

# LOWER SOUTH EAST

## MARINE PARK LOCAL ADVISORY GROUP

### MINUTES

The fifth meeting of the Lower South East Marine Park Local Advisory Group (MPLAG) was held at 5pm on Monday 2 May 2011 in the Southgate Motel Conference Room, 175 Commercial St East, Mt Gambier.

*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:** Grant King (Chair), Lionel Carrison, Garry Clifford, Jim Godden, Ken Jones, Richard Sage, Bob Oliver, Peter Whitehead, Joel Redman, Peter Dunnicliff, Maureen Christie, Biddie Tietz.

**DENR staff:** Karen Heaver (Minute taker), Phil Hollow, Shane Holland, Robyn Morcom, David Miller, Steve Bourne.

**Gallery:** Six members of the public attended.

#### 1. Welcome

Grant welcomed LAG members, DENR staff and members of the public to the meeting and advised that this meeting was to produce a final position to the Minister on sanctuary zones.

#### 2. Apologies: Ruth Beach.

#### 3. Correspondence

- Wattle Range Council – Sharing its concerns on the proposal of no take zones.
- Tom & Carol Megaw – Concerned about sanctuary zone size and raised the uniqueness of area.
- Brenton & Chris Lawrence – Registered opposition on the basis of the impact on property values and fisherman having to go to areas that they wouldn't normally fish in.
- Grant District Council – Confirmed outcomes of the public meetings at Mt Gambier, Kongorong and Pt MacDonnell.
- Minister – Advice to Chairs about the final meeting and where to from here.
- DENR – offer of a facilitator to assist to support the Chairs. Grant advised that he rejected the offer and found it disrespectful to the Chairs.
- Email to members from the Chair – Following correspondence on the DENR scientific report and subsequent responses that were becoming more of a "slinging match", the Chair recommended that LAG members to withdraw from the debate on this document.

Peter W advised that in a letter from the DENR Chief Executive he indicated that Chairs were handpicked which he objected to.

Additional correspondence received through Phil:

- Copy of a letter from the Minister to the Chair.
- Marine Park Fact sheet.
- Scientific working group rebuttal.

**Action:** A copy of the correspondence will be provided to members with these minutes.

- Discussion was held about how members know their comments/feedback is reaching the Minister as there are no formal motions. Grant advised that following this meeting it is proposed to advise the Minister of the zoning scenarios and to attach with the scenario key points that indicate this group's view, the justification of how the decision was made and the process taken. It was suggested that this letter be sent to "all of government" not just Minister Caica.
- Stakeholders require all the information to make decisions. A member felt that DENR information is not balanced and that DENR will "cut to rags" any submissions or comments provided.
- The view was expressed that public meetings have put pressure on the Minister and he has advised that he is prepared to listen to all parties and all advice received.
- Maureen advised that her point of view is opposed by other members, whose view appears to be total disagreement with sanctuary zones. There is a need to discuss and compromise. It is difficult to attend the meetings when your view won't be listened to but there is a conservation view to be heard. The Chair advised Maureen that her views were heard, were important and were respected.

#### 4. Minutes & Actions arising from Meeting 4

Minutes of the meeting held 21 February 2011 were accepted with the following comments made:

- Minutes did not detail correctly how the zoning proposal was to be submitted being:

The adoption of the endorsed working group paper, zoning scenario to refer to this paper and for the paper to be attached to the proposal. The plan tabled at the last meeting was on page 13 of the SE Marine Park Network Submission. The working group paper required a couple of changes before being placed on the website being the removal of page 15 (another map) and removal of the ½ table on pages 6 and 10 which refers to the map on page 15.

- Approximately 500 people attended three public meetings (minutes stated 450) with no community support for sanctuary zones.
- The wave energy power plant was approved by Premier Rann, not the Minister.
- **Action:** The whole working group document, the salient points paper and Ken Jones' submission to be attached to the minutes when distributed to members.

#### Action Items from 21 February 2011 meeting

Meeting No.	Responsibility	Action	Status	Comment
4	<i>G King</i>	Send acknowledgement letters to those who forwarded correspondence regarding the sanctuary zones.	Completed	
4	<i>S Bourne</i>	Provide a copy of the	Posted 4.5.11	

		Piccaninnie Ponds CP management plan to Lionel.		
4	<i>P Hollow</i>	A copy of the correspondence received, copy of the tabled map and the supporting documentation to be forwarded to members with the minutes	Partially completed, Ken Jones submission & supporting documentation for zoning scenario to be sent to members	
4	<i>K Heaver &amp; P Hollow</i>	Minutes to be distributed to members within 10-14 days.	Minutes to Phil 24.2.11	
4	<i>S Holland</i>	To update the boundaries on the tabled plan before it goes on the website	Completed	
4	<i>J Redman</i>	Forward supporting documentation to Grant	Completed	
4	<i>J Redman, K Jones, C Charter</i>	Provide Grant with salient points to be placed on the website	Completed	
4	<i>P Hollow</i>	Include location of 'boils' on the tabled plan	Completed	
4	<i>G King</i>	Clarify if warnings/expiations apply to recreational fishing and/or commercial fishing and whether any expiation is recorded as a criminal offence		Expiations do not attract a criminal record

