

Senate Standing Committee on Environment and Communications
Legislation Committee
Answers to questions on notice
Environment portfolio

Question No: 154
Hearing: Supplementary Estimates
Outcome: Agency
Programme: Great Barrier Reef Marine Park Authority
Topic: Compliance Action Plan 2015-16 & Strategic Plan
Hansard Page: 36
Question Date: 19 October 2015
Question Type: Spoken

Mr Elliot: We have also developed, and are now implementing this year, a compliance action plan for 2015-16. Sitting behind that is the broader compliance strategy, which goes for five years. I can provide both those documents as well, if you would like.

Senator WATERS: Yes, thank you. I would like that very much. I assume from that that those two documents—the compliance action plan and the strategic plan that sits behind it—are not public, but you can give them to us?

Mr Elliot: Yes, they are not on our website, but I can provide them.

Answer:

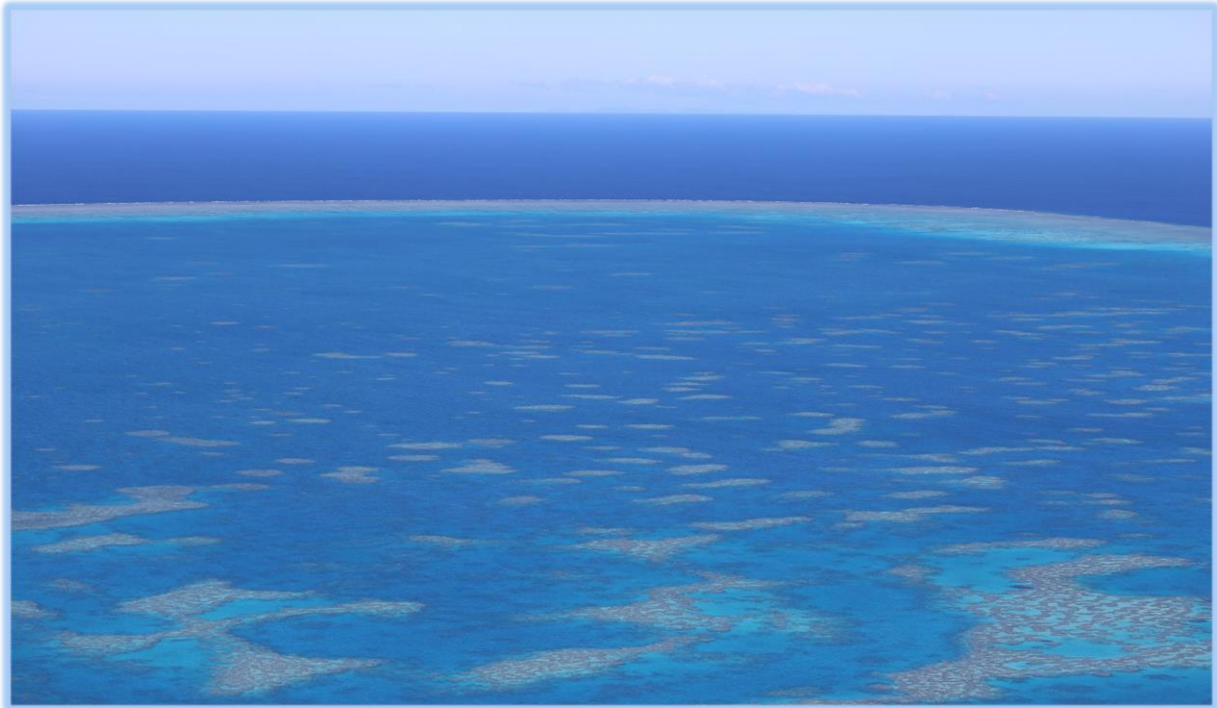
During the Great Barrier Reef Marine Park Authority's appearance at Supplementary Senate Estimates on 19 October 2015, officials, in response to questions from Senator Waters, offered to provide the committee with a copy of the Great Barrier Reef Marine Park Authority Annual Permissions Compliance Plan 2015-2016.

This plan is not a public document, primarily because it includes the names of individuals and businesses that may be the subject of compliance actions. The release of these names could negatively impact on the businesses involved and could undermine the effectiveness of ongoing compliance work. These names are limited to one appendix in the plan and their removal does not detract from the committee's ability to read and understand the plan. As such, we have provided a copy of the Great Barrier Reef Marine Park Authority Annual Permissions Compliance Plan 2015-2016 with the names of individuals and businesses redacted.

The Great Barrier Reef Marine Park Authority's Strengthening Permissions Compliance Action Plan 2015 – 2020 and the Annual Permissions Compliance Plan 2015 – 2016 (redacted version) are attached.



Australian Government
Great Barrier Reef
Marine Park Authority



Environmental Assessment and Protection
Great Barrier Reef Marine Park Authority

STRENGTHENING PERMISSIONS COMPLIANCE ACTION PLAN

2015 – 2020

Strengthening Permissions Compliance Action Plan 2015 - 2020

For the reference of:
Executive Management Group

- To provide broad direction for compliance functions associated with the management of permissions, notifications and accreditations.
- To form a basis for attribution of resources to address compliance risk.
- To align the permissions compliance management effort to the agency's programs.
- To facilitate the resourcing of permissions compliance activities.
- To monitor compliance outcomes.

Senior Management Team

- To identify roles and responsibilities of other business units and staff related to the compliance management of permissions.
- To monitor compliance outcomes.

Director, Environmental Assessment and Protection (PN187)

- To facilitate the resourcing of permissions compliance activities.
- To monitor and report compliance outcomes.
- To continuously improve business processes based upon the outcomes of compliance management effort.

Document custodian:

Manager, Protection Strategies and Systems (PN2)

Endorsement:

.....
 Dr Kirstin Dobbs
 Director, Environmental Assessment and Protection
 On the 11th day of September 2015

.....
 Bruce Elliot
 General Manager, Biodiversity Conservation and Sustainable
 Use
 On the 11th day of September 2015

Version No:

Version 1 – September 2015

Strengthening Permissions Compliance Action Plan 2015 - 2020

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Strengthening Permissions Compliance Action Plan 2015 - 2020

About this action plan

The *Great Barrier Reef Region Strategic Assessment Program Report* outlines a 25 year management program, endorsed by the Commonwealth Minister for the Environment, for how the Great Barrier Reef Marine Park Authority (the agency) will protect and manage the Great Barrier Reef, including relevant matters of national environmental significance¹.

One of the commitments made through this report requires improvement to the existing systems for monitoring and managing the regulatory risk associated with permissions issued under the *Great Barrier Reef Marine Park Act 1975* (the Act). Concurrently, the Australian National Audit Office (ANAO) has undertaken a performance audit of the agency's administration and management of the permissions system. The ANAO has made five (5) recommendations, of which the following three (3) will be addressed in this action plan^a:

1. effectiveness of permission conditions;
2. management of risks to compliance and the Great Barrier Reef Marine Park (Marine Park); and
3. response to instances of non-compliance.

The purpose of this action plan is to facilitate the sustainable delivery of an enhanced permission compliance program, based on a 'responsive regulation' model (and with targeted enforcement of regulation), which demonstrates regulatory integrity and is consistent with the following:

- the Australian Government Guide to Regulation and associated deregulation policy objectives;
- the *Reef 2050 Long-Term Sustainability Plan*;
- the *Great Barrier Reef Region Strategic Assessment Program Report*;
- the agency's Compliance Policy;
- recommendations made via the ANAO's performance audit of the agency's permission system;
- the *Australian National Audit Office's Better Practice Guide, Administering Regulation*²; and
- AS/NZS ISO/IEC 17020:2013 Conformity assessment - Requirements for the operation of various types of bodies performing inspection.

Objectives and outcomes

Delivery of this action plan in accordance with its guiding principles should consequently facilitate alignment with the 'ten principles for Australian Government policy makers'³ and the following best practice principles which reflect the Australian Government's deregulation policy objectives⁴:

- clear and effective communication;
- risk-based requirements and proportionate actions;
- consistency in decision-making, the application of rules, and engagement with clients or stakeholders;
- accountability and transparency in actions; and
- a commitment to continuous improvement, including acting on findings in regard to the need for and effectiveness of the regulation.

Additionally, full implementation of this action plan is intended to deliver the following outcomes:

1. An enhanced process to identify, develop and apply enforceable permission conditions in order to manage risks to the Marine Park.
2. Enhanced mechanisms for compliance promotion through the use of published guidance and tools in order to assist those regulated to improve their ability to comply.
3. A fit-for-purpose, publicly accessible information management system for the coordination, collection and use of information to facilitate compliance.
4. Establishment of effective arrangements to manage non-compliance, including:

^a The remaining two recommendations will be implemented through the agency's Assessment and Decision Enhancements Project.

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- a. an enhanced risk-based program for the assessment of regulatory risks so enforcement resources and consequential actions can be efficiently, effectively and proportionately targeted; and
 - b. an annual compliance plan to address identified regulatory risks.
5. Inclusion of monitoring and reporting of permissions compliance into broader regional and Reef-wide monitoring and reporting programs which include:
- a. the incorporation of national and international reporting requirements for the environment, and
 - b. processes to regularly evaluate and report the effectiveness of regulatory enforcement actions against a set of well-defined indicators in order to inform future adaptive management opportunities.

Development

The development of this action plan has been based on a review of the existing permissions compliance arrangements, discussions with stakeholders, legislative and statutory requirements, and several key documents, including:

- the Great Barrier Reef Region Strategic Assessment Program Report;
- the Reef 2050 Long Term Sustainability Plan;
- the agency's internal and external policy, procedures and guidelines relevant to compliance (see Figure 1);
- internal documents and external publications prepared by the Department of the Environment;
- the Australian Government Guide to Regulation and associated deregulation policy objectives;
- the ANAO's Better Practice Guide for Administering Regulation; and
- outcomes of the ANAO performance audit of the of the agency's permission system;
- recommendations made in ANAO's Managing Compliance with *Environment Protection and Biodiversity Conservation Act 1999* Conditions Approval report;
- recommendations made in the Queensland Audit Office's report on Environmental regulation of the resources and waste industries; and
- various peer-reviewed publications on compliance approaches.

This action plan does not consider the agency's compliance responsibilities for actions approved under the *Environment Protection and Biodiversity Conservation Act 1999*, the *Environment Protection (Sea Dumping) Act 1981* or the *Sea Installations Act 1987*.

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Approach to management

The Marine Park is a multiple-use marine protected area that supports a range of communities and industries that depend on the Reef for recreation or their livelihoods. Tourism, fishing, boating and shipping are some of the legitimate uses of the Marine Park. The entire Marine Park is covered by a Zoning Plan that identifies where particular activities are allowed 'as of right' and where they require permission from the Authority.

A number of different management tools are used to ensure that the Marine Park is protected and activities occurring in the Marine Park are sustainable. An important management activity is working cooperatively with stakeholders, other management agencies and the community, to derive the benefits gained from collaboration and ensure the best possible outcomes for the Marine Park. The agency is responsible for managing the Marine Park in accordance with the Act and other associated legislation. The main objective of the Act is to provide for the long term protection and conservation of the environment, biodiversity and heritage values of the Great Barrier Reef Region.

