

A new approach to managing the NSW marine estate

FAQs 1 – Marine Estate Management Authority

March 2013

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.

More information

More information is available at www.marine.nsw.gov.au

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