## 5. Today's meeting and Minister's advice to MPLAG members

- Phil advised that during the next 6 months the draft management plans and regional impact statements will be developed. Draft management plans will be released for full statewide public consultation late this year with the view that by mid 2012 the management plans will be finalised.
- Chairs received a letter from the Minister advising that MPLAG zoning advice is to be received no later than the fifth meeting. The letter was also distributed to all MPLAG members. The Minister gave advice to assist today's meeting including:
  - Avoid debate about the process;
  - Minimise the number of options recommended;
  - Seek a competent and balanced outcome by applying design principles/zoning checklists;
  - Consider guidance for adequate sanctuary zones;
  - Minimise displacement; seek areas of lower fishing value to suggest sanctuary zones.

Concern was raised at the comment "a best-fit solution" as the South East coast is different from a calm water park. A best fit solution does not suit all areas.

The letter refers to advice to the commercial fishing industry of the Government's policy position in relation to displaced commercial effort. Joel Redman advised that nothing has been resolved yet and the Minister has not committed funds for compensation.

- Other comments made:
  - The displaced effort policy does not yet include a formula;
  - There are mixed messages between the Minister and DENR on compensation;
  - The Minister's letter stops the MPLAG process prematurely, groups should have a role in devising the management plans and looking at other zoning eg habitat;
  - Members have the opportunity to further participate.
- A Motion was moved that "a letter be sent to the Minister acknowledging his letter of 21.4.11, outlining the poor MPLAG process, advising that no full and frank advice was received and that compensation has not adequately been delivered."

Moved: Joel      Seconded: Jim      Endorsed by all except one member

**Action:** Grant is to draft a letter and circulate it to members for comment before it is sent to the Minister.

- Peter W was not in agreeance with this letter stating it is the final outcome of this meeting that needs to get to the Minister. Legislation requires Parliament to have marine parks with sanctuary zones and members have the opportunity for input on size.
- Gallery comment (John Ashby) – Compensation needs to be looked at in more detail. The DENR proposed zoning in park 19 would affect a minimum of 22 boats.
- Ken stated that the group lost its opportunity to provide credible advice with a poor response being provided at the last meeting.
- Peter W commented that members have not made comment to the public about the happenings of these meetings, which is good, but after this meeting there is no obligation for confidentiality from members.

## 6. Share feedback on MPLAG zoning suggestions

### Member's feedback from the local community

- Ken: Has chosen who he has spoken to and listened to. He has an environmental point of view with the main concern being the loss of opportunity to come up with a credible view. This meeting is the final opportunity to present an environmental view.
- Lionel: The Port MacDonnell Fishing Association Committee is happy with the proposal put forward. Before Easter the seas were rough and there was a lot of kelp on the beach, it is silly to do things that don't need to be done.
- Peter W: Feedback concurs with the comments made by the Grant District Council letter. People are horrified with the extent suggested. Support some sanctuary zones but selective and a reasonable size.
- Garry: Agree with Peter W comments. Happy with the proposal put forward. The more sanctuary zones that are in, the more pressure on other areas.
- Bob: General consensus is that people are more than happy with the proposal put forward, they realise some sanctuary zones are needed.
- Peter D: Endorse the comments of the Wattle Range Council letter. The public meetings show how the community feels. Still looking for answers to why they are needed and why certain areas need protection.
- Jim: Policing issue. A 15 year old girl said "I will be your age one day and I want to get this right now, there are lots of 4WD's going on the beach".

- :Joel ; We are undertaking the zoning scenario discussion without the best scientific information. Why have a sanctuary zone in a certain spot if you can't justify it? It's not about size but should be about what there is to protect, give us justification. It must be about threats, DENR have set the principles and we do not agree with them. I was lobbied to be on this group yet it appears my opinion is being disagreed to by the minister and DENR responses to issues. Commercial industry feedback is if it can be fully justified via credible threat assessment then put it there but if it can't be justified then it won't be supported.
- Richard: How dare this LAG put up a sanctuary zone proposal when the community groups say no to sanctuary zones. I received an abusive phone call from a member of the public about this. The marine areas protect themselves. There is also a need for education to continue to protect the environment. Funding is required for education and research, not to close areas. The recent release of a 4WD driver's guide is a good example of what is required. There is public concern about the no go zone, lets be a united group to the Minister.
- Maureen: Intertidal zones/beach is far broader than areas protected by the park. There is a need for more public education, knowledge and research. Beaches are there to share (us and wildlife) but over Christmas beaches were treated with such disrespect. Appreciate others are supportive of birds who use intertidal zones, prepared to offer compromises, public education is a key issue.
- Biddie: Contacts are in the tourism area and more inland communities who are not sure where this will go. Limestone Coast Tourism assisted with the 4WD driver's guide which is a small step in education.

