

Marine Estate Education Working Group

Terms of Reference

Endorsed by the Marine Estate Steering Committee on 27 February 2023

Background

The NSW Marine Estate Education Strategy (MEES) was developed, as an extension of the NSW Marine Estate Management Strategy (MEMS), to provide direction on the coordination and implementation of education and engagement actions promoting the values of the marine estate, increasing awareness of threats and increasing participation and involvement in marine estate management. The MEMS is the key document behind the NSW Government's commitment to coordinate the management of the marine estate for the ten-year period from 2018 - 2028.

The four objectives of the MEES are:

1. Build awareness knowledge and tools.
2. Promote the wellbeing benefits of the marine estate.
3. Foster informed decisions and responsible behaviours, through respect for the marine estate's natural values and users.
4. Facilitate opportunities for greater participation and involvement in marine estate management.

Action 4.1 of the MEES states, "Establish the Marine Estate Education Working Group (Working Group) with representatives from all agencies and key stakeholder groups".

The MEES also specifies:

- Strong representation from Local Government in the Working Group.
 - The NSW Department of Primary Industry, Fisheries (DPI Fisheries) as the lead agency for the Working Group.
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Purpose

The established Working Group is to use their experience, knowledge, skills and networks in development of advice to be provided to the Marine Estate Education and Stakeholder Liaison Team on how best to implement the MEES for the remainder of the term of the MEMS.

Specifically, the Working Group will provide advice on how best to:

- Support Local Governments with the development and implementation of community education and engagement, specific to marine estate benefits and threats, as outlined in the MEMS.
- Support Local Government develop engagement and education activities outlined in their Coastal Management Programs (CMP).
- Leverage existing and emerging engagement and education programs centred on the marine estate.
- Ensure the avoidance of a duplication of efforts by alerting the group to possible programs, projects or initiatives being undertaken by representative organisations across NSW.
- Develop new marine estate education and engagement programs, to be implemented by representative organisations, where appropriate and mutually-beneficial, that are aligned with MEES objectives for the benefit of NSW communities.

The Marine Estate Education and Stakeholder Liaison Team will use the advice from the Working Group, as and when appropriate, to inform their work.

Membership

Working Group membership will include:

- Chairperson, from the Marine Estate Education and Stakeholder Liaison Team or other MEMS representative.
 - Executive Officer, from the Marine Estate Education and Stakeholder Liaison Team or other MEMS representative.
 - Marine Estate Management Strategy (MEMS) representatives, one from each of the following agencies where resources allow:
 - NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW).
 - NSW Department of Planning Housing & Infrastructure (DPHI).
 - Transport for NSW (TfNSW).
 - NSW Department of Primary Industries – Fisheries (DPI-F).
 - NSW Aboriginal community members x1.
 - MEMS Initiative 4, Sea Country team representative.
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- Local Government, around 4 representatives, maximum one representative from each of the following regions but from at least 4 separate regions at a minimum:
 - **North Coast (Upper)**
(Tweed, Byron, Ballina, Richmond Valley, Clarence Valley Local Government Areas or LGAs).
 - **North Coast (Lower)**
(Coffs Harbour, Bellingen, Nambucca Valley, Kempsey, Port Macquarie-Hastings LGAs).
 - **Hunter**
(Mid-Coast, Port Stephens, Newcastle, and Lake Macquarie LGAs).
 - **Central Coast**
(Central Coast LGA).
 - **Greater Sydney (coastal)**
(Northern Beaches, Willoughby, North Sydney, Woollahra, Inner West, Bayside, Waverly, Randwick, and Sutherland Shire LGAs).
 - **South East Coast (Upper)**
(Wollongong, Shellharbour, Kiama and Shoalhaven LGAs.)
 - **South East Coast (Lower)**
(Eurobodalla and Bega Valley LGAs.)
- Representative from an organisation with an education for sustainability focus such as the Australian Association for Environmental Education or Marine Teachers Association NSW.

DPI Fisheries will provide all committee support and technical support to the Working Group as required.

Appointment of Members

A call for Expression of Interest (EOI) for appointment to the Working Group will be made. EOIs will be assessed by a selection panel comprised of two representatives from the Marine Estate Interagency Communication and Engagement Working Group plus the MEMS Initiative 8 Lead. The selection panel will rank EOIs based on the response to the selection criteria contained in the EOI. They will then use the ranked responses in the member selection process, ensuring a mixture of skills, experience and geographic spread across NSW.

MEMS representative positions are open to staff from the listed agencies that support NSW Local Governments planning/implementing CMPs and have experience, or at least a strong understanding of, the value of environmental sustainability education and engagement.

The Aboriginal community representative positions are open to Aboriginal persons with knowledge and experience of NSW Local Government operation, Sea Country connection and education/engagement.

The Local Government positions are open to Local Government staff that have experience in developing marine estate education or engagement programs plus have experience implementing, or at least a solid understanding of, Local Government CMPs.

In addition to above successful candidates will need to demonstrate they meet the following selection criteria:

- Commitment to being outcome and solution focussed.
- Ability to communicate the general views of their relevant stakeholder sectors.
- Commitment to constructive engagement with State and Local Government.
- Willingness to undertake required tasks, such as reading meeting papers and other preparation, as well as to review and provide information and advice out of session.
- Demonstrated understanding of CMPs and; community education and engagement.
- Sign off on agreement to adhere to these Terms of Reference.

Member appointments will be made for a period of two years in the first instance. Extension of some appointments may be required to cater for staggering of new appointments to ensure continuity of knowledge. Should a member miss two consecutive meetings the Chairperson may vacate that member's position. A replacement member may be nominated and recommended to the Chairperson and the Marine Estate Education and Stakeholder Liaison Team for approval.

