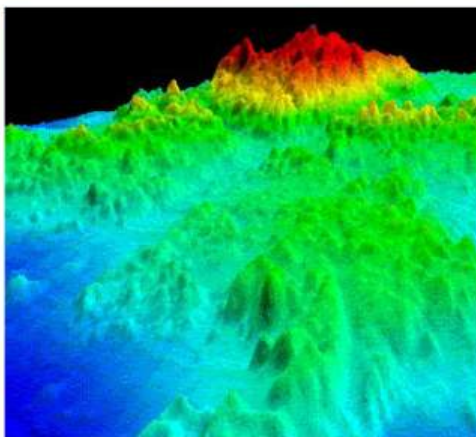




Government response to the Report of the Independent Scientific Audit of Marine Parks in New South Wales

A new approach to managing the NSW marine estate



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More information

www.marine.nsw.gov.au

www.marineparksaudit.nsw.gov.au

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Family on a coastal walk – Angourie to Brooms Head, Yuraygir National Park, NSW. Photo by Debra Novak, NSW OEH

Centre: Beach – South West Rocks, NSW. Photo courtesy of DPI Communications

Giant manta ray (*Manta birostris*) – Julian Rocks, Byron Bay, NSW. Photo by Duncan Paterson

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Hairy red hermit crab (*Dardanus lagopodes*) – Bare Island, Botany Bay, NSW. Photo by Duncan Paterson

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Ministers foreword

The NSW Government is committed to better management of the state's marine environment, one of our greatest natural assets.

Our vision is for a clean, safe, healthy, biologically diverse and productive NSW marine estate, enjoyed, valued and sustainably managed to balance economic growth and environmental protection and deliver long term benefits to NSW, its people, regions and industries.

The 'marine estate' includes our marine waters, estuaries and coasts – highly valued parts of our local environment that provide recreation and enjoyment, contribute to our quality of life and are of social, economic and ecological importance.

From Tweed Heads to Eden and surrounding Lord Howe Island, our marine estate supports a diverse array of marine life and habitats, a range of productive industries including tourism, boating, fishing, transport and is increasingly a focus of research.

We have honoured our election commitment to commission an Independent Scientific Audit of Marine Parks, maintain the existing system of marine parks and establish a moratorium on new marine parks. The *Report of the Independent Scientific Audit of Marine Parks in NSW* published in February 2012 includes two principal recommendations and a further 16 specific recommendations to deliver more effective and evidence based management of the entire marine estate including the existing marine parks.

This document sets out the key government initiatives in response to the Audit that will mark a new era in marine management. We will:

- Establish a new **Marine Estate Management Authority** to set the strategic framework and priorities through development of a **Marine Estate Management Strategy**, and monitor its implementation.
- Appoint an independent **Marine Estate Expert Knowledge Panel** to provide expert advice spanning ecological, economic and social sciences to underpin evidence based decision making.
- Develop a **threat and risk assessment framework** that will underpin and prioritise effective management actions across the marine estate to address the primary threats.
- **Reform marine park management** including the approach taken to multiple use zoning. We will take better account of ecological threats and risks, economic and social considerations, and improve public communication and engagement processes.

Our timetable for implementing the new approach to management and zoning of each marine park will be informed by assessment of threats and risks. We remain committed to the current moratorium on declaring new marine parks, pending advice from the Expert Knowledge Panel.

The government's actions have been directly informed by the Audit and the many interested individuals and organisations that made submissions during the process in 2011 and on the Audit report in mid 2012. There will be further opportunities for local community and stakeholder input as our new approach is implemented in the years ahead.



The Hon Katrina Hodgkinson MP
Minister for Primary Industries



The Hon Robyn Parker MP
Minister for the Environment

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Overview

This document outlines the key components of the NSW Government's response to recommendations of the *Report of the Independent Scientific Audit of Marine Parks in NSW*, available on the [Audit website](#).

The NSW Government is taking a new approach to sustainable management of the NSW marine estate. This includes estuaries, bays, inlets and coastal rivers to the tidal limit and marine waters extending to the 3 nautical mile (5.5 kilometres) limit of the state.

The NSW Government recognises that the people of NSW place significant social, economic and ecological values on our marine estate. It is a space for appreciation, recreation and enjoyment as well as a productive area for tourism, fishing, boating and shipping.

The long term health of the NSW marine estate, its values and the wide range of uses it supports, is subject to a range of existing or potential threats. These include land based pollution, destruction of habitats such as wetlands, mangroves and seagrass, resource use including fishing, tourism and mining, as well as pests and disease, and climate change. These threats can diminish the important social, economic and ecological values we place on our publicly owned marine estate.

A range of State Government bodies and agencies already play a role in managing our marine estate and collectively addressing threats in the context of achieving broader social, economic and ecological goals for the people of NSW.

- The NSW Department of Primary Industries leads catchment, Crown lands, biosecurity, fisheries and marine park related programs including research.
- The Office of Environment and Heritage manages the national park system, coastal and estuary management, marine fauna and maritime heritage programs and the Environmental Trust (an environmental funding program), and also contributes to marine estate research and education.
- The Department of Planning and Infrastructure is responsible for the state's land use planning system and delivering critical infrastructure.
- Transport for NSW is responsible for ports, shipping, boating, access and safety.
- Local Government has a key role in planning, and delivering a range of services to coastal communities.
- The Environment Protection Authority is the state's independent environmental regulator.

The NSW Government wants to ensure that future generations can enjoy the same or better opportunities than the community does today from a healthy, productive and diverse marine and coastal environment. To achieve this, we aim to ensure that the programs it resources and delivers are well-coordinated, efficient, evidence-based and result in real outcomes.

