



Marine Estate Management Authority

Annual progress report:

Marine Estate Management Authority

2014



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More information

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Acknowledgments

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- Department of Trade and Investment, Regional Infrastructure & Services (NSW Trade & Investment)
- Office of Environment and Heritage
- Department of Planning and Environment
- Transport for NSW

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (October 2015). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department or the user's independent adviser.

Chair's year in review

2014 has been a year of considerable achievement for the Marine Estate Management Authority (the Authority).

The NSW Government's vision for the NSW marine estate is a healthy coast and sea, managed for the greatest wellbeing of the community, now and into the future. To find out what the community think of and want from their marine estate, we undertook the first ever survey of their attitudes and views. This produced some rather unexpected results and will be available for both the Authority and any other organisation or person to examine to see what visitors and locals think the most important things are and what the biggest threats to the marine estate are. It will underpin all our future work.

A Threat and Risk Assessment Framework has been developed that will provide a basis for recommending management responses to the NSW Government. Although it sounds straight forward, we are not aware this approach has been used before in coastal management and developing a process to apply at a range of geographic scales proved to be quite challenging. However we are now applying it at state and regional scales based on both the community survey results and expert input to underpin the state-wide Management Strategy and the Hawkesbury Shelf Bioregion Assessment – priority projects for 2015.

Other technical papers completed during the year included one on Valuation (to assess trade-offs between management strategies), and Survey techniques.

Arguably Australia's most iconic coastal feature, Sydney Harbour, featured in the Authority's work program with a bringing together of representatives both government and non-government to share and collaborate on management information. The Authority commissioned the Sydney Institute of Marine Science to collate available information on the ecological assets and the threats and economic and social values of Sydney Harbour. This report will help feed into the Hawkesbury Bioregion Assessment.

Another major milestone for the year was the passage of the *Marine Estate Management Act 2014*. This provides us with a legal foundation on which to build our delivery of projects and programs and was a significant achievement.

The achievements outlined in this report would not be possible without the good will and cooperation of the people, agencies and members of the community who participate in our activities. Ministers, Authority members and their staff, the Marine Estate Expert Knowledge Panel, and those in the community who in one way or another have contributed to our activities have enabled us to move to a point where we are starting to be able to develop recommendations for the future management of the NSW Marine Estate. I am grateful to them.



Wendy Craik AM

Chair, Marine Estate Management Authority

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1. About us

Vision

The NSW Government's vision is to have **a healthy coast and sea, managed for the greatest well-being of the community, now and into the future.**

The NSW marine estate covers the coastline, and marine waters in NSW out to three nautical miles off the coast, stretching approximately 1,250 kilometres along the eastern coast of Australia. It includes estuaries, coastal lakes and over 750 beaches. The NSW marine estate is home to an extensive variety of marine life, ecosystems and natural resources. It is a valuable asset to the social, economic and environmental well-being of NSW.

Marine Estate Management Authority

➤ Establishment

The Marine Estate Management Authority (Authority) was set up in March 2013 in response to the 2012 [Independent Scientific Audit of Marine Parks in NSW](#). The Authority is an advisory committee that brings together the heads of the four government agencies with key marine responsibilities to provide advice to the NSW Government on strategic, evidence-based management of the marine estate.

The Authority is established under the [Marine Estate Management Act 2014](#) (MEM Act), which commenced on 19 December 2014. The Authority was operating as an interim committee prior to the Act coming into force and its role and membership has not changed.

The Marine Estate Expert Knowledge Panel (Panel) was also established in March 2013 to provide independent expert advice spanning ecological, economic and social sciences. The Panel is tasked by and reports directly to the Authority. Panel effectiveness and performance is monitored by the Authority and is also reported in this progress report.

➤ Membership

The Authority comprises the following members:

- Dr Wendy Craik, independent Chair
- Secretary, NSW Trade and Investment (delegated to Director General, Department of Primary Industries)
- Chief Executive, Office of Environment and Heritage
- Secretary, Department of Planning and Environment (delegated to Deputy Secretary)
- Secretary, Transport for NSW (delegated to Deputy Secretary)
- Professor Quentin Grafton, independent Chair, Marine Estate Expert Knowledge Panel.

