



MARINE PARKS AUTHORITY

OPERATIONAL PLAN FOR JERVIS BAY MARINE PARK

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Jervis Bay Marine Park Operational Plan

The *Marine Parks Act 1997* requires the preparation of an Operational Plan for each declared Marine Park. This Operational Plan outlines the management intent of the Marine Parks Authority in providing conservation and sustainable use of the Jervis Bay Marine Park in accordance with the objectives of the *Marine Parks Act 1997*.

The Jervis Bay Marine Park Operational Plan has been prepared in accordance with section 25 of the *Marine Parks Act 1997* and is adopted on this 10th day of October 2003.

Ian Macdonald
Minister for Agriculture and Fisheries

Bob Debus
Minister for the Environment

CONTENTS

1.0	INTRODUCTION	1
2.0	MANAGEMENT FOR CONSERVATION OF BIODIVERSITY AND MAINTENANCE OF ECOLOGICAL PROCESSES	1
2.1	Habitat Conservation.....	1
2.2	Species Conservation.....	2
3.0	MANAGEMENT FOR ECOLOGICALLY SUSTAINABLE USE.....	3
3.1	Fishing and Collecting	3
3.2	Aquaculture.....	3
3.3	Scuba Diving and Snorkelling.....	4
3.4	Marine Mammal Watching	4
3.5	Boating and Personal Water Craft (PWC).....	4
3.6	Beach and camping activities	4
3.7	Vehicles	5
3.8	Commercial Filming and Photography.....	5
4.0	MANAGEMENT FOR INDIGENOUS CULTURE	5
5.0	MANAGEMENT FOR NON-INDIGENOUS HERITAGE VALUES	6
6.0	OTHER MANAGEMENT ISSUES	6
6.1	Pollution Control and Incident Management.....	6
6.2	Invasive Pest Species	7
6.3	Marine Parks Authority Moorings and Markers.....	7
6.4	Development within and adjacent to Marine Park Boundaries	7
7.0	RESEARCH AND MONITORING	8
8.0	COMMUNITY EDUCATION & INVOLVEMENT	9
9.0	COMPLIANCE	9
10.0	PERMIT SYSTEM	10
11.0	MANAGEMENT ARRANGEMENTS WITH COMMONWEALTH GOVERNMENT.....	10

1.0 INTRODUCTION

The *Marine Parks Act 1997* requires the preparation of a zoning plan and an operational plan for each marine park.

The zoning plan, which is a separate document, details the location of each zone and activities permitted in each zone and it should be considered in conjunction with this plan.

This operational plan outlines the scheme of operations that the Marine Parks Authority intends to undertake or permit in providing for conservation and sustainable use of Jervis Bay Marine Park to attain the objects of the *Marine Parks Act 1997*.

The management actions in this operational plan complement provisions in the Zoning Plan. Activities undertaken in the Jervis Bay Marine Park are to be carried out in accordance with the Zoning and Operational Plans.

The majority of the strategies included in this document were outlined previously in the Jervis Bay Marine Park *Planning Issues and Options Paper*, which was released for public comment in August 1999. Additional strategies were developed in response to comments made on the draft of this document, which was released for public comment from 8 October 2001 to 31 January 2002. Some of these management strategies involve the development of specific documents that will detail how particular activities are to be conducted, monitored, and promoted. These documents will be developed over the life of this plan in accordance with the priority assigned to them.

The Operational Plan has been designed to address specific management areas. These include: habitat and species conservation (Section two); management of activities for ecologically sustainable use, such as fishing, whale watching and scuba diving (Section three); management for Indigenous culture and non-Indigenous heritage (Section four and five); pollution control, management of marine pests, and other management issues (Section six); and research, community education, compliance and permits (Sections seven to ten).

In developing this plan, the Marine Parks Authority took into account strategies developed by other agencies, in particular the Booderee National Park Board of Management which manages Commonwealth waters in the southern portion of Jervis Bay.

2.0 MANAGEMENT FOR CONSERVATION OF BIODIVERSITY AND MAINTENANCE OF ECOLOGICAL PROCESSES

The marine environment in Jervis Bay Marine Park is biologically diverse and contains a unique mix of tropical and temperate species. These species are found in a variety of habitats within the marine park including estuaries, rocky shores, sub-tidal rocky reefs, sandy beaches, subtidal soft substrates and the open ocean. The ecological processes throughout the marine park are interconnected with both resident and migratory marine species relying on specific habitats for breeding, feeding and protection. Sanctuary and habitat protection zones have been placed over representative areas of these habitats within the marine park in order to ensure their conservation. The following strategies are aimed at reducing potential impact of threats on these habitats.