Independent Scientific Audit of Marine Parks in NSW

As promised in its election commitments, the NSW Government commissioned an Independent Scientific Audit of Marine Parks in NSW in mid 2011. The Audit was to advise the government on future management directions for marine parks and on better management of the NSW marine environment generally.

The Audit terms of reference specifically considered:

- biodiversity conservation commitments, scientific data, identification and prioritisation of threats
- the effectiveness of marine parks in protecting habitats and marine biodiversity

- ways to increase cost effectiveness of marine park zoning
- improving consideration of social and economic impacts in decision making
- information gaps hindering evidence based decision making
- the involvement of bodies or agencies needed to effectively manage threats.

An expert six member panel chaired by Associate Professor Bob Beeton AM conducted the Audit between July 2011 and February 2012.

In formulating its analysis and recommendations, the Audit Panel considered 200 stakeholder submissions, held 25 workshops with experts and stakeholders and met 11 times. The information, community submissions and documentation considered by the Audit Panel have all been published and are available on the [Audit website](#).

Audit report

The *Report of the Independent Scientific Audit of Marine Parks in NSW* was released in February 2012 and is available on the [Audit website](#).

The report includes two principal or overarching recommendations relating to future governance of the NSW marine estate:

- A. The governance of the NSW marine estate be reorganised by bringing the entire estate under one legislative and administrative structure that is closely aligned with the five catchment management authorities covering the NSW coastal drainage systems.
- B. Science for the NSW marine estate be reorganised under an independent Scientific Committee. The Audit Panel also makes recommendations about the organisational approach that this Committee should take and suggests a number of research priorities. In particular, these priorities call for greater emphasis on research in the economic and social sciences and the application of these findings to management.

A further 16 recommendations either elaborate on the principal recommendations or suggest other specific actions. These recommendations collectively identify potential improvements to governance and institutional arrangements, future ecological, economic and social research, and management approaches including threat and risk assessment and zoning. Legislative review and rationalisation, improved public participation and community engagement, communications, sustainability education, land-use planning, Aboriginal culture, knowledge and liaison, and compliance are also themes addressed in the Audit recommendations.

Community consultation

In addition to community submissions received during the Audit, submissions were invited on the Audit report and its recommendations in February 2012. Submissions closed on 30 June 2012 and are available on the [Audit website](#).

The government has considered the range of views and concerns expressed in the 126 submissions on the Audit report. Community members, industry and professional organisations, scientists, recreational and commercial fishers, the Aboriginal community, conservation stakeholders and Local Government made submissions. The overwhelming majority of submissions were received from people or organisations based in NSW. Submissions broadly demonstrated support for the new approaches proposed in the Audit report.

The key feedback distilled from submissions includes:

- The need for marine management to be based on science but find a workable balance between competing interests.

- Support for a new over-arching Authority but some concerns about complexity, timing and challenges, especially in resolving perceived conflict between conservation and resource use.
- Significant support for an independent scientific committee to support evidence based decision making.
- General support for strategic approaches, particularly a stronger focus on threat and risk assessment over reactionary management.
- Support for existing marine parks and lifting of the moratorium to declare new marine parks or review and alter existing zonings.
- Concerns remain about how existing marine parks were zoned, sanctuary zoning including on beaches, and related social and economic impacts.
- General support for improved ecological, economic and social research with some concerns about resourcing and diminished ecological research.
- Recognition of the role of good fisheries management and the need to better manage land based impacts on the marine estate.
- Support for increased Aboriginal engagement and participation in management and the need to take into account culture and traditional knowledge.
- Support for improved community involvement and education strategies, simpler rules and guidelines for compliance and enforcement activities.

The views expressed in submissions have directly influenced the government's response to the Audit.

A new approach to managing the NSW marine estate

The marine estate

The Audit report and its two principal recommendations are strongly focused on the marine estate of NSW.

The state has jurisdiction over coastal waters and lands from Tweed Heads to Eden and out to Lord Howe Island. The marine and coastal systems of NSW support the homes, businesses and recreation of more than 80 per cent of our people. They cover around 1 million hectares of estuary and ocean, and include 1,500 kilometres of ocean coastline, 6,500 kilometres of estuarine and coastal lakes foreshores, 721 beaches and 184 estuaries and coastal lakes.

The government agrees there is a need to manage these publicly owned assets as a single continuous system – as components of the NSW marine estate.

We will adopt the 'marine estate' definition proposed by the Audit as a starting point for establishing a legal definition. The NSW marine estate is taken to include:

- the sea enclosed within the three-nautical-mile limit including all marine related bays
- rivers under a detectable tidal influence
- mangrove systems, islands, wetlands and lakes that are intermittently connected to the sea
- coastal systems such as dune systems and headlands that are strongly influenced by the oceanic processes even though they are not episodically inundated.

Community submissions on the Audit report were generally supportive of the concept of a NSW marine estate. However, some clarification and refinement of this concept may be necessary.

Managing the marine estate

The Audit concluded that current management of the marine estate is in a state of flux and conflict. The Audit was clear that effective management of coastal and marine resources needs to extend beyond existing marine parks. It also recommended that the management framework encompass the entire marine estate and represent a statewide approach.

The government agrees with the Audit – the marine estate is publicly owned by the people of NSW and has to be managed for all people, now and into the future. The government’s view is that a ‘business as usual’ approach is inadequate and that reform is necessary. This view has been confirmed by the expert analysis in the Audit report and the public submissions received in response to the Audit.

The broad acceptance of the new approach proposed by the Audit from diverse and often conflicting interests suggests there is a unique opportunity to deliver real change and avoid past problems. The Audit acknowledges that managing the marine estate is ‘not a simple problem with a simple solution’, and that time and dedication is needed to implement significant reform.

