

Kangaroo Island
MARINE PARK LOCAL ADVISORY GROUP

MINUTES

The fifth meeting of the Kangaroo Island Marine Park Local Advisory Group (MPLAG) was held at 11am, on the 16th May, 2011, in the Ozone Hotel, Kingscote.

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: Andy Gilfillan (Chair), John Lavers, Margi Prideaux, Tony Geyer, Graeme Connell, Alan Bell (proxy for Bruce Weatherspoon), Matthew Ingram, Terry Lehmann, Fraser Vickery, Neill Bell (proxy for Mary-Alice Ballantine-Swan), Cherie Tyley, Graham Walden, Sharon Simons (proxy for Che Spruyt), Bevan Patterson and Ken Rowe.

Supporting Staff: Phil Hollow, Robyn Morcom, Amanda Gaetjens and Joan Smolinski (minutes).

Gallery: 25 people present in the gallery.

1. Welcome

Andy Gilfillan (Chair) welcomed MPLAG and gallery members to the meeting. Andy thanked the entire group for their efforts, acknowledging they have made some mistakes along the way but everyone has done their best.

2. Apologies, Correspondence, other business

Apologies

Received from Che Spruyt, Bruce Weatherspoon and Mary- Alice Ballantine-Swan.

Correspondence

Correspondence sent to members prior to the meeting.

Correspondence tabled at the meeting

- Travel Claim DENR to KI MPLAG members
- 2 letters from Mr Ray Louth
- SA Sardine industry Association
- North Coast Action Group - 2 alternative sanctuary zones for consideration at this meeting
- Marine Parks Consultation Group of Cape Jervis and Districts – 4 alternatives sanctuary zones for consideration at this meeting
- Minister for Environment and Conservation
- Professor Bob Kearney
- Conservation Council
- DENR Marine Parks Fact Sheet

- Antechamber Bay Action Group – one alternative sanctuary zone to consider
- De Estrees Bay Action Group. Sharon Simons advised that a submission will be presented when the discussion about Marine Park # 17 occurs.

Bevan Patterson commented on a letter delivered on behalf of fishermen. Following the correction of the zones he proposed support was withdrawn by 5 of the fishers. Terry Lehmann commented that he has contacted them and they now have a new submission to table today. Terry suggested that Bevan Patterson's letter was not on behalf of the other marine-scale fishermen.

Mayor Jane Bates (Mayor) regarding meeting with the Minister – Submission from the Kangaroo Island Council to the Minister was followed up by a meeting with the Minister. Points mentioned by the Mayor:

- The Minister suggested that MPLAG's could start with blank map.
- The Mayor commented on the stress on commercial fishermen regarding the uncertainty caused by the marine park program.
- The Minister mentioned that he wants to maintain fishing and that Regional impact statements will be released with draft Management Plans.
- The Mayor said that she felt that the Chair was doing a great job.

3. Minutes and actions arising from Meeting 4

Minutes of the meeting held on 17 February, 2011 corrections:

Che Spruyt – relating to comments about Dr Simon Bryars diving experience. His recent email to the Chair to be included in the meeting # 4 minutes.

Item 7. Paragraph 5 Clarification was sought around the point that Minister and MPLAG not responsible for where zones go and that its community's responsibility. This to be corrected to point out that it is not the community's responsibility for the location of zones. The community provide advice to the Minister.

4. Today's meeting and Minister's advice to MPLAG members

Phil presented a short presentation on the advice from Minister and the opportunity for the MPLAG members to ensure that they provide competent and balanced advice back to the Minister and DENR relating to zoning arrangements.

5. Share feedback from MPLAG members :

Members' feedback from local community

- John Lavers – glad to be at the stage of coming up with decisions.
- Margi Prideaux – congratulations to the Chair, exemplary conduct, troubles experienced had originated from off the island, if unhappy look outward, not inward. Sterling job by DENR staff.
- Tony Geyer – no comment.
- Graeme Connell – believes we should stop and start a fresh with blank maps, wants the Mayor to share details from her meeting with the Minister.
- Alan Bell – tunnel vision apparent from maps, most important point is Sanctuary Zones should be as small as possible.
- Matthew Ingram – must compensate commercial fishers, or zoning options to provide areas for fishing to continue.
- Terry Lehmann – submission from commercial line fishermen.
- Fraser Vickery – wants to move on – Marine parks without adequate, representative Sanctuary Zones are not marine parks.
- Neill Bell – supports Sanctuary Zones
- Cherie Tyley – Habitat Protection Zones should take precedence over Sanctuary Zones.

