

FAR WEST

MARINE PARK LOCAL ADVISORY GROUP

MINUTES

The fifth meeting of the Far West Marine Park Local Advisory Group was held on Monday, 2 May 2011 in the Ceduna Council Chambers, 44 O'Loughlin Terrace, Ceduna at 10.30am.

We acknowledge and respect the traditional custodians whose lands we are meeting upon today. We acknowledge the deep feelings of attachment and relationship of Aboriginal peoples to country. We also pay respect to the cultural authority of Aboriginal people visiting/attending from other areas of South Australia/Australia present here.

Members present: Ian Cawood (Chair), Andrew Minns, Gus Oestmann, Reg Davis, Jon Hoffrichter, Allan Haseldine, Allan Suter, Perry Will, Nick Paleologoudias, Bruce Zippel

DENR staff: Dirk Holman, Jon Emmett, Shelley Harrison, Louise Smith, Claire Charlton

Gallery: 4 members of the gallery (names tabled)

1. Welcome

Ian Cawood (Chair) welcomed MPLAG and gallery members to the meeting.

Dirk Holman (Executive Officer) thanked the members for their attendance, and provided a brief overview of proceedings for the meeting. Dirk also introduced support staff and some of the information provided to the group.

2. Apologies/absent

- *Apologies:* Jane Lowe, Debbie Kloock (proxy for Simon Firth), Rob Palmer (proxy for Peter Owen).

3. Other Business

- Allan Suter discussed what in his view were personal attacks on Professor Robert Kearney by the Scientific Working Group (SWG). Jon Emmett assured members that difference of opinion was common in scientific practice, and the SWG's response to Professor Kearney's views was not a personal attack but a contrasting professional scientific view. There was considerable discussion around the work of Kearney, Buxton and the SWG, and the differences in perspective.
- Discussion focused on the draft activities and uses regulations. There was specific concern relating to the anchoring of vessels greater than 80m in habitat protection zones. It was agreed that to incorporate large vessels,

anchoring points should be identified and placed within general managed use zones. Allan Suter agreed to provide GPS points for this purpose. DENR confirmed it would also seek advice from the Department for Transport, Energy and Infrastructure (DTEI).

- Discussion related to the potential ambiguity surrounding netting restrictions in habitat protection zones. It was pointed out that park zoning does not override existing PIRSA regulations or restrictions, and existing netting bans would not be altered under marine parks. There were suggestions that this needed to be made very clear to avoid unscrupulous operators. Arrangements for netting and other activities can be explicitly stated in the draft management plan for this park.
- Bruce Zippel raised concerns in regard to the definition of 'harm' under the Marine Parks Act. He believes this has direct implications for existing aquaculture operations if located within a habitat protection zone. He expressed concern that aquaculture operators will have to pay PIRSA under the existing cost recovery arrangements to assess whether they are causing harm to habitats within a habitat protection zone. His preference is for all forms of aquaculture to be located in general managed use zones.

4. Minutes and actions arising from previous meeting

- No alterations to the minutes were made, and as such were ratified.

Actions arising from meeting 4

Meeting No.	Responsibility	Action	Status	Date
4	DENR	Meeting 5, scheduled for April to be moved to July to enable the MPLAG time to consult with council and community, and the Marine Parks team to consult with peak stakeholder groups.	Community & Council consultation was conducted by the MPLAG within the timeframe. Peak stakeholders chose not to provide zoning advice to MPLAGs.	May 2 2011

5. Correspondence

- Correspondence was received from Mr Ron Gates for a proposed sanctuary zone to complement the Point Sinclair Surfing Reserve. There were general concerns about the late timing of the submission, however, Dirk outlined that by tabling this submission at the MPLAG meeting it was within the established process parameters, and also clarified the reasons for the proposal. Most members opposed the proposal, though conceded it could be incorporated into a habitat protection zone.
- A letter was received from the Conservation Council of SA, offering MPLAGs advice in relation to core MPA design principles of comprehensiveness, adequacy and representativeness (CAR). The MPLAG acknowledged the letter and expressed the view that they had provided adequate habitat representation in their zoning proposal.

5. Today's meeting

- Dirk thanked MPLAG members for their ongoing contributions, and explained today's meeting was the final opportunity for MPLAG members to offer zoning advice via the MPLAG process. Further steps in the marine parks process and the future consultation phase were also explained.
- Guidelines and messages from the Minister for Environment and Conservation (MEC) to MPLAG members were communicated, stating he is seeking a competent and balanced outcome, whilst minimising displacement wherever possible.
- Members reinforced they had received whole of community endorsement for their zoning proposal at a public meeting.
- Dirk explained that although this meeting had been identified as an opportunity to review peak stakeholder advice, no stakeholders had offered any zoning advice thus far. It was explained that stakeholders were written to in November 2010 advising them of timelines, but none had chosen to provide zoning advice to DENR or MPLAGs at this point.
- Allan Suter stated that he had verbal assurance from Gary Morgan (Chairman, Marine Parks Management Alliance) that the Alliance would be providing advice within two weeks of this meeting.
- Dirk outlined the purpose of today's meeting was to use the Rapid Assessment Tool and MPLAG members' local knowledge to design a robust proposal which addressed the core design principles of comprehensiveness, adequacy and representativeness (CAR).