Key components

The government’s response to the Audit directly addresses the principal recommendations and is designed to drive ongoing improvements to management of the marine estate.

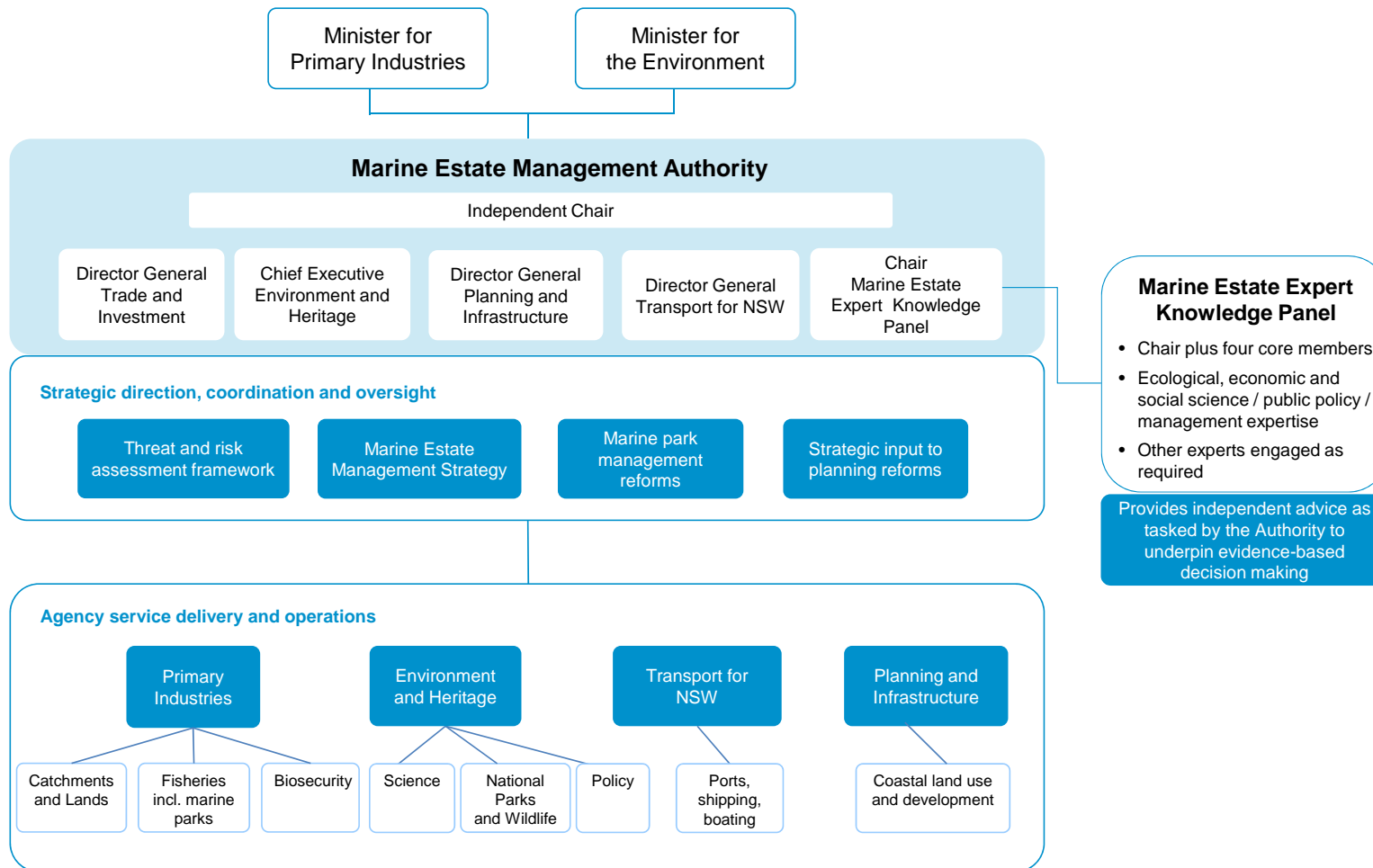
Table 1 Key components of the new approach to managing the NSW marine estate

	Governance bodies	Role
1.	Establish a Marine Estate Management Authority	To set the strategic framework and priorities for management of the entire marine estate by service delivery agencies
2.	Establish an independent Marine Estate Expert Knowledge Panel	To provide expert advice to the Authority on key knowledge needs and support evidence based decision making
	Key initiatives	Purpose
3.	Develop a threat and risk assessment framework	To guide the assessment of threats and risks to the marine estate and prioritisation of management actions to effectively address them
4.	Develop a Marine Estate Management Strategy	To define objectives for management of the NSW marine estate and prioritise actions over the next decade
5.	Develop marine park management reforms	To improve marine park management, including the objectives of and approach to multiple use zoning, the incorporation of economic and social evaluation, and community and stakeholder engagement and communications

Implementation

The key initiatives of the new approach will be implemented progressively over the next four years and beyond. A transitional approach to implementing reforms has been adopted as envisaged by the Audit, recognising that the scale of these changes will require sufficient time to put into effect.

Figure 1 NSW marine estate advisory bodies and roles



The government has established the interim Marine Estate Management Authority and the Marine Estate Expert Knowledge Panel will be brought together immediately. For information on the chairpersons selected to drive the new approach please visit www.marine.nsw.gov.au.

New legislation to formally establish the Marine Estate Management Authority as a statutory body, provide for integrated management of the marine estate and allow marine park management reforms to be implemented will be developed during 2013. Significantly, this will follow the release of the threat and risk assessment framework so that the community has more detail about the government's reforms.

