

Marine Estate Governance Manual



A manual for the governance of the Marine Estate Management Authority and the Marine Estate Expert Knowledge Panel

June 2025



Acknowledgement of Country

The Marine Estate Management Strategy acknowledges the Traditional Owners and Custodians of the land on which we live and work, and pays respect to Elders past, present and emerging.

Aboriginal people hold deep cultural and spiritual connections to the land and sea. They have cared for Land and Sea Country for thousands of years, passing on their knowledge and tradition to each new generation. We seek to work collaboratively with Aboriginal people to maintain their social, cultural, economic and spiritual connections to the marine estate, now and into the future.

Published by the Marine Estate Secretariat

Title: [Marine Estate Governance Manual](#)

Subtitle: A manual for the governance of the Marine Estate Management Authority and the Marine Estate Expert Knowledge Panel

First published: 30 September 2025

ISBN/ISSN: 978-1-76058-955-4

Department reference number: PUB25/169

Acknowledgements

The Authority acknowledges Ministers, government agencies, organisations and individual whose support, collaboration and input has made our work possible. Key contributors include: Marine Estate Expert Knowledge Panel, Officers from the following agencies in preparing this report: Department of Climate Change, Energy, the Environment and Water, Department of Planning Housing and Infrastructure, Department of Primary Industries and Regional Development and Transport for NSW.

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Purpose of the Marine Estate Governance Manual

This manual sets out the protocols and procedures through which the governance structures of the marine estate deliver their functions in marine estate management.

This manual is intended to serve as both an induction manual for new members of the Marine Estate Management Authority (Authority), the Marine Estate Expert Knowledge Panel (Knowledge Panel) and an ongoing reference regarding the governance and procedures of those bodies. This manual also clarifies the relationships between:

- Relevant Ministers
- Marine Estate management Authority (the Authority)
- Marine Estate Expert Knowledge Panel (Knowledge Panel)
- Marine Estate Agency Steering Committee (MASC)
- Working Groups
- Programs relating to the management of the marine estate.

The protocols and procedures in this manual are designed to support effective, efficient and informed decision making at every level of governance to advise and support the joint Ministers for the marine estate.

About the New South Wales marine estate

The marine estate is one of the most significant natural resources in NSW. It includes around one million hectares of estuary and ocean, with more than 1,750 kilometres of ocean coastline out to three nautical miles off the coast, 6,500 kilometres of estuarine and coastal lakes foreshores, 826 beaches, 44 offshore islands, and 185 estuaries and coastal lakes (Figure 1). The definition of marine estate under the Marine Estate Management Act is in Box 1.

Box 1 Part 1 Section 6 - *Marine Estate Management Act 2014* . Definition of the marine estate

The ***marine estate*** means the following –

- (a) the coastal waters of the State within the meaning of Part 10 of the *Interpretation Act 1987*,
 - (b) estuaries (being any part of a river whose level is periodically or intermittently affected by coastal tides) up to the highest astronomical tide,
 - (c) lakes, lagoons and other partially enclosed bodies of water that are permanently, periodically or intermittently open to the sea,
 - (d) coastal wetlands (including saltmarsh, mangroves and seagrass),
 - (e) lands immediately adjacent to, or in the immediate proximity of, the coastal waters of the State that are subject to oceanic processes (including beaches, dunes, headlands and rock platforms),
 - (f) any other place or thing declared by the regulations to be the marine estate,
- but does not include any place or thing declared by the regulations not to be the marine estate.

Over six million people live within 50 kilometres of the NSW coastline, including the people of eleven coastal Aboriginal nations who are intimately connected to their Land and Sea Country.

The NSW community derives ecological, economic, cultural and social benefits from the marine estate, which are underpinned by good water quality, healthy habitats and diverse and abundant marine life. It offers the opportunity for activities such as diving, swimming, boating and fishing, and it provides a livelihood for many, such as commercial fishing and tourism businesses. Millions of domestic and international visitors enjoy the marine estate, generating billions of dollars each year for NSW and the Australian economy. It is also intrinsically linked to the health and wellbeing of the people of NSW in particular Aboriginal people who have cared for Sea Country for millions of years.

Marine protected areas are parts of the NSW marine estate managed to conserve marine biodiversity and support marine science, recreation and education. They make up over 30% of the area of the NSW marine estate. The NSW marine protected area system includes 6 marine parks, 12 aquatic reserves and marine and estuarine habitats within national parks and nature reserves.