2.1 Habitat Conservation

	Management Actions
2.1.1	Develop and implement a mooring and anchoring plan to prevent anchor damage on sensitive habitats.
2.1.2	Develop and promote a mooring and anchoring code of conduct for all vessels.

2.1.3	Contribute to local community and government programs to reduce siltation within the Jervis Bay Marine Park.
2.1.4	Develop research and monitoring programs to measure and monitor biodiversity throughout the marine park.
2.1.5	In conjunction with Waterways Authority, assess the need for vessel management strategies in shallow seagrass habitat.
2.1.6	Contribute and provide advice on Estuary Management Plans, Catchment Management Plans, urban stormwater management strategies and sewage disposal strategies.
2.1.7	Work with relevant agencies and organisations to develop and promote integrated approaches to minimising land-based impacts on estuaries.
2.1.8	Provide comment on proposed developments that have the potential to impact on the Jervis Bay Marine Park.
2.1.9	Contribute to long term research programs that monitor water quality, sedimentation rates and other environmental variables within estuaries.
2.1.10	Work with relevant organisations to prevent damage to marine habitats as a consequence of terrestrial land use and terrestrial and aquatic developments.
2.1.11	Liaise with National Parks and Wildlife Service, Shoalhaven City Council, Department of Defence, and other relevant agencies regarding signage and access to various areas of the marine park.
2.1.12	Utilise rocky reef platforms as a focus for community education and highlight collection restrictions.
2.1.13	Assess the impacts of existing scuba diving activities at key sites.
2.1.14	Consistent with National Parks and Wildlife Service programs, examine the conservation requirements of migratory bird breeding colonies during breeding seasons.
2.1.15	Liaise with Shoalhaven City Council to implement litter reduction programs.

2.2 Species Conservation

Jervis Bay Marine Park contains habitat for many resident and migratory marine species, with some species located at their northern or southern most boundaries of their natural distribution. While the management of the marine park aims to conserve all marine species occurring naturally within the marine park, particular emphasis is given to conserving marine species that are more susceptible to human impacts and are categorised as either threatened or protected, or endemic. These species include whales, dolphins, seals, grey nurse shark, eastern blue devil fish, weedy sea dragon, elegant wrasse, penguins, seabirds and migratory wading birds.

	Management Actions
2.2.1	Adopt conservation measures consistent with the Grey Nurse Shark Recovery Plan where necessary.
2.2.2	Assist National Parks and Wildlife Service programs to examine the conservation requirements of migratory bird colonies especially during breeding seasons.
2.2.3	In conjunction with National Parks and Wildlife Service provide accurate information on seabird feeding, roosting and nesting locations throughout the marine park.
2.2.4	Implement the marine mammal watching strategies listed in Section 3.4.
2.2.5	In consultation with National Parks and Wildlife Service, local council and local residents investigate cooperative management strategies for the protection of seabird nesting sites, feeding and roosting grounds for birds.
2.2.6	Undertake assessment of the distribution and significance of marine species endemic to the marine park.
2.2.7	Identify threats to endemic species populations and threatened species and develop and implement management measures where appropriate.

3.0 MANAGEMENT FOR ECOLOGICALLY SUSTAINABLE USE

The objects of the *Marine Parks Act 1997* includes the maintenance of ecological processes in marine parks and, where consistent, provides ecologically sustainable use of fish and marine vegetation and opportunities for public appreciation and enjoyment.

The principles of ecologically sustainable use are outlined in the *Protection of the Environment Administration Act 1991* and are applicable to NSW marine parks. They include:

- The use of the precautionary principle, that if there are threats of serious environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
- That the present generation should ensure that the health, diversity and productivity of the environment are maintained for future generations; and
- To conserve biological diversity and ecological integrity.

The Jervis Bay Marine Park caters for a wide range of activities that are of social and economical importance to the area. These include recreational and commercial fishing, scuba diving, boating and beach activities. To achieve the objectives of the marine park it is essential that all activities be undertaken in a sustainable way that does not adversely impact on habitat or species viability.