➤ Functions

The Authority assists the NSW Government in managing the marine estate in a way that is consistent with the principles of ecologically sustainable development. The government is committed to policies and programs that address priority issues, are evidence-based, well-coordinated and result in positive outcomes for the greatest well-being of the NSW community. Statutory functions of the Authority under the MEM Act are to:

- advise the Minister for Primary Industries and the Minister for the Environment (Ministers) on management of the marine estate
- undertake assessments of threats and risks to the marine estate
- prepare a draft Marine Estate Management Strategy for submission to Ministers and advise Ministers of its implementation by public authorities
- promote collaboration and co-ordination between public authorities in the management of the marine estate
- foster consultation with the community in relation to the management of the marine estate.

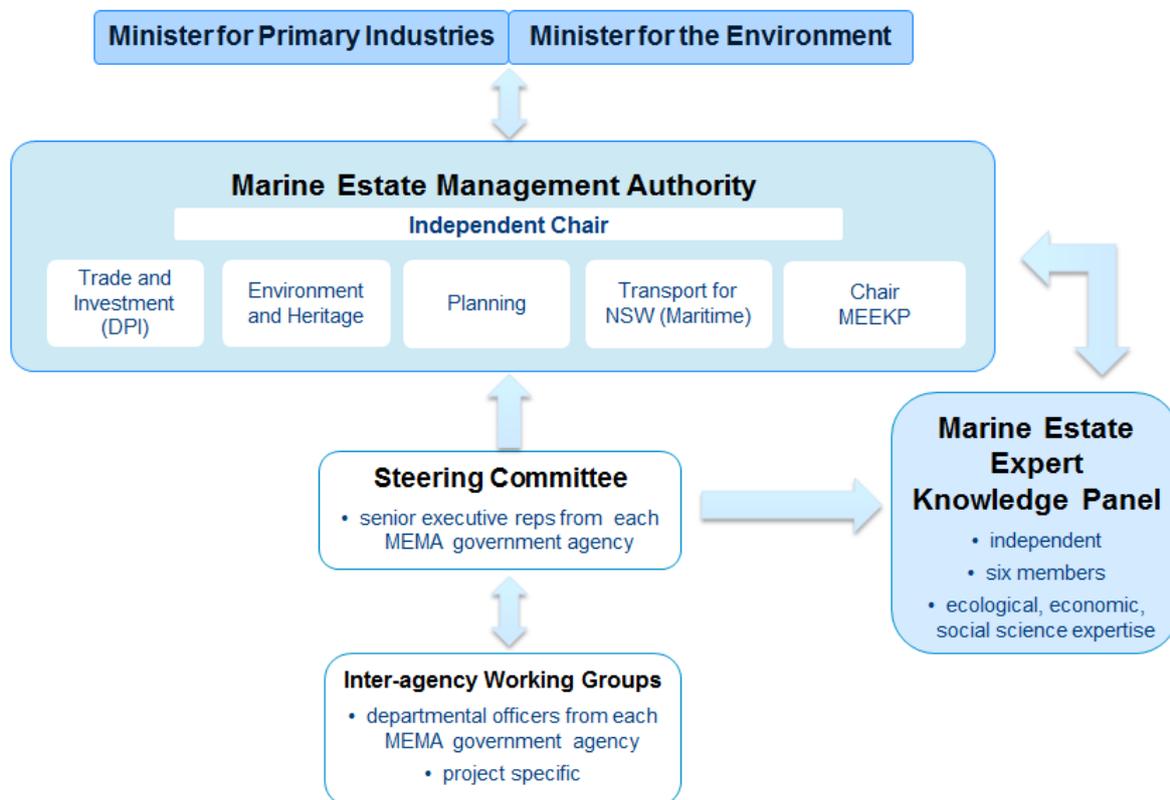
Over 2014 the Authority has operated in accordance with schedule 1 of the MEM Act and the Authority’s [Protocol Manual](#).

➤ **Marine estate organisational structure**

The marine estate organisational structure is illustrated in Figure 1. The Authority provides advice to Ministers. The Authority are supported by the independent expert Panel and a Steering Committee of senior agency executives, who in turn receive technical support from project specific technical Inter-agency Working Groups. Inter-agency collaboration is central to the success of the Authority.

The marine estate governance structure is successful in fostering interagency collaboration. Improved linkages between NSW Government agencies will lead to better outcomes for the community, industry and for the environment by ensuring integrated management that focuses on key issues.