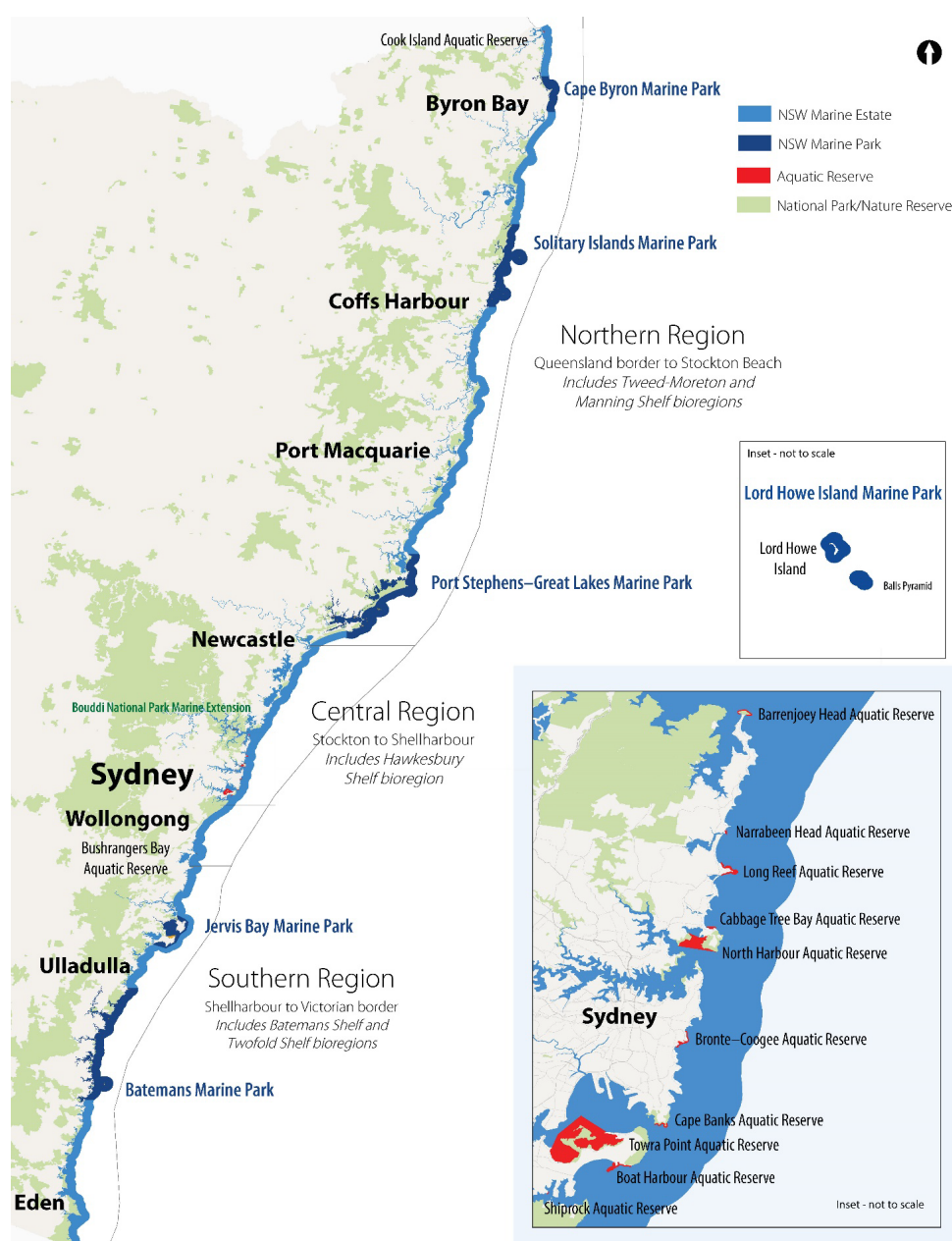


Figure 1 NSW marine estate

Governance of the NSW marine estate

The Marine Estate Management Authority advises the NSW Government on the management of the NSW marine estate. The Authority brings together the heads of the NSW Government agencies with key marine estate responsibilities. The marine estate organisational chart is at figure 2.

The Authority is supported by the independent Marine Estate Expert Knowledge Panel which provides independent expert advice spanning ecological, economic and social sciences. In 2020 an Aboriginal expert was also included on the Knowledge Panel.

There are six marine parks advisory committees, one for each marine park in NSW. These committees provide a voice for local communities to contribute to the management of the State's marine estate and their local marine park. They engage with local residents and stakeholders, provide a forum for local communities to raise issues and provide valuable feedback to government.

Legislative context

The Marine Estate Management Act 2014 Act (the Act) provides for strategic and integrated management of the whole marine estate – our marine waters, coasts and estuaries. The objects of the Act are at Box 2.

Objects of the Act

Box 2 Part 1 Section 3 - Marine Estate Management Act 2014 . Object of the Act

The objects of this Act are as follows —

- (a) to provide for the management of the marine estate of New South Wales consistent with the principles of ecologically sustainable development in a manner that —
 - (i) promotes a biologically diverse, healthy and productive marine estate, and
 - (ii) facilitates —
 - economic opportunities for the people of New South Wales, including opportunities for regional communities, and
 - the cultural, social and recreational use of the marine estate, and
 - the maintenance of ecosystem integrity, and
 - the use of the marine estate for scientific research and education,
- (b) to promote the co-ordination of the exercise, by public authorities, of functions in relation to the marine estate,
- (c) to provide for the declaration and management of a comprehensive system of marine parks and aquatic reserves.

Functions of the Marine Estate Management Authority

The Marine Estate Management Authority (the Authority) is established under section 7 of the Marine Estate Management Act 2014. The functions of the Authority are at Box 3.

Box 3 Part 2 Section 8 - Marine Estate Management Act 2014 . Functions of the Authority

- (1) The Authority has the functions that are conferred or imposed on it by or under this or any other Act.
- (2) In particular, the Authority has the following functions —
 - (a) to advise the relevant Ministers on the management of the marine estate and in relation to any matter referred to it by the relevant Ministers,
 - (b) to undertake assessments of threats and risks to the marine estate,
 - (c) to prepare a draft marine estate management strategy for submission to the relevant Ministers in consultation with the relevant public service agencies,
 - (d) without limiting paragraph (a), to advise the relevant Ministers on the implementation of the marine estate management strategy by public authorities,
 - (e) to promote collaboration and co-ordination between public authorities in their exercise of functions relating to the management of the marine estate,
 - (f) to foster consultation with the community in relation to the management of the marine estate and the preparation of the marine estate management strategy.

Functions of the Marine Estate Expert Knowledge Panel

The NSW Government established an independent advisory body, the Marine Estate Knowledge Panel (Knowledge Panel) in 2013 under section 9 of the Marine Estate Management Act, 2014. The establishment of the Knowledge Panel is at Box 4.

Box 4 Part 2 Section 9 - Marine Estate Management Act 2014 . Establishment of the Knowledge Panel

- (1) The relevant Ministers may establish a Marine Estate Expert Knowledge Panel.
- (2) The Marine Estate Expert Knowledge Panel may provide advice to the Authority on any matter referred to it by the Authority.
- (3) The regulations may make provision for the constitution and procedures of the Marine Estate Expert Knowledge Panel. However, in establishing any such Panel, the relevant Ministers must seek to include on the Panel persons with expertise in the fields of the ecological, economic or social sciences.¹
- (4) The Marine Estate Expert Knowledge Panel is not subject to the control and direction of the relevant Ministers or the Authority in respect of any advice it provides to the Authority.