- Graham Walden – open to community wants, not a strong advocate of Sanctuary Zones.
- Sharon Simons – Sharon said all the 4 types of zones require consideration as to what they allow and exclude. For example HPZ's will exclude (exclude) some future development of infrastructure - and HPZ's will (will) exclude some harvesting methods. Mining is not excluded from SZ's - see draft rules for all zones. Margi and DENR staff responded that mining will not be catered for in sanctuary (sanctuary) zones. Sharon commented that it is allowed underground in sanctuary zones with access from outside the zone.
- Bevan Patterson – thanked Andy for his contribution as Chair. For Marine Parks to be successful they need the support of local communities. He tabled a petition with (370) signatures and said that outer boundaries were 70% of coastline. Sanctuary Zone size wasn't mentioned at that time of the outer boundary release and he questioned what would the reaction have been to outer boundaries if it had? Bevan said that Jay Weatherall had said that some small section deemed to be particularly sensitive, important habitats should be included in sanctuary zones. Bevan, personally favours small Sanctuary Zones.
- Ken Rowe – advocate for 5% or 10% model, 20-25% has caused angst in the community, opportunity to bring advice together, supports listening to the community groups (Action Groups), close the loop with the social and economic information that has been brought to light. If we had consensus today that would be a strong message to the Minister.

Feedback from peak stakeholder group discussions

Phil advised that no feedback had been received from peak stakeholders. Some MPLAG members expressed their disappointment.

Review zoning suggestions made since fourth meeting

Phil advised that any new zoning suggestions that have come in since the last MPLAG meeting will be discussed as we work through each individual marine park. These will include suggestions from the North Coast Action Group and the Marine Park Consultation Group of Cape Jervis and Districts. It will also include any zoning suggestions that may be presented for consideration at today's meeting.

Review DENR analysis on MPLAG zoning suggestions to date.

Robyn presented an assessment of the sanctuary zones considered by this MPLAG at meeting # 4 for the KI section of the Encounter Marine Park.

6. MPLAG Members Workshop

Members discuss feedback and zoning alternative and develop final advice on preferred zoning scenarios

Margi Prideaux would like it noted that she will abstain from voting as she does not feel qualified to represent the community as she has only been on the Island a short time. Phil advised that a unanimous, majority, minority, no support system be used a gauge of the level of support for different zoning advice.

The advice given for each zone in the 4 marine parks around Kangaroo Island is contained in the MPLAG Zoning advice table below.

Record of Meeting

Phil Hollow and the chair to develop.

Meeting closed at 5.15 pm

Please note: Zone coding may have changed as a result of advice to remove zones. For example, zone T in MP15 had 4 options at MPLAG Meeting 5 but the advice was to remove 2 of them (see below). Therefore the coding of the zones appearing on the maps has been reset to T1 and T2 for the remaining zones. This table uses the coding assigned to the zones discussed at the meeting and where the code has changed on the map it will say so in brackets.

Where the word “zone” is mentioned it refers to sanctuary zones unless otherwise suggested.

The voting numbers were discussed at a meeting of KI MPLAG members and others on Wed June 15th and supplied to DENR as a correct record for inclusion in the draft minutes. Some KI MPLAG members were not present.

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
MP15					
Bay of Shoals					
T1	✓ (remove)				Unanimous advice to remove this zone
T2	✓ (remove)				Unanimous advice to remove this zone
T3 (T1 on map)				✓ (6 votes)	Minority support for a zone over the spit and Busby Islet, noted that this advice impacts on hook fishermen on the eastern side of the spit – eastern boundary could be adjusted to accommodate. NOTE: T3 and T4 had the same number of votes to reach minority support and therefore had equal support from the LAG.
T4 (T2 on map)				✓ (6 votes)	Minority support for an alternative to zone T2 which increases width of channel exclusion to allow access to razorfish and cockle beds for recreational and professional fishermen. Juvenile whiting in this area, also Sabella fan worm is a marine pest in this area. Noted that this advice impacts 2 net fishermen. NOTE: T3 and T4 had the same number of votes to reach minority support and therefore had equal support from the LAG.
No SZ				✓	Minority support for no sanctuary zone at all in the Bay of Shoals area.
Beach fishing		✓			Noted: Majority support for the provision of beach fishing if a zone goes ahead in the Bay of Shoals
RAZ advice					Busby (Bushie) Islet advised as a possible candidate for a Restricted Access Zone around it to mirror its existing management as a prohibited area under the NPWSA Act.
Displaced effort advice	✓ (support)				Unanimous support for displaced effort compensation if any zones are established in the Bay of Shoals.