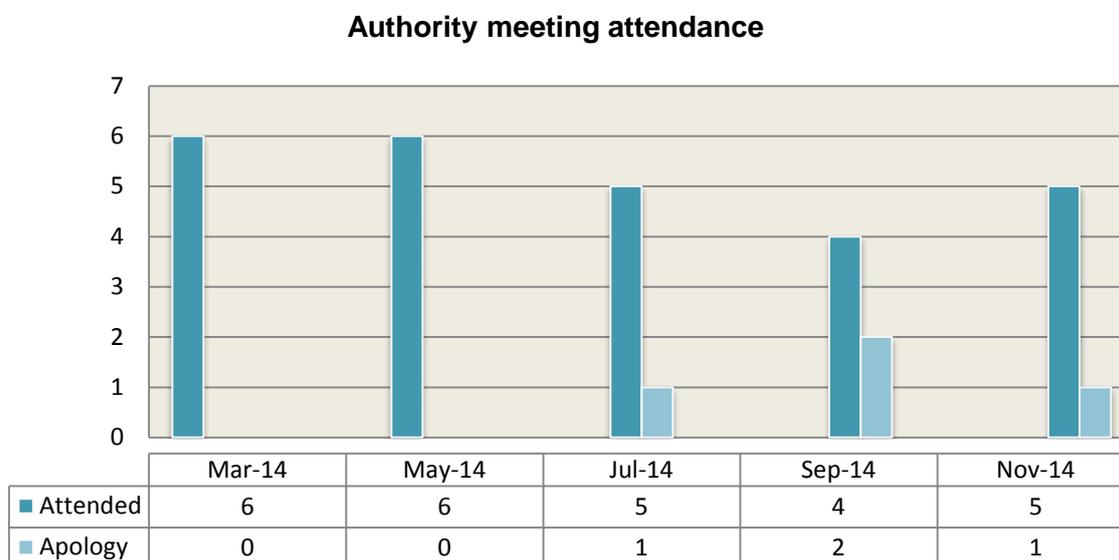
Figure 1: Marine estate organisational structure



➤ Attendance

A total of five Authority meetings were held in 2014. A quorum was achieved at all meetings (Figure 2). Meeting summaries are publicly available (Appendix 2).

Figure 2: Member attendance at Authority meetings in 2014



Marine Estate Expert Knowledge Panel

Establishment

The Panel is established under the [MEM Act](#). The Panel was operating as an interim committee prior to the commencement of the MEM Act, and the role and membership of the Panel did not change following the MEM Act 2014 coming into force.

➤ Membership

Dr Andrew Stoeckel, the inaugural Chair of the Panel, stepped down in May 2014. Panel member Dr Rick Fletcher acted as Chair until the appointment of Professor Quentin Grafton as Chair in October 2014. Panel members have an extensive and diverse range of skills and expertise spanning ecological, economic and social sciences:

- **Prof R. Quentin Grafton (Chair)** – Professor of Economics in the Crawford School of Public Policy at Australian National University, 25 years fisheries experience.
- **Dr Kate Brooks** – specialist in social science research, particularly planning for sustainability.
- **Dr Neil Byron** – environmental economist and policy analyst.
- **Dr Rick Fletcher** – expert in fisheries, population and community ecology, risk assessment and governance systems.
- **Prof Emma Johnston** – expert in human influence on the ecology of marine and coastal systems.
- **Mr Peter McGinnity** – expert in marine and integrated coastal planning.

➤ Functions

The role of the Panel is to provide independent expert advice to the Authority spanning economic, social and ecological sciences. The Panel has a key role in addressing key knowledge gaps and supporting evidence-based decision making as the NSW Government implements the new approach to managing the marine estate.

In 2014 the Panel operated according to its [Roles and Responsibilities](#). These were revised in 2014 as agreed with the Authority Chair and this progress report fulfils the requirement for the Authority to undertake an annual review of Panel effectiveness and performance.

