



Meeting	Cape Byron Marine Park Advisory Committee (CBMPAC)		
Meeting #	2020.1	Date	24 April 2020
Location	Teleconference	Time	10:30-12:30
Attendees	<p><u>Members</u> John Gallagher, Basil Cameron, Keith Williams, Serge Killingbeck, Daniel Bucher, Bill Silvester, Alice Livingston</p> <p><u>Alternate Members</u> Cate Coorey, Peter Watts</p> <p><u>Department of Primary Industries (DPI) Fisheries Staff</u> Sarah Fairfull - Director Aquatic Environment, Rodney James - Program Leader Marine Planning, Nicole Strehling - Senior Manager Marine Planning, Matt Dasey - Marine Park Planning, Andrew Page – CBMP Manager, Karen Ellis – CBMP Admin</p>		
Apologies	Teresa Nicholls, Joshua Hayhoe		
Prepared by	DPI		

Previous meeting

Action	Status
<ul style="list-style-type: none"> Appointment of Chair 	<ul style="list-style-type: none"> One nomination for the position of Chair CBMPAC has been received.
<ul style="list-style-type: none"> Bill Silvester to provide GPS marks of a site in the Bay proposed to establish a mooring to cater for scuba divers and snorkelers. 	<ul style="list-style-type: none"> Bill provided GPS marks to MCBMP who has undertaken to examine the site.
<ul style="list-style-type: none"> Request for members to be provided with an update on the future management of Tallow Creek including artificial openings of the creek to the ocean. 	<ul style="list-style-type: none"> Update on the future management of Tallow Creek will be provided to members at the next meeting of the committee.

This meeting

<p>Agenda Item 1 – Welcome</p> <ul style="list-style-type: none"> Andrew Page, Manager Cape Byron Marine Park (MCBMP) welcomed members and alternate members and provided an Acknowledgement of Country.
<p>Agenda Item 2 – Meeting Overview & agency participant introductions</p> <ul style="list-style-type: none"> MCBMP introduced DPI Fisheries staff attendees
<p>Agenda Item 3 – Member & Alternate Member Introductions</p> <ul style="list-style-type: none"> All members and alternate members provided a brief self-introduction.

Agenda Item 4 – Marine park overview and team

- MCBMP provided a brief overview of CBMP staff and assets, including; vessels, vehicles, public moorings, zone markers and signage

Agenda Item 5 - Overview of MPAC Handbook

The committee received a briefing from Nicole Strehling - Senior Manager Marine Planning (SMMP) summarising the role and operation of marine park advisory committees:

- The handbook was reviewed and updated in 2019 to support more effective operation of MPACs. The primary role of MPACs is to provide a voice for local communities in the management of the NSW marine estate and local marine parks.
- MPACs are non-statutory, advisory and voluntary. They are made up of members who provide advice based on their expertise, rather than representatives of constituents.
- MPAC members are eligible to claim certain meeting expenses as outlined in the Handbook.
- MPACs are advisory and do not have decision making authority with respect to the exercise of authority by the relevant Ministers
- Alternate members have also been appointed and can act in the place of a standing member who is unable to attend a meeting.
- Members were encouraged to familiarise themselves with the Handbook including the Code-of-Conduct, and pay particular attention to the conflict of interest, public comment and confidentiality provisions.
- Committee membership details and more information can be viewed on the marine estate web site by following the links at <https://www.marine.nsw.gov.au/advisory-bodies/marine-park-advisory-committees>.
- Further questions should be directed to the marine park manager in the first instance.
- More detailed information is available in the attached summary or in the Marine Park Advisory Committee (MPAC) Handbook at https://www.marine.nsw.gov.au/_data/assets/pdf_file/0005/1154804/Marine-Park-Advisory-Committee-Handbook-August-2019.pdf.

Agenda Item 6 - Recommendation of Chair

- MCBMP advised that the appointment of a chair for the CBMPAC was discussed at the first meeting of the then newly appointed committee in December 2018 and members were invited to nominate for the position.
- A single nomination from Dr Danny Bucher was received in in October 2019. Members were asked if they supported progressing this matter and voting on a recommendation from the Committee to go to the Marine Estate Agency Steering Committee at this meeting or wait until the opportunity for a face-to-face meeting to vote. All members agreed to recommend to the Marine Estate Agency Steering Committee (MASC) that Danny Bucher be appointed to the position of Chair of the CBMPAC.
- If the nomination is supported by MASC, the members requested that they be provided with Dr Bucher's phone/email contact details to which Dr Bucher agreed.

ACTION:

20.01 – MBMP to send recommendation form the committee to the Marine Estate Agency Steering Committee for approval.