The other objects of the Act are to do the following, so far as is consistent with the main object:

- a) allow for the ecological sustainable use of the Great Barrier Reef Region for purposes including public enjoyment and appreciation; public education about and understanding of the Great Barrier Reef Region; recreational, economic and cultural activities; and research in relation to the natural, social, economic and cultural systems and value of the Great Barrier Reef Region;
- b) encourage engagement in the protection and management of the Great Barrier Reef Region by interested persons and groups, including Queensland and local governments, communities, Indigenous persons, business and industry; and
- c) assist in meeting Australia's international responsibilities in relation to the environment and protection of world heritage (especially Australia's responsibilities under the *Convention concerning the Protection of World Cultural and Natural Heritage*).

The Act makes provision for zoning plans, a permissions system, and partnerships with other government agencies and Traditional Owners. The *Great Barrier Reef Marine Park Zoning Plan 2003* provides for the spatial control of use, and sets out specific arrangements for activities consistent with protecting the environment and the principles of ecologically sustainable use. As part of these arrangements, many activities cannot be conducted within areas of the Marine Park without a permission issued by the agency. Permits are legal documents granting a company or person authorisation for one or many permissions to carry out activities in the Marine Park. In most of the adjoining waters, the Queensland Government provides complementary zoning through the *Great Barrier Reef Coast Marine Park Zoning Plan 2004 (Qld)*. Subsequently, in the majority of cases, the permissions are jointly issued with the Queensland Parks and Wildlife Service to provide access to the Marine Parks.

Part 2A of the *Great Barrier Reef Marine Park Regulations 1983* (the Regulations) describes how permissions apply to the conduct of activities in the Marine Park and sets out the statutory requirements for permissions. For each application made for a permission, the agency undertakes an assessment of the nature and scale of activities and makes a determination based on the acceptability of those activities on the environment. Where a permission is granted, subject to permission conditions, the agency is responsible for enforcing these conditions.

Strategies or actions to mitigate compliance risks may be applied singularly or in combination, and range from education approaches to assisted self-regulation to stronger mechanisms designed to enforce compliance (Figure 1). Formal delegations or authorisations for the power to take an action in response to a breach of permission conditions support this structured approach. Strategies or actions to mitigate compliance risks may be applied singly or in combination.

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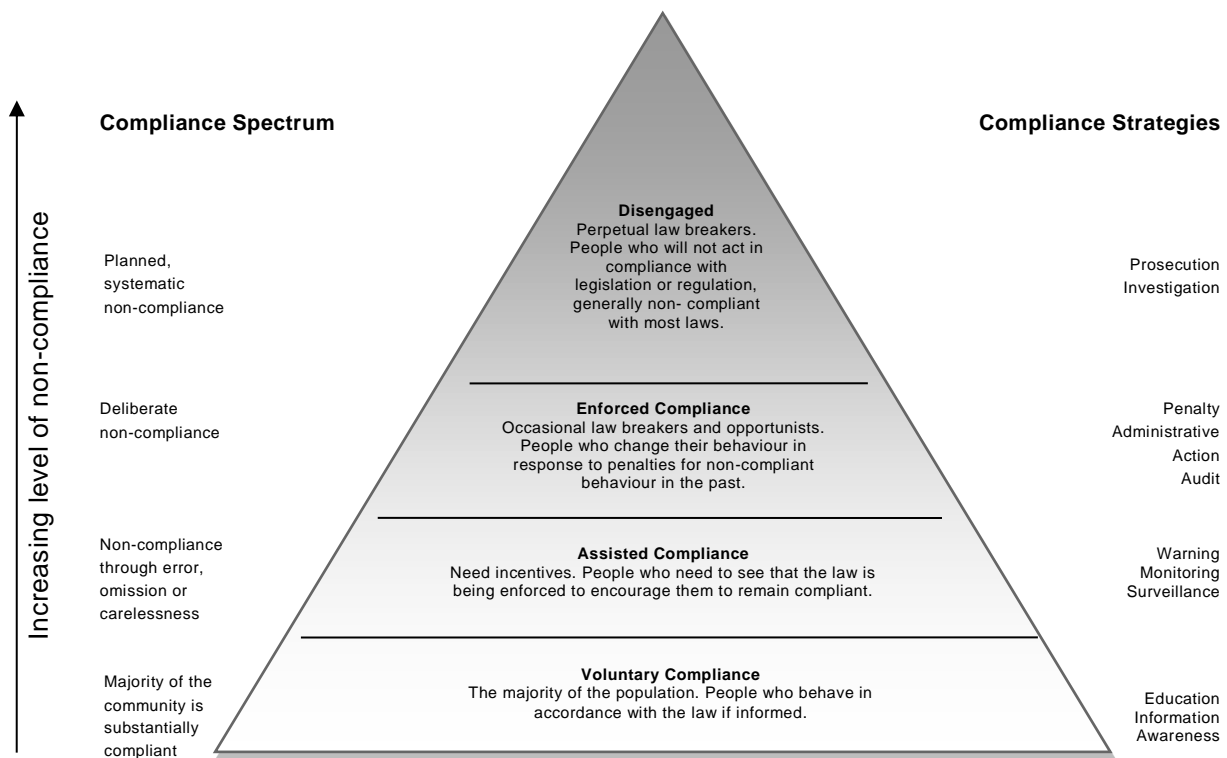


Figure 1: The Great Barrier Reef Marine Park Authority compliance model based on the Braithwaite Enforcement Pyramid⁵. This diagram represents the compliance strategies generally adopted relative to the behaviours and attitudes that drive non-compliance.

Note: compliance strategies maybe used at any point in the compliance spectrum.

Compliance approach pre-2015

The agency's compliance and enforcement functions are based on quarterly assessments of the level of threat the activity poses to the values of the Marine Park, such as its biodiversity (plants and animals), geomorphological features, Indigenous and historic heritage, and community benefits. These are the values and attributes identified in the Great Barrier Reef Region Strategic Assessment Report. As a result the majority of the agency's compliance effort up to July 2014 was dedicated to the following categories:

- hunting of protected species;
- commercial netting and crabbing;
- commercial line fishing; and
- recreational fishing.

With specific regard to compliance with permission requirements, until July 2014 there was no dedicated team or annual compliance plan to monitor and audit compliance with permission conditions.

Consequently, non-compliance would go undetected or, if detected, not be followed up in structure manner. The results of the 2014-15 ANAO audit found that 89.7 per cent of Marine Parks permissions sampled received no further monitoring or auditing of compliance.

Since July 2014, a small team of approximately 2.5 Full Time Equivalents (FTE) have been collating (see Table 1) and addressing (see Table 2), where possible, non-compliance with permissions that pose the highest risks to either the Marine Park (i.e. facility permissions) or the agency (i.e. overdue bonds and deeds).

Table 1: Alleged non-compliance reported to the agency since July 2014.

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Non-compliance (alleged)	Jul - Sept '14	Oct to Dec '14	Jan to Mar '15	Apr to Jun '15	Total YTD
Overdue Deeds/Bonds Number	\$2,429,000 12	\$759,000 1	\$247,000 9	\$15,000 5	27
Outstanding maintenance certificates, reports, plans, Schedule of Works etc.	23	2	10	0	35
Other permission condition contraventions	20	27	39	7	93
Failure to Commence Operations	37	No audit conducted	No audit conducted	No audit conducted	37
Failure to maintain Eco-certification	4	1	0	0	5
Unpermitted Moorings	14	8	4	2	28
Unpermitted Facilities	7	1	2	0	10
Unpermitted Vessels etc.	25	2	14	1	42
TOTAL	142	42	78	15	277

Table 2: Actions taken to resolve reported non-compliance since July 2014.

Compliance Actions taken	Jul - Sept '14	Oct to Dec '14	Jan to Mar '15	Apr to Jun '15	Total YTD
Education	2	6	5	2	15
Extension of time	4	3	22	2	31
Advisory / FINFO Letter	7	3	13	6	29
Infringement Notices	0	0	0	0	0
Directions/Orders	0	0	8	1	9
Revoke Permits (multiple permission on each)	1	3	1	0	5
Permission modification / reapply	0	0	4	0	4
Prosecution	1	0	0	0	1
Surrender of Permits (multiple permission on each)	2	1	0	0	3
No Action taken*	12	10	23	5	50
TOTAL	29	26	76	16	147

* Following an investigation of alleged non-compliance (includes natural justice and referral for investigation)

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What is at risk and why

The agency's Integrated Risk Rating Tool was used to determine what could be at risk within the agency and to the Marine Park if the 'status quo' approach to non-compliance with permissions was maintained (see Table 3).

Table 3: Potential risks to the agency and the Marine Park if permissions compliance is not strengthened.

Risk Type	Consequence	Likelihood	Risk Rating
Environment and heritage	Major: <ul style="list-style-type: none"> Local scale: Impact extremely serious, possibly irreversible to sensitive population/ community /affected part of ecosystem Broad scale: Impact significant at wider scale. Recovery 10-20 years Potential destruction to individual heritage places of great significance. Impact to a number of heritage places or values. Significant impact on heritage values over wider area. 	Possible	High
Reputational and political	Major: <ul style="list-style-type: none"> National long-term adverse media / possible review of agency administration Significant reputational impact, noticeable loss of stakeholder support / advocacy Multiple, complaint(s) triggers an external investigation (e.g. Ombudsman) 	Likely	High
Socio-economic	Moderate: <ul style="list-style-type: none"> Impact on business continuity affecting wider area or many businesses. Recovery period longer than two weeks, small businesses may collapse 	Possible	Medium
Legal and contractual	Major: <ul style="list-style-type: none"> Significant legislative breach / multiple litigation claims from single exposure Prosecution or moderate fine possible Significant legal and senior management resources required 	Possible	High
Health and safety	Moderate: <ul style="list-style-type: none"> Temporary loss of function, hospital treatment required - staff time lost 	Rare	Low
Operational disruption	Moderate: <ul style="list-style-type: none"> Temporary medium to long-term disruption to an area, service or program Moderate routine adjustment required 	Possible	Medium
Workforce, moral and culture	Moderate: <ul style="list-style-type: none"> Widespread (across several branches) morale impact Minor increase in staff turnover Temporary medium to long-term impact to corporate knowledge or history 	Possible	Medium
Security, fraud and financial	Major: <ul style="list-style-type: none"> External referral and investigation required (e.g. AFP / APSC) ~10% of monthly budget 	Unlikely	Medium

Potential risks associated with implementing the Strengthening Permissions Compliance Action Plan

From July 2015 three (3) FTE in the Environmental Assessment and Protection Section will be allocated to implement this action plan in conjunction with existing foundational tasks undertaken for the agency. There is a potential risk that competing priorities and unplanned work may lead to increased demands on resources available, thereby reducing capacity to deliver a strengthened permissions compliance system. Regular progress updates to communicate the impact of changes as they occur may sustain momentum and a focused priority on improving existing arrangements.

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There is also a potential risk that insufficient staff collaboration and/or executive sponsorship may lead to insufficient advocacy, loss of momentum for change and disengagement in the improvement process. This could result in a decreased capacity to establish sustainable progress and limit opportunities to deliver the recommendations made by the ANAO and the commitments outlined in the *Reef 2050 Long-Term Sustainability Plan* and the *Great Barrier Reef Region Strategic Assessment Program Report*. Regular engagement with all sections across the agency will assist in raising staff awareness of requirements and facilitate collaborative input.