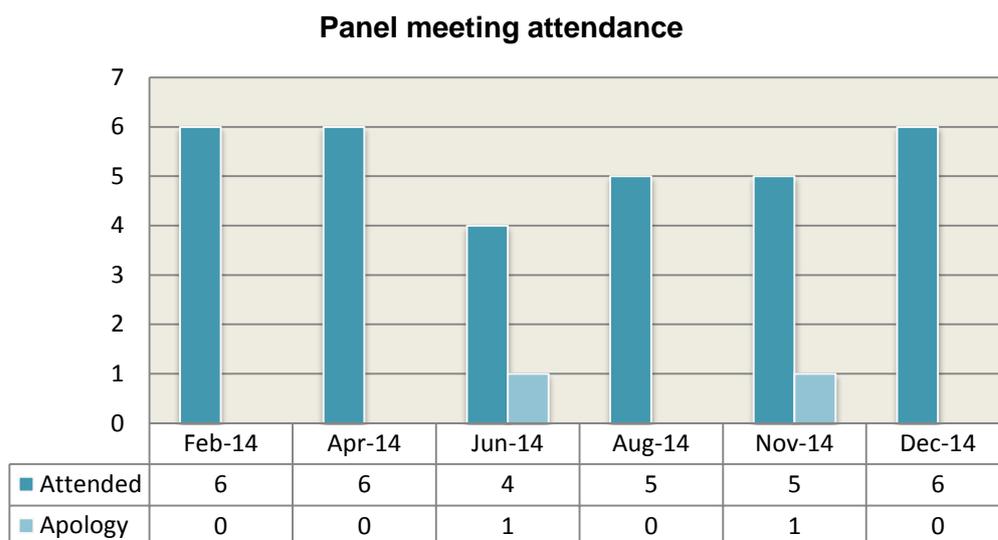
Panel members have been successful in collaborating as individual experts to provide consolidated advice that takes into account ecological, economic and social considerations. The Panel have contributed significantly to the marine estate reform program both in terms of strategic (threat and risk assessment framework, technical papers) and technical advice (beaches and headlands assessment, marine estate threat and risk assessment).

➤ Attendance

A total of six Panel meetings were held in 2014, and a quorum was achieved at all meetings (Figure 3). In addition to formal meetings, the Panel has participated in out-of-session teleconferences and held Panel pre-meetings. Significantly, pre-meetings enable the Panel to collectively discuss preliminary views relating to each agenda item, negotiate a consolidated position and provide an opportunity to identify and discuss strategic and governance issues.

During 2014 Panel members also participated in numerous out-of-session discussions with departmental staff and consultants, and were involved in the drafting of project plans, engagement plans, communications material, reports and various publications.

Figure 3: Member attendance at Panel meetings in 2014



Note: The Panel has six members. A total of five members is reflected for June to August 2014 as a new Chair was being appointed during this time.

2. Achievements

Engagement

Consultation and engagement continues to be a priority for the Authority and Panel. In January 2014 the Authority finalised the marine estate *Community and Stakeholder Engagement Strategy*.

The engagement strategy details the rationale and approach the Authority and Panel take towards stakeholder engagement, public participation and communication activities when undertaking marine estate reform projects. The engagement strategy outlines seven over-arching principles for engagement and recognises that consultation, as a process, comprises a number of steps with a range of different engagement techniques. Various communication tools that can be used are listed in the engagement strategy along with key interest groups.

Engagement with a wide variety of marine estate stakeholders was undertaken during 2014 (Appendix 3).

Projects completed

The marine estate *Schedule of Works* identifies priority areas of work for the Authority and Panel (Appendix 1). The schedule is updated periodically as the marine estate reform program progresses and is publicly available on the marine estate website at www.marine.nsw.gov.au.

In 2014 the Authority compiled its *Annual Progress Report 2013*. Below is a summary of progress on various marine estate projects over the course of 2014.

➤ Marine Estate Management Act 2014

The *MEM Act* was passed by the NSW Parliament on 5 November and came into force on 19 December 2014. It sets the legal foundation for delivering on the NSW Government's vision for a healthy coast and sea, managed for the greatest well-being of the community, now and into the future.

The Authority played a key role in providing guidance during the development of the *MEM Act* and the Panel provided technical advice. Key areas of input included:

- objects
- definitions
- how and when a marine estate threat and risk assessment will be undertaken and what it includes
- how and when a Marine Estate Management Strategy will be developed and what it includes
- planning and management of marine parks and aquatic reserves
- marine estate consultation.

The Act provides for the strategic and coordinated management of the whole marine estate by NSW Government agencies, including consideration of economic, social and environmental factors in line with the principles of ecologically sustainable development.

➤ Marine estate community survey

The Authority announced the results of the *marine estate community survey* of over 1,700 NSW respondents on 21 November 2014. The survey involved 1,000 on-line respondents as well as direct field interviews in seven coastal regions with 375 coastal residents (locals) and 352 tourists (visitors).

The survey was conducted to better understand the environmental, social and economic values and attitudes of the NSW community towards the marine estate. The final report outlines the key findings including benefits and values of the marine estate to the community, perceived threats to those benefits and values, and opportunities for improving management.

