ITEM 7.1

MARINE ESTATE MANAGEMENT AUTHORITY
UPDATE REPORT

1. PURPOSE

The purpose of this report is to provide representatives with an update regarding the NSW marine estate reforms and the work of the Marine Estate Management Authority (Authority).

2. RECOMMENDATIONS

Recommended that the report be received and considered

3. MARINE ESTATE REFORMS UPDATE FOR THE SYDNEY COASTAL COUNCILS GROUP

Provided by: Sarah Fairfull, Manager, Marine Strategy, Fisheries NSW

- Marine Estate Management Act 2014

The Marine Estate Management Act 2014 commenced on 19 December 2014. The Act provides the legal framework for strategic, coordinated and evidence-based management of the whole NSW marine estate, including marine parks and aquatic reserves. The Ministers for Primary Industries and the Environment are jointly responsible for the Act and associated decisions.

On commencement of the new Act the Marine Parks Act 1997 was abolished, including the former Marine Parks Authority. Henceforth, the Marine Estate Management Authority (the Authority) will provide strategic oversight for the management of the NSW marine estate, and NSW Trade & Investment will continue to have responsibility for the day-to-day operations of marine parks and aquatic reserves. Importantly, the Authority does not replace the role previously undertaken by the former Marine Parks Authority which was a statutory authority with decision making powers and operational responsibilities. Local advisory committees for each marine park are no longer provided for under the new Act and existing statutory advisory committees will be transitioned into non-statutory advisory committees and continue to represent a key link to valuable local knowledge and advice.

Current marine parks zoning arrangements will remain until supporting regulations are developed and implemented. Pilot management planning will occur at Solitary Islands and Batemans marine parks in the first instance following completion of the regulations. Former consent or concurrence requirements for developments within or adjacent to marine parks or aquatic reserves continue to apply. There are no new offences or land use planning controls in the new Act.

The Act will be supported by detailed regulations particularly in relation to marine park management plans and management rules, permits, compliance and enforcement and statutory consultation requirements. These regulations will be developed in the context of the threat and risk assessment for the marine estate and the Marine Estate Management Strategy (see below). Stakeholder input to the development of these regulations, including from the Sydney Coastal Councils Group, will be critical to the successful management of the marine estate.

Engagement will include a statutory two month public consultation period seeking submissions on the new draft regulations in 2015.
• **Threat and risk assessment framework technical paper (early 2015)**

The Authority and member agency staff are working with the Marine Estate Expert Knowledge Panel (the Panel) on the development of the framework which will provide guidance on how threat and risk assessments are to be undertaken at various scales within the marine estate. These assessments will identify the key threats to inform management priorities for various projects under the marine estate Schedule of Works. The paper will be finalised in early 2015. Once the framework is finalised, it will be applied at both the estate-wide and Hawkesbury Shelf bioregion scales (see below) to identify the most significant threats to guide management responses accordingly. It will also be placed on the marine estate reforms website at [www.marine.nsw.gov.au](http://www.marine.nsw.gov.au).

• **Greater Sydney Marine Bioregion Study (Dec 2014 – early 2016)**

On 15 December 2014 the NSW Minister for Primary Industries, Katrina Hodgkinson, and Minister for the Environment, Rob Stokes announced the commencement of a study to assess the greater Sydney marine region. The study will involve a comprehensive assessment of the Hawkesbury Shelf marine bioregion, which extends from Newcastle to Wollongong and includes Sydney Harbour, Broken Bay, Botany Bay and Port Hacking (see map in [Attachment A](#)).

The study will inform decision making about the creation of an integrated marine protected area along the metro coast by 2016. The assessment will be conducted in accordance with the NSW Government’s new approach for marine estate management and aims to use evidence-based decision making. This considers social, economic and ecological threats and benefits and seeks to maximise community well-being.

The study will be overseen by the Authority with input from the Panel, and will include an assessment of threats and risks. The study will include assessment of the following 11 sites:

- Barrenjoey Head (existing aquatic reserve)
- Bronte-Coogee (existing aquatic reserve)
- Cape Banks (existing aquatic reserve)
- Chowder Bay (reference site)
- Long Reef (existing aquatic reserve)
- Narrabeen Head (existing aquatic reserve)
- North Harbour (existing aquatic reserve)
- North Harbour aquatic extension - Manly Wharf and Cove
- Magic Point Malabar (reference site)
- Wybung Head (reference site)
- Bouddi National Park Marine Extension

Additional sites will be identified through a community engagement process and in this respect the sites listed above are not an exhaustive list. Relevant Councils will be engaged as part of this process.

A report prepared by the Sydney Institute of Marine Science for the NSW Government which collates existing information on the ecological assets, threats, and economic and social values of Sydney Harbour has also been released and will inform this study.

• **Marine Estate Threat and Risk Assessment and Strategy (2015)**

MEMA agency staff are currently developing a draft background information report (draft report) on the environmental, social, cultural and economic benefits derived from the marine estate and the threats to those benefits. This draft report will be informed by the
results of the Marine Estate Community Survey and initial Council engagement undertaken in Aug 2014 as well as a range of other information sources.

The draft report will inform the process for assigning risk levels to the threats in order to identify the priority threats to manage for the marine estate. Advice is currently being sought from the Panel on the approach to involve external experts in the review of the draft background report and risk assignment process, and the Panel’s role in the process.

Work on the social, economic and Aboriginal cultural benefits and threats for the marine estate has been outsourced and will be incorporated into the draft report by the end of May 2015.

It is proposed that a draft threat and risk assessment report for the marine estate and a summary community consultation document will be made publicly available in mid 2015 seeking views on the priority threats and proposed management responses to inform the draft Marine Estate Management Strategy. Targeted consultation will be undertaken with local government, as well as other key stakeholders, during this period.

- Council updates on marine estate reforms (ongoing)

In December 2014 Edition 1 of ongoing quarterly updates on the marine estate reforms was emailed to 55 key contacts nominated by coastal Councils to be kept informed of developments with the reforms. Local Government NSW also helped promote Edition 1 via their NRM email group and Local Government Weekly Newsletter resulting in a further 5 Council contacts registering for future updates. The next edition is due in late March 2015.

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See Attachment A
Attachment A – Hawkesbury Shelf Marine Bioregion – showing some of the sites to be studied as part of the study.