#### **Feedback from Peak Stakeholder group discussions**

- Phil advised that the peak stakeholders were contacted by DENR following MPLAG meeting 4 regarding the opportunity to provide input. No zoning advice has been received to date from peak stakeholders.

#### **Review zoning suggestions made since fourth meeting & review DENR analysis on MPLAG zoning suggestions to date**

- Robyn briefly discussed the rapid assessment on the Lower SE MPLAG proposal (this assessment was posted to members before the meeting) advising on the comprehensiveness, representativeness and adequacy of the proposal submitted.
- Peter W: The Minister made suggestions and provided guidance and we should take note of these but how much compensation is he prepared to pay?
- Phil advised that compensation will depend on how much effort is displaced and the value. Cost is not known at this stage but it the Minister's suggestion was for MPLAG members to consider low value fishing areas in their proposal.
- An "in camera" session was requested for members to consider other zoning suggestions and the original proposal submitted. DENR staff and the gallery left the room for this discussion to occur.

### **7. MPLAG members workshop**

- Following the "in camera" session Joel and Jim were not present.
- A range of options and views were canvassed and it was proposed to formalise the Lower SE MPLAG position by motion and vote.

**Action:** A motion was moved that "the Lower SE MPLAG adopt the proposal submitted in meeting number 4 being the map from the SE Marine Park Network Submission, the network submission document, and a short overview of how the

Group arrived at its position and that this be forwarded to the Minister as this Group's submission".

Moved: Richard                      Seconded: Peter D

A majority, but not unanimous decision, was made. (9 in favour, 2 against, 1 abstained from voting).

## **8. Comments from the Gallery**

- John: Concerned the government will do what they want, the marine environment will be no better off and that 70% of fish is imported now. How much more will be imported?
- Roger: There will be two groups managing the area, Fisheries and DENR.
- Media: It appears to be going round in circles. The public don't want the parks but are "getting railroaded". It appears the decision has already been made.
- David: Lower SE LAG should not change its mind on the proposal already submitted. Should consider the Otway bioregion and look at it all as a whole and include the total %, not go by State.
- Rob: The purpose of the LAG is to get the expertise from locals. If Government doesn't listen then it is at the Minister's own peril. Urged members to take this opportunity seriously. Education is important.

## **9. Record of Meeting**

No comment made.

## **10. Next Steps**

- The Department is now required to develop a proposal that will represent design principles and community expectation.
- Members will have the opportunity to participate in the community information days, prior to the release of the management plan. When the draft management plan is released it will go to public consultation where members will have a further opportunity to provide a submission.
- Grant commented that he is well aware a counter proposal may be offered but the LAG feel strongly about the proposal to be submitted and community opinion. It is undermining the process we have just been through if members are contacted individually now.
- Grant anticipates receiving a phone call from the local media immediately and they will require a robust discussion. He will advise them of the LAG proposal, taking into account the position that has been maintained and will prepare a paper that shows the decision to not be unanimous but that feedback from a majority was followed through. This region is unique and a large sanctuary zone is not necessary.
- Maureen asked if the document "activities and uses" can be commented on but was advised it was issued for knowledge only and is in draft form. It was suggested that if there are any discrepancies to be raised regarding this document that individual members write to DENR.
- Lionel expressed thanks to Grant for his input and how fair he has been as Chair. Thanks were extended to Phil: "even though we disagreed on things, I respect your input".
- Peter D: Thank you to the Department for having this opportunity to provide input.

- Phil: The Minister asked to pass on to LAG members his thanks, it has not been an easy process. Thank you to Grant who was there in the role of Chair to ensure the community had their say.
- Peter W: Thank you to Phil and the DENR support crew. We have presented a case that most of the community will accept and demand. It will be a brave Minister to go outside these guidelines.
- Maureen: Really gratified to find support and sympathy for the environmental cause, thankyou.
- Grant: In general most people go about their business not to damage or deliberately destroy, the community do care. Thanks to Phil and to the other DENR support crew and thank you to the LAG members, it was important to stay with the process.

**Meeting closed at 9.10pm**

.....Date.....  
Chair

#### **Action Items as at 2 May 2011**

Meeting No.	Responsibility	Action	Status	Date
5	P Hollow	Copy of correspondence to go to members with the minutes		
5	G King	Acknowledge the letters/correspondence received		
5	P Hollow	SE Marine Park Network Submission and salient points paper to be issued to members with the minutes		
5	G King	Draft letter to the Minister acknowledging his letter of 21.4.11		
5	G King	Submit LAG proposal (map, network submission, short overview)		

#### **Prior to the meal break Ken Jones read the following that he had prepared:**

“Southern Ocean Sharing”

Welcome to this country of the Buandik People.

We acknowledge the elders and their descendants past and present, known as the “People of the Reeds and Rushes”. This special land of billabongs, bullkelp, crayfish, pebbles and surf.

We value our precious rainwater and bubbling springs to the sea.

May we respect our privilege and prosper as we fish for the salty delights she has to offer.

We must all Care for Country and pledge to protect our Great Southern Ocean. May we learn to share and enjoy the fish and the fruits of our forest.