The way forward

Through the comprehensive Strategic Assessment of the Great Barrier Reef World Heritage Area and the agency's corporate planning cycles, recognition has been given to the need to strengthen permissions compliance. Staged implementation of this action plan over five (5) years is intended to enable gradual, tailored change so the likelihood of sustainable success is optimised.

Guiding principles

In order to pursue the highest quality regulatory integrity and promote confidence in regulatory decision-making, delivery of this action plan should be guided by the following principles intended to support fair, objective, impartial and, consistent regulation, free from conflicts of interest or bias^{6,7}:

1. **Risk focus and proportionality:** The incorporation of a risk-based approach into the permissions compliance system will allow for the application of the treatments identified through an assessment of threats to the values of the Marine Park, consideration of special circumstances, and requirements outlined in legislation, policies and other legal requirements. To facilitate the appropriate use of finite resources, the frequency and extent of enforcement activities should be proportionate to the level of risk, and compliance/enforcement actions should aim to reduce the risk posed by non-compliance.
2. **Responsive regulation:** Enforcement strategies should be informed and guided by the behaviour and history of the stakeholders regulated, so the right modulation between compliance support and deterrence can be delivered.
3. **Engagement:** For a permissions compliance system to be effective, it must be implemented in partnership with external stakeholders to maximise voluntary compliance opportunities. This will ensure minimal impact on legitimate business use and visitor enjoyment.
4. **Partnerships:** By partnering with other government agencies a whole-of-government approach is taken to address permission compliance and enforcement matters. This will enable better use of public resources, minimise the burden on regulated stakeholders and maximise effectiveness, whilst ensuring duplication and overlaps in enforcement activities are removed.
5. **Information integration:** Information and communication technologies should be developed and used to coordinate the collection and sharing of information in order to inform risk-based planning, and optimise the use of inspection resources.
6. **Transparency:** A range of compliance and enforcement mechanisms are necessary to provide an effective and flexible permissions compliance system. Furthermore, these mechanisms must be applied in a consistent and transparent manner to provide fairness and certainty for the regulated community, and ensure results-orientated management in order to operate independently from political influence, and promote/reward responsive regulation efforts.
7. **Clear and fair processes:** The rules and processes for enforcement of regulation (including inspections) should be coherent and actively disseminated through all media channels. This can assist with clarity on the rights and obligations of officials, of those being regulated, and the possibilities of appeal/challenge of regulatory decisions.

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8. **Compliance promotion:** Transparency and compliance should be promoted through the use of published guidance notes, toolkits and self-check tools that assist those regulated to improve their ability to comply.
9. **Evidence-based enforcement:** To enable effective continuity of regulation, decisions regarding what to inspect (and how) should be based on regularly evaluated performance indicators, data and evidence.

Strengthening Permission Compliance Action Plan - actions and monitoring

An effective and transparent permissions compliance system can only be achieved through an agency wide approach in conjunction with our stakeholders and government partners. Additionally, several key projects being undertaken within the agency will also assist in delivering the objectives of this Strategy. These projects include:

- Assessment and Decision Enhancement Project;
- Integrated Monitoring and Reporting Program;
- Reef Management Systems; and
- Regulatory and policy reform.

This action plan will be implemented through the application of four strategies designed to achieve compliance:

1. **Legislation and Permissions Systems:** The agency will place enforceable conditions on permissions, based on the risks and impacts identified through the assessment process. This will be delivered in partnership with the Assessment and Decision Enhancement Project.
2. **Education and Communication:** The agency will engage with the regulated community through tailored engagement strategies. Many permission condition contraventions are the result of lack of awareness about obligations under the permission or legislation and how to comply.
3. **Monitoring and Reporting:** The agency will monitor compliance with permission conditions, and detect potential contraventions through the analysis of intelligence, field patrols, (including site visits and inspections) and audits (including sample collection).
4. **Enforcement** (including administrative compliance): The agency will apply strategies or actions, either singly or in combination, to mitigate compliance risks and achieve the necessary behavioural change. The agency has the ability to modify, suspend and revoke permissions, as well as the ability to apply substantial penalties for contravention of permission conditions.

Actions intended to strengthen permissions compliance are outlined in Table 4. A schedule for implementation of actions has been developed based on the resource allocation in EAP of three (3) FTE, which are expected to be available from July 2015 (see Table 5). However, assistance from other sections within the agency and QPWS will be required from time to time.

Review

It is intended that regular monitoring of performance measures to be established (as detailed within the action plan) will enable systematic evaluation, identification and management of improvement opportunities during the life of this plan.

The agency's progress on implementation of this action plan will be reported on quarterly to the Marine Park Authority through the Permissions System Quarterly Report. A copy of this report will also be provided to the agency's Audit Committee.

The action plan will be updated as required, as part of the agency's annual compliance planning cycle for the permissions system.

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Table 4: The actions required to improve the existing permissions compliance system.

	Action	Intended Outcome	Milestones	Performance Measure
Legislation and Permissions Systems	<p>Agency and Management Partners</p> <p>1) Development and implementation of an agency-wide continuous quality improvement system and register to capture opportunities for continual improvement of the permissions compliance system and associated legislation.</p> <p>2) Development and implementation of a system which incorporates the outcomes of permissions compliance monitoring activities, into the development of future permission conditions.</p> <p>3) Development and implementation of a process to ensure decision-makers consider the appropriateness of the permission conditions attached to permission granted to manage the inherent risks to the environment from the permitted activity(s) and facilitate the achievement of regulatory objectives.</p> <p>4) Development of, and annual assessment against, key performance indicators to measure the effectiveness of the agency's regulation of permissions.</p> <p>5) Development and implementation of Permissions Compliance Guidelines that:</p> <p>a) articulate the requirements and responsibilities of staff engaged in permissions compliance activities for the agency;</p> <p>b) ensure all activities are undertaken in accordance with the highest professional standards;</p> <p>c) ensure investigations are conducted in accordance with Australian Government Investigations Standards by appropriately trained staff;</p> <p>d) provide an understanding of roles and responsibilities relating to the management of permissions; and</p> <p>e) identify partner agencies and their roles and responsibilities.</p> <p>6) Research and collate existing data on the status of post decisions requirements for existing permissions.</p> <p>7) Development and implementation of fit-for-purpose information management systems to support the regulation of permissions.</p> <p>8) Implementation of legislation changes to improve clarity and strengthen regulatory intent relevant to permission compliance.</p> <p>Permittees and Marine Park Users</p> <p>9) Development and implementation of an external electronic interface for permission holders to submit information associated with permission requirements and new permission applications.</p> <p>10) Publication of an external version of the Permissions Compliance Guidelines.</p>	<p>Permissions granted contain enforceable conditions appropriate to the risks of the approved activity.</p> <p>Compliance actions taken in response to alleged breaches of permission conditions are transparent, fair and effective.</p>	<p>Establishment of a quality improvement system and register to ensure improved enforceability of permission conditions, legislation and compliance action, based on up-to-date information and intelligence by July 2017.</p> <p>Review of the enforceability of existing permission conditions included in permit templates by July 2018.</p> <p>Establishment and implementation of an annual reporting framework for permission compliance activities by June 2016.</p> <p>Permissions Compliance Guidelines developed and implemented by June 2019.</p> <p>Reef Management Systems development complete by June 2020, including functionality specific to post permit monitoring and compliance, as well as an external interface for Permittees.</p> <p>Legislation changes identified and, if appropriate, approvals are given to the agency and implemented by July 2017.</p>	<p>Proportion of reported non-compliances where action cannot be taken, or must be revised down, due to issues with internal processes and decisions.</p> <p>Proportion of conditions on granted permissions that are not enforceable.</p>
	<p>Agency and Management Partners</p> <p>11) Development and implementation of mechanisms to regularly inform and educate all staff (including contracted), partner agencies, external contractors and volunteers (where appropriate) on the permissions system, relevant legislation and how to report suspected non-compliance.</p> <p>12) Development and implementation of a training module for staff from partner agencies to facilitate a basic level understanding of the permissions system and compliance requirements.</p> <p>13) Establish a section on the internal internet on the permissions system, including compliance requirements.</p> <p>Permittees and Marine Park Users</p> <p>14) Inclusion of permissions compliance in the agency's external compliance policy.</p> <p>15) Review and update existing information on the agency's website regarding the permissions system and associated permissions compliance requirements.</p> <p>16) Annual updates to, and dispatch of, the Permits and Environmental Management Charge Guide to all permission holders.</p> <p>17) Inclusion of information on, and messages to promote compliance with permission requirements, into existing stakeholder engagement activities undertaken by the agency.</p> <p>18) Development and implementation of an Annual Permissions Compliance Communication plan.</p>	<p>An effective risk-based compliance program to communicate regulatory requirements associated with the permissions system.</p>	<p>Permissions Compliance Communication Plan developed and implemented by June 2016.</p> <p>Development and implementation of a training strategy which includes learning modules for staff by June 2016.</p> <p>Establish a section on the internal internet page on the permissions system, including compliance requirements by June 2017.</p> <p>Permits and Environmental Management Charge Guide dispatched annually (by November each year).</p> <p>Agency Compliance Policy which references permissions compliance by June 2016.</p>	<p>Proportion of staff from Managing Agencies who are trained on compliance requirements of the permissions system.</p> <p>Proportion of GBRMPA web pages containing information regarding compliance with the agency's permission system which are current (i.e., have been reviewed within 2 years).</p> <p>Proportion of reported non-compliances which are true non-compliance matters.</p> <p>Number of times permission compliance issues are raised by stakeholder groups at LMAC and RAC meetings.</p>