6. Review zoning suggestions made since 4th meeting

- The proposal by Ron Gates had already been discussed.

7. DENR analysis of MPLAG zoning suggestions

- Dirk gave a presentation looking at the core design principles (CAR) and how the MPLAG suggestion measured quantitatively against these.
- Benthic and shoreline habitats as well as important environmental values within the marine park were discussed at length.
- Dirk asked the group to consider incorporating more of the habitats into sanctuary zones which had been identified as being represented at less than 10% by the DENR assessment. Dirk emphasised that the group should try to achieve this with minimum displacement.
- The MPLAG was of the opinion that they had already represented all habitats and environmental features in their zoning proposal, and that the under-representation was a product of DENR's mapping not their zoning.
- The MPLAG also conveyed they had already received community endorsement for their proposal and did not want to shift from this.
- There was discussion around the Davenport Creek area, and the potential to expand Zone 7 to align with the high water mark, which would increase areas of important habitat. DENR pointed out that intertidal land in this area is

owned by the Lutheran Church and is therefore not included within the marine park boundary.

- The MPLAG decided not to expand their proposal to incorporate sea-lion haulouts, offshore islands, rocky reef, soft bottom or seagrass habitats. The diversity of fishing activity in the region made expanding the proposal difficult.
- Allan Suter commented that there may be areas of soft bottom habitat or deep water unmapped areas which could potentially be incorporated into sanctuary zones, but could not expand on the zoning endorsed by the community.
- The MPLAG believe they have designed the best possible environmental outcome, without requiring compensation.
- The MPLAG also suggest that Nuyts Archipelago is a very large park and assessments should be made on the size of their sanctuary zone proposal (217 km²) and not on the Government's sanctuary zone guidelines (20-25%, where possible).
- Ian Cawood (Chair) stated the MPLAG have done all they can in designing an adequate and successful marine park. Ian asked DENR to support them in putting forward the MPLAG preferred zoning scenario.

8. MPLAG members' workshop

- Nick Paleologoudias identified areas of importance to the west coast prawn fishery that he would prefer to see zoned as general managed use zones.
- With the exception of anchoring points for vessels greater than 80m and aquaculture sites, it was agreed that the rest of the park could be zoned as habitat protection zone.
- There were no further alterations to the zoning suggestion already developed prior to MPLAG 5.
- Allan Haseldine asked if zones and regulations apply to Aboriginal people. Dirk responded that Marine Parks do not extinguish Native Title rights or the provisions of an Indigenous Land Use Agreement.
- There was concern that the Ceduna community was not being represented in the Great Australian Bight Marine Park MPLAG process. It was reiterated that the GAB MPLAG process is the same as other MPLAG processes, and that information is publicly available on the DENR website and all meetings are open to the public. DENR reminded the group that in other areas of the state neighbouring MPLAGs were sharing information via the Chairs. Ian Cawood indicated that he could communicate with the GAB Chair and relay information to this MPLAG.

9. Questions from the gallery

- None

10. Record of meeting

- The MPLAG were provided with a DENR analysis of their initial proposal and chose not to make any alterations based on their knowledge that all environmental values were incorporated into the proposed sanctuary zones, and their sincere belief that the areas are the maximum area that would be acceptable to the community (see Motions below).
- The MPLAG believes that it is a significant achievement to have generated the level of community support for the proposed sanctuary zones.
- The Chair (Ian Cawood) acknowledged the contribution of all MPLAG members, and DENR staff in assisting the MPLAG group in what they have achieved.
- Dirk Holman (Executive Officer) recognised and thanked the MPLAG members for their significant efforts as part of this process.

The following Motions were generated:

Motion 1.

This MPLAG group endorsed the proposed Sanctuary Zones, as presented to and unanimously endorsed at the community meeting held in Ceduna at the Memorial Hall on 25th March 2011. We believe that this has given as much area as the community will support (220km²) and we seek DENR's support for this proposal.

Moved: Allan Suter

Seconded: Jon Hoffrichter

Motion 2

That all environmental values have been represented in the proposed sanctuary zones.

Moved: Perry Will

Seconded: Gus Oestmann

Motion 3

Areas adjacent to proposed sanctuary zones (3, 5, 6) can only have habitat protection zone on certain sides due to prawn fishing grounds (these areas were provided to DENR). Existing prawn grounds must be in a general managed use zone. It is important to note that there is a whole of Government commitment made to accommodate existing prawn trawlers.

There are three areas relating to anchoring of vessels larger than 80m which must be in a general managed use zone (GPS points will be forwarded to DENR).

Moved: Nick Paul

Seconded: Bruce Zippel

Chair Ian Cawood

Date