Single meeting replacements, from the member's professional network, are acceptable in reasonable circumstances, such as leave, at the Chairperson's discretion.

A register of interest will be created and maintained that will come into play when seeking new/replacement members.

Members must acknowledge in writing their acceptance of these Terms of Reference.

Rules of Procedure

The Working Group will operate under the Marine Estate Education Working Group Rules of Procedure (see below).

Format, frequency and location of meetings

The Working Group will meet as required, primarily online, to meet its purpose as stated in the Terms of Reference. It is proposed the Working Group meets quarterly or as may be needed in between as determined by the Chairperson. Meetings will typically be one hour in length but may contract or expand in time, with appropriate notice given, depending on the agenda.

Remuneration

Working Group members will not be paid a sitting fee. Exception may be provided in the event a sitting fee is requested from an organisation outside of State or Local Government, in which case consideration over approval will be sought in line with departmental arrangements applicable to working groups.

Should the Working Group have to meet face-to-face, approval to cover travel and subsistence expenses incurred by members may be considered. Prior to making meeting arrangements approval must be obtained from the relevant department with the budgetary responsibility.

Executive Officer

The Marine Estate Education and Stakeholder Liaison Team from DPI Fisheries will provide an Executive Officer to coordinate correspondence and meetings. The Executive Officer will work closely with the Chairperson.

Review

The operation and ongoing need for the Working Group and these Terms of Reference may be reviewed on an as-needs basis.

Marine Estate Education Working Group Rules of Procedure

Procedures to be observed in relation to the conduct of the business of the NSW Marine Estate Education Working Group are as follows.

Notice of meeting

Notice of a meeting will be forwarded by the Executive Officer to all members no less than 14 days before a meeting is held. The notice will stipulate:

- Date.
- Time.
- Venue (in most cases it will be an online Microsoft Teams meeting).
- Proposed agenda, seeking confirmation or any additional items proposed by members to be added to the agenda. Any additional items proposed to be included must be per the Terms of Reference for the Working Group and agreed upon by the Chairperson before they will be included.

The final agenda and business papers will be circulated electronically to all members no less than seven days before the meeting. The agenda will include the following items:

- Welcome and apologies.
- Confirmation of the minutes of the previous meeting.
- Action items arising from the previous meeting.
- Business items: the order in which these are dealt with needs to consider items arising from the previous meeting and the possible effect on later agenda items.
- Other business.
- Next meeting - prior to the closing of a meeting, the group will discuss and agree upon the date for the next meeting.

Meeting procedures

A quorum for a Working Group meeting will be a third (33%) of the membership but must include the Chairperson or substitute Chairperson, in the event the Chairperson is unable to attend.

Noting its advisory capacity, any decisions of the Working Group will aim for consensus. Opposing views may be recorded in the minutes upon request by the member, including the reasons for opposition.

In the event of a dispute, where the Working Group cannot reach a decision on a critical matter, the Chairperson may elevate decision making to the Marine Estate Agency Steering Committee (MASC) for their final say.

The Chairperson may request a member/observer leave a meeting if they deem that a conflict of interest exists, to allow confidential discussion by the Working Group on that agenda item.

Working Group members will not discuss confidential business of the Working Group with other persons without the explicit approval of the Chairperson.

At the end of each meeting the Chairperson will clarify the agreed outcomes to ensure all members are clear on the meeting outcomes.

Meeting records

Minutes of Working Group meetings are the official and permanent record of business transacted, and accordingly, must be an accurate and objective account of the proceedings. It is not the intention to record verbatim proceedings – rather, minutes will try to capture the key points of discussions and most importantly, outcomes. As a general rule, minutes should be expressed in plain English.

The minutes of the Working Group will include:

- Date, time and place of the meeting.
- Names of those in attendance, including any observers.
- Apologies.
- Acceptance of the draft minutes of the previous meeting.
- Actions arising record of agenda items.
- A record of the matters discussed at the meeting, including other business.
 - Confidential and/or sensitive information will be clearly marked as such and Working Group members are not to share outside of the Working Group.
- Date and time for the next meeting.
- Time the meeting closed.

The draft minutes will then be circulated to all Working Group members via email, generally within 10 working days of a meeting. The Working Group members who attended the meeting may provide any comments on the draft minutes back to the Executive Officer within 5 working days of the draft minutes having been circulated. The Executive Officer will discuss any comments with the Chairperson, who will authorise a final draft. The revised draft minutes and accompanying action list will be distributed with the agenda for the next meeting for confirmation at that meeting.

If there is disagreement as to the outcome of a matter recorded in the draft minutes, the minutes as drafted by the Executive Officer and cleared by the Chairperson will stand until the next meeting, where the matter will be discussed and resolved by the full Working Group.

The finalised minutes will be saved in the NSW Government's record storage system HPE Content Manager (CM9).

Attendance by observers

Attendance and participation by observers is at the discretion of the Chairperson. Observers should not inhibit or disrupt members from freely contributing to discussions and making recommendations.

The Chairperson may invite people with particular skills, knowledge or expertise to provide input where they deem it consistent with the efficient and effective operation of the Working Group. Generally, this attendance should be limited to a specific agenda item. Persons wishing to attend as observers should make a formal request to the Chairperson at least 7 days prior to a meeting.

Conflict of interest

As the Working Group is an advisory body using the skills and expertise of its members, it is not proposed to incorporate strict rules regarding conflict of interest. However, conflict of interest rules will apply where a member may benefit financially from a matter under discussion. The member should disclose the interest to the Chairperson where such a conflict arises. The details of the disclosure must be recorded in the minutes. In such instances, the Working Group is to be informed of the situation and should decide on the most appropriate course of action.

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