	Action	Intended Outcome	Milestones	Performance Measure	
Monitoring and Reporting	<p>Agency and Management Partners</p> <p>19) Development and implementation of guidelines, tools and procedures to ensure effective compliance monitoring strategies and documentation of compliance actions.</p> <p>20) Development and implementation of a training strategy for staff engaging in permissions compliance activities to ensure staff have the requisite skills and experience.</p> <p>21) Development and implementation of processes and a supporting system to gather, store, analyse and retrieve relevant intelligence on compliance with permission conditions.</p> <p>22) Integration of statistics and intelligence relating to the regulation of permissions into the agency's existing internal and external reporting and assessment tools.</p> <p>23) Establishment of working relationships with other Australian and Queensland government agencies to ensure the agency's risk assessments are informed by:</p> <ul style="list-style-type: none"> a) permission holders' compliance with relevant environmental approval conditions imposed by other Australian and Queensland government regulators; and b) intelligence gathered from sources that include relevant state and federal agencies, and other stakeholders. <p>24) Development and implementation of a rolling, risk based Annual Permissions Compliance Plan that:</p> <ul style="list-style-type: none"> a) is consistent with the agency's strategic approach to managing compliance; b) identifies and analyses compliance risks associated with the non-compliance with permission requirements; c) suggests and prioritises treatments to address the identified compliance risks, treatments to include: <ul style="list-style-type: none"> i) education; ii) desktop audits; iii) assisted self-regulation; iv) field inspection; v) targeted audits; vi) investigation; vii) prosecution (criminal or civil); and viii) administrative actions. d) provides timelines for action and assigns responsibility within the agency; and e) includes a series of measurable and prioritised deliverables. <p>25) Development and implementation of a reporting framework attached to the Annual Permissions Compliance Plan that provides an overall measurement tool to be used for monitoring and reviewing the plan as the financial year progresses.</p> <p>26) Development and implementation of permission specific compliance plans to be attached to the Annual Permissions Compliance Plan for permitted activities that have been assessed as a high risk to the Marine Park (i.e. marina developments, large scale dredging projects).</p> <p>27) Monitoring and documentation of remedial action implemented by permission holders to address identified non-compliance.</p>	<p>A structured risk management process to assess and manage compliance risks.</p> <p>An effective risk-based compliance program to monitor compliance with permission conditions and related regulatory objectives.</p> <p>Monitoring and reporting of permissions compliance is incorporated into broader regional and Reef-wide monitoring and reporting programs which include the incorporation of national and international reporting requirements for the environment.</p>	<p>Permissions Compliance Guidelines developed and implemented by June 2019.</p> <p>Development and implementation of a training strategy which includes learning modules for staff by June 2016.</p> <p>Reef Management Systems development complete by June 2020, including functionality specific to post permit monitoring and compliance.</p> <p>Permissions Compliance Communication Plan developed and implemented by June 2016.</p> <p>Establishment and implementation of an annual reporting framework for permission compliance activities by June 2016.</p> <p>Annual Permissions Compliance Plan developed (by June each year) and implemented (by the following June each year).</p> <p>Improved document management systems for managing permission non-compliance matters by June 2016.</p>	<p>Proportion of reported non-compliances which are true non-compliance matters.</p> <p>Proportion of reported non-compliances where action cannot be taken, or must be revised down, due to issues with internal processes and decisions.</p> <p>Number of staff trained from both within the agency and partner agencies (including the Indigenous Ranger Program) on how to identify, report and address non-compliance with permissions.</p> <p>Number of correctly identified permission non-compliances reported.</p>	
	<p>Permittees and Marine Park Users</p> <p>28) Relevant stakeholders involved in the development and implementation of the Annual Permissions Compliance Plan.</p> <p>29) Publication of an overview of the Annual Permissions Compliance Plan which provides permission holders with information on the agency's audit plan for the financial year.</p>				
	Enforcement	<p>Agency and Management Partners</p> <p>30) Update of the threat assessment framework to tailor enforcement response.</p> <p>31) Development of a range of graduated responses to permissions non-compliance that are:</p> <ul style="list-style-type: none"> a) proportionate to the non-compliance; b) clearly defined in policy and operational documents; and c) approved by the appropriate delegate. <p>32) Potential non-compliance with permission conditions are prioritised for investigation.</p>	<p>Effective arrangements are in place to manage non-compliance so as to result in a change in compliance behaviour of Permittees.</p>	<p>Permission specific risks incorporated into the agency's strategic risk register by June 2016.</p> <p>Permissions Compliance Guidelines developed and implemented by June 2019.</p>	<p>Proportion of successful enforcement actions taken by the agency and jointly with QPWS delegates.</p> <p>Appropriate delegations and supporting guidelines for decisions are established and routinely followed.</p> <p>Number of permission non-compliances reported across the Marine Park reduced.</p>
		<p>Permittees and Marine Park Users</p> <p>33) Implementation of a range of graduated responses to permissions non-compliance that:</p> <ul style="list-style-type: none"> a) impose a positive behavioural response; and b) are timely, lawful and documented; and <p>34) Investigations into permissions non-compliance deliver a change in compliance behaviour.</p>			

Implementation plan

Table 5: Implementation schedule for the Strengthening Permissions Compliance Action Plan

Millstones	Strategy				2015/2016				2016/2017				2017/2018				2018/2019				2019/2020			
	Legislation and Permission Systems	Education and Communication	Monitoring and Reporting	Enforcement	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Agency Compliance Policy which references permissions compliance.		✓																						
Annual Permissions Compliance Plan developed and implemented.			✓																					
Annual updates to and dispatch of the Permits and Environmental Management Charge Guide to all permission holders.		✓																						
Development and implementation of a Permissions Compliance Training Strategy.		✓	✓																					
Establish a section on the internal internet page on the permissions system and compliance requirements.		✓																						
Establishment of a quality improvement system and register.	✓																							
Establishment and implementation of an annual reporting framework for permission compliance activities.	✓		✓																					
Improved document management systems for managing permission non-compliance.			✓																					
Legislation changes identified and implemented.	✓																							
Permission specific risks incorporated into the agency's strategic risk register.				✓																				
Permissions Compliance Communication Plan developed and implemented.		✓	✓	✓																				
Permissions Compliance Guidelines developed and implemented.	✓		✓																					
Reef Management Systems developed and implemented.	✓		✓																					
Review of the enforceability of existing permission conditions included in permit templates.	✓																							

Strengthening Permissions Compliance Action Plan 2015 - 2020

Legislation, Standards, Policies, Strategies, Plans, Procedures and Guidelines

Legislation	<p><i>Great Barrier Reef Marine Park Act 1975 (the Act)</i></p> <p><i>Great Barrier Reef Marine Park (Environmental Management Charge-General) Act 1993</i></p> <p><i>Great Barrier Reef Marine Park (Environmental Management Charge-Excise) Act 1993</i></p> <p><i>Great Barrier Reef Marine Park Regulations 1983 (the Regulations)</i></p> <p><i>Great Barrier Reef Marine Park Zoning Plan 2003</i></p> <p><i>Cairns Area Plan of Management 1998</i></p> <p><i>Hinchinbrook Plan of Management 2004</i></p> <p><i>Whitsundays Plan of Management 1998</i></p> <p><i>Acts Interpretation Act 1901</i></p> <p><i>Auditor-General Act 1997</i></p> <p><i>Cheques Act 1986</i></p> <p><i>Crimes Act 1914</i></p> <p><i>Criminal Code Act 1995</i></p> <p><i>Environmental Protection and Biodiversity Act 1999</i></p> <p><i>Public Governance Performance and Accountability Act 2013</i></p> <p><i>Public Governance, Performance and Accountability Rule 2014, Rule 10</i></p> <p><i>Privacy Act 1988</i></p>
Standards	<p><i>AS/NZS ISO 31000:2009 Risk management principals and guidelines</i></p> <p><i>AS/NZS ISO/IEC 17020:2013 Conformity assessment - requirements for the operation of various types of bodies performing inspection</i></p> <p><i>AS 3806:2006 Compliance programs</i></p> <p><i>Australian Government Investigations Standards 2011</i></p>
Policies	<p><i>Commonwealth Fraud Control Policy</i></p> <p><i>Great Barrier Reef Marine Park Authority Compliance Policy</i></p> <p><i>Prosecutions Policy of the Commonwealth</i></p> <p><i>Australian Government Protective Security Policy Framework</i></p>
Strategies	<p><i>Great Barrier Reef Marine Park Authority Compliance Strategy</i></p>
Plans	<p><i>Great Barrier Reef Marine Park Authority Fraud Control Plan</i></p> <p><i>Great Barrier Reef Marine Park Authority Annual Strategic Compliance Plan</i></p>
Procedures	<p><i>Great Barrier Reef Marine Park Authority Compliance Management Investigation Procedures</i></p> <p><i>Great Barrier Reef Marine Park Authority Infringement Notice Procedures</i></p>
Guidelines	<p><i>Australian Government Guide to Regulation</i></p> <p><i>Australian National Audit Office's Better Practice Guide, Administering Regulation</i></p> <p><i>Resource Management Guide No. 201, Preventing, detecting and dealing with fraud</i></p>

Strengthening Permissions Compliance Action Plan 2015 - 2020

Definitions

Inspection means the examination of a product, process, service or installation or their design and determination of its conformity with specific requirements, or, on the basis of professional judgment, with general requirements⁸.

Matters of national environmental significance means those matters defined in the *Environment Protection and Biodiversity Conservation Act 1999*¹.

Permission has the same meaning given in the Regulations, unless the context in which the term is used indicates otherwise.

Permission conditions means the conditions of a permission made in accordance with s88ZE of the Regulations⁹.

Regulatory integrity means where regulatory administration and decisions are fair, objective, impartial, consistent and expert, without having any conflict of interest or bias, improper influence or improper purpose, or circumstances that reduce the regulator's market credibility, consistency of decision-making, or availability of expertise⁶.

Regulatory risk (commonly referred to within the agency as '**compliance risk**') means an actual or potential event or circumstance that interferes with the achievement of a regulatory policy objective or administrative outcome. It can be categorised into two broad groups: risks that affects a regulator's ability to effectively administer regulation; and risks that decreases a regulated entity's ability or willingness to comply with regulatory requirements².

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- 6 Organisation for Economic Cooperation and Development. 2014, *The Governance of Regulators*, OECD Best Practice Principles for Regulatory Policy, OECD Publishing, Paris.
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- 8 Standards Australia, Standards New Zealand. 2013, *AS/NZS ISO/IEC 17020:2013 Conformity assessment - requirements for the operation of various types of bodies performing inspection*, SAI Global Limited, Sydney.
- 9 *Great Barrier Reef Marine Park Authority Regulations 1983*



Australian Government
Great Barrier Reef
Marine Park Authority



Environmental Assessment and Protection

Great Barrier Reef Marine Park Authority

ANNUAL PERMISSIONS COMPLIANCE PLAN 2015 - 2016

Annual Permissions Compliance Plan 2015 – 2016

For the reference of:***Executive Management Group***

- To form a basis for attribution of resources to address permissions compliance risk.
- To align the permissions compliance management effort to the agency's programs.
- To facilitate the resourcing of permissions compliance activities.
- To monitor compliance outcomes.

Senior Management Team

- To identify roles and responsibilities of other business units and staff related to the compliance management of permissions.
- To monitor compliance outcomes.
- To budget and allocate resources for the delivery of permissions compliance tasks for the year.
- To identify and specify the permissions compliance tasks for inclusion into the FMCU Annual Business Plan and Tourism and Stewardship Annual Operating Plan.

Director, Environmental Assessment and Protection (PN187)

- To budget and allocate resources for the delivery of permissions compliance tasks for the year.
- To monitor and report compliance outcomes.

Manager, Protection Strategies and Systems (PN2)

- To provide broad direction for PSS staff engaged on functions associated with the management of permissions, notifications and accreditations.
- To form a basis for attribution of resources to address compliance risk.
- To identify roles and responsibilities of other business units and staff related to the compliance management of permissions.
- To facilitate the resourcing of permissions compliance activities.
- To monitor and report compliance outcomes.
- To continuously improve business processes based upon the outcomes of compliance management effort.

Document custodian:

Manager, Protection Strategies and Systems (PN2) – to be reviewed and updated annually.