¹ Ministers for the marine estate endorsed the inclusion of an additional member on MEEKP with Aboriginal expertise in Sea Country management in 2020 and a second ecological expert approved in 2021 to provide additional ecological expertise in coastal and marine biological science.

Representation on marine estate bodies

The Authority advises the NSW Government on the management of the NSW marine estate. The Ministers jointly responsible for the marine estate management are the Minister for the Environment and Minister for Agriculture. The organisational chart for the marine estate is at Figure 2 with a more detailed organisation chart that shows the programs and projects at Figure 3. How the functions of each layer of governance relate to each other is outlined in Figure 4.

Marine Estate Management Authority

The Authority advises the NSW Government on the management of the marine estate consistent with the functions and the objects of the *Marine Estate Management Act 2014*. Key functions include undertaking threat and risk assessments, development of the marine estate management strategy, promoting collaboration and coordination between public authorities in their exercise of functions, and fostering consultation with the community in relation to the management of the marine estate.

Authority Membership

The Authority and Knowledge Panel chairs are appointed by Cabinet. Agency representatives fill the required role or are appointed deputies. The membership of the Authority is at Box 5.

Box 5 Part 7 (2) *Marine Estate Management Act 2014*. Membership of the Authority

The Authority consists of —

- (a) a person appointed by the relevant Ministers who is to be the Chairperson of the Authority, and
- (b) the Secretary of Regional NSW, and
- (c) a Public Service senior executive principally involved in the administration of the *Biodiversity Conservation Act 2016* and who is designated by the Secretary of the Department of Planning, Industry and Environment, and
- (d) a Public Service senior executive principally involved in the administration of the *Environmental Planning and Assessment Act 1979* and who is designated by the Secretary of the Department of Planning, Industry and Environment, and
- (e) the Secretary of the Department of Transport, and
- (f) a person appointed by the relevant Ministers to chair the Marine Estate Expert Knowledge Panel (if the Panel has been established).

Marine Estate Expert Knowledge Panel

The Knowledge Panel provides independent expert advice to the Authority on matters referred to it by the Authority including ecological, economic, cultural and social considerations.

Panel membership

Panel members are appointed by Cabinet. The minimum membership is:

- Independent chair, Knowledge Panel (Ministerial appointment).
- Person with expertise in the field of the ecological sciences

- Person with expertise in the field of the economic sciences.
- Person with expertise in the field of the social sciences.
- An Aboriginal person with expertise in Sea Country Management.²

There is no limit to the number of members.

Knowledge Panel members do not have deputies. The Knowledge Panel may arrange for expertise to be acquired on specific issues; these experts are not panel members.

Marine Estate Agency Steering Committee

The Marine Estate Agency Steering Committee (MASC) was established in 2014 to provide guidance to cross agency marine estate program leaders and support interagency working groups in the delivery of priority marine estate projects and management of risks. MASC is not a statutory committee. MASC includes senior officers from each Authority member agency and meets as needed (currently fortnightly). MASC, in consultation with the Chair of the Authority and the Knowledge Panel, assists with the scoping and approval of Authority and Knowledge Panel agenda items and associated papers.

MASC membership

Core members

- Director responsible for marine estate management, DPIRD Fisheries.
- Director responsible for marine estate management and marine policy, DCCEEW.
- Director responsible for environmental policy, DPHI
- Director responsible for maritime safety and sustainability, Transport for NSW

Any director from an agency with carriage of a marine estate program or a project within the Strategy may join MASC to have their item considered by MASC. This can include Marine Integrated Monitoring Program (MIMP) directors, marine park planning directors, directors responsible for marine estate communication or other directors with marine estate projects.

MIMP Operational Advisory Group

MIMP has an operational advisory group (OAG) with DPIRD and DCCEEW as core members and Transport for NSW and DPHI invited for strategic items such as workplan. Meetings occur monthly to support MIMP operations through strengthened line management. The MIMP OAG is chaired by the Research Leader Fisheries Evaluation, it determines key MIMP operational priorities. The MIMP OAG may request support from MEMA agency technical experts as needed.

Working Groups

Working Groups provide expert input and advice on a specific body of work and should be time limited. Working Groups are established as needed with the membership of Working Groups determined by MASC agencies and may change from time to time.

² In 2020, the joint Ministers approved an additional Aboriginal person with expertise in the field of the Sea Country management to be a member of the panel.

Marine estate governance framework

The marine estate organisational chart (Figure 2) shows how the Authority relates to the other governance bodies.