3.1 Fishing and Collecting

	Management Actions
3.1.1	In consultation with NSW Fisheries and industry, commission a bait fishery study to assess the value of the resource, fishing industry requirements, local and regional economic and social matters and the impact on marine park operations and objectives. A draft report is to be completed within 24 months (Note: A decision will be made during the life of this plan, based on outcomes of the study whether or not purse seining and lift netting operations for live bait should be permitted to continue in the marine park).
3.1.2	In conjunction with NSW Fisheries develop criteria for assessing permit applications for fishing and spearfishing competitions.
3.1.3	In conjunction with NSW Fisheries, monitor changes in distribution and catch per unit effort of anglers.
3.1.4	In conjunction with NSW Fisheries and recreational fishing clubs, develop codes of conduct for recreational linefishing, spearfishing and intertidal bait collecting.
3.1.5	Investigate potential and suitability of catch and release angling areas.
3.1.6	Cap numbers of charter fishing vessels operating within the marine park to those that had current permits from the Marine Parks Authority and were also licensed by NSW Fisheries as at 1 September 2003. Permits are not transferable.
3.1.7	In conjunction with NSW Fisheries and the charter operators assess charter fishing activities within the marine park.
3.1.8	In cooperation with the charter fishing industry and NSW Fisheries, develop a code of conduct for charter fishing activities in the marine park.
3.1.9	In consultation with Shoalhaven City Council, NSW Fisheries, and other agencies, investigate the potential for appropriate fish cleaning facilities at key locations.

3.2 Aquaculture

	Management Actions
3.2.1	Work with NSW Fisheries, proponents, local councils, and other relevant agencies to ensure that aquaculture proposals in or adjacent to the marine park are adequately assessed and that potential impacts, including pollution, are adequately considered.

3.2.2	Aquaculture in the Jervis Bay embayment will not be permitted to exceed more than two per cent of the area of the park (440 hectares) subject to the conduct of a full EIS that assesses cumulative impact. Consistent with the zoning plan, no intensive aquaculture will be permitted nor the introduction of non-local species.
3.2.3	The existing Aquaculture enterprise located off Plantation Point will be able to continue operating under a Section 37 permit issued by NSW Fisheries for a period of 18 months from the commencement of the zoning plan. At the end of this period the current operation will cease unless it has appropriate licences/permits which have been issued in accordance with the above arrangements.

3.3 Scuba Diving and Snorkelling

	Management Actions
3.3.1	In conjunction with commercial operators and recreational divers, develop and implement a scuba diving code of conduct.
3.3.2	Determine the need for, and if necessary limit scuba diving activity on a seasonal basis in significant or impacted areas.

3.4 Marine Mammal Watching

	Management Actions
3.4.1	Cooperate with National Parks and Wildlife Service in the development and implementation of appropriate management arrangements for commercial marine mammal watching.
3.4.2	Incorporate the ANZECC Australian National Guidelines for Cetacean Observation in all whale and dolphin watching permits for the marine park.
3.4.3	In conjunction with the National Parks and Wildlife Service, prohibit commercial "swim-with-dolphins and/or seals activities" within the marine park.
3.4.4	In conjunction with the National Parks and Wildlife Service continue surveillance and enforcement on whale and dolphin watching activities, including: a requirement for sighting and activity records from commercial tour operators as a permit condition; and an increase in the number of patrols during the whale migration season.
3.4.5	Review available information regarding marine mammal populations and ecotourism interactions and develop appropriate management strategies to minimise potential impacts.
3.4.6	In conjunction with National Parks and Wildlife Service, undertake an assessment of whale and dolphin watching charter operations in the marine park to determine if the current cap on operations should be maintained or amended.

3.5 Boating and Personal Water Craft

	Management Actions
3.5.1	In conjunction with the Waterways Authority, develop a code of conduct for personal watercraft users within the marine park.
3.5.2	Investigate appropriate approach distances to be included in the code of conduct to minimise impacts on roosting seabirds and seal haul out areas.
3.5.3	In conjunction with the Waterways Authority, monitor commercial operations that hire out personal watercraft.

3.6 Beach and camping activities

	Management Actions
3.6.1	Provide advice to Waterways Authority on applications for Aquatic Licences to conduct activities or events in or adjacent to the marine park.