Endorsement:

.....
 Dr Kirstin Dobbs
 Director, Environmental Assessment and Protection
 On the 30th day of October 2015

.....
 Bruce Elliot
 General Manager, Biodiversity Conservation and Sustainable Use
 On the 30th day of October 2015

Version No:

Version 1 – October 2015

Annual Permissions Compliance Plan 2015 – 2016

Legislation, Policies, Plans, Procedures and Guidelines

Legislation	<p>Great Barrier Reef Marine Park Act 1975 (<i>the Act</i>)</p> <p>Great Barrier Reef Marine Park (Environmental Management Charge-General) Act 1993</p> <p>Great Barrier Reef Marine Park (Environmental Management Charge-Excise) Act 1993</p> <p>Great Barrier Reef Marine Park Regulations 1983 (<i>the Regulations</i>)</p> <p>Great Barrier Reef Marine Park Zoning Plan 2003 (<i>the Zoning Plan</i>)</p> <p>Acts Interpretation Act 1901</p> <p>Auditor-General Act 1997</p> <p>Cheques Act 1986</p> <p>Crimes Act 1914</p> <p>Criminal Code Act 1995</p> <p>Environment Protection and Biodiversity Act 1999 (<i>EPBC Act</i>)</p> <p>Public Governance Performance and Accountability Act 2013 (<i>PGPA Act</i>)</p> <p>Public Governance, Performance and Accountability Rule 2014, Rule 10</p> <p>Privacy Act 1988</p>
Policies	<p><i>Commonwealth Fraud Control Framework</i></p> <p><i>Great Barrier Reef Marine Park Authority Compliance Policy</i></p> <p><i>Prosecutions Policy of the Commonwealth</i></p> <p><i>Australian Government Protective Security Policy Framework</i></p>
Plans	<p><i>Great Barrier Reef Marine Park Authority Fraud Control Plan</i></p> <p><i>Great Barrier Reef Marine Park Authority Annual Strategic Compliance Plan</i></p> <p><i>Great Barrier Reef Marine Park Authority Strengthening Permissions Compliance Action Plan 2015-2020</i></p> <p><i>Field Management Program Compliance Risk Management Strategy for the Great Barrier Reef World Heritage Area 2015-16</i></p>
Procedures	<p><i>Great Barrier Reef Marine Park Compliance Management Investigation Procedures</i></p> <p><i>Great Barrier Reef Marine Park Authority Caution and Infringement Notice System Guidelines and Procedures</i></p>
Guidelines	<p><i>Environmental Management Charge Compliance Guidelines</i></p> <p><i>Moorings Compliance Management Guidelines</i></p> <p><i>Australian Government Investigations Standards 2011</i></p> <p><i>Commonwealth Fraud Control Guidelines 2011</i></p>

Annual Permissions Compliance Plan 2015 – 2016

List of Abbreviations

Act	<i>Great Barrier Reef Marine Park Act 1975</i>
Agency	Great Barrier Reef Marine Park Authority
AGIS	Australian Government Investigations Standards 2011
AMSA	Australian Maritime Safety Authority
Authority	Marine Park Authority Board
DoE	Department of the Environment (Cth)
EHP	Department of Environment Heritage Protection (Qld)
EMC	Environmental Management Charge
EMG	Executive Management Group
ESS	Environmental Site Supervision
FMP	Field Management Program
FMCU	Field Management Compliance Unit
IRAC	Indigenous Reef Advisory Committee
LPP	Late Payment Penalty
LSS	Legal Services Section
Marine Park	Great Barrier Reef Marine Park
MSQ	Maritime Safety Queensland
World Heritage Area	Great Barrier Reef World Heritage Area
NPSR	Department of National Parks, Sport and Racing (Qld)
QBFP	Queensland Boating and Fisheries Patrol
QPS	Queensland Police Service
QPWS	Queensland Parks and Wildlife Service
Regulations	<i>Great Barrier Reef Marine Park Regulations 1983</i>
RMS	Reef Management Systems
TRAC	Tourism Reef Advisory Committee
T&S	Tourism and Stewardship

Annual Permissions Compliance Plan 2015 – 2016

About this Compliance Plan

The Annual Permissions Compliance Plan (the Plan) outlines the activities, services and resources to be provided by the Great Barrier Reef Marine Park Authority (the agency) for the management of permissions compliance throughout the 2015/2016 financial year. Strategies or actions to mitigate compliance risks (known as ‘treatments’) may be applied singularly or in combination, and range from educational approaches to assisted self-regulation to stronger mechanisms designed to enforce compliance. For this to be achieved, appropriate resources must be allocated to develop, document and implement a risk-based annual compliance plan.

Structure and delivery of the plan

This Plan identifies and analyses the compliance risks associated with permissions, notifications and accreditations. It then prioritises them and identifies treatments for implementation, based on the available resources and the application of appropriate compliance tools.

The agency’s Protection, Strategies and Systems (PSS) team within the Environmental Assessment and Protection (EAP) section, has the lead responsibility for developing and implementing the Plan, in partnership with other agency sections and external stakeholders. The Plan includes a reporting framework that includes monitoring and review as the financial year progresses.

Linkages to the Permissions Compliance Action Plan 2015-2020

One of the commitments made through the Great Barrier Reef Region Strategic Assessment Program Report requires improvement to the existing systems for monitoring and managing the regulatory risk associated with permissions issued under the Act. Concurrently, the Australian National Audit Office (ANAO) has undertaken a performance audit of the agency’s administration and management of the permissions system.

The agency has developed the Strengthening Permissions Compliance Action Plan 2015-2020 (Action Plan) to facilitate the sustainable delivery of an enhanced permission compliance program. This annual plan supports the delivery of that Action Plan. The following Action Plan outcomes have been identified for delivery through this annual plan in the 2015/2016 financial year:

1. An appropriately qualified permissions compliance team is in place across the agency, working jointly with the Assessments and Approvals section of QPWS, to respond to reported non-compliance.
2. Enhanced level of field compliance inspections conducted in accordance with legislation, procedure and standards to determine the levels of compliance.
3. Continued identification of permissions non-compliance by agency and Field Management Program staff.
4. Improved systems within EAP to support permissions compliance and strengthen permit conditions.
5. Improved education and engagement to enhance understanding by Permittees.

Permissions Compliance Framework

Annual Permissions Compliance Plan 2015 – 2016

The intent of this plan is consistent with the agency's approach to managing compliance and the achievement of the agency's compliance goals. The agency's compliance framework links to a range of Commonwealth and/or agency documents, and compliance strategies. It is the priority of this plan to include inputs from a diverse range of agencies and compliance staff involved in surveillance, audits and investigations. Compliance tools (including compliance instruments) will be used in a manner consistent with the agency's standards and the legislation (Table 1).

To assist in the delivery of these requirements, this Annual Compliance Plan will focus on:

1. The documentation and implementation of a structured approach to the management of permissions compliance.
2. Embedding permissions compliance-related roles and responsibilities into the agency structure.
3. Providing agency staff with the necessary tools and support to enable permissions compliance field activities to be lawfully undertaken.
4. Establishing a systematic and regular schedule of audits and inspections of the highest risk permitted activities.
5. Developing specific plans to manage individual activities where a high risk of non-compliance has been identified.
6. Responding to reports of non-compliance with the conditions of permissions.

Annual Permissions Compliance Plan 2015 – 2016

Table 1: Summary of the strategic approach adopted when applying the framework of compliance tools and instruments to gain targeted outcomes.

Outcome	Strategy	Explanation of Permissions Compliance Strategy
Education and Communication (Awareness)	Information	Providing information about the requirement for, and the process to apply for permission to undertake activities. Describing the responsibility for ensuring full compliance with the permission conditions.
	Education and Engagement	Providing a broader understanding of management of the Marine Park and the role the Permittee plays in conserving its values. Providing tailored education packages to promote self-regulation by the Permittee, i.e. meeting all of the requirements of the permit including EMC, bookings and reporting conditions.
Monitoring and Reporting (Compliance assessment)	Surveillance	Monitoring of activities for the purpose of deterring, preventing and reporting on instances of non-compliance.
	Environmental Site Supervision	Where identified, the permitted activity may require environmental site supervision (ESS), e.g. to supervise the installation of a facility or works associated with a facility and monitor and respond to non-compliance. The ESS is usually funded by the proponent and must be without any conflict of interest. The ESS may be engaged for the whole project or any relevant phases. It is preferable that the ESS be performed by an appointed Marine Park Inspector.
	Audits	Audits will be conducted in accordance with the standards outlined in the Permission Compliance Guidelines to monitor compliance with the conditions of the relevant permissions. They can take different formats including: <ul style="list-style-type: none"> • desktop; • field; • financial; and • systems.
	Investigations	Investigations gather evidence of a suspected offence for consideration by the Commonwealth Director of Public Prosecution (CDPP) for prosecution action, or by the agency for civil or administrative action. A permission may be suspended pending investigation. This is also where the agency provides the Permittee with natural justice through the opportunity to explain the reasons for an alleged non-compliance. Extensions of time can also be granted with which to enable the Permittee to achieve compliance. Can also include explaining to the Permittee that surrendering the permit is a way to achieve compliance e.g. the failure to commence operations or maintain eco-certification.
	Permit specific compliance planning	Site and location specific plans may be developed and used in conjunction with the Annual Permissions Compliance Plan 2015-2016.
Enforcement (Adjusted behaviour)	Cautions / Advisory letters	An individual or an entity may be issued with a 'caution' (for instance, by way of an advisory letter) from the agency for an activity that is deemed potentially contrary to permit conditions, and advised of the consequences of continuing the behaviour.
	Warnings	An individual or an entity may be issued with a written 'official warning' by the CDPP for an activity that is deemed contrary to permit conditions or other statutory obligations, and advised them of the potential consequences of continuing with the breach or behaviour.
	Infringement Notices	An individual or entity may be issued with an infringement notice, as an alternative to prosecution, administrative or civil action, where on the basis of evidence a Marine Park Inspector or delegate reasonably believes that a person or entity has committed an offence for which an infringement notice can be issued. The issuing of the infringement notice will be in accordance with the agency's Caution and Infringement Notice System Policy Guidelines and Procedures Manual.
	Directions and Orders	An individual or an entity may be issued with a direction to cease or desist from an activity or issued with an order to undertake a certain activity. In most cases such directions relate to the remediation of a situation to reduce or prevent harm.
	Administrative Action	A range of administrative actions may be applied in order to penalise an individual or entity for contravening a permission. This may include financial penalty (e.g. Late Payment Penalty), the strengthening of permit conditions, or suspension or revocation of a permission.
	Prosecution	The courts will determine if an alleged offence or contravention of a civil penalty provision has been proven and if so, will apply penalties/costs in accordance with the relevant legislation. This applies to both criminal prosecution and civil prosecutions penalty proceedings. Note: Confiscation and forfeiture of property may result from a prosecution or associated such compliance action.

Annual Permissions Compliance Plan 2015 – 2016

Permissions Compliance Risk Assessment Method

Assessing risk

The risk of non-compliance with a permission can be attributed to one or more of the following forms of non-compliance (Table 2) and legislated offences (Table 3).

Table 2: Non-compliance types associated with Marine Park permissions, accreditations and notifications.