Agenda Item 7 - Marine Estate Reform Overview

Sarah Fairfull, Director Aquatic Environment (DAE) provided a summary of the background and current state of the NSW marine estate reforms:

- The reforms commenced in 2011 following an independent scientific audit of marine parks. The audit made two key recommendations – to bring the management of the entire marine estate under one legislative and administrative structure aligned with catchment management, and to ensure the science is overseen by an independent expert knowledge panel with social, ecological and economic expertise.
- The 2013 NSW Government response to the audit agreed that the marine estate should be managed as one continuous system, that there should be a greater focus on Aboriginal involvement, and that there should be a stronger focus on integrating social, economic, cultural and environmental outcomes.
- The Marine Park Authority was abolished and replaced with a new Marine Estate Management Authority. An independent Marine Estate Expert Knowledge Panel was also established.
- The Marine Estate Management Act commenced in 2014 to implement these reforms.
- Two Ministers are tasked with responsibility for the reforms – currently the Minister for Agriculture and Western NSW (Adam Marshall) and the Minister for Energy and Environment (Matt Kean). The Marine Estate Management Authority has completed several key projects to implement the reforms. Three of the main projects relevant to marine park management reforms are:

Marine Estate Community Survey 2014

- Surveyed over 1,700 people statewide to identify the values they derive from the marine estate, their perceived threats to those values and opportunities to address these threats and improve management.
- The survey found that the health of the marine estate – good water quality, diverse and healthy habitats and diverse and abundant marine life – are core values that underpin social, cultural and economic values we derive from the marine estate. It also found that the health of the marine estate is intrinsically linked to the cultural health and wellbeing of Aboriginal people.
- Pollution and habitat degradation were found to be the greatest threats to these core values.

Marine Estate Threat and Risk Assessment 2017 (TARA)

- The TARA identified and prioritised the greatest threats to the community values of the marine estate. This reaffirmed that the greatest threats are pollution, clearing of habitats, estuary entrance modifications, changes to flows, climate change amongst others.

Marine Estate Management Strategy 2018-2028

- The [Marine Estate Management Strategy](#) sets the over-arching strategy for the State government to coordinate the management of the marine estate and includes nine initiatives addressing water quality, coastal habitat management, climate change, threatened species recovery, Aboriginal involvement in Sea Country, sustainable fishing, aquaculture and boating, enhancing social, cultural and economic benefits and delivering effective governance.
- The NSW Government has committed \$45.7 M of funding for the first two years implementation of the Strategy.
- Over 70% of the funding has been targeted to date at addressing water quality and coastal habitats statewide. Eight Aboriginal staff are delivering positive projects to engage Aboriginal people in Sea Country management.
- More information is available at www.marine.nsw.gov.au. Information that is particularly relevant to marine park planning will be provided in the document 'Marine Park Advisory Committee Background Material' that will be forwarded to the committee for their information.

General discussion on points from the presentation.

- Keith asked whether there would be additional funding of the MEM Strategy beyond June this year? DAE replied that a proposal for continued funding of the Strategy was currently being considered by the NSW Government and members will be informed when a decision is made.
- Bill asked whether anything was being done to mitigate the possible impacts of new developments on the water quality of receiving waters? DAE replied that under the MEM Strategy the Environment, Energy

and Science Group of the Department of Planning, Industry and Environment are working with local government authorities to build in a risk-based framework that includes establishing community values and objectives for water quality within land use planning and development control plans. DAE also advised that marine estate agencies, including DPI Fisheries, have legislative responsibilities to ensure developments do not impact on water quality and aquatic habitats.

- Cate asked whether DPI Fisheries staff have a role in commenting on developments adjacent to marine parks. MCBMP explained that under the provisions of the *Marine Estate Management Act* a consent authority must take into consideration the objects of the Act and any advice given to it by the relevant Ministers about the impact on the marine park or aquatic reserve of development in the locality. Keith cited an example where CBMP staff had provided comments to Ballina Shire Council about the siting of lighting on a coastal toilet block so that light didn't spill onto the beach and impact on marine life.
- The DAE closed discussion on the agenda item by offering members of the MEM Strategy team to join a future CBMPAC meeting and left the meeting at 12:00.

Agenda Item 8 - Introduction and update on marine park planning process to date

Dr Rodney James, Program Leader Marine Planning (PLMP) provided the following overview of the marine park planning process to date:

- DPI has been asked to prepare a draft marine park management plan by around the middle of 2020, with Batemans and Port Stephens—Great Lakes marine parks being priorities.
- The draft management plan will guide management of the marine park over 10 years and will set out actions and programs at a broad level.
- Further detailed work will follow to implement any changes to marine park management rules, including spatial management or zones.
- The MPACs advice will be sought in both development of the draft management plan, and any changes to management rules or zones as a result of the management plan.
- The aim is to complete the management rules process by around the end of 2020.
- So far, developing draft management plans for NSW marine parks has included:
 - developing the management planning process with input from the Marine Estate Expert Knowledge Panel
 - piloting the process at BMP, including:
 - a series of workshops on park values and threats in 2018 involving the former BMPAC, Aboriginal communities, State agencies and local councils
 - development of draft management objectives with the former BMPAC
 - a survey of the community and visitors in late 2019
- Building on the work at BMP to pilot a streamlined process at Port Stephens—Great Lakes Marine Park, including three workshops with outgoing marine park advisory committee members and new nominees, State agencies and local councils in October 2019.
- Four reports summarising this Batemans and Port Stephens-Great Lakes work will soon be published on the marine estate web site for the information of committee members.