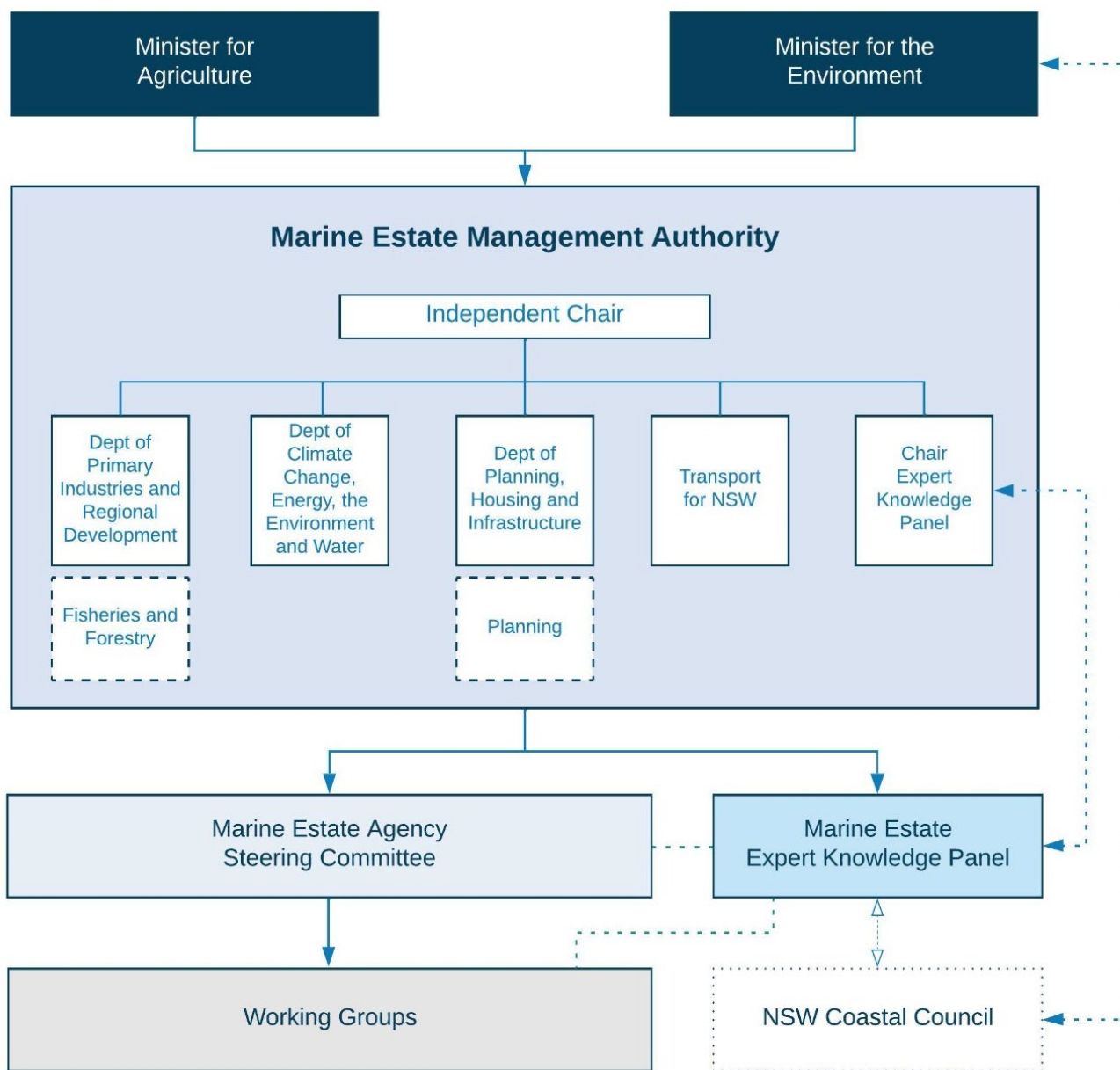


Figure 2 Marine Estate organisational chart

Other agencies and partners involved in the management of the marine estate.

Responsible agencies

The Authority brings together the heads of the four NSW Government agencies with key marine estate responsibilities.

These four agencies have a key role in the Authority and the development and implementation of the Marine Estate Management Strategy (strategy) as well as a wide range of responsibilities that relate specifically to the marine estate more broadly, including:

NSW Department of Primary Industries and Regional Development (DPIRD) is responsible for fisheries and aquaculture management, conservation of biodiversity and protection of threatened species for fish and aquatic vegetation, support the joint Ministers in the declaration of marine protected areas and preparation of management rules with DCCEEW, management of marine protected areas and aquatic reserves, biosecurity, marine estate and fisheries research, compliance with fisheries, marine parks and aquatic reserve regulations, marine estate communications and stakeholder engagement, and working with landholders to protect and rehabilitate waterways.

Department of Climate Change, Energy, the Environment and Water (DCCEEW) is responsible for conservation of biodiversity at bioregional and State scales, conservation of biodiversity and protection of threatened species for marine mammals, birds, and reptiles, support the joint Ministers in the declaration of marine protected areas and preparation of management rules with DPIRD management, and operation of the national park system, protecting and managing estuaries, driving climate action, science and innovation so we are ready for the future.

Department of Planning, Housing and Infrastructure is responsible for the state's land use planning system and delivering state significant developments and infrastructure.

Transport for NSW is responsible for strategic maritime policy, including safety, sustainability, access and infrastructure matters as well as maritime safety regulation and on-water compliance activities.

Other agencies and partners with responsibilities in relation to the delivery of the Marine Estate Management Strategy and marine estate are:

- Local Land Services work with landholders to help protect and rehabilitate waterways, wetlands and riverbank vegetation.
- DCCEEW Water is responsible for surface and groundwater management including ensuring water security for NSW.
- Natural Resources Access Regulator is an independent and transparent water regulator with responsibility for the compliance and enforcement of water laws in NSW.
- NSW Environment Protection Authority partners with business, government and the community to reduce pollution and waste, protect human health, and prevent degradation of the environment.
- Heritage NSW protects and manages Aboriginal cultural heritage and maritime heritage.
- Crown Lands is responsible for managing Crown land within the NSW marine estate, this includes the bed of many of the state's waterways and estuaries, public foreshores and beach reserves.

Related agencies and partners

There are other agencies and partners that do not have a formal role in delivery of the strategy but do exercise functions in relation to the marine estate. This includes units within the four core agencies whose functions affect the marine estate such as NSW Maritimes, as well as other agencies such as water authorities, state owned corporations, Destination NSW and port authorities and corporations.

Local councils along the NSW coast have a key role in planning, delivering a range of services to coastal communities, and developing and implementing Coastal Management Programs.

Strategic intent of the marine estate bodies

To enable the Authority to meet its functions it has approved a logical sequence of strategic information that forms the basis of how it will operate.