3.6.2	Work with Shoalhaven City Council and National Parks and Wildlife Service to develop an “around the bay walk”.
3.6.3	Liaise with Shoalhaven City Council concerning requests for approval to conduct activities or events in or adjacent to the marine park, including the use of beaches by surf clubs and commercial operators.

3.7 Vehicles

	Management Actions
3.7.1	Consult with Shoalhaven City Council, National Parks and Wildlife Service, NSW Police Service, NSW Ambulance Service, State Emergency Service and commercial beach haul fishers to develop management arrangements to minimise impacts of vehicles on beach habitats.

3.8 Commercial Filming and Photography

	Management Actions
3.8.1	In conjunction with commercial photographers develop a code of conduct for filming and photography, including underwater filming and photography as a component of the scuba diving code of conduct.

4.0 MANAGEMENT FOR INDIGENOUS CULTURE

The Indigenous communities have emphasised the importance they place on maintaining access to traditional areas within the marine park and are keen to ensure that sites of significance and future commercial opportunities are not lost through the planning and management of the marine park.

Important sites for the collection of marine animals and plants for traditional and commercial use are, among other places, Long Beach, Bindijine Beach, Green Point along Groper Coast, Silica Bay, Boat Harbour, Callala Beach, and Murray’s Beach and Hole-In-the-Wall, outside the marine park in the adjacent Commonwealth waters. Other significant sites include many of the coastal areas on the eastern side of Beecroft Peninsula. The Devil’s Hole on the ocean side of Beecroft Peninsula remains an important site in Aboriginal spiritual beliefs to the present. Wreck Bay and the beaches on the western side of St Georges Head are also important areas for traditional and commercial activities and the cultural ties of the Wreck Bay, Jerringa and Murramarang communities.

The strategies listed below outline how the Marine Parks Authority will work with the Indigenous communities to protect spiritual or cultural sites and allow traditional and commercial use of the marine park.

	Management Actions
4.1	In consultation with Aboriginal groups, land councils and community councils identify culturally important sites at risk from natural processes or human activity and develop appropriate management, interpretation and education strategies.
4.2	Work with NSW Fisheries in the implementation of any approved Indigenous fishing strategy.
4.3	Investigate the potential for training Indigenous people in marine park management.
4.4	Provide support for the Indigenous representatives on the Jervis Bay Marine Park Advisory Committee and assist Indigenous input into marine park management.

5.0 MANAGEMENT FOR NON-INDIGENOUS HERITAGE VALUES

The heritage values contained within the marine park include shipwrecks and old jetties both above and below the ocean. Coastal views add considerably to the appreciation of the local environment and the degree of enjoyment derived by marine park users. These features were deemed of national significance and the whole of Jervis Bay and surrounds, as well as specific sites within that area, have been listed on the Register of the National Estate. This plan outlines strategies that will protect these features.

	Management Actions
5.1	In accordance with the <i>NSW Heritage Act 1977</i> develop and maintain a Section 170 Register of sites and heritage objects located within the marine park.
5.2	Assist NSW Heritage Office, the Underwater Archaeological Program and Shoalhaven City Council with the assessment of shipwrecks within the marine park and if required, develop management arrangements for their protection.
5.3	Through the NSW Heritage Office, train and authorise marine parks staff to undertake appropriate heritage management activities under the <i>NSW Heritage Act 1977</i> and/or the <i>Commonwealth Historic Shipwrecks Act 1976</i> .

6.0 OTHER MANAGEMENT ISSUES

Other management issues not covered elsewhere in this plan include marine pollution, invasive pest species, Marine Parks Authority moorings and zone markers, and development within and in the locality of the marine park.

The following strategies state the intention of the Marine Parks Authority to interact with other agencies and committees to deal with these issues as they arise and to implement preventative measures.

6.1 Pollution Control and Incident Management

	Management Actions
6.1.1	In conjunction with relevant agencies, develop a Marine Parks Authority Local Incident Control Strategy for response to severe pollution and other marine incidents, consistent with other relevant existing plans, within the marine park.
6.1.2	Provide input into pollution amelioration strategies and activities including the establishment of pumpout facilities.
6.1.3	In conjunction with vessel owners, Shoalhaven City Council, Department of Infrastructure, Planning and Natural Resources and the Waterways Authority investigate appropriate effluent management and vessel maintenance strategies.
6.1.4	Investigate and promote the identification of Jervis Bay Marine Park as a Particularly Sensitive Sea Area for shipping through the Marine Environment Protection Committee of the International Maritime Organisation.
6.1.5	Liaise with marine hull inspection operators, charter boat operators, the Waterways Authority and the Department of Defence concerning operational requirements for inspection of vessel hulls.
6.1.6	Investigate and support initiatives promoting the use of biodegradable bait bags as an alternative to plastic.
6.1.7	Investigate and support initiatives promoting the use of gross pollutant traps and drain stencilling with relevant agencies.