Agenda Item 9 - Marine park planning between now and June 30 – key tasks and time frames

The committee received a briefing from Nicole Strehling, Senior Manager Marine Planning (SMMP) on the next steps on the marine park management planning process as summarised below:

- Development of new marine park management plans will use a new approach that focuses on conserving all marine park values – social, cultural, economic and environmental, and managing key threats to those values.
- To conserve all values and manage priority threats to those values, the process is broader than just zoning. All actions to address threats must be considered including research, education, permitting, on-ground rehabilitation, infrastructure, compliance, policy etc.
- Section 48 of the *Marine Estate Management Act 2014* sets out the process that must be followed to develop new marine park management plans:
 - state the environmental, economic and social values to be conserved by the marine park,
 - identify threats to those values,
 - state the management objectives of the marine park in relation to those values and threats,
 - specify actions to achieve those management objectives, based on a consideration of risks, and
 - set out the programs to be implemented for managing the marine park or aquatic reserve
- Work has already started on this process for Batemans and Port Stephens-Great Lakes Marine Parks. The task is now to build on that work and undertake the process for each marine park.
- COVID-19 restrictions will make the process more challenging, but DPI will aim to work through the process as efficiently as possible and have a draft management plan prepared by the middle of the year.
- This is a two-stage process. The management plan will map out recommended management actions to conserve values and manage threats. Some of those actions may include zoning, permit requirements or other regulation. Others may not involve regulation – for example research or education.
- The regulatory actions from the management plan will be applied in legislation through new management rules. The process that is starting now is the management plan, and the process to develop the detail of management rules will follow the planning process.
- The legislation requires a minimum of a two-month community consultation period for the draft management plan, and a two-month community consultation period for draft management rules. The MPACs advice will be sought in planning that consultation to ensure the community has the best opportunity to comment and provide input.
- The MPAC Handbook notes that more frequent meetings may be required when a draft management plan is being developed.
- Members agreed to meet in early May and June to progress work on the management planning process. Members agreed to receive information out of session for their review and further discussion at the May meeting
- The Batemans pilot workshops noted the need for consistency across NSW marine parks where appropriate. Some issues are unique to local areas and require a local solution, but there are others that may be common and may benefit from a consistent approach across all marine parks.
- Marine park planning discussions are progressing with all five mainland marine parks. It is hoped that it will be helpful to share and build on ideas from other parks as the process proceeds.
- Suggestions for improving the process are welcome. The committee agreed that issues with the process will be identified and solutions negotiated as they arise, particularly around any COVID-19 challenges.

ACTION:

20.02 – MCBMP to receive the values document along with a background document from SMMP and distribute to CBMPAC.

Agenda Item 10 - Other business & next meeting date

- MCBMP responded to questions concerning the attendance of observers at committee meetings by stating that as per details in the MPAC Handbook, requests from any community member or stakeholder group to attend a committee meeting as an observer will be at the discretion of the committee.
- John enquired about the handbook – MCBMP indicated that a link to the handbook would be provided in the minutes (see Agenda Item 5).
- Meeting attendees agreed to John's suggestion to share the contact details of members and alternate members amongst themselves.
- Peter requested to be added to correspondence – MCBMP agreed that alternate members would now be included in all CBMPAC correspondence.
- Bill enquired about the status of his proposal for an additional mooring in the Bay for scuba divers. MCBMP thanked Bill for the provision of the GPS points of the site and indicated that CBMP staff would inspect the site in the very near future.
- Several members suggested that it would be preferable if the next meeting of the CBMPAC could include video conferencing capabilities. SMMP informed attendees that the Jervis Bay Marine Park Advisory Committee was trialling the use of 'Zoom' for their committee meeting being held later that day and indicated that the next meeting of the CBMPAC would probably include video and teleconferencing capabilities.

Next meeting

- SMMP explained the need for the next meeting of the CBMPAC to be held next month (May - specific time and date TBA).

ACTION:

20.03 – MCBMP to circulate the contact details of members and alternate members of CBMPAC to all members and alternate members of CBMPAC when sending out the minutes of today's meeting.

Meeting closed at 12:30