The key role of the Authority is to set the strategic framework and priorities, and oversee implementation by service delivery agencies. The key role of the Expert Knowledge Panel is to provide independent expertise to underpin evidence based decision making.

Through the threat and risk assessment the government aims to ensure that public resources are appropriately targeted at better understanding the most significant threats and risks facing the marine estate and towards the most effective and efficient actions to manage them.

The Authority will also provide strategic advice to the Department of Planning and Infrastructure in relation to the planning system review and relevant coastal land use and development matters.

The Authority will drive the development of the Marine Estate Management Strategy, taking into account advice from the Expert Knowledge Panel. A draft Strategy will be released for community input.

As the means through which service delivery agencies will commit to action it is important that adequate time is taken to develop the Strategy and for consultation with relevant stakeholders and experts. Once finalised, the Authority will oversee and report on on-going implementation of the Strategy by agencies.

It is clear that the community expects reviews into marine park zoning arrangements to be carried out and for this to be done in new and improved ways. Before these reviews can be undertaken it is essential to reconsider the approach to multiple use zoning and zone objectives. This is crucial to providing for the best possible alignment with other marine management programs and a significantly more coordinated approach to managing the marine estate.

The NSW Government will take the time needed to establish robust governance arrangements to avoid ad hoc, reactionary decision making in line with the transitional approach recommended by the Audit. Agencies will work hard to make on the ground changes where appropriate that deliver on our objectives and long term vision for the marine estate.

Further information

Further detail on each of the key components of the new approach may be found in the following frequently asked questions (FAQs).

[FAQs 1 – Marine Estate Management Authority](#)

[FAQs 2 – Marine Estate Expert Knowledge Panel](#)

[FAQs 3 – Threat and risk assessment framework](#)

[FAQs 4 – Marine Estate Management Strategy](#)

[FAQs 5 – Marine park management reforms](#)

A factsheet that summarises this government response to the *Report of the Independent Scientific Audit of Marine Parks in NSW* is available. For more information please visit www.marine.nsw.gov.au.

FAQs 1 – Marine Estate Management Authority

A **Marine Estate Marine Management Authority** (Authority) will be established in response to **Principal Recommendation A** of the *Report of the Independent Scientific Audit of Marine Parks in NSW*.

What is the Authority's role?

The Marine Estate Management Authority will oversee management of the entire NSW marine estate as single continuous system. It will set the strategic direction and priorities through a Marine Estate Management Strategy and will oversee Strategy implementation by service delivery agencies.

Who will be on the Authority?

The Authority will be jointly responsible to the Minister for Primary Industries and Minister for the Environment and will include representatives of agencies involved in managing the NSW marine estate. The Authority will consist of:

- an independent chairperson
- the Director General of the Department of Trade and Investment, Regional Infrastructure and Services (NSW Trade & Investment)
- the Chief Executive of the Office of Environment and Heritage
- the Director General of the Department of Planning and Infrastructure
- the Director General of Transport for NSW
- the chairperson of the Marine Estate Expert Knowledge Panel.

An interim Authority will be set up immediately. Legislative reform to formally establish the Marine Estate Management Authority as a statutory body and abolish the Marine Parks Authority will follow.

The Authority chairperson will be independent of agencies involved in service delivery and report directly to Ministers. The role of the independent chairperson will be to facilitate discussion across agencies and drive a whole of government approach to management of the marine estate. The government has already selected the Authority chairperson to drive the new approach, for news and updates please visit www.marine.nsw.gov.au.

A small secretariat within the Department of Primary Industries will support the administration of the Authority.

What will the Authority do?

The role of the Authority is to provide strategic advice on:

- the development of a threat and risk assessment framework to identify the priority issues affecting the health of our marine estate and inform studies required to identify the most cost effective strategies to avoid or manage these risks
- the development of a Marine Estate Management Strategy to set future policy directions and strategic priorities for holistic, adaptive management of the marine estate by service delivery agencies by balancing economic development and environmental protection
- implementation of the Strategy both to Ministers and publicly
- priority ecological, economic and social science research, monitoring and evaluation by engaging the Expert Knowledge Panel and other independent expertise as required to ensure knowledge needs are met, to support program delivery
- coastal land use planning reforms

- marine park management reforms, based on threat and risk assessment and the making of marine park management plans
- ongoing marine park management
- public consultation, engagement and communication activities related to development and implementation of the Strategy.

How will the Authority work with existing agencies?

The Authority model aligns with the Audit's view that the 'policy and coordination process should reside with a central authority, while day-to-day management should be devolved'.

New service delivery arrangements were implemented by the government in mid 2011 to consolidate fisheries, catchments, Crown lands and marine park functions within the Department of Primary Industries. To build on these efficiency gains, marine estate service delivery functions and associated staff will remain within existing agencies. For example:

- Fisheries NSW will remain responsible for delivery of fisheries management functions throughout the NSW marine estate.
- Catchments and Lands NSW and coastal catchment management authorities, and then [Local Land Services](#) through reforms announced by the Government late 2012, will continue to deliver Crown land and coastal catchment management functions related to the NSW marine estate.
- The National Parks and Wildlife Service, part of the Office of Environment and Heritage, will remain responsible for care, control and management of coastal national parks including cultural heritage.
- The Department of Planning and Infrastructure will continue to drive reforms to the NSW planning system, including coastal land use matters.
- Transport for NSW will continue to deliver shipping, ports and boating management and pollution response functions.

The Authority will establish working relationships with various government entities during the design and implementation of the Strategy including the Division of Local Government, Environment Protection Authority, local councils, Natural Resources Commission, Department of Premier and Cabinet, NSW Treasury, Division of Resources and Energy, as well as other relevant stakeholders including non-government organisations.