Vision for the marine estate

‘A healthy coast and sea, managed for the greatest well-being of the community, now and into the future. ‘

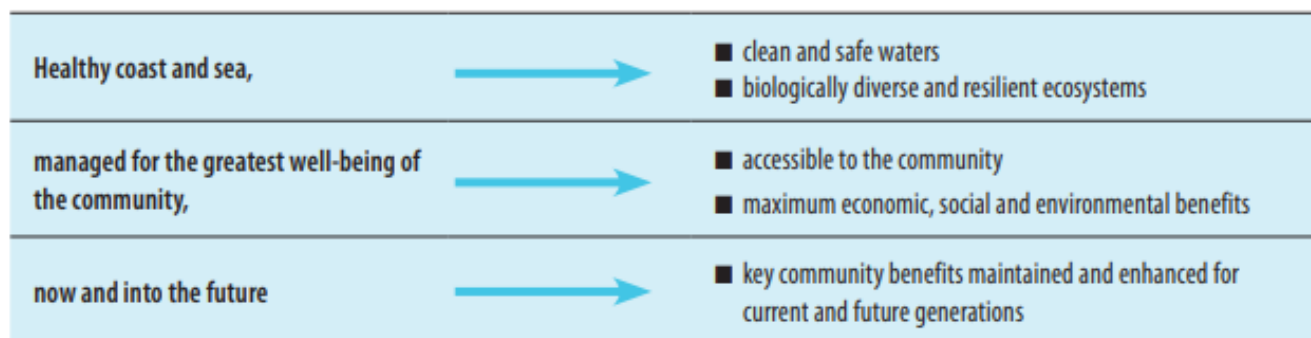


Figure 3 Vision of the Authority

Role of the Marine Estate Management Authority

The Authority's role is to ensure that policies and programs:

- address priority issues
- are well-coordinated
- are efficient
- are evidence based, and
- result in positive outcomes

Role of the Marine Estate Expert Knowledge Panel

The role of the Knowledge Panel is to:

- provide independent expert advice, as requested by the Authority, on the policies and programs that influence the management of the NSW marine estate
- provide advice that may encompass strategic, operational, scientific and technical advice spanning ecological, economic, cultural and social science disciplines, including coastal land use planning
- engage and utilise additional specialist expertise as required for specific tasks
- draw on Authority member agencies knowledge and skills as appropriate
- support reviews by the Authority, as required, of Knowledge Panel effectiveness and performance, to be reported on to Ministers and publicly.

Principles

The Authority established a set of underpinning principles for managing the NSW marine estate. The Authority will formulate advice regarding the management of the marine estate and associated

priority setting using the principles. In establishing these principles, NSW partner agencies also recognise that the estate cannot be managed in isolation from consideration of pressures from neighbouring coastal lands and Commonwealth waters.

Five step decision making process

Decisions on the management of the marine estate will be informed by applying a holistic, evidence based 5-step decision-making approach into NSW Government policies and programs.

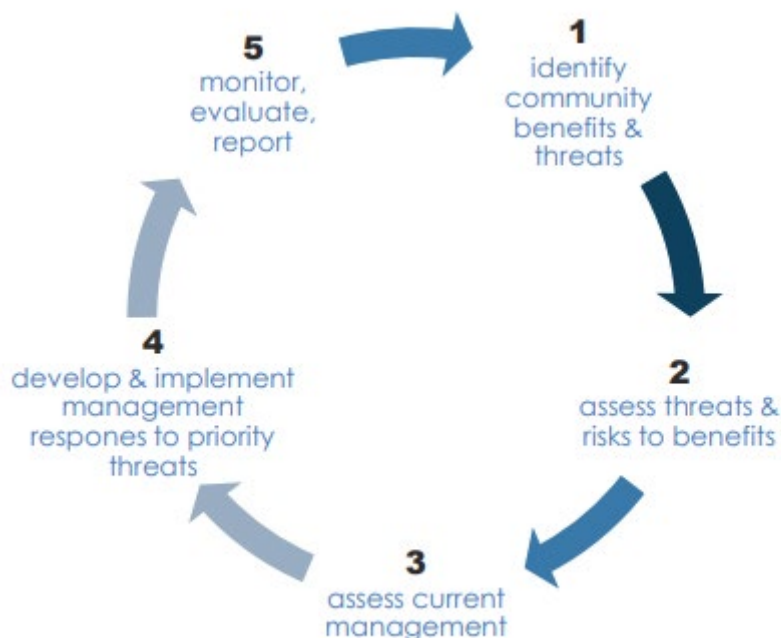


Figure 4 Five step decision making process

Schedule of Works

The Authority's Schedule of Works (SoW) identifies the priority areas of work and the programs to be overseen and driven by the Authority, Knowledge Panel and MASC. The SoW is based on the legislative requirements of the *Marine Estate Management Act 2014*.

The Schedule of Works is updated from time to time and is available publicly on the marine estate website and reported on in the Authority's annual report.

Programs

The priority areas of work are identified as programs. The responsibility to oversee the implementation of the programs is vested largely in MASC.

Marine Estate Management Strategy

The NSW Marine Estate Management Strategy 2018 - 2028 (PDF, 12612.84 KB) outlines how to protect and enhance our waterways, coastline and estuaries. It is based on the statewide threat and risk assessment of 2017 and addresses statewide priority threats.

The Strategy delivers outcomes through up to 100 projects aligned to 54 management actions and nine management initiatives:

1. Improving water quality and reducing litter

2. Delivering healthy coastal habitats with sustainable use and development
3. Planning for climate change
4. Protecting the Aboriginal cultural values of the marine estate
5. Reducing impacts on threatened and protected species
6. Ensuring sustainable fishing and aquaculture
7. Enabling safe and sustainable boating
8. Enhancing social, cultural and economic benefits
9. Delivering effective governance

Marine Integrated Monitoring Program

The Marine Integrated Monitoring Program (Monitoring Program or MIMP) guides monitoring, evaluation and reporting activities over the life of the Marine Estate Management Strategy (Strategy) and has three key purposes:

- monitor the condition and trend of environmental assets and how the community benefits from the marine estate
- evaluate the effectiveness of the Strategy in reducing priority threats and risks i.e by achieving outcomes
- research to fill key knowledge gaps identified in the Statewide Threat and Risk Assessment.

