

Great Barrier Reef Marine Park Regulations (Amendment) 1991 No. 257

EXPLANATORY STATEMENT

STATUTORY RULES 1991 No. 257

Issued under the authority of the Minister for the Arts, Sport, the Environment, Tourism and Territories

Great Barrier Reef Marine Park Act 1975

Great Barrier Reef Marine Park Regulations (Amendment)

The prime purpose of the Great Barrier Reef Marine Park Regulations (Amendment) is to simplify the requirements for notices of Great Barrier Reef Marine Park Authority (the Authority) decisions published in the Gazette. The new Regulation requires only the outcome of decisions regarding applications for Marine Park permits to be published in the Gazette. The notice will also provide any person affected by such a decision with an avenue to obtain the relevant documents detailing the reasons for that decision from the Authority. Previously the reasons for the decision were also required to be published in the Gazette. Meeting this requirement places an unreasonable burden on the Authority's resources. Some 800 permits are issued each year and to gazette notices of the Authority's decisions in the format required by the existing Regulation cannot be done within the existing resources of the Authority. For example, the re-issued gazette notice for Magnetic Keys proposed development ran to 19 pages. It is not intended to restrict any persons access to information regarding the decisions of the Authority.

The other amendment relates to the repeal of Regulation 13 which required a vessel operating in a Marine National Park B Zone of the Cairns Section of the Great Barrier Reef Marine Park, and carrying more than 25 passengers, to first obtain permission from the Authority. This Regulation was drafted to deal with a specific set of circumstances which arose in 1989 surrounding the illegal operation of a ferry service to Green Island. The Regulation was intended to be repealed as soon as outstanding legal proceedings surrounding the illegal operation had been dealt with. The outstanding legal proceedings have now been concluded.

Authorised by the Minister for the Arts, Sport, the Environment, Tourism and Territories