6.2 Invasive Pest Species

	Management Actions
6.2.1	In conjunction with NSW Fisheries and aquaculture operators regulate the introduction of stock into the marine park and prohibit the introduction of any pest species, such as Pacific oysters, or other non-endemic species into the marine park.
6.2.2	Develop community education and interpretation material on identification and reporting of pest species.
6.2.3	Conduct a risk assessment of invasive species in the locality of the marine park utilising existing national monitoring programs and strategies.
6.2.4	In consultation with NSW Fisheries, Australian Quarantine Inspection Service, Shoalhaven City Council, and the Waterways Authority, develop a local invasive marine pest response strategy for the marine park.

6.3 Marine Parks Authority Moorings and Markers

	Management Actions
6.3.1	In conjunction with the Waterways Authority, Environment Australia, Department of Defence, Shoalhaven City Council, dive operators, recreational fishers, boat owners and commercial fishers, develop a mooring and anchoring plan.
6.3.2	Install and maintain moorings in accordance with moorings and anchoring plan.
6.3.3	Ensure publications and other advertising media concerning zone marker locations and their purpose is widely available.
6.3.4	Develop and implement zone marker system throughout the marine park.

6.4 Development within and adjacent to Marine Park Boundaries

	Management Actions
6.4.1	Develop assessment guidelines for environmental impact assessment for developments within the marine park, with reference to other agencies in accordance with procedural and legislative requirements and management agreements, to ensure the requirements of the <i>Environmental Planning and Assessment Act 1979</i> are met.
6.4.2	Undertake and require appropriate environmental assessment for all developments within the marine park.
6.4.3	Establish referral procedures and environmental impact assessment guidelines with Shoalhaven City Council, the Department of Defence, Environment Australia and the Department of Infrastructure, Planning and Natural Resources.
6.4.4	Comment on relevant environmental impact assessment and development applications in accordance with the requirements of the <i>Marine Parks Act 1997</i> , the <i>Environmental Planning and Assessment Act 1979</i> , and the <i>Environment Protection and Biodiversity Conservation Act 1999</i> .
6.4.5	Work with relevant agencies to ensure arrangements for environmental impact assessment of activities within and in the locality of the marine park are effective and are rigorously applied.

7.0 RESEARCH AND MONITORING

The primary objective for research within the Jervis Bay Marine Park is to ensure that management actions are effective in meeting the aims of the *NSW Marine Parks Act 1997*.

A research plan has been developed for the Jervis Bay Marine Park that addresses a wide variety of issues. The information gained from each of the projects within the program will assist managers in making informed and objective decisions.

The research program has three strategic aims.

- To provide a set of baseline studies that can be used to make informed zoning decisions.
- To provide integrated time series information on the ecological and social effects of Marine Park zoning.
- To detect unpredicted environmental stresses so that research can be focused onto developing methods for their amelioration.

Research and monitoring also helps assess whether marine park management objectives are being met by identifying both positive and negative changes in the environment. Research also helps fill gaps in the knowledge of ecological processes and provides for more informed management decisions.

Key areas for research undertaken or facilitated by the Marine Parks Authority are likely to include:

- biodiversity and ecological processes;
- Indigenous and non-indigenous culture and heritage;
- ecologically sustainable use and
- specific impacts.

The research and monitoring strategies outlined below are intended to guide the development and implementation of research within the marine park.

	Management Actions
7.1	Implement the Jervis Bay Marine Park Research Plan consistent with the Marine Parks Authority Research Strategy.
7.2	Develop and implement environmental protection standards for manipulative research.
7.3	In conjunction with NSW Fisheries and National Parks and Wildlife Service, assess research permit applications. Seek expert advice where required for applications that involve collection, capture, tagging or harm.
7.4	As part of permit arrangements, ensure the removal of all research equipment and markings at the conclusion of research projects.
7.5	Continue to develop collaborative research and monitoring arrangements with tertiary institutions and other research groups and investigate the provision of incentives for such groups involved in marine park research.