The Panel worked closely with departmental staff and the contractor to ensure that the survey research design was representative and had the ability to capture a wide variety of social, economic

and environmental points of view. Direct and indirect users of the marine estate were surveyed in both coastal and inland regional areas.

The information collated through the survey will be used to help identify opportunities in the marine estate for future use and enjoyment, to address key threats and to guide improved consultation and engagement in the future.

➤ **Ocean beaches and headlands assessment**

In December 2014 Ministers announced a decision on the future of recreational line fishing from [ocean beaches and headlands](#) at 30 marine park sanctuary sites in NSW and an associated amnesty.

The Panel worked with departmental staff to develop a specific risk assessment methodology to assess the potential impacts of maintaining an amnesty that allowed shore-based recreational line fishing access on ocean beaches and headlands within marine park sanctuary zones. The Panel also designed interviews with coastal users within a number of marine parks and an online survey, both of which informed the assessment.

Based on the Panel's independent scientific assessment and Authority's advice, which took into account environmental, social and economic considerations, the NSW Government:

- lifted the amnesty at 20 sites, which means sanctuary zone rules are again being enforced
- intends allowing shore-based recreational line fishing to continue at the remaining 10 sites, which will be rezoned accordingly.

➤ **Threat and risk assessment framework**

The Authority has finalised a [Threat and Risk Assessment Framework](#) that provides guidance on the assessment of threats and associated risks to the marine estate.

The NSW Government's vision of maximising community wellbeing through the effective management of the marine estate depends on maintaining and increasing where possible the environmental, social and economic benefits derived from the marine estate. A central challenge is to ensure that threats to benefits are efficiently and effectively managed by targeting management effort towards the most significant threats.

The Panel, in collaboration with departmental staff, put significant effort into the development of a framework that can be used to assess threats and risks at different scales (from a state-wide, regional or local perspectives), take into account cumulative impacts and consider how threats are likely to operate in the future.

The Authority expects to publish the Threat and Risk Assessment Framework to the marine estate website at www.marine.nsw.gov.au by mid-2015.

➤ **Sydney Harbour**

The Authority acknowledges Sydney Harbour as an iconic part of the NSW marine estate that has great cultural, natural, spiritual and economic significance to the NSW community.

In January 2014 the Authority brought together representatives from key government and non-government groups involved in managing the harbour as the [Sydney Harbour Strategic Initiatives Network](#). The purpose of the network is to promote information sharing and collaboration to support coordinated management of the harbour.

The Authority also commissioned the Sydney Institute of Marine Science (SIMS) to compile a background report that collates the available information about the ecological assets of Sydney Harbour, the documented threats to those assets, and the economic and social values that people attribute to the harbour. The [Sydney Harbour Background Report 2014](#) will inform any future Authority advice relating to Sydney Harbour including the Hawkesbury Shelf marine bioregion assessment.

➤ **Valuation technical paper**

Technical paper 1: Methodologies to Value the Benefits and Costs of Alternative Uses of the NSW Marine Estate was developed by the Panel and released in July 2014.

The valuation technical paper supports implementation of the principles that have been developed to guide the new approach to managing the NSW marine estate outlined in *Managing the Marine Estate: Purpose, Underpinning Principles and Priority Setting* (MEMA, 2013) (the Principles Paper). Principle 3 is that 'values will be assigned to enable trade-off decisions between alternative uses of the marine estate'.

This technical paper explores the methodologies that can be used to place a dollar value on non-market benefits (such as biodiversity conservation), while acknowledging that non-market benefits cannot always be monetised and in these instances, judgement will be required. In managing the marine estate to meet the collective interests of the NSW community, the NSW Government often has to make a choice between competing uses. It is critical that the Authority and NSW Government are able to transparently look at the benefits and costs of alternative uses of the marine estate.

➤ **Surveying technical paper**

Technical paper 2: Surveying the Community's Views on the NSW Marine Estate was developed by the Panel and released in July 2014.

The technical paper outlines the key design elements that were integral to developing a robust marine estate community survey, lessons learned and how survey results will feed into marine estate management over time.

The Panel identified a statewide survey as a critical first step for the Panel and Authority to better understand the range of community views about how the NSW marine estate is used and valued. Principle 1 of the Principles Paper outlines the process for 'effective community engagement to identify and prioritise benefits and threats'. A thorough understanding of the key community benefits derived from the NSW marine estate at the local, regional and state level, as well as perceived threats to those benefits is an essential process to support threat and risk assessment.