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
Western Cove					
S1	✓ (remove)				Unanimous advice to remove this zone
S2				✓	Minority support for S2 (covers ¾ of bay)
S3		✓ (remove)			Majority support to remove this zone (covers saltmarsh and tidal creeks)
S3				✓	Minority support to retain this zone (covers saltmarsh and tidal creeks)
S4 (S1 on map)				✓	New alternative to zone S. 1km south of Cygnet river mouth, out to 4 m depth and up to 1 km north of Cygnet river mouth
Displaced effort advice	✓ (support)				Unanimous support for displaced effort compensation if any zones are established in Western Cove
The Drift					
U1				✓	Minority support for square boundary for this zone
U2		✓ (13 votes)			Majority support for circular boundary for this zone
Redbanks					
R2		✓ (remove)			Majority support to remove zone
R2 (R1 on map)				✓	Minority support to retain zone
R3 – blue	✓ (remove)				Alternative to R3 drawn at meeting (blue) to move its eastern boundary back from Point Morrison. Final advice was to remove both versions of R3.
Pelican Lagoon					
Q1	✓ (support) (14 votes)				Unanimous support for a sanctuary zone in Pelican Lagoon overlaying the existing Aquatic Reserve.
GMU advice					Consider GMU zone for outside Pelican Lagoon –Pelican Lagoon (Oysters Growers letter tabled by Ken Rowe – Oyster leases should only be in general managed use zones or special purpose zones of enough size to move aquaculture leases/flexibility) The whole area general purpose due to the extent of moorings and leases.

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
Backstairs Passage					
G2 (G1 on map)				✓	Minority support for preliminary zone plus extension into Antechamber Bay
G3 (G2 on map)				✓	Minority support for zone extending from Cuttlefish and Coutts out over trench
G4 (G3 on map)				✓	Minority support for smaller version of G3 with extension south along cliffs
G5 (G4 on map)				✓	Minority support for zone extending less than 1km offshore
G6 (G5 on map)		✓ (9 votes)			Majority support for a zone to protect the unique reef with gorgonians, sponges, bryozoans, from Snapper Point and out across the trench which is in better condition than the trench off Cape Jervis. ABAG recommendation for a zone approx. 10km ² in this location. Candidate for a restricted access area for scientific research and diving.
G7 (FL LAG advice)	✓ (remove)				Additional suggestion to cover the trench, from Cape Jervis and Districts group – they should not proclaim any zones on the Kangaroo Island coast. No support for this zone unanimously removed from KI MPLAG advice.
Pages					
Pages I1				✓	Minority support for the preliminary zone
Pages I3 (I2 on map)				✓	Minority support for the Encounter Pilot zone around North Page
Pages 50m buffer zone	✓ (remove)				No support for the FL MPLAG advice for a 50m SZ around North Page
MP17					D'Estrees Action Group (DAG) Habitat Protection Zones map and statement tabled by Sharon Simons. DAG has recommended that there be no sanctuary zones in MP #17 other than the existing Aquatic Reserves. Phil pointed out that the advice from LAG meeting # 5 to the Minister was in relation to sanctuary zones.
South West Rocks					
A1				✓	Minority support for preliminary zone

