



Australian Government

Great Barrier Reef
Marine Park Authority

Permission System Service Charter

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Approval and change register

Date of change	Change	Approver	Basis for change
28/09/2017	New document	Bruce Elliot	N/A

PURPOSE

This Service Charter (the Charter) outlines Great Barrier Reef Marine Park Authority's (the Authority's) commitments to implementing the permission system under the *Great Barrier Reef Marine Park Act 1975* (the Marine Park Act).

This Charter applies to all permission system processes, including post approval monitoring, auditing and compliance functions.

This charter complements the [Service Charter for the Great Barrier Reef Marine Park Authority 2017-2020](#) and works together with existing Memorandum of Understanding in place between the Authority and other parties.

About the permission system

The Authority's permission system is established under the Marine Park Act. Section 2A(3)(d) of the Marine Park Act states that in order to achieve its objectives, the Marine Park Act:

'regulates, including by a system of permissions, use of the Great Barrier Reef Marine Park in ways consistent with ecosystem-based management and the principles of ecologically sustainable use'

The regulatory and policy framework within which the permission system operates is objectively applied and risk- and outcome-based.

There is a long history of issuing joint Marine Park permits with the Department of Environment and Science Queensland Parks and Wildlife Service (QPWS). The effect of this is that a single application typically results in a single assessment and, if granted, a single permit with one or more permissions, granted by both the Authority and QPWS delegates. The joint permit represents the majority of applications and decisions made by the permit delegates. This commitment to joint and complementary management is clearly articulated in the [Great Barrier Reef Intergovernmental Agreement](#).

The Authority has three Memoranda of Understanding with external parties in relation to the permission system.

- a 2009 agreement with the Australian Department of the Environment and Energy, which sets out how the two agencies will work together to assess activities which require approval under both the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and permission under the Marine Park Act; [under review]
- a 2009 agreement with the Queensland Ports Association, to establish a collaborative effort between Queensland ports and the agency to strategically improve coordination between port management and the Authority's management associated with port activity within or adjacent to the Marine Park; [under review]
- a 2016 agreement with the Department of Defence, which sets out how the two agencies will facilitate open and transparent communication and understanding about the activities that both organisations undertake, or may wish to undertake, in and/or around the Great Barrier Reef Region and that may impact upon the Region, the World Heritage area, Marine Park users or Defence personnel.

None of the Memoranda of Understanding are binding on parties; however, they provide a statement of intent and a vehicle for cooperation.

About us

The Great Barrier Reef Marine Park Authority is Australia's lead managers of the Great Barrier Reef. Our work is guided by the *Great Barrier Reef Marine Park Act* and a range of regulations and policies to ensure sustainable use of the marine environment.

A focus of the Marine Park Authority is implementing a permissions system, delivered by the Environmental Assessment and Protection section. Their goal is the protection of the Great Barrier Reef Marine Park through management of multiple-use activities and projects including impact assessment and mitigation, auditing and monitoring of compliance, policy implementation and strategic planning for the permissions system. The section is responsible for:

- applications and post permit conditional approvals;
- permissions compliance, business systems, and the Environmental Management Charge;
- implementation of recommendations from a [performance audit](#) by the Australian National Audit Office and commitments under Part C of the Great Barrier Reef Region Strategic Assessment [Program Report](#).

The section is responsible for the administration of permit applications, decisions and post decision conditional approvals, including compliance, under the following pieces of legislation:

- *Great Barrier Reef Marine Park Act 1975*;
- *Great Barrier Reef Marine Park (Environmental Management Charge-General) Act 1993*;
- *Great Barrier Reef Marine Park (Environmental Management Charge-Excise) Act 1993*;
- *Great Barrier Reef Marine Parks Regulations 2019*;
- *Great Barrier Reef Marine Park Zoning Plan 2003*;
- *Environment Protection (Sea Dumping) Act 1981*; and
- *Sea Installations Act 1987*.

Other sections of the agency are often involved in providing technical or scientific advice to inform assessment and post-permit decision activities.

WHAT YOU CAN EXPECT FROM US

We are committed to:

- acting honestly, ethically and lawfully; applying natural justice and procedural fairness
- acting in accordance with the [APS Values and Code of Conduct](#)
- providing a transparent and professional environmental impact assessment process
- impartially applying relevant legislation, policies and guidelines
- respecting your privacy and meeting our obligations under the *Privacy Act 1988*
- being accountable for our actions
- providing clear, accurate and timely information about the Authority's policies, programs, processes and relevant legislation
- treating you respectfully and effectively responding to your needs
- replying to correspondence in a timely manner
- seeking ways to improve systems in the way we do business
- providing you with opportunities to provide feedback on our service

Note: The Authority cannot provide legal or financial advice. If you have concerns about your individual legal or financial position, you should seek independent professional advice.