Marine parks and aquatic reserves planning program

The Minister for Environment and Minister for Agriculture are jointly responsible for the management of marine protected areas.

The Marine Planning Program in DPIRD leads the preparation, implementation and review of management plans and management rules for marine parks and aquatic reserves, coordinates input into major projects, develops operational policy and has a key role in administering marine parks and aquatic reserves legislation in the *Marine Estate Management Act 2014* and regulations.

Marine protected areas are parts of the NSW marine estate managed to conserve marine biodiversity and support marine science, recreation and education. There is a network of 6 marine parks and 12 aquatic reserves in NSW. Cape Byron, Solitary Islands, Port Stephens-Great Lakes, Jervis Bay and Batemans marine parks are situated along the mainland coast of NSW and there is a marine park at Lord Howe Island. Ten aquatic reserves are in the Sydney region, one is located off Tweed Heads and one near Shellharbour.

Multiple use marine parks and aquatic reserves primarily aim to conserve marine biodiversity and maintain ecosystem integrity and ecosystem function of the NSW marine estate, while providing for many other activities, such as diving, boating, fishing and tourism.

Marine parks provide a platform to showcase our distinctive sea life and iconic natural features. Marine parks also provide opportunities for scientists, students and educators to improve our understanding of the marine estate.

Networks of marine protected areas also occur in other States and in Commonwealth waters, with several adjoining NSW marine parks. DPIRD undertakes the day-to-day management of marine parks and aquatic reserves.

Other programs

The Schedule of Works also contains discrete programs to meet legislative requirements or have significant meaning to the management of the marine estate. Previous programs have included community surveys, marine legislation reviews, Hawkesbury Shelf marine bioregion assessment, oceans and beaches headlands assessment and Sydney Harbour.

Threat and risk assessment for the NSW marine estate

The Authority is required under Section 8 (2)(b) of the *Marine Estate Management Act 2014* to undertake assessments of threats and risks to the marine estate. The Authority completed an evidence-based threat and risk assessment for the NSW marine estate (statewide TARA) in 2017.

The [NSW Marine Estate Threat and Risk Assessment Threat and Risk Assessment Final Report \(PDF, 5144.96 KB\)](#) is a key input to the [Marine Estate Management Strategy](#) and is a requirement of the *Marine Estate Management Act 2014*. The statewide TARA has enabled us to focus management on reducing the most important threats and associated risks in NSW to maximise the environmental, social, cultural and economic benefits we all derive from the marine estate.

Protocols and procedures for the Marine Estate Management Authority and Marine Estate Expert Knowledge Panel

Schedule 1 of the Act sets out the constitution and procedures of the Authority. Once those requirements are met, both The Authority and the Knowledge Panel must comply with the NSW Government Boards and Committees Guidelines. The Authority can set out the meeting and paper distribution procedures and roles of members that suit the day-to-day business.

The Marine Estate Management Authority Chair's role

The Authority Chair is independent and should have an appropriate mix of skills and experience to lead and direct the activities of the Authority and facilitate discussion across agencies to drive a collaborative approach to the management of the marine estate.

The role of the Authority Chair is to:

- drive development and implementation of Authority programs to manage the NSW marine estate
- promote collaboration and coordination between agencies
- facilitate consideration of the wide variety of agency and community interests
- maximise Authority transparency
- apply robust business acumen to management decisions
- liaise directly with Ministers on behalf of the Authority when appropriate
- raise significant matters of concern directly with Ministers
- act as a spokesperson for the Authority as required
- attend Knowledge Panel meetings as an observer.

The Marine Estate Management Authority Member's role

Authority members are expected to:

- represent their various portfolio interests, including promoting an awareness of their stakeholder interests
- facilitate and encourage interagency cooperation and collaboration in good faith
- attend meetings and contribute to discussion
- contribute to out-of-session business as required
- provide support and information as appropriate.
- support consensus decision making to achieve the vision for the marine estate.

The Marine Estate Expert Knowledge Panel Chair's role

The Knowledge Panel Chair is independent and has an appropriate mix of skills and experience to facilitate the development and delivery of advice to the Authority.

The role of the Knowledge Panel Chair is to:

- provide direction to Knowledge Panel members in an efficient and effective manner in order to provide the Authority with advice as required.
- be a member of the Authority, so that the Authority has direct access to independent scientific expertise.
- act as media spokesperson for the work of the Knowledge Panel only when called on to do so by Ministers or the Authority Chair.

The Marine Estate Expert Knowledge Panel Member's role

Knowledge Panel members are expected to:

- utilise their expertise to provide advice to the Authority.
- demonstrate understanding of contemporary marine and coastal (or Sea Country) management issues.
- find innovative solutions to a range of complex and often highly contentious issues.
- work effectively with stakeholders, academics, consultants and government officials to develop advice for the Authority.
- attend meetings and contribute to discussion.
- contribute to out-of-session business as required.
- Contribute as individuals or as a whole panel where appropriate.

Procedures that apply to the Marine Estate Management Authority and the Marine Estate Expert Knowledge Panel

Appointments

Ministerial appointments for NSW boards and committees, including the Authority and the Knowledge Panel, are approved by Cabinet in accordance with the NSW Government Boards and Committees Guidelines and the Public Service Commissions- Appointment Standards – NSW Boards and Committees in the NSW Public Sector

Agencies are represented by the designated role within their organisation structure. Personnel filling those roles change from time to time.

Term of office

Ministerial appointments are appointed for a period not exceeding four years and can be re-appointed.

Under the NSW Government Boards and Committee Guidelines as good practice, members should not serve more than two consecutive terms on a board or committee. For reappointments beyond two terms, a member reappointment submission to Cabinet is required including the justification as to why this is recommended.

Agency representatives do not have a defined term of office. The position is filled by the incumbent of that role at the time.