The Authority will also develop relationships with the Australian Government department responsible for marine planning and marine reserve management in Commonwealth waters offshore from NSW.

The government response to the Audit, which details the new approach to management of the marine estate in NSW, will help the government achieve the goals laid out in [NSW 2021: A plan to make NSW number one](#).

Over the next 12 months the interim Authority will have flexibility to adapt its approach to respond to Government decisions and outcomes related to the new planning system, cross-jurisdictional review of on-water compliance, Crown Land management review, updated catchment action plans, and implementation of the [Maritime Policy Agenda](#) and [Commercial Fisheries Reform Package](#).

What role will the Authority have in the NSW planning system?

The 2012 Green Paper, [A New Planning System for NSW](#), outlines the NSW Government's vision to create a new planning system that meets the needs of the state. It proposes a far greater emphasis on early community engagement and upfront strategic planning, rather than the current focus on site-by-site decision making.

The Audit recognised the role of land use planning in contributing to better management of the marine estate. The Authority will not have a role in site by site decision making (a concurrence role), as recommended by the Audit. It will instead provide strategic input during implementation of the planning reforms to better integrate land use planning and marine estate management, consistent with the intent of the Audit's recommendations.

How have public submissions influenced our response?

Submissions strongly acknowledged the need for the marine estate to be factored into coastal land use planning decisions. In response, planning and infrastructure representation has been included on the Authority and one of the four core members of the Expert Knowledge Panel will be a coastal land use planning expert. The Authority will provide strategic input on NSW planning reforms related to the marine estate and closely liaise with the Division of Local Government.

Some submissions expressed concern about the complexity of the integrated delivery model proposed by the Audit and perceived conflicts between conservation and resource use within a broadly focused Authority.

The government will address these concerns by retaining service delivery and operational functions within existing clusters and agencies. The government's response focuses on a strategic level Authority and Strategy as key coordinating mechanisms, rather than more complex structural integration envisaged by the Audit.

Some concerns were expressed about the resources and time required to implement the full Authority model proposed by the Audit. There was also concern it could delay marine park reforms. The government's approach involves more rapid and less costly reforms with the new Authority developing and overseeing reforms to be implemented through existing agency structures.

FAQs 2 – Marine Estate Expert Knowledge Panel

A **Marine Estate Expert Knowledge Panel** (Expert Knowledge Panel) will be established in response to **Principal Recommendation B** of the *Report of the Independent Scientific Audit of Marine Parks in NSW*.

What is the Expert Knowledge Panel's role?

The Marine Estate Expert Knowledge Panel will provide independent expert advice spanning ecological, economic, social sciences and coastal land use planning to the Marine Estate Management Authority to address key knowledge gaps and support evidence based decision making.

Who will be on the Expert Knowledge Panel?

The Expert Knowledge Panel will report directly to the Marine Estate Management Authority and will include a chairperson and four core members with expertise in an economic, social, marine or coastal science, or coastal land use planning related discipline and with relevant business, management or policy experience.

The Expert Knowledge Panel will have the flexibility to utilise other experts in addition to the core membership as required to complete specific tasks.

The Expert Knowledge Panel chairperson will also be a member of the Marine Estate Management Authority as recommended by the Audit. This will ensure that the Authority has a direct connection with independent scientific advice and the application of science, including social science and economics. The government has already selected the Expert Knowledge Panel chairperson and is calling for expressions of interest regarding member positions, for news and updates please visit www.marine.nsw.gov.au.

The small secretariat within the Department of Primary Industries that supports operation of the Marine Estate Management Authority will also support the operation of the Expert Knowledge Panel.

What will the Expert Knowledge Panel do?

The core task of the Expert Knowledge Panel is to provide the Authority with independent scientific expertise to assist with the formulation of the strategic direction and priorities for the NSW marine estate.

The Expert Knowledge Panel will operate under task specific terms of reference set by the Marine Estate Management Authority, in consultation with the Expert Knowledge Panel chairperson.

The Expert Knowledge Panel will contribute to the key initiatives – the threat and risk assessment framework, Marine Estate Management Strategy and development and implementation of marine park management reforms.

The Expert Knowledge Panel will provide advice including recommendations on the modification and adoption of draft research strategies, and annual research business plans relating to the NSW marine estate.

The Expert Knowledge Panel will also oversee specific projects including a six month assessment of recreational fishing access to ocean beaches and headlands in marine park zones commencing early 2013, using threat and risk assessment.

The work undertaken by the Expert Knowledge Panel will be task and time bound. The Panel will convene meetings and workshops involving external and departmental scientists, managers and stakeholders and invite input as required. It may also undertake peer reviews of departmental

science and policy documents, or engage specialist expertise where necessary and within the scope of its terms of reference.

All Expert Knowledge Panel advice will be made publicly available.

How will the Expert Knowledge Panel work with existing agencies?

Research and monitoring knowledge acquisition programs will continue to be delivered by agencies including the Department of Primary Industries and the Office of Environment and Heritage. Senior agency scientists will liaise with the Expert Knowledge Panel, provide information and data, and attend meetings and workshops as required to enable the Panel to fulfil its tasks. The advice of the Expert Knowledge Panel will in turn influence the future direction and priorities of marine estate research and monitoring programs.

How have public submissions influenced our response?

A large number of submissions explicitly supported the establishment of an independent scientific committee and support holistic management of the marine estate based on the best available science. In response, the government's approach is to implement the intent of the Audit's recommendations, through the appointment of the Expert Knowledge Panel, and the appointment of the Panel chairperson to the Marine Estate Management Authority.