Projects under development

➤ State wide threat and risk assessment

The Panel and Authority have commenced a statewide threat and risk assessment of the marine estate, informed by the Threat and Risk Assessment Framework.

The purpose of the state-wide threat and risk assessment, as set out in the MEM Act is to:

- identify threats to the environmental, economic and social values of the marine estate
- assess the risks associated with those identified threats
- inform marine estate management decisions by prioritising threats and risks according to the level of impact on the values derived from the marine estate.

The NSW marine estate has multiple uses and associated benefits that contribute to community wellbeing including swimming, fishing, shipping, whale-watching and living on the coast. The statewide threat and risk assessment will consider social, economic and ecological needs as part of the aim to maintain a clean, ecologically healthy bio-diverse marine estate. The assessment will identify the key threats to the multiple uses and benefits of the marine estate and their associated risk level, using a likelihood and consequence approach.

➤ Marine Estate Management Strategy

In 2014 the Panel and Authority continued work on developing a draft 10-year Marine Estate Management Strategy for public exhibition in late-2015.

The NSW Government aims to balance economic growth, use, enjoyment and conservation of the marine estate by setting policy directions, and identifying management priorities and opportunities in the Strategy. The purpose of the Marine Estate Management Strategy as detailed in the MEM Act is to set the over-arching strategy for the State Government to coordinate the management of the marine estate, with a focus on ecologically sustainable management that promotes a biologically diverse, healthy and productive marine estate.

The Panel has assisted in reviewing the project and engagement plans; the proposed Strategy outline and have identified the required inputs including:

- the results of the marine estate community survey and outcomes of engagement with local Councils along the NSW coast
- outcomes of the state-wide threat and risk assessment
- the assessment of management responses to the priority threats and opportunities identified
- community consultation on the draft threat and risk assessment and Strategy documents.

➤ Hawkesbury Shelf marine bioregion assessment

In December 2014 Ministers announced the commencement of a study to assess the greater Sydney marine region. The Hawkesbury Shelf bioregion extends from Newcastle to Wollongong and includes Sydney Harbour, Broken Bay, Botany Bay and Port Hacking.

The Authority and Panel will identify options to enhance marine biodiversity in the Hawkesbury Shelf marine bioregion, while achieving balanced outcomes including opportunities for fishing, boating, education, research, diving and a range of passive uses. The Hawkesbury assessment will apply the NSW Government's new approach to marine estate management by considering environmental, social and economic values and assessing threats and risks to these values in the bioregion.

Appendix 1 – Marine estate Schedule of Works



**Marine Estate
Management Authority**

Marine Estate Schedule of Works

The Marine Estate Management Authority's Schedule of Works outlined below, identifies priority areas of work as part of the new approach to managing the NSW marine estate – marine waters, the coast and estuaries, including our marine parks.

In forming advice for the Minister for Primary Industries and Minister for the Environment, the Authority has direct access to independent expertise across economic, social and ecological sciences through the Marine Estate Expert Knowledge Panel. The Authority is helping NSW departments focus their programs on priority issues and will oversee implementation of appropriate, cost-effective management actions in response to threats and risks.

The Schedule will be updated periodically as work progresses.

Schedule of Works for a new approach to managing the NSW marine estate

| Indicative timing of completion | Initiative | Status as at January 2015 |
|---------------------------------|---|--|
| 2013 | Moratorium provisions in <i>Marine Parks Act 1997</i> amended to allow for changes to zoning including alteration of sanctuary zones | COMPLETED Passed Parliament August 2013 |
| 2013 | The Authority's vision and principles to guide management of the marine estate determined | COMPLETED Principles paper released November 2013 |
| Ongoing | Input provided to NSW planning system reforms related to the marine estate | On-going |
| 2013 | Recreational fishing access on mainland ocean beaches and headlands in marine park sanctuary zones assessed, using a draft threat and risk assessment framework | COMPLETED December 2013 Advice under consideration |
| 2014 | Marine Estate Management Authority's 2013 progress report on implementation of the new approach to managing the NSW marine estate published | COMPLETED Released May 2014 |
| 2014/2015 | Possible ecological, economic and social objectives and indicators for the marine estate in relation to development of marine and estuarine monitoring, evaluation and reporting investigated | In progress |
| Mid 2014 | Vacant positions on marine park advisory committees filled | In progress |
| Mid 2014 | Social research through a state wide survey to capture NSW community views on the marine estate to inform key initiatives undertaken | COMPLETED July 2014 |
| 2014 | Threat and risk assessment framework finalised | In progress |
| 2014 | <i>Marine Estate Management Act 2014</i> finalised | COMPLETED Passed Parliament November 2014 |
| Following commencement of | Regulations to complement the <i>Marine Estate Management Act 2014</i> finalised | In progress |