Applicants, Permission holders and their representatives

We will:

- provide you with information about the assessment process including the different assessment approaches, stages within the assessment process and any statutory timeframes.
- provide clear, up-front guidance on the information we require you to provide to enable us to assess your application. We will endeavour to request this information once only at the commencement of the relevant stage of the assessment process. However, if the information provided is insufficient to address our request then further information will be required.
- provide you with up to date information about mutual obligations under the Marine Park Act, the Great Barrier Reef Marine Park Regulations 2019, the Great Barrier Reef Marine Park Zoning Plan 2003, the Queensland Marine Park Regulations 2017 and the *Environment Protection and Biodiversity Conservation Act 1999* as it affects the Marine Park.
- keep you informed about key decisions impacting the assessment of your project
- write to you when we receive your application and provide you with relevant contact details for the Authority.
- ensure our staff members are appropriately trained to provide you with accurate and up-to-date information.
- apply the Authority's [Permission system policy](#) and [Risk assessment procedure](#) for all assessments and all other Authority policy documents as relevant to specific applications.

- apply the best available scientific information to our decisions and in accordance with the Marine Park Act, apply the precautionary principle¹.
- provide guidance on how to avoid, mitigate or offset relevant impacts on Marine Park values using clear and plain language.
- provide accurate and up-to-date information to assist with the application process, where the information is not sensitive or classified.
- ensure that risk management measures adopted are, in priority order; set out to avoid, mitigate or offset to manage potential impacts to the environment.
- make decisions within statutory timeframes and within the service level standards set out in this charter.
- ensure our decisions are transparent and clearly articulated.
- regularly review and improve our guidance documents to keep them up to date.
- work with Commonwealth and State agencies to streamline assessment and approval requirements to the extent possible.

Commonwealth and State agencies

We will:

- demonstrate commitment to Memoranda of Understanding, the Great Barrier Reef Intergovernmental Agreement and other agreements that are in place with our partner agencies.
- seek to build relationships on trust and mutual understanding of the issues and priorities affecting stakeholders.
- provide clear guidance on our expectations and preferences regarding points of engagement in assessment processes.
- clearly identify requests for information relating to Marine Park matters required from the applicant in order to satisfy our legislative and regulatory requirements.
- work co-operatively with Australian Government Departments such as the Department of the Environment and Energy, Department of Defence, Parks Australia and the Australian Maritime Safety Authority.
- we will also work with Queensland Government agencies such as National Parks, Sport and Racing's Queensland Parks and Wildlife Service to strengthen relationships and streamline assessment, permitting and compliance processes within and adjacent to the Great Barrier Reef Marine Park.

Members of the public and other stakeholders

We will be consultative and informative to:

- provide you with information on how environmental impact assessments are conducted.
- provide you with the opportunity to comment on proposals through formal consultation processes, depending on the level of environmental assessment required. These include working with our Reef Advisory Committees, the Local Marine Advisory Committees and the general public.
- ensure plans, policies and guidelines on Marine Park matters are easily accessible through the Authority's website.
- demonstrate commitment to Memoranda of Understanding that are in place with stakeholders such as accredited research institutions and the Queensland Ports Association.

Our service level standards

In order to track our progress on the above-mentioned principles, we commit to the following service level standards. Decisions on applications are made as efficiently as possible, within existing resources. Applicants should note that there may be up to two weeks after the Authority makes its decision before QPWS makes their decision. The following service level standards only apply to the Authority's decision and to applications received from 4 October 2017.

For application decisions

- for Routine assessment approaches:

¹ Precautionary principle: means the principle that lack of full scientific certainty should not be used as a reason for postponing a measure to prevent degradation of the environment where there are threats of serious or irreversible environmental damage.

- Written acknowledgement sent within 10 business days of receiving a properly made application².
- Decision notice will be given within 25 business days of receiving all information that is required to complete the assessment.
- for Tailored assessment approaches:
 - Written acknowledgement sent within 10 business days of receiving a properly made application.
 - A request for further information, if required, will be sent within 30 business days of receiving a properly made application.
 - Decision will be made within 50 business days of receiving all information that is required to complete the assessment.
- publish on [our website](#) particulars of permissions granted, refused, suspended, reinstated, revoked pursuant to section 237(1) of the Great Barrier Reef Marine Park Regulations within five days of decision notice being given.

The Authority also intends to regularly review progress against the service level standards and will reduce them to the extent possible in line with workloads and resourcing.

For auditing compliance with Environmental Management Charge (EMC) obligations, we will:

- send reminders within two weeks of the end of each quarter for those permission holders that are yet to finalise their EMC obligations.
- Send intention to suspend notices to those permission holders that have not complied with EMC obligations within one month of the EMC payment becoming due.
- send suspension and late payment penalty notices to permission holders who fail to remit their EMC obligations within legislated timeframes.
- ensure plans, policies guidelines and information regarding EMC obligations are easily accessible through the Authority's website.
- publish on our website by 1 August 2017 each financial year the priority areas for auditing and monitoring.

For auditing compliance with permit conditions, we will:

- ensure plans, policies guidelines and information regarding permission compliance are easily accessible through the Authority's website.
- publish on our website by 1 August 2017 each financial year the priority areas for auditing and monitoring.