Some concern was expressed over the cost, establishment and ongoing role of an independent scientific committee and of local committees. In response, the government's approach is to establish an Expert Knowledge Panel that can draw on additional task specific expertise. Flexibility in the potential to access a wider pool of experts and undertake tasks concurrently are key advantages of this approach over a more static independent scientific committee and separate local committees.

FAQs 3 – Threat and risk assessment framework

A marine estate **threat and risk assessment framework** will be developed in response to the recommendations of the *Report of the Independent Scientific Audit of Marine Parks in NSW*.

Why do we need a threat and risk assessment framework?

The threat and risk assessment framework will underpin the Marine Estate Management Strategy by identifying the most significant issues affecting the health of our marine estate and informing what high priority studies are required to identify the most cost effective management actions to avoid or manage these risks.

The government wants to ensure that public resources are appropriately targeted at better understanding the most significant threats facing the marine estate and towards the most effective and efficient actions to manage them.

The government acknowledges that the NSW marine estate is subject to a range of current and potential threats, as highlighted by the Audit. These include land based activities, development, pollution, resource use including fishing, tourism and mining, pests and disease, and climate change. The combination of these threats and the associated risks vary in importance along our coast. They can operate to diminish the important social, economic and ecological values we place on our publicly owned marine estate. For example, the Audit found the impacts of climate change on Australian fisheries and aquaculture are predicted to be most severe off the south-east coast because of a much greater than average predicted increase in sea surface temperature in this region.

Multiple threats often act together and can be difficult to unravel and address. Management of individual threats by specific sectors is often inefficient and generally does not account for interactions among activities or cumulative impacts over space and time. The Audit has found that marine parks can effectively contribute to the management of some threats. It also recognised that there are gaps in our understanding of threats and that a range of actions are needed to address current and future threats to the marine estate.

As the nature, scale of impact and timeframes over which threats are present varies across the marine estate, the priority research and management actions must be tailored to respond to these issues. For example, coastal rivers, lakes and estuaries, and interface between the land and sea are subject to different threats than inshore marine waters. Similarly, areas of the marine estate adjacent to highly developed metropolitan regions or those with agricultural uses are subject to different pressures.

The need to better understand the threats and related risks to the entire marine estate and for a framework to more effectively manage them was strongly advocated by the Audit.

How will a threat and risk assessment framework be used?

A threat and risk assessment framework will be used to guide future management action. It will identify, assess and rank the key threats and associated risks to the NSW marine estate. It will also consider multiple threats and highlight areas where information is lacking and research is needed.

It will take a long term view and provide for the assessment of threats and risks to the marine estate over at least the next 20 years. It will also provide for the assessment of threats and risks at local, regional and statewide scales in the marine estate.

The Marine Estate Management Authority, taking into account advice from the Marine Estate Expert Knowledge Panel, will further evaluate the priority of specific recommendations made by the Audit in relation to early detection pest monitoring programs, a statewide survey of

contaminant levels, the management of and licensing of dredging and better management of stormwater as part of the development and application of the threat and risk assessment framework.

Will it include social and economic values?

The threat and risk assessment framework will consider threats across the entire marine estate, including its social, economic and ecological values.

For example, the framework could ascertain the circumstances in which the threat of nutrient runoff is a high, medium or low risk to the ecological values of the marine estate and likely flow on impacts on social and economic values. Social and economic values could inform the priority for management action.

How will it be applied to marine parks?

The threat and risk assessment framework should be applicable at regional and local levels and can be used to analyse the threats and risks to biodiversity and likely flow on impacts to the social and economic values of marine parks. This information will help government make decisions that are easily understood, effective and maximize ecological, social and economic outcomes.

Spatial information on the ecological values of marine parks will be expanded to cover social and economic values of marine parks.

How will it be developed?

Threat and risk assessment processes involving stakeholder and expert input have informed management of the Great Barrier Reef, notably in preparing the [2009 Outlook Report](#).

A similar approach will be applied to develop a threat and risk assessment framework for the NSW marine estate. Development of the framework will be informed by expert and stakeholder input and will be overseen by the Marine Estate Expert Knowledge Panel.

How have public submissions influenced our response?

Submissions on the Audit from a range of different stakeholders supported a threat and risk assessment approach.

There was a strong emphasis in submissions that more economic and social science should not be at the expense of ecological science. The Strategy represents a robust mechanism for ensuring knowledge needs are prioritised and addressed based on assessment of threats and risks.

FAQs 4 – Marine Estate Management Strategy

A **Marine Estate Management Strategy** (Strategy) will be developed in response to the *Report of the Independent Scientific Audit of Marine Parks in NSW*. It will define the NSW Government's policy objectives for management of the NSW marine estate and guide the actions of service delivery agencies over the next decade.

What will the Strategy cover?

The government's broad vision is for a 'clean, safe, healthy, biologically diverse and productive marine estate, enjoyed, valued and sustainably managed to balance economic growth and environmental protection and deliver long term benefits to NSW, its people, regions and industries'.

The Marine Estate Management Strategy will establish the means by which the government's vision can be achieved and reform delivered. The Strategy will balance economic growth, use and conservation of the marine estate by better coordinating and prioritising agency program activities.

The Strategy will do this by identifying:

- high level social, economic and ecological objectives and performance measures for use and management of the marine estate
- strategic actions in pursuit of these objectives, to balance multiple use, including economic development and environmental protection, and related service delivery agency roles and responsibilities
- priority information and knowledge needs for marine estate research and monitoring programs
- a communications, education and stakeholder engagement framework to promote voluntary compliance with marine estate regulation
- governance systems for Strategy implementation, reporting and evaluation
- ways to promote regulatory best practice and provide for appropriate access
- the need for consolidation of relevant legislation to achieve the vision and reduce red tape.

The Strategy will also be the means through which delivery agencies commit to action and coordinate government marine estate management programs.

