audit is that shortcomings in GBRMPA's regulatory processes and, more particularly, its regulatory practices, have undermined the effectiveness of the permitting system as a means of managing risks to the Marine Park. These shortcomings were identified across a broad range of GBRMPA's regulatory activities, including its assessment of permit applications, monitoring of permit holder compliance and response to non-compliance.
3. While GBRMPA has well-established arrangements for processing and assessing permit applications, we observed weaknesses in the quality and completeness of assessments caused by fragmented and incomplete guidance for staff, incomplete records, insufficient consideration of assessment requirements and limited assurance from quality control processes.
4. Our audit also found that, in general, permit monitoring undertaken collectively by GBRMPA and its partner agencies has been insufficient to determine permit holders' compliance with conditions. Until recently, many instances of permit holder non-compliance were not identified by GBRMPA staff and not recorded centrally for assessment and possible enforcement action. Our audit also found that the limited guidance for investigators when determining appropriate enforcement responses to

non-compliance, when coupled with poorly documented reasons for enforcement actions, makes it difficult for GBRMPA to demonstrate the basis for its enforcement decision-making.

5. GBRMPA has acknowledged weaknesses in its permit assessment and compliance management processes and practices and has commenced work on a number of initiatives to strengthen existing practices. Initiatives include the: development of an annual permit compliance plan to address identified environmental and non-compliance risks from permissible activities and permit holders; and revisions and enhancements to risk assessment templates and guidelines for staff.
6. We made five recommendations to improve GBRMPA's regulation of Marine Park permits to strengthen the: processing of permit applications; rigour of permit application assessment and decision-making processes; effectiveness of permit conditions; effectiveness of permit compliance monitoring; and response to instances of non-compliance.
7. The audit team and I would be happy to answer any questions the Committee may have.