Non-compliance type
failure to maintain eco-certification
failure to make a booking
failure to display permit, AIN/BIN/VIN ¹ or “Research” on vessel
failure to comply with MNA/VNA/FNA/ENA ²
operating outside permitted zones or locations
unpermitted anchoring
failure to submit/comply with management plan
failure to submit a bond
failure to execute Deed
failure to maintain facility
failure to install
failure to provide evidence of insurance
failure to submit a schedule of works
exceeding limits
failure to report/notify
use of unpermitted method
failure to remove equipment
unpermitted take of protected species
failure to display mooring reference number*
failure to commence operations*
unmet EMC obligations*
failure to comply with a Zoning Plan Part 5.2 direction*

* Offence not specific to section 38EA of the Act

¹ Aircraft Identification Number/ Bareboat Identification Number/ Vessel Identification Number

² Mooring Notification Approval/ Vessel Notification Approval/ Facility Notification Approval/ Equipment Notification Approval

Annual Permissions Compliance Plan 2015 – 2016

Table 3: Offences applicable to Marine Park permissions, accreditations and notifications.

Alleged offence / Action	Legislation
Conduct without required permission	GBRMP Act Section 38BA
Conduct in a zone without the required notice	GBRMP Act Section 38BC
Contravening order or direction (Part 5.2)	GBRMP Act Section 38DC
Contravening condition of permission	GBRMP Act Section 38EA
Failing to collect a charge	GBRMP Act Section 39FA
Failure to pay collected amount on time	GBRMP Act Section 39FB
False or misleading EMC information	GBRMP Act Section 39FF
Failure to display mooring reference number	GBRMP Regulation 101A (2)

The risk assessment scales used to determine the likelihood of permission non-compliance and its consequence (Table 4) used in the Permission Compliance Risk Assessment and Treatment Plan (Appendix 1) have been designed by the FMCU to align with the Outlook Report and agency's Integrated Risk Rating Tool. This risk assessment has been integrated into the agency's Strategic Risk Register. To qualify for a particular consequence rating, non-compliance does not need to meet all or multiple components (e.g. ecosystem, heritage, reputational).

The risk criteria and matrix used (Table 4) reflects those in the FMCU's *Compliance Risk Management Strategy for the Great Barrier Reef World Heritage Area 2015-16*, and serves as the basis for prioritising what non-compliance types the agency should allocate resources to minimize environmental and other harm, and to ensure maximum compliance with the legislation.

The assessment of permissions risk was undertaken with input from the following sections:

- EAP;
- EMG;
- FMCU;
- QPWS;
- Reef Recovery; and
- T&S

Following the initial risk workshop and discussions with sections, the data collated on non-compliance and current application on treatments was incorporated into the FMCU model (Table 4) to assign the risk rating (Appendix 1).

Annual Permissions Compliance Plan 2015 – 2016

Table 4: Risk assessment definitions and matrix of consequence versus likelihood of permit non-compliance.

Descriptor	Definition Likelihood/Probability
Almost certain (Score: 21-25)	Is expected to occur at most times (once or more a week)
Likely (Score: 16-20)	Will probably occur at most times (Once or more a month)
Possible (Score: 11-15)	Might occur at some time (once or more a year)
Unlikely (Score: 6-10)	Could occur in some circumstances (once or more every three years)
Rare (Score: 1-5)	May occur in exceptional circumstances (once or more every 5 years)

Consequence	Ecosystem	Heritage	Marine Park User Safety and Satisfaction	Economic	Reputational and Political
Extreme (Score: 21-25)	Impact is clearly affecting, or would clearly affect, the nature of the ecosystem over a wide area. Recovery periods greater than 20 years likely.	Impact is or has the potential to destroy a class or collection of heritage places on a large scale; or is clearly affecting, or would clearly affect, a range of heritage values over a wide area.	Death of a user. Visitor satisfaction drops below 4 out of 10. Major and ongoing complaints about reef experience.	Severe economic loss and/or remedial costs (>\$1 million). Significant, sustained impact on business continuity affecting a wide area or high proportion of businesses.	Prominent international adverse media/potential parliamentary/public enquiry. Significant and sustained reputational impact, long-term relationships with stakeholders damaged.
Major (Score: 16-20)	At a broad scale, impact is, or would be, significant. Recovery periods of 10 to 20 years likely. At a local scale, impact is, or would be, extremely serious and possibly irreversible to a sensitive population or community. The condition of an affected part of the ecosystem possibly irretrievably compromised	Impact is, or would, adversely affect the heritage values of a number of places; destroy individual heritage places of great significance; or significantly affect the heritage values over a wide area.	Serious injury to a user. Visitor satisfaction drops below 6 out of 10. Frequent complaints about reef experience	Substantial economic loss and/or remedial costs (\$100,000 to \$1 million). Significant impact on business continuity affecting either a wide area or high proportion of businesses.	National long-term adverse media / possible review of agency administration. Significant reputational impact, noticeable loss of stakeholder support/advocacy.
Moderate (Score: 11-15)	At a broad scale, impact is, or would be present and affecting some components of the ecosystem. Recovery periods of 5 to 10 years likely. At a local scale, impact is, or would be serious and possibly irreversible over a small area. Recovery periods of 10 to 20 years likely.	Impact is, or would, affect individual heritage places or values of significance; or affect to some extent the heritage values at a wider scale.	Medical treatment required. Visitor satisfaction drops below 7 out of 10. Some complaints about reef experience.	Some economic loss and/or remedial costs (\$10,000 to \$100,000). Impact on business continuity affecting wider area or many businesses.	National short-term adverse media/serious questions in Parliament. Moderate reputational impact, limited loss of stakeholder support/advocacy.
Minor (Score: 6-10)	At a broad scale, impact is, or would be, not discernible. Impact would not impair the overall condition of the ecosystem, sensitive population or community. At a local scale, impact is, or would be, significant to a sensitive population or community. Recovery periods of 5 to 10 years likely.	Impact is, or would, affect heritage places or values of local significance, but not at a wider scale. Impact would not impair the overall condition of the heritage values.	Minor injuries only. Visitor satisfaction drops below 8 out of 10. Occasional complaints about reef experience.	Minor economic loss and/or remedial costs (<\$10,000). Temporary, isolated impact on business continuity - short-term altered routines required.	State media attention/ heightened concern by wider community. Limited reputational impact.
Insignificant (Score: 1-5)	At both broad and local scales, no impact. Or if impact is, or would be present, then only to the extent that it has no discernible effect on the overall condition of the ecosystem.	No impact; or if impact is, or would be, present then only to the extent that it has no discernible effect on the heritage values; or positive impact.	No injuries. Visitor satisfaction high. Reef experience is good.	No economic loss or remedial costs. Nil/very low proportion of businesses temporarily affected.	Local media attention/ minimal community interest. No adverse reputational impact.

Likelihood	Consequence/ Impact				
	Insignificant	Minor	Moderate	Major	Extreme
Almost certain	Low	Medium	High	Very High	Very High
Likely	Low	Medium	High	High	Very High
Possible	Very Low	Low	Medium	High	Very High
Unlikely	Very Low	Low	Medium	Medium	High
Rare	Very Low	Very Low	Low	Medium	High

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Assigning treatments

The range of compliance instruments and tools available to the agency to manage permit non-compliance are identified in Table 5.

Table 5: Actions the agency can take to manage permit non-compliance.

Action	Legislation
No action - alleged non-compliance unsubstantiated	N/A
Referral - not within the jurisdiction (QPWS, EHP)	N/A
Surrender of permission by Permittee	GBRMP Regulation 88ZB
Referral to delegate - Permission under continuation	GBRMP Regulation 88ZC
Modification of permit condition	GBRMP Regulation 88ZP
Permittee education	N/A
Conduct of environmental site supervision	Deed of Agreement
Extension of time	N/A
Advisory letter – contravention of permit condition	GBRMP Act Section 38EA
Advisory letter – unpermitted operations	GBRMP Act Section 38BA
Caution Notice – contravention of permit condition	GBRMP Act Section 38EA
Intention to Suspend letter – unmet EMC obligations	GBRMP Regulation 88ZT (4)
Intention to Revoke letter – failure to commence operations	GBRMP Regulation 88ZU (3)(a)
Suspension of permission – pending investigation	GBRMP Regulation 88ZQ
Suspension of permission – unmet EMC obligations	GBRMP Regulation 88ZT
Revocation of permission	GBRMP Regulation 88ZU
Revocation of permission – unmet EMC obligations	GBRMP Regulation 88ZU (1)(e)
Revocation of permission – failure to commence operations	GBRMP Regulation 88ZU (1)(g)
Penalty Infringement Notice	GBRMP Act Section 38EA GBRMP Regulation 189 (3,4)
Order to Remove property	GBRMP Regulation 94 (1)
Prosecution	Relevant section of the Act or Regulations
Use of Permittees bond	Deed of Agreement

The purpose of the annual plan is to aggregate all treatments identified in the permission risk treatment plan for the purpose of ensuring a documented, consistent approach to ensure the best use of internal resources and application of appropriate compliance tools.

This plan groups activities and actions according to the compliance spectrum:

- education
- desk audits
- assisted self-regulation
- field inspection
- targeted audit investigation
- prosecution (criminal or civil)
- administrative actions

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- information analysis
- strategic improvements.

All compliance actions will be undertaken in line with the Permissions Compliance Guidelines (yet to be developed), the Moorings Compliance Management Guidelines and the Environmental Management Charge Compliance Guidelines.

Assigning residual risk

Forecasted residual risk ratings have been determined assuming the implementation of all compliance treatments identified and the extent of existing controls put in place by other managing agencies (i.e. AMSA). It is important to note that the forecasted residual risk will only be achieved through application of the relevant compliance treatments across the Marine Park.

Reporting Framework

Progress against this plan will be reported on through several of the agency's existing reporting processes (Table 6). EAP will maintain a reporting framework that will form the basis of the information to be provided. High priority or sensitive issues/incidents may be subject to immediate or specific reporting requirements.

Table 6: Mechanisms EAP will use to report on progress of implementation.

Frequency	Report
Weekly	General Manager Dot Points
Monthly	EMG Report Compliance Operations Group
Quarterly	Audit Committee report EAP's quarterly report to the Authority Joint Permit Working Group
Annually	Agency's Annual Report Annual Permissions Compliance Plan development workshop

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Appendix 1: Permissions Compliance Risk Assessment