A threat and risk assessment framework will inform marine estate management priorities and strategic actions developed to respond to them.

The government considers that development of the Strategy will serve as a considered and effective process for further addressing key findings and recommendations of the Audit and supporting other related government initiatives and policies.

The proposed new planning policy on 'Coastal Management' foreshadowed in the Green Paper, [A New Planning System for NSW](#), and the proposed Marine Estate Management Strategy will in combination supersede the 1997 NSW Coastal Policy.

Who will develop the Strategy?

The Marine Estate Management Authority will develop a draft Strategy for public exhibition with input from the Marine Estate Expert Knowledge Panel and the community.

The Marine Estate Management Authority will have a clear role in overseeing and reporting on delivery agency implementation of the Strategy following approval.

What consultation and timeframes apply to the Strategy?

Targeted stakeholder consultation will occur during the preparation of the draft Strategy, commencing mid 2014.

The draft Strategy will be publicly exhibited on the NSW Government's 'Have Your Say' website for a minimum of four weeks.

It is envisaged the Strategy will be finalised and approved by Ministers in 2015 taking into account expert feedback and public submissions.

How have public submissions influenced our response?

Some submissions made by organisations made reference to taking a broader perspective that incorporates both conservation and use, now and into the future, and managing for these. In response, the development and implementation of the Strategy will be a key driver of a much more strategic, new statewide approach to managing the NSW marine estate.

FAQs 5 – Marine park management reforms

The NSW Government's response to the Audit is intended to improve management of the entire marine estate including marine parks and aquatic reserves.

A range of marine park management reforms will be implemented in response to the recommendations of the [Report of the Independent Scientific Audit of Marine Parks in NSW](#), particularly Audit recommendations R4, R5 and R6.

What are the reforms?

The main reforms to marine park management will be:

- developing a better approach for reviewing management of marine parks (including multiple use zoning)
- conducting targeted research on the ecological, economic and social aspects of marine protected areas to address key knowledge gaps and applying the information in planning and management
- incorporating threat and risk assessments into marine park planning and management
- developing ways of incorporating local indigenous knowledge and expertise of land and sea management into the management of marine parks
- improving local consultation and engagement processes
- developing a performance assessment system for marine parks
- reviewing and updating marine parks legislation.

What are the reforms aiming to achieve?

These reforms aim to ensure an integrated and coordinated approach to management of the marine estate occurs and that decisions are based on research across ecology, economics and social science.

The role of marine parks and other marine protected areas in overall management of the marine estate will be adjusted over time as recommended by the Marine Estate Management Authority, with input from the community and the Marine Estate Expert Knowledge Panel, to achieve the best possible alignment with other marine management programs and a significantly more coordinated (and less fragmented) approach to managing the marine estate. For example, linkages between catchment management and marine parks are expected to be increasingly harmonised and emerging management approaches such as marine spatial planning will be investigated.

In the short term, specific aims include:

- replacing the Marine Parks Authority with the Marine Estate Management Authority to drive coordinated management of the marine estate
- revitalising local marine park advisory committees by filling any vacant positions, to give local communities a better say in decision making
- replacing the Marine Parks Advisory Council with a focus on targeted stakeholder and expert consultation and engagement on strategic matters
- updating the approach to marine park planning and management
- developing planning tools to improve consideration of economic and social information in planning and decision making
- improving community engagement in marine park planning and management.

What action will the NSW Government take to enhance conservation of marine biodiversity in the key gaps identified by the Audit?

Enhancements to the conservation of marine biodiversity will be explored, as recommended by the Audit, following development and application of the threat and risk assessment framework.

The government will maintain the existing system of aquatic reserves, noting 10 of the state's 12 aquatic reserves are located in metropolitan Sydney, between Barrenjoey Headland and Port Hacking.

Will the NSW Government declare any new marine parks or alter the boundaries of existing marine parks in response to the Audit?

The government remains committed to the moratorium on new marine parks, pending advice from the Marine Estate Expert Knowledge Panel.

The focus will be on the government's priorities, which are improving management of the entire marine estate (including existing marine parks) and addressing key information gaps in line with the Audit recommendations.

Initiatives to deliver on these priorities in response to the Audit are on establishing the Marine Estate Management Authority, appointing a Marine Estate Expert Knowledge Panel, developing a threat and risk assessment framework, developing a Marine Estate Management Strategy and improving the management of existing marine parks, as well as providing input to coastal land use reforms.

Will the moratorium on declaration of new marine parks, zoning plan reviews and alteration of sanctuary zones be lifted?

The moratorium on new marine parks is supported, and any planned changes would be based on advice from the Expert Knowledge Panel.

The moratorium will need to be altered to allow the future review of existing marine park zoning and alteration of sanctuary zones before September 2016.

When will marine park zoning plan reviews be done?

It is clear that the community expects reviews into zoning arrangements to be carried out and for this to be done in new and improved ways.

Lessons from the three zoning plan reviews conducted to date include the need for better community engagement and a stronger focus on all aspects of marine park management, rather than zoning alone.

Marine park management reforms will involve:

- developing a framework for threat and risk assessments
- replacing zoning plan reviews with 'marine park management reviews' to focus on all aspects of marine park management
- reviewing the objectives of zones
- legislative amendments to implement future marine park management reviews and management plans
- lifting the moratorium on zoning plan reviews.

How will marine park management plans differ from the current approach?

Each of the state's six marine parks are currently managed in accordance with separate zoning plans and operational plans as required under the *Marine Parks Act 1997*. They aim to conserve biodiversity, habitats and provide opportunities for sustainable use, public appreciation, enjoyment and understanding.