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
A2				✓	Minority support for zone intersecting SW rock east to west allowing fishing on the northern side
A3				✓	Minority support for zone covering the SE quadrant of SW rock allowing fishing to the north and west
No Sanctuary zone		✓			Majority support for HPZ rather than sanctuary zone at South West Rocks
Seal Bay					
B1				✓	Minority support for the preliminary zone
B2				✓	Minority support for extending that zone south to the limit of state waters
B3				✓	Minority support for further extending that zone west to meet the marine park boundary
B4		✓ (8 votes)			Majority support to overlay the existing aquatic reserves at Seal Bay and Bales Beach
B5				✓	Minority support for a zone extending south from the Aquatic Reserves but not to the limit of state waters
B6				✓	Minority support to extend the Aquatic Reserve coverage east towards Black Point
Sanctuary zone	✓				All support a sanctuary zone at this location overlaying the existing Seal Bay and Bales Beach Aquatic Reserves
HPZ advice		✓			Beyond the Aquatic Reserves, should only be Habitat Protection Zone
Cape Gantheaume					
C1				✓	Minority support to retain the preliminary zone from the Seal Slide south to and including Pelourus Islet.
C2	✓ (remove)				Unanimous advice to remove this zone
C3	✓ (remove)				Unanimous advice to remove this zone
No Sanctuary zone		✓			Majority support for HPZ rather than sanctuary zone
Wheaton's beach					
D2	✓ (remove)				Unanimous advice to remove this zone
D3				✓	Minority support for the zone extending from the southern end of Wheaton's beach to Cape Linois

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
No sanctuary zone		✓			Majority support for HPZ rather than sanctuary zone
Beach fishing		✓			Majority support for shore based fishing in this area (Cape Linoi to Cape Reynolds)
D'Estrees Bay					
E1	✓ (remove)				Unanimous advice to remove this zone
E2				✓	Minority support for this zone
No sanctuary zone		✓			Majority support for HPZ rather than sanctuary zone
Beach fishing		✓			Majority support for shore based fishing in this area (Cape Linoi to Cape Reynolds)
MP 16					
Lipson Reef					
F1				✓	Minority support for the zone intersecting Lipson Reef east to west allowing fishing on the northern side.
F2		✓			Majority support for a zone at the south west quadrant of Lipson Reef allowing fishing to the north and east.
					No sanctuary around KI vote by Che Spruyt via Sharon Simons (proxy)
Cape du Couedic					
E2				✓	Minority support for a zone including the Casuarina Islets and connecting to Cape de Couedic
No sanctuary zone		✓			Majority support for no zone at this location. It was noted that the area is important for Aust Fur Seals and Sea lions and consideration be given in the management plan.
Policy Commitment discussion					Bevan Paterson raised the Whole of Govt commitment for rock lobster fishing in Western KI quoting there would be 'no impact' on the fishery. Phil Hollow read out the wording of the Policy Commitment document which states that 'commercial fishing opportunities will be maintained in key rock lobster fishing blocks west of Kangaroo Island'.

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
Maupertius Bay					
D1				✓	Minority support for preliminary zone
D2				✓	Minority support 1km wide strip along the coast
D3		✓ (10 votes)			Majority support for extending the southern half of the zone above out to the state waters limit
Deep sea zone					
B1		✓ (12 votes)			Majority support for the zone at the north western corner of the marine park
Cape Borda					
A1				✓	Minority support for the zone extending from Cape Torrens to south of the Ravine des Casoars mouth
C1				✓	Minority support for this zone with minor changes as follows: the southern boundary was moved further offshore and it now connects to the coast closer the Cape Torrens.
MP12					
Western River WPA					
G1	✓ (remove)				Unanimous support to remove this zone
G2	✓ (remove)				Unanimous support to remove this zone
G3a (G1 on map)				✓	Minority support for this zone with the following change: bring the western boundary into line with the western boundary of the WPA. Extends 5km offshore from there.
G3b	✓ (remove)				Unanimous support to remove this zone
G3c	✓ (remove)				Unanimous support to remove this zone
G4				✓	Minority support for this zone which moves preliminary zone I westward to join zone G.
New zone G (NCAG) (G3 on map)		✓ (12 votes)			Majority support for a zone 1km square in the middle of the Western River WPA coastline
New zone G (G2 on map)				✓	Minority support for a zone the full width of the Western River WPA extending 1km offshore

Zoning Advice	Unanimous	Majority	Equal	Minority	Comment (15 members present to vote 1 abstaining from all voting)
King George and Orcades					
I5 (I1 on map)		✓ (13 votes)			Majority support for a zone over the Orcades Bank
I2				✓	Minority support for a zone off Cape Dutton
No Sanctuary zone		✓			Majority support for no zone at Cape Dutton