Remuneration

Ministerial appointments to the Authority and the Knowledge Panel are entitled to be paid remuneration including an annual salary, travelling and subsistence allowances. The level of remuneration is set by the Public Service commission in line with the Classification and Remuneration Framework for NSW Government Boards and Committees

Agency representatives are not remunerated for their positions in the marine estate governance, it is part of their role to represent their agency.

Induction

Material issued to newly appointed Authority and Knowledge Panel members includes:

- [NSW Government Boards and Committees Guidelines](#)
- pecuniary interest declaration
- marine estate Schedule of Works or relevant forward work program
- Marine Estate Governance Manual (this manual)
- Authority member profiles
- Knowledge Panel member profiles
- [Managing the NSW Marine Estate: Purpose, Underpinning Principles and Priority Setting \(MEMA, 2013\)](#)
- Current Marine Estate Management Strategy, MEMS implementation plan and Monitoring and Evaluation framework for the MIMP

Conduct of members

All public officials including members of NSW Government boards and committees have an obligation to act in the public interest. All members of NSW Government boards and committees must:

- comply with the Ethical Framework for the public sector set out in the *Government Sector Employment Act 2013*³
- comply with the committee's Code of Conduct (Governance Manual)
- have a clear understanding of their public duty and legal responsibilities
- act for a proper purpose and without exceeding their powers.

Declaration of interests

- Authority and Knowledge Panel members shall complete a pecuniary interest declaration on their appointment in line with NSW Government policy, including actual, perceived or potential conflict of interest, which should be reviewed periodically or amended as soon as practical after a member's interest change.
- A register of interests shall be maintained by the Marine Estate Secretariat.
- A declaration of interest shall be a standing agenda item at the beginning of each meeting where members shall raise any conflicts of interest with either the agenda or any meeting papers or other business as it may arise during the meeting. The Secretariat will record the declared conflict in the minutes and add to the interests register.
- Authority and Knowledge Panel members are to provide the Chair with correspondence on how they will manage conflict of interest for work under their personal control for Authority or Knowledge Panel related works, including works where the member has been a successful candidate for tender for an Authority or Knowledge Panel related activity.
- Chairs are not permitted to receive remuneration in relation to any works related to Authority or Knowledge Panel activities beyond their remuneration for Chair responsibilities.
- the Chairs will act as a 'disinterested party' in relation to conflicts of interest by members. Options available (but not limited) to the Chairs when conflicts of interest arise would be:
 - the Chairs may request members to recuse themselves from decision-making and/or discussions in relation to agenda items
 - the Chairs may request agencies to restrict access to information provided to members

³ [Public Service Commission ethical framework for Government sector employees](#)

- the Chairs would refer to the NSW Government guidelines on managing conflict of interest risks.

Funding

The Authority and Knowledge Panel have no annual budget allocation. All costs associated with the establishment and ongoing operations of the Authority and the Knowledge Panel are administered by the Department of Primary Industries and Regional Development and other agencies by agreement.

Staffing

The Authority and Knowledge Panel do not employ staff but drive reforms by drawing on existing resources of agencies.

The Department of Primary Industries and Regional Development provides administrative support to the Authority and the Knowledge Panel through the Marine Estate Secretariat.

Secretariat support

The Secretariat provides support for the effective operation of the Authority and Knowledge Panel. Key Secretariat responsibilities include:

- working with Chairs and member agencies in the development of agendas, management of meeting papers and preparation of a range of documents.
- taking minutes of meetings including decisions, discussions, actions, as well as any dissenting views where required.
- coordinating logistics, travel and events.
- arranging appointment and remuneration of members.
- coordinating information between the Authority and Knowledge Panel, across member agencies and with Ministerial offices.
- supporting stakeholder liaison, communication and engagement.
- contributing to research, analysis, policy development and advice.

Communications

The Authority is committed to providing accurate information to Ministers, stakeholders and the NSW community in a professional manner.

The Authority will make the following publicly available:

- a summary of each Authority meeting
- an annual report, as a requirement to meet the [NSW Boards and Committees Guidelines](#)
 - How the board or committee is delivering on its objectives including a summary of key activities undertaken during the period
 - a summary of stakeholder engagement and consultation
 - formal Knowledge Panel advice to the Authority
 - formal Authority advice to Ministers.
 - Outcomes achieved and key results for the period
 - Meetings held during the period and attendance
 - Current membership and any changes that have occurred during the period
 - Risk management strategies
 - Results of any reviews undertaken

- Ratification of the Charter document and any subsequent amendments.

Advice

The NSW Government is committed to making Authority and Knowledge Panel advice relating to key marine estate initiatives publicly available. Advice will be reported in the Authority's annual report or published on the marine estate website.

Media

The Authority welcomes opportunities to foster transparency, community awareness, understanding and engagement.

All Authority media matters are managed in collaboration with the Authority member agencies' media and communication units. This may include responding to media enquiries, developing media releases, communications and community engagement and liaising with Ministerial offices.

Knowledge Panel members are expected to abide by the Department of Primary Industries and Regional Development's media policy. Additionally:

- the Authority Chair will be the spokesperson for media enquiries, unless other arrangements are made
- members are expected to refer media enquiries to the Authority Chair and/or the Secretariat without responding directly
- members must not initiate media contact without authorisation from the Authority Chair
- members are expected to raise any potential media issues with the Authority Chair and/or Secretariat
- the Chair of the Knowledge Panel will act as media spokesperson for the work of the Knowledge Panel only when called on to do so by Ministers or the Authority Chair.

The above applies to all forms of media interaction including verbal, written or electronic and across various media platforms including print, radio, online and social media.

Government Information (Public Access) – GIPA

All reasonable requests made to the Authority for information or assistance will be managed by the Secretariat, considered on a case-by-case basis and responded to promptly and/or referred to the appropriate agency.

Members of the public can access government information under the *Government Information (Public Access) Act 2009* (GIPA). Pursuant to the GIPA, formal applications for access to Authority information will be dealt with appropriately by the Secretariat in collaboration with the Department of Primary Industries and Regional Development's Governance and Information Requests Officer.