Each financial year we will publish in the Authority's Annual Report:

- the total number of permits and permissions in effect as at 30 June.
- the number of permit decisions made in each financial year.
- the number of Part 5 activities notified or directions granted.
- the number of allegations of permission non-compliance.
- the number of administration compliance actions taken for permission and environmental management charge non-compliances.

² A properly made application is one that contains enough information about the proposed activity to allow an assessment of potential impacts and determine the most appropriate risk management measures. The [checklists of application information](#) detail the information that must be submitted with an application. The application will generally not be accepted until all of this information is provided.

YOUR RESPONSIBILITIES

To ensure that we can provide you with the best service possible, we ask that you:

- Provide us with constructive feedback to help us improve our service.
- Treat our staff with respect and courtesy (including face-to-face, telephone and online communication).
- When communicating with our staff, be mindful of your language and how it may affect the other person. Overly demanding, abusive or aggressive communication can be stressful, and at times frightening, for our staff. This may cause staff to have concerns about their health and safety. Such behaviour will not be tolerated.
- Allow our staff time to respond to emails rather than sending several in succession. They follow the legislative and internal processes associated with the permission system.

Applicants, Permission Holders and their representatives

Our expectations are that you will:

- engage with us early in the planning/scoping stages of your project so that guidance can be provided on avoiding, mitigating or offsetting relevant impacts on the Marine Park.
- ensure your application is accompanied by all correct and up-to-date information and documents required at the time of lodgement. This includes providing, where required, comprehensive, accurate and complete information that clearly addresses potential impacts including any avoidance and mitigation measures for risks to Marine Park values as well as compliance certificates.
- provide us with requested information in a timely manner, and let us know about any difficulties you are having in providing this information. We might be able to assist with a solution.
- provide us with advance notice of any request for information or assistance so we can plan how we might meet your request.
 - If you wish to meet with us to discuss your proposal, provide us with sufficient time to prepare and ensure relevant staff are available (e.g. a minimum of two weeks' notice).
- provide your queries to us in writing (assessments@gbmpa.gov.au). Include the reference number of your application if we have provided you with one.
- provide us details of changes in your circumstances (e.g. changes in company directors, changes in business operations that may affect your application/permit) as soon as the changes occur.
- read and understand your obligations as outlined in permits. If you are unclear about your obligations, contact us in writing with your questions as soon as you identify an issue.
- keep your contact details, and those of your authorised contacts, up to date.
- our preferred method is to use electronic communications through our secure service portals:
 - [Permits Online](#)
 - [EMC Online](#).
 - [Bookings Online](#)

Commonwealth and State agencies

While specific expectations and agreements negotiated between the Authority and other agencies are articulated in MOUs and other management agreements, we seek cooperative engagement with you to:

- facilitate a single entry point so that all projects that may require assessment under the EPBC Act are referred to the Department of the Environment and Energy.
- work with us on bilateral assessments including notifying the agency at the earliest possibility if the bilateral agreement will, or is likely to, apply to a project requiring assessment under the Marine Park Act.
- undertake joint site visits where requested by proponents/consultants and/or the State agency.
- consult with us when setting conditions to ensure that those conditions can adequately address impacts on Marine Park matters, reducing duplication in conditions for proponents and avoiding inconsistencies.
- frequently update and improve MOUs, bilateral and management agreements to ensure their effectiveness.

- share relevant information with us as allowed under legislation.

Members of the public and other stakeholder groups

When providing comment on proposals that may affect the Marine Park:

- focus the comments on issues that relate specifically to Marine Park matters associated with the application.
- quote the reference or permit number of the project and provide comments within specified timeframes to the specified recipient/address.
- provide as much specific and supporting information as you can to help us understand your concerns.
- assist us by reporting suspected permits-related non-compliance to permitscompliance@gbmpa.gov.au.

CLIENT FEEDBACK

We are committed to continuous improvement in all aspects of our service. We would value your feedback and suggestions about:

- experiences you have had in dealing with our staff.
- the effectiveness of this Charter.
- permission system information products developed by the agency.
- how we can improve our services to you.
- your level of satisfaction with the service you have received.

Feedback on our service

Constructive feedback on our performance can help us improve our standards of service. You can provide this by:

- emailing the project officer (or their supervisor).
- emailing your comments to assessments@gbmpa.gov.au.
- calling the Permits Enquiries on 07 4750 0860 or the EMC Helpdesk on 07 4750 0837.

From time to time, we may also seek feedback through the use of anonymous surveys.

Please refer to the [Service Charter for the Great Barrier Reef Marine Park Authority 2017-2020](#) for information on formal complaint procedures.

REVIEW AND EVALUATION OF THIS CHARTER

We will review this Charter annually to ensure that it remains relevant. Every year we evaluate our service delivery against the standards we have set in this Service Charter and report on our performance in our Annual Report.

ADDITIONAL INFORMATION

Additional information about the permission system can be found [here](#).