The zoning plan is a regulation that defines the activities that can occur within different areas (or zones) of a marine park. Marine park user guides include detailed maps of each marine park reflecting the zoning arrangements defined in the *Marine Parks (Zoning Plans) Regulation 1999*.

The current operational plans define the strategies and activities the Marine Parks Authority will undertake to sustainably manage the marine park, consistent with the zoning plan. Existing operational plans include strategies to protect threatened species, assess developments, undertake compliance, research and monitoring activities and to manage commercial activities Aboriginal cultural heritage, tourism and recreation.

The government considers that a single statutory 'management plan' is a clearer, simpler tool to drive effective management of each marine park in the future. A single management plan will replace the separate zoning and operational plans and be informed by threat and risk assessment, improved social and economic evaluation, and better stakeholder and community engagement processes. Management plans will clearly document park management objectives, and strategies including zoning, compliance, education and communications intended to deliver on the objectives. A stronger emphasis on performance monitoring and assessment of management activities will be a key feature of the new approach.

Western Australia, Victoria and South Australia have adopted marine park management plan approaches rather than separately focusing on zoning and other park based management activities. The experience of these jurisdictions will be considered as the detail is being further developed.

Will the NSW Government retain sanctuary zones as a management tool?

Input from submissions indicates there is broad support for marine parks and sanctuary zones, and that the main concerns are the locations of zones and effectiveness.

The government accepts the Audit's view that sanctuary zones, or areas where extractive activities including fishing are prohibited, do have an important role in marine estate management, including as scientific reference points for monitoring, evaluation and reporting, and in helping conserve biodiversity from a range of threats.

The government agrees that sanctuary zones should not divert attention from the range of actions needed to improve management of the marine estate and do not represent a simple solution to a complex problem.

Future marine park management reviews will consider whether existing sanctuary zones are appropriate for meeting their objectives and whether improvements are necessary. The reviews will be an evidence based process, incorporating analysis of threats and risks, social and economic evaluation, the use of decision support tools as recommended by the Panel, and expert, stakeholder and community input including from revitalized local marine park advisory committees.

Will beach sanctuary zones remain in place?

Yes, but beach sanctuary zones have been identified by the Audit as habitats where information is particular lacking and as needing further consideration. Concerns about sanctuary zone restrictions on beaches were evident across recreational fishing interest group submissions to the Audit.

Access to ocean beaches in marine park zones for recreational fishing will be assessed in 2013, and arrangements then altered based on the outcomes of this work. There will be an immediate amnesty for the duration of the beach assessment on compliance action relating to recreational fishing from open ocean beaches and headlands in sanctuary zones in NSW mainland marine parks. For information on this a Beaches and Headlands Factsheet can be found at www.marine.nsw.gov.au.

Will the needs of Aboriginal communities be considered in marine park zoning?

Access to marine parks by Aboriginal communities was raised as an issue in several submissions. Future marine park management reviews will consider whether the existing zones of marine parks are appropriate for the needs of Aboriginal communities. In addition, the NSW *Policy on Aboriginal Engagement and Cultural Use of Fisheries Resources in Marine Parks* remains in place.

Will Aboriginal liaison officers be employed in marine parks?

The Audit recommended that local Indigenous knowledge and expertise of land and sea management be explicitly incorporated into the establishment and ongoing management of NSW marine parks and the NSW marine estate. To facilitate this, the Audit recommended the employment of an Aboriginal Liaison Officer in each marine park, along with ongoing support of the Aboriginal Cadet Program in each marine park.

Aboriginal rangers and Aboriginal liaison officers have previously been employed in marine parks and will continue to be employed. Aboriginal Cadet programs will continue to be applied to marine parks in addition to terrestrial areas.

Several submissions on the Audit called for Aboriginal representation on governance bodies. Aboriginal communities will continue to be represented on marine park advisory committees and to be consulted on park management matters.

Will enforcement of marine park zoning be changed?

The Audit recommended that compliance rangers be integrated with other ranger staff in the new authority and that no staff carry batons, handcuffs or any other such intimidating paraphernalia.

The government is currently conducting an on-water compliance review that will inform future arrangements for marine compliance.

Compliance programs in marine parks will continue to focus on both education and enforcement. Thankfully, there has not been a need to use batons and handcuffs in marine park enforcement activities however they will continue to be available for particular high risk enforcement operations subject to implementation of any new arrangements resulting from the on-water compliance review or amendments to operational procedures.

Who will oversee the reforms?

The Marine Estate Management Authority will oversee the reforms to marine park management, with advice from the Marine Estate Expert Knowledge Panel and in conjunction with the community.

Will legislation be amended to implement the reforms?

New legislation will be required to implement the government's response to the Audit. A new Marine Estate Management Act will be developed in 2013 to support the government's response and will be mindful of the need to reduce red tape and regulatory burden.

How long will it take to implement the reforms?

Establishment of the Marine Estate Management Authority and the Marine Estate Expert Knowledge Panel are the immediate priorities, together with development of a threat and risk assessment framework in 2013 and a Marine Estate Management Strategy in 2014/2015.

Work on marine parks reforms will commence over the next 12 months and be guided by development of the Marine Estate Management Strategy.

How have public submissions influenced our response?

Submissions received illustrate that there is broad support for marine parks conceptually across interest groups, as well as sanctuary zones, with concerns focusing on how and where existing parks and zones had been established and managed to date.

There were calls from various interests to lift the marine park moratorium as a priority so zoning can be revisited. Whilst the moratorium on declaring new marine parks is supported, the parts of the moratorium relating to reviewing zoning and changes to sanctuary zones will be amended so that they can be lifted independently. This will allow marine park management reforms to be implemented, based on the advice of the Marine Estate Management Authority and Expert Knowledge Panel.