Permission Type	Non-compliance Type	Offence (attributes)	Risk of non-compliance with existing controls				Risk Score	Untreated Risk Rating	Further Treatments to Reduce Risk	Residual Risk (provided treatments implemented in full)
			Likelihood (2014/15 data)	Score	Average Consequence	Score				
Conducting a tourist program										
Conducting a standard vessel charter operation	failure to maintain eco-certification	contravening condition of permission Act S38EA	almost certain	21	minor	8	168	medium	<ul style="list-style-type: none"> • Permittee education and engagement • Annual Information Guide for Permittees • Review of permit condition templates • Letter to all Permittees re: compliance focus • Engagement with stakeholders • Secret shopper audits • Compliance operation targeting charter fishing and game fishing vessels • Education of permittees • Annual commencing operations desktop audit • FMP vessel and aerial patrols 	low
Conducting a special vessel charter operation	failure to make a booking	contravening condition of permission Act S38EA								
Conducting an aircraft charter operation (aircraft, helicopter, drones)	failure to display VIN	contravening condition of permission Act S38EA								
Navigating a managed aircraft	failure to hold permit or VNA on vessel	contravening condition of permission Act S38EA								
Navigating a managed vessel (hovercraft)	exceeding permit limits (pax, access)	contravening condition of permission Act S38EA								
Bareboat operation, superyacht, cruiseship operation	failure to notify (death, authorisation, vessel change)	contravening condition of permission Act S38EA								
Motorised water sports	operating outside permitted zones or locations	contravening condition of permission Act S38EA or conduct done without permission Act S38BA								
Operating a vessel/aircraft in one vicinity	failure to commence operations	failure to commence operations Regs 88ZU(g)								
Unmet EMC obligations when conducting a tourist program										
	unmet EMC obligations – failure to submit returns (Nils)	failure to provide information or returns (EMC) Act S39Q	almost certain	23	minor	8	184	medium	<ul style="list-style-type: none"> • Permittee education and engagement • Use of RMS to track and manage EMC compliance • Reminder emails prior to end of quarter • Annual Information Guide for Permittees • Intension to Suspend, suspension and revocation actions • Application of LPP • Desktop audit of advertising material • Audit of financial details 	low
	unmet EMC obligations – late payment	failure to pay on time (EMC Act S39FB)								
	unmet EMC obligations – underpayment of EMC	failing to collect charge Act S39FA								
	falsely advertising EMC	false or misleading information (EMC) Act S39FF								
Navigating a ship (research/ filming/not including cruiseships)										
	operating outside permitted zones or locations	contravening condition of permission Act S38EA or conduct done without permission Act S38BA	unlikely	8	moderate	15	120	medium	<ul style="list-style-type: none"> • Permittee education and engagement • Conduct ESS • Desktop audit of vessel tracking information 	very low
	unpermitted anchoring	contravening condition of permission Act S38EA								
Any other purpose - fuel transfer and fuel transport and Vessel charter operation (excluding tourism)										
Tugboat operation	operating outside permitted zones or locations	contravening condition of permission Act S38EA or conduct done without permission Act S38BA	possible	11	minor	8	88	low	<ul style="list-style-type: none"> • Permittee education and engagement • Desktop audit of barge incident response plans • Annual desktop audit of bonds and deeds 	very low
Barge operation- non fuel carrying	exceeding permit limits	contravening condition of permission Act S38EA								
Barge operation- packaged fuel	failure to submit/comply with	contravening condition of permission Act								

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Permission Type	Non-compliance Type	Offence (attributes)	Risk of non-compliance with existing controls				Risk Score	Untreated Risk Rating	Further Treatments to Reduce Risk	Residual Risk (provided treatments implemented in full)
			Likelihood (2014/15 data)	Score	Average Consequence	Score				
Barge operation – bulk fuel	management plan failure to submit a bond	S38EA contravening condition of permission Act S38EA						<ul style="list-style-type: none"> Finalise barge permit template to identify any further risks to non-compliance Conduct ESS Multi-agency field audits FMP vessel and aerial patrols 		
Fuel Transfer	failure to execute a deed failure to execute a deed failure to submit/comply with management plan	contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA								
		contravening condition of permission Act S38EA								
Carrying out works - maintenance dredging and spoil disposal										
Carrying out works - beach protection works	failure to execute Deed	contravening condition of permission Act S38EA	possible	15	extreme	21	315	very high	<ul style="list-style-type: none"> Permittee education and engagement Annual desktop audit of bonds and deeds Conduct ESS Develop outcome based conditions FMP vessel and aerial patrols 	medium
Carrying out works - dredging	failure to submit a bond	contravening condition of permission Act S38EA								
Carrying out works	failure to submit/comply with management plan	contravening condition of permission Act S38EA								
Carrying out works - dumping of spoil	exceeding permit limits	contravening condition of permission Act S38EA								
Carrying out works - harbour works	records not kept or provided	contravening condition of permission Act S38EA								
Carrying out works - reclamation										
Operating a facility - mooring										
Operating a facility - constructing a mooring facility	operating outside permitted zones or locations	contravening condition of permission Act S38EA or conduct done without permission Act S38BA	almost certain	21	minor	10	210	medium	<ul style="list-style-type: none"> Permittee education and engagement Desktop audit of uninstalled moorings Annual requests and desktop audit of maintenance certificates Review of moorings compliance guidelines to include moorings maintenance certificate requirements Review of assessment information requirements FMP vessel and aerial patrols 	low
	failure to display mooring reference number	failure to display moorings reference number Regs101A(2)								
	failure to install	failure to commence operations Regs 88ZU(g) and contravening a condition of permission Act S38EA								
	failure to maintain facility	contravening condition of permission Act S38EA								
Operating a facility- Level 1 underwater camera, stinger net, snorkel trail, navigational markers, dive markers										
	failure to maintain facility	contravening condition of permission Act S38EA	likely	16	minor	6	96	medium	<ul style="list-style-type: none"> Permittee education and engagement Annual requests and audit of maintenance certificates FMP vessel and aerial patrols 	very low
	failure to comply with FNA	contravening condition of permission Act S38EA								
Operating a facility- Level 2 heli-pontoons, intake pipelines, stormwater discharge, barge and boat ramp, passenger transfer pontoon (less than or = 40m²), standard jetty, breakwater										
	failure to maintain facility	contravening condition of permission Act S38EA	almost certain	21	minor*	6	126	medium	<ul style="list-style-type: none"> Permittee education and engagement Annual desk top audit of bonds and deeds Annual requests and desktop audit of maintenance certificates Intension to suspend, suspension and revocation actions Application of LPP Site inspections 	low
	unmet EMC obligations (fixed charges)	failure to provide information or returns (EMC) Act S39Q								
	unmet EMC obligations (fixed charges)	failure to pay on time (EMC Act S39FB								
	failure to comply with FNA	contravening condition of permission Act S38EA								
	failure to execute Deed	contravening condition of permission Act S38EA								

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Permission Type	Non-compliance Type	Offence (attributes)	Risk of non-compliance with existing controls				Risk Score	Untreated Risk Rating	Further Treatments to Reduce Risk	Residual Risk (provided treatments implemented in full)
			Likelihood (2014/15 data)	Score	Average Consequence	Score				
	failure to submit a bond	S38EA contravening condition of permission Act S38EA						•FMP vessel and aerial patrols		
Operating a facility- Level 3 tourism pontoon, underwater observatories, large jetty, marina less than 20 berths, submarine power cable, passenger transfer pontoon (great than 40m²), research station facilities										
	failure to maintain facility failure to submit/comply with management plan unmet EMC obligations (fixed charges) unmet EMC obligations (fixed charges) failure to provide evidence of insurance failure to comply with FNA failure to execute Deed failure to submit a bond	contravening condition of permission Act S38EA contravening condition of permission Act S38EA failure to provide information or returns (EMC) Act S39Q failure to pay on time (EMC Act S39FB contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA	almost certain	21	minor*	10	210	medium	•Permittee education and engagement •Audit of tourism pontoons with AMSA •Annual requests and desktop audit of maintenance certificates •Annual requests and desktop audit of certificates of currency •Intension to Suspend, suspension and revocation actions •Application of LPP •Annual desk top audit of bonds and deeds •Site inspections •FMP vessel and aerial patrols	low
Operating a facility- Level 4 Marina greater than 20 berths, Commonwealth Islands										
	failure to maintain facility failure to submit/comply with management plan unmet EMC obligations (fixed charges) unmet EMC obligations (fixed charges) failure to execute deed failure to submit a bond failure to comply with FNA failure to provide evidence of insurance	contravening condition of permission Act S38EA contravening condition of permission Act S38EA failure to pay on time (EMC) Act S39FB failure to provide information or returns (EMC) Act S39Q contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA	likely	20	minor*	10	200	medium	•Permittee education and engagement •Annual requests and desktop audit of maintenance certificates •Annual requests and desktop audit of certificates of currency •Intension to suspend, suspension and revocation actions •Application of LPP •Annual desk top audit of bonds and deeds •Audit of commonwealth island permits with FMCU •Site inspections •FMP vessel and aerial patrols	low
Operating a facility (1-4) - building, assembling, fixing in position, maintaining or demolishing the facility										
	failure to submit a SOW failure to submit/comply with management plan failure to install failure to allow for the conduct of ESS failure to submit drawings/comply with FNA	contravening condition of permission Act S38EA contravening condition of permission Act S38EA failure to commence operations Regs 88ZU(g) and contravening a condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA	likely	18	minor*	10	180	medium	•Permittee education and engagement •Conduct ESS •Desktop audit of uninstalled moorings •Desktop audit of post permit requirements •Site inspections •FMP vessel and aerial patrols	low
Operating a facility - discharging waste including sewage, aquaculture, industry, desalination										
	records not kept or provided	contravening condition of permission Act	possible	14	minor*	10	140	low	•Permittee education and	very low

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Permission Type	Non-compliance Type	Offence (attributes)	Risk of non-compliance with existing controls				Risk Score	Untreated Risk Rating	Further Treatments to Reduce Risk	Residual Risk (provided treatments implemented in full)
			Likelihood (2014/15 data)	Score	Average Consequence	Score				
	exceeding permit limits failure to give information or returns (EMC sewage) unmet EMC obligations (sewage discharge)	S38EA contravening condition of permission Act S38EA failure to give information on sewage returns (EMC) Regulation 167(3) failure to pay on time (EMC) Act S39FB							engagement •Annual review of receiving environment reports •Field inspections with EHP •Annual desktop audit of sewage records including EMC •Intension to suspend, suspension and revocation actions •Application of LPP •Site inspections •FMP vessel and aerial patrols	
Program to take animals or plants that pose a threat - human life or safety (shark control program)										
	failure to report/notify take of protected species operating outside permitted zones or locations exceeding permit limits	contravening condition of permission Act S38EA contravening condition of permission Act S38EA or conduct done without permission Act S38BA contravening condition of permission Act S38EA	likely	18	moderate	15	270	high	•Permittee education and engagement •Desktop audit of collection returns •Annual requests and desktop audit of maintenance certificates •Site inspections •FMP vessel and aerial patrols	medium
Program to take animals or plants that pose a threat - marine ecosystems (COTS, Drupella)										
Program to take animals or plants that pose a threat - use and amenity of an area (pest species) translocation of species	failure to execute deed failure to report operating outside permitted zones or locations	contravening condition of permission Act S38EA contravening condition of permission Act S38EA or conduct done without permission Act S38BA	possible	11	minor	6	66	low	•Permittee education and engagement •Annual desktop audit of deeds •Annual requests and desktop audit of certificates of currency •Review COTS permit templates	very low
Conducting a research program and Accreditations										
Research (accreditations) Research (standard) Research (non-standard) Research (non-extractive) Research (extractive)	failure to report/notify exceeding collection limits use of unpermitted methodology operating outside permitted zones or locations failure to remove equipment	contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA or conduct done without permission Act S38BA contravening condition of permission Act S38EA	possible	15	moderate	11	165	medium	•Permittee education and engagement •Follow up final reports and audit for compliance •Site inspections at research stations •Review of MOU's for accredited institutions	low
Conducting an educational program										
	operating outside permitted zones or locations exceeding permit limits unpermitted take of protected species	contravening condition of permission Act S38EA or conduct done without permission Act S38BA contravening condition of permission Act S38EA conduct done without permission Act S38BA	possible	12	minor	7	84	low	•Permittee education and engagement through reef guardian school program •Site inspections at research stations	very low
Traditional Use of Marine Resource Agreement (TUMRA) Accreditations										
	unpermitted take of protected species	conduct done without permission Act S38BA	possible	13	major	20	260	high	•Refer to Indigenous Compliance	NA

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Permission Type	Non-compliance Type	Offence (attributes)	Risk of non-compliance with existing controls				Risk Score	Untreated Risk Rating	Further Treatments to Reduce Risk	Residual Risk (provided treatments implemented in full)
			Likelihood (2014/15 data)	Score	Average Consequence	Score				
								team in Indigenous Partnerships		
Part 5 Notifications										
	non-compliance with direction	contravening order or direction Act S38DC	unlikely	8	moderate	11	88	medium	<ul style="list-style-type: none"> Conduct ESS Site inspections Develop MOU's 	very low
Fishing										
Fishing involving take of a harvest fishery Fishing involving conducting a development fishery program Fishing involving taking of leader prawn broodstock (Mission Beach) Netting (other than bait netting) (PCB) Operating a fishing industry service vessel	exceeding collection limits use of unpermitted methodology operating outside permitted zones or locations unpermitted take of protected species	contravening condition of permission Act S38EA contravening condition of permission Act S38EA contravening condition of permission Act S38EA or conduct done without permission Act S38BA conduct done without permission Act S38BA	likely	20	minor	10	200	medium	<ul style="list-style-type: none"> Joint audits with DAF/QBFP Review of harvest fisheries permit templates Investigate vessel tracking opportunities FMP vessel and aerial patrols 	low

* Whilst the average daily consequence is minor, if not addressed, continual failure to maintain these facilities could result in major consequences.

