



Australian Government

Department of the Prime Minister and Cabinet Office of Best Practice Regulation

Reference: 18008
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Dr Russell Reichelt
Chairman
Great Barrier Reef Marine Park Authority

Dear Dr Reichelt

Final Assessment Regulation Impact Statement – Ban on the disposal of capital dredge material in the Great Barrier Reef Marine Park

Thank you for forwarding the Regulation Impact Statement (RIS) for the above proposal for final assessment by the Office of Best Practice Regulation (OBPR) on 14 May 2015 and for the additional information provided by the Department of Environment. I note that you have formally certified the RIS as required by the best practice regulation requirements.

The OBPR's final assessment is that the Great Barrier Reef Marine Park Authority (the Authority) is compliant with the Government's RIS requirements. This assessment is based on:

- the regulatory cost and offset estimates having been agreed with the OBPR;
- the Authority having submitted certified first and second-pass RISs for final assessment by the OBPR prior to a final decision being taken; and
- your letter of 14 May certifying that the RIS responds to the OBPR's formal comments on the RIS submitted for first-pass final assessment.

However, the OBPR considers that there are a number of issues where the RIS and the associated process depart from best practice:

- The RIS does not clearly define the size and scope of the problem that the proposal aims to address.
- At a number of major decision points the decision maker did not have a RIS.
- Formal consultation, including on the RIS, was for a period shorter than the Government's minimum requirement of 30 days.

Based on this combination of factors, the OBPR considers that the process followed by the Authority is not consistent with best practice.


The OBPR maintains a RIS website and aims to post RISs as soon as practicable after the regulatory decision has been publicly announced. We would appreciate you advising us when a decision on this proposal is announced, and forwarding a final copy of the RIS in Microsoft Word .doc format in a form meeting the Australian Government's Web Content Accessibility Guidelines.

We suggest liaising with your web services team to ensure these guidelines are met. The OBPR should be consulted if the RIS is amended. It is the agency preparing the RIS, not the OBPR, which is responsible for the content of the published RIS.

The website provides a public comment facility on RISs posted on the site. The OBPR moderates this facility for offensive content but does not moderate debate. Please retain this letter as a record of the OBPR's advice.

Please retain this letter as a record of the OBPR's advice. Our reference number for this issue is 18008. If you have any further queries, please do not hesitate to contact me.

Yours sincerely



Jason McNamara
Executive Director
Office of Best Practice Regulation

29 May 2015