| | | |
|--|--|-------------|
| Act (2015) | | |
| Following commencement of Act (2015) | Threats and risks to the marine estate assessed | In progress |
| Following endorsement of threat and risk assessment (2015) | Marine Estate Management Strategy developed | In progress |
| Following commencement of Act (2015) and new Regulations | New approach to marine park management and zoning at Batemans Marine Park and Solitary Islands Marine Park to inform management plans developed and piloted. This is to include reviewing zone types, objectives and guidelines for use | Pending |
| 2015 | Marine Estate Management Authority's 2014 progress report on implementation of the new approach to managing the NSW marine estate published | Pending |
| Following endorsement of the Strategy (2015) | Marine and estuarine monitoring, evaluation and reporting program implemented | Pending |
| Mid 2016 | Hawkesbury Shelf marine bioregion project - explore mechanisms to enhance conservation of marine biodiversity in the Hawkesbury Shelf marine bioregion (Newcastle – Sydney – Wollongong). | In Progress |
| Following completion of Hawkesbury bioregion project | Twofold Shelf marine bioregion project - explore mechanisms to enhance conservation of marine biodiversity in the Twofold Shelf marine bioregion (Far South Coast) | Pending |
| Following completion of pilots | Batemans Marine Park and Solitary Islands Marine Park pilots evaluated and timetable for reviewing management and zoning in other marine parks prepared | Pending |

For more information visit: www.marine.nsw.gov.au

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Appendix 2 – Marine Estate Management Authority meeting summaries

Following each Authority meeting a summary is available on the marine estate website, web links are provided below:

- [Authority meeting 7](#), 18 March 2014
- [Authority meeting 8](#), 20 May 2014
- [Authority meeting 9](#), 15 July 2014
- [Authority meeting 10](#), 23 September 2014
- [Authority meeting 11](#), 25 November 2014

Appendix 3 – Summary of 2014 stakeholder engagement

| Date | Stakeholders |
|-----------|--|
| January | Sydney Harbour Strategic Initiatives meeting: <ul style="list-style-type: none"> • Sydney Coastal Councils Group • Greater Sydney Local Land Services • Sydney Institute of Marine Science • Australian Museum • Sydney Water • NSW Trade & Investment • Department of Primary Industries • Office of the NSW Chief Scientist & Engineer • Office of Environment and Heritage • Planning and Infrastructure • Transport for NSW |
| March | Teleconference with coastal Local Land Services representatives Marine Estate Management Bill consultation session: <ul style="list-style-type: none"> • Maritime Advisory Council • Maritime Access and Infrastructure Council • National Parks and Wildlife Advisory Council • Nature Conservation Council of NSW • National Parks Association of NSW • Ministerial Fisheries Advisory Council • Aboriginal Fishing Advisory Council • Advisory Council on Recreational Fishing • Professional Fishermen's Association • Natural Resources Commission • Land and Water Advisory Panel • Local Land Services • Local Government NSW |
| April | Teleconference with coastal Local Land Services representatives |
| June | Teleconference with coastal Local Land Services representatives Letter to all coastal councils seeking input in the development of the Marine Estate Management Strategy |
| July | Teleconference with coastal Local Land Services representatives |
| September | Meeting with Nature Conservation Council of NSW Meeting with National Parks Association of NSW Teleconference with coastal Local Land Services representatives |
| October | Teleconference with coastal Local Land Services representatives Chair of Coastal Local Land Services meeting with MEMA Chair |
| November | International Union for Conservation of Nature (IUCN) World Parks Congress presentation NSW Coastal Conference presentations on marine estate reforms and |

outcomes of the marine estate community survey
Teleconference with Greater Sydney Local Land Services
representatives

December

Meeting with Sydney Harbour Foreshore Authority
NSW Fish Habitat Partnership field trip
Marine estate reforms e-newsletter (Edition 1) for Coastal Councils and
Local Government NSW
Sydney Coastal Councils Group meeting