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Appendix 2: Annual Permissions Compliance Plan 2015-2016

The purpose of the plan is to aggregate all treatments identified in the permission risk treatment plan (Appendix 1) based on the strategic outcome towards compliance management and frame them in a time continuum for implementation and reporting purposes. The development and delivery of the treatments align with the Agency's broader approach to compliance management and will be undertaken in conjunction with the relevant sections of the agency and the Assessments and Approvals team in QPWS. Where EAP is not the lead for delivery, the lead section has been identified. EAP will also continue to support the audit plans of EHP, MSQ, DoE and AMSA.

Outcome	Strategy	July to September 2015	October to December 2015	January to March 2016	April to June 2016	
Education and Communication (Awareness)	Information	<ul style="list-style-type: none"> Letter to all permittees advising development of risk assessment and implementation of annual compliance plan to commence 2015-2016 Publication of annual compliance plan on GBRMPA website Monthly teleconferences with DOE and EHP re: permits compliance Reminder email to all EMC Permittees prior to end of quarter 	<ul style="list-style-type: none"> Request for Moorings compliance certificates with updated template Request for level 3-4 facilities compliance certificates with updated template Provision of Annual EMC and Permissions guidelines to all Permittees Provision of EMC poster to all Permittees Monthly teleconferences with DOE and EHP re: permits compliance Reminder email to all EMC Permittees prior to end of quarter 	<ul style="list-style-type: none"> Monthly teleconferences with DOE and EHP re: permits compliance Reminder email to all EMC Permittees prior to end of quarter 	<ul style="list-style-type: none"> Monthly teleconferences with DOE and EHP re: permits compliance Reminder email to all EMC Permittees prior to end of quarter 	
	Education and Engagement	<ul style="list-style-type: none"> Individual permittee education on permit conditions for all tourism, facility, carrying out of works and fuel transfer permissions granted. POM education and engagement with targeted Permittees (Cairns). Helpdesk facility provided for all EMC and permit enquiries. Helpdesk facility provided for all Bookings enquiries (T&S). Engagement with TRAC through T&S. 	<ul style="list-style-type: none"> Individual permittee education on permit conditions for all tourism, facility, carrying out of works and fuel transfer permissions granted. POM education and engagement with targeted Permittees (Whitsundays) Helpdesk facility provided for all EMC and permit enquiries. Helpdesk facility provided for all Bookings enquiries (T&S). Engagement with TRAC through T&S. 	<ul style="list-style-type: none"> Individual permittee education on permit conditions for all tourism, facility, carrying out of works and fuel transfer permissions granted. POM education and engagement with targeted Permittees (Low Isles) Helpdesk facility provided for all EMC and permit enquiries. Helpdesk facility provided for all Bookings enquiries (T&S). Engagement with TRAC through T&S. 	<ul style="list-style-type: none"> Individual permittee education on permit conditions for all tourism, facility, carrying out of works and fuel transfer permissions granted. POM education and engagement with targeted Permittees (Whitsundays) Helpdesk facility provided for all EMC and permit enquiries. Helpdesk facility provided for all Bookings enquiries (T&S). Engagement with TRAC through T&S. 	
Monitoring and Reporting (Compliance assessment)	Surveillance	<ul style="list-style-type: none"> Working with stakeholder and partner compliance agencies to monitor compliance. Conduct vessel and aerial surveillance patrols to monitor movements of permitted vessels (FMP). 	<ul style="list-style-type: none"> Moorings compliance (QPWS). Working with stakeholder and partner compliance agencies to monitor compliance. Conduct vessel and aerial surveillance patrols to monitor movements of permitted vessels (FMP). 	<ul style="list-style-type: none"> Moorings compliance (QPWS). Working with stakeholder and partner compliance agencies to monitor compliance. Conduct vessel and aerial surveillance patrols to monitor movements of permitted vessels (FMP). 	<ul style="list-style-type: none"> Moorings compliance (QPWS). Working with stakeholder and partner compliance agencies to monitor compliance. Conduct vessel and aerial surveillance patrols to monitor movements of permitted vessels (FMP). 	
	Environmental Site Supervision	<ul style="list-style-type: none"> Defence activities As required for permitted activities. 	<ul style="list-style-type: none"> As required for permitted activities. 	<ul style="list-style-type: none"> As required for permitted activities. 	<ul style="list-style-type: none"> As required for permitted activities. 	
	Systems Audit	<ul style="list-style-type: none"> Review of Moorings Compliance certificates template. Review of Facilities Compliance certificate template. Review of Harvest Fisheries permit templates. Review of COTs permit templates. 				
	Desktop Audit	<ul style="list-style-type: none"> Monitoring through assessment of renewal applications. Compliance with Deeds of Agreement. Annual Commencing operations audit. Audit of accredited research institutions MOU and reports. Audit of reports submitted prior to expiry of research permits. Audit of pontoon EMC obligations. 	<ul style="list-style-type: none"> Monitoring through assessment of renewal applications Annual desktop audit of Eco-certification status (T&S). Audit of COTs permissions compliance (T&S). Bond compliance audit. Audit of moorings compliance certificates. Audit of facilities maintenance certificates. Audit of reports submitted prior to expiry of research permits. 	<ul style="list-style-type: none"> Monitoring through assessment of renewal applications Sewage Treatment Plant field inspections and analysis of desk-top records and EMC returns for sewage discharge and land based irrigation (EHP). Audit of reports submitted prior to expiry of research permits. EMC audit of [REDACTED] 	<ul style="list-style-type: none"> Monitoring through assessment of renewal applications Desk top audit of all fuel transport and fuel transfer permissions incident response plans. Audit of how the EMC is advertised. Audit of reports submitted prior to expiry of research permits. 	
	Field Audit	<ul style="list-style-type: none"> Commonwealth Island [REDACTED] (FMP) 	<ul style="list-style-type: none"> Commercial charter fishing operators audit Nth GBR (AMSA/MSQ) Audit of [REDACTED] 	<ul style="list-style-type: none"> Audit of [REDACTED] EMC audit of: <ul style="list-style-type: none"> Commercial Charter operations; 	<ul style="list-style-type: none"> Audit of [REDACTED] Audit of [REDACTED] Audit of [REDACTED] 	

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Outcome	Strategy	July to September 2015	October to December 2015	January to March 2016	April to June 2016
		<ul style="list-style-type: none"> Pontoon Audit Whitsundays (AMSA/MSQ) 	<ul style="list-style-type: none"> Audit of [REDACTED] Pontoon Audit Cairns (AMSA/MSQ) 	<ul style="list-style-type: none"> Cruiseship operations; Parasailing; [REDACTED]; [REDACTED]; and [REDACTED]. 	<ul style="list-style-type: none"> Commonwealth Island Audit – [REDACTED] (FMP)
	Investigation	<ul style="list-style-type: none"> Investigate alleged permit breaches as required 	<ul style="list-style-type: none"> Investigate alleged permit breaches as required 	<ul style="list-style-type: none"> Investigate alleged permit breaches as required 	<ul style="list-style-type: none"> Investigate alleged permit breaches as required
	Permit specific compliance plans	<ul style="list-style-type: none"> [REDACTED] [REDACTED] 	<ul style="list-style-type: none"> Low Isles 	<ul style="list-style-type: none"> [REDACTED] Harvest Fisheries PCB 	<ul style="list-style-type: none"> As required
Enforcement (Adjusted behaviour)	Cautions/ Advisory letters	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> As required 	<ul style="list-style-type: none"> As required
	Warnings/ Intension to Suspend & Revocation	<ul style="list-style-type: none"> Intention to Suspend and Intention to Revoke notices issued for unmet EMC obligations. 	<ul style="list-style-type: none"> Intention to Suspend and Intention to Revoke notices issued for unmet EMC obligations. Intention to Revoke notices issued for failure to commence operations (tourism permissions). 	<ul style="list-style-type: none"> Intention to Suspend and Intention to Revoke notices issued for unmet EMC obligations. Intention to Revoke notices issued for failure to commence operations (moorings installation within 6 months). 	<ul style="list-style-type: none"> Intention to Suspend and Intention to Revoke notices issued for unmet EMC obligations.
	Infringement Notices/ Penalties	<ul style="list-style-type: none"> Late Payment Penalty applied for late payment of EMC. As required 	<ul style="list-style-type: none"> Late Payment Penalty applied for late payment of EMC. As required 	<ul style="list-style-type: none"> Late Payment Penalty applied for late payment of EMC. As required 	<ul style="list-style-type: none"> Late Payment Penalty applied for late payment of EMC. As required
	Direction/ Orders	<ul style="list-style-type: none"> Order to remove issued as required for unpermitted facilities whose permits expire. 	<ul style="list-style-type: none"> Order to remove issued as required for unpermitted facilities whose permits expire. 	<ul style="list-style-type: none"> Order to remove issued as required for unpermitted facilities whose permits expire. 	<ul style="list-style-type: none"> Order to remove issued as required for unpermitted facilities whose permits expire.
	Administrative Action	<ul style="list-style-type: none"> Suspension and Revocation notices issued for unmet EMC obligations. As required for matters under investigation. 	<ul style="list-style-type: none"> Suspension and Revocation notices issued for unmet EMC obligations. Revocation notices issued for failure to commence operations (tourism permissions). As required for matters under investigation. 	<ul style="list-style-type: none"> Suspension and Revocation notices issued for unmet EMC obligations. Revocation notices issued for failure to commence operations (moorings installation within 6 months). As required for matters under investigation. 	<ul style="list-style-type: none"> Suspension and Revocation notices issued for unmet EMC obligations. As required for matters under investigation.
	Prosecution	<ul style="list-style-type: none"> As required (FMP) 	<ul style="list-style-type: none"> As required (FMP) 	<ul style="list-style-type: none"> As required (FMP) 	<ul style="list-style-type: none"> As required (FMP)