The Authority will also seek to meet all reasonable informal requests for information.

Confidentiality

Members will, from time to time, have access to confidential information. Material which is confidential and must not be disclosed will be marked "confidential" and/or "Sensitive: NSW Cabinet/NSW Government". Members agree to be bound by this protocol both during and after participation in meetings.

Meetings

Authority and Knowledge Panel meetings are scheduled regularly (currently quarterly). Meetings may be online (typically through Microsoft Teams) or face-to-face and agencies should share hosting of face-to-face meetings if in person meetings are occurring regularly.

Meetings are generally for a half day. Meetings are primarily to conduct the business of the Authority through agenda papers. Some items may require additional time for discussion and direction setting from the Authority, and when required the agenda will make appropriate time for discussion or a separate meeting will be scheduled.

Business may also be dealt with out-of-session as determined by the Chair.

Presiding member

The Chair is to preside at the meeting. In the absence of the Chair, a person elected by the members of the Authority (or members of the Knowledge Panel for Knowledge Panel meetings) who are present at a meeting will chair the meeting.

Attendance

Members or their deputies (Authority only) are expected to attend all meetings. In addition to members attending, agency support officers may attend meetings where required. Special guests may be invited to attend as agreed by the Chair.

Meeting attendance may be in person, via videoconference or teleconference as arranged with the Secretariat.

Quorum

Quorum for meetings is attendance by the majority of members – including the Chair. If a quorum is not met the meeting can proceed but no decisions made, or the meeting can be rescheduled.

Consensus Building and Dispute Resolution

Authority Members should endeavour to reach consensus decisions. At times, consensus may take time to be reached. The following steps are a guide to seeking consensus.

1. Members must clearly articulate their position and the reasons for their position.
2. Members should seek to understand another member's position.
3. Members should be open to developing alternative options that address members issues.
4. Matters may be referred to out of session discussion by all or a subset of relevant members to further understand the issues and develop solutions. Out of session agreements are to be recorded and provided back to the relevant group and Secretariat.
5. The Chair may facilitate the development of solutions.
6. The Chair will test if consensus has been reached with the members.
7. Advice may be sought from the Knowledge Panel if appropriate.
8. If the matter cannot be resolved at the Authority level or at Department Secretary level it may be escalated to joint Ministers with reasoned options, dissenting views and the result of

any vote. If the matter cannot be resolved at the Authority level or at Department Secretary level and it is of significant to any agency, then the Cabinet Process should be considered.

Voting (Authority only)

Members should endeavour to reach consensus decisions. Members may express dissenting views and have these minuted. It is preferred that any advice to Ministers or the NSW Government be a consensus view.

Members who are appointed to represent the views of an organisation may or may not agree with the decisions of the Authority and may seek to have their views minuted. In these situations, it may also be appropriate for members to continue to hold these views publicly.

A decision supported by a majority of the votes cast at a meeting at which a quorum is present is the decision of the Authority. The presiding member has a deliberative vote and, in the event of an equal number of votes, has a second or casting vote.

Agendas

The Secretariat, in consultation with the relevant Chairs, develops meeting agendas in collaboration with the relevant Authority member agencies. The relevant Chairs have the final decision on the agenda.

Agenda Papers

The process for developing and finalising agenda papers for meetings is as follows:

1. Agenda papers are developed by the relevant Authority member agencies, using the standard meeting paper templates.
2. Draft agenda papers are reviewed cross agency to enable early input and collaboration on meeting items.
3. Agenda papers are approved through relevant departmental managers and executive.
4. Agenda papers are provided to the Secretariat.
5. Secretariat aims to distribute meeting papers to members and agency support officers, two weeks in advance of meetings via email.

Papers are assumed to have been read. Late papers tabled at meetings will not be considered for decision, unless in exceptional circumstances.

Presentations will be distributed with the minutes of meetings and should be a maximum of 10 slides.

Out of session

Items can be considered out of session. This could be a new item or an item that was not resolved at a meeting. An agenda paper and attachments will be distributed to Authority members by the Secretariat with a due date for responses.

Authority members responses will be collated by the Secretariat and reviewed by the Chair to determine if consensus is reached. A summary of the outcome of the out of session will be circulated to the Authority members. The decision reached will be confirmed and minuted at the following Authority meeting.

Minutes

Minutes, decisions and actions of each meeting will be recorded by the Secretariat as follows:

- Meetings will be recorded, and a copy of the recording kept until such time as the minutes have been endorsed, after which they will be deleted.
- the Secretariat will circulate draft minutes to the Chair and agency support officers for comment following each meeting.
- draft minutes will be circulated with meeting papers for formal approval at the subsequent committee meeting.
- Summary Authority minutes are published to [marine estate website](#).

Correspondence

The Secretariat receives all in-coming and out-going correspondence to the Authority and Knowledge Panel unless other arrangements have been made.

Email address: marine.secretariat@dpird.nsw.gov.au

Where required, the Secretariat will:

- action correspondence and forward to the Chair/and or relevant agencies
- provide support in the preparation of general correspondence and responses
- seek relevant Chair/agency approvals for correspondence
- send responses on behalf of the Chair
- ensure record keeping requirements are met.

Abbreviations and acronyms

Authority or MEMA	Marine Estate Management Authority
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DPHI	Department of Planning, Housing and Infrastructure
DPIRD	Department of Primary Industries and Regional Development
Knowledge Panel or MEEKP	Marine Estate Expert Knowledge Panel
MASC	Marine Estate Agency Steering Committee
MIMP	Marine Integrated Monitoring Program
MIMP OAG	Marine Integrated Monitoring Program Operational Advisory Group
NSW	New South Wales
Strategy	Marine Estate Management Strategy
TARA	Statewide threat and risk assessment for the NSW marine estate
TfNSW	Transport for NSW

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