8.0 COMMUNITY EDUCATION & INVOLVEMENT

The rich marine life and unique values of Jervis Bay attract large numbers of visitors to the area. The level of visitation to this region has risen markedly in recent years, with an increasing demand for ecotourism opportunities. To add to their experience it is important that marine park users are provided with adequate information and educational assistance to ensure an enjoyable and safe visit to the marine park and to encourage interaction with marine flora and fauna without causing undue harm. The strategies listed below are intended to raise awareness and understanding of the values of the marine park and foster community support for and involvement in the management of the marine park.

A primary focus of management activity will be the active involvement of Marine Parks Authority staff in on-ground interpretive activities.

	Strategy
8.1	Formulate a communications plan for Jervis Bay Marine Park consistent with the Marine Parks Authority Corporate Plan.
8.2	Establish a volunteer register for individuals interested in assisting the Marine Parks Authority with research, monitoring, educational or other activities.
8.3	Develop and promote a Marine Parks Authority Community Information Schedule of Events.
8.4	Develop appropriate interpretive signage for the marine park in conjunction with National Parks and Wildlife Service, NSW Fisheries, Booderee National Park, and Shoalhaven City Council.
8.5	Produce fact sheets, other written material and visual media on a range of topics in accordance with the communications plan.
8.6	Conduct workshops, seminars and information displays in accordance with the communications plan.
8.7	Participate in regional tourism planning and development opportunities where appropriate.

9.0 COMPLIANCE

Jervis Bay Marine Park is a marine area incorporating estuaries, beaches and rocky reefs that are ideally suited to many commercial and recreational activities. For the safety and enjoyment of marine park users and to maintain biodiversity and ecological processes it is essential that regular surveillance and enforcement be undertaken. Regular patrols ensure users comply with the zoning scheme and those activities are conducted in accordance with management plans and other regulations. The strategies outlined aim to ensure that activities undertaken in Jervis Bay Marine Park are conducted in accordance with the zoning plan, operational plan and other relevant regulations for the marine park.

Compliance will become an integral component of the broader educational approach to marine park management.

	Management Actions
9.1	Develop and implement a Compliance Plan.
9.2	Maximise Jervis Bay Marine Park compliance effectiveness through inter-agency co-operation.
9.3	Provide simple and concise information material to the local community and visitors detailing the location of zones and activities permitted in each zone of the marine park.
9.4	Investigate cross-authorisation requirements with other agencies and conduct regular joint patrols and share resources.

10.0 PERMIT SYSTEM

Under the *Marine Parks Act 1997* most commercial activities, some recreational activities, research and organised club activities or functions require consent from the Marine Parks Authority. This will be in the form of a permit. A permit system is an effective management tool in regulating the conduct of activities in the marine park. It may limit impacts on particular areas, separate conflicting activities, enable data collection and monitoring, and provide for appropriate use of the marine park by the general public. Conditions may be placed on permits that specify how, when and where the permitted activities can occur within the marine park. The permit system and the associated strategies listed below will support the Authority's intention to ensure activities undertaken in the marine park are ecologically sustainable and conducted in a safe and enjoyable manner.

	Management Actions
10.1	Implement the Marine Parks Authority Permit System.
10.2	Ensure consistency in permit process with the Marine Parks Authority policies and other NSW marine parks.
10.3	Provide advisory material, information sessions and workshops concerning the Marine Parks Authority permit system requirements for permit applicants.
10.4	Monitor and audit compliance with permits and permit conditions.
10.5	Coordinate licensing requirements administered by other Commonwealth, State and Local government agencies, as appropriate.
10.6	Incorporate codes of conduct into permit conditions where relevant.
10.7	Provide information sessions to State and Local Government agencies to ensure understanding of the Marine Parks Authority permit requirements and opportunities for cross authorisation for compliance purposes.

11.0 MANAGEMENT ARRANGEMENTS WITH COMMONWEALTH GOVERNMENT

The Marine Parks Authority works in consultation with a number of other Government Departments under a variety of management arrangements.

	Management Actions
11.0	Consult with Environment Australia and the Department of Defence in accordance with the Management arrangements in place.