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## MINUTES

### MARINE PROTECTION FORUM MEETING

16<sup>th</sup> MEETING – 20 & 21 May 2008

Regular meeting held at the Westland District Council Chambers, Hokitika beginning at 9.50am on 20 May and finishing at 3.30pm on 21 May 2008.

### *Present*

Bruce Hamilton (Chair), Brad Stenhouse, Denis Shannahan, Stuart Thomson, Bruce Watson, Eugenie Sage, Rick Barber, Carrol Browne, Kerry Eggeling, Carol Scott, Emily Arthur, Richard Wallace and Geoff Rowling.

No members of the public attended but a member of the press attended for the first hour or so.

### *In Attendance*

Campbell Robertson and Don Neale (Department of Conservation), Nicola Pindur (Ministry of Fisheries), Andrea Jackson (Minute Secretary), Sarah Wilson (facilitator). Observers Lesley Douglas (DOC, Otago) and Tania Cameron (MinFish, Otago) were welcomed.

### 1.0 Apologies

Apologies received from Ian McKenzie and Scott Williamson for both days and from Bruce Watson for 21 May. Apologies accepted.

*Moved – Brad Stenhouse/Kerry Eggeling*

*Apologies Accepted*

### 2.0 Agenda Confirmation and Declarations of Conflict of Interest

The meeting agenda was confirmed and no conflicts of interest were declared. Campbell Robertson advised that the presentation on TOKM would need to be delayed until the next Forum meeting, due to the unavailability of the TOKM presenter. Bruce Watson requested feedback from the meeting with the deep-water group representatives.

### 3.0 Approval of Minutes of 2 May 2008

The minutes of the public meeting of 2 May 2008 had been circulated close to the meeting and no amendments had been received. Eugenie Sage requested that this item be dealt with on the second day of the meeting, and the Forum agreed.

### 4.0 Matters Arising

Carol Scott noted an information point in relation to item six of the minutes that there are linkages between the inshore and deepwater fisheries, for example, both hoki and ling can be caught within the 200m depth limit as well as offshore.

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The timetable for the Forum process was raised and Bruce Hamilton advised that it was hoped to have the material ready for the public consultation round ready by the end of this year, at least. Rick Barber requested a draft timeline. Eugenie Sage asked for a discrete timeline for the public consultation process and for the feedback on 'best ideas' of public consultation from Scott Williamson, as offered by Scott at the meeting of 2 May. It was further noted that agencies had agreed to work on this, but this was not required for this meeting. Priorities at this stage were still on identifying and refining the candidate sites. It was agreed that agencies would begin work on this and report back to the forum at the next opportunity.

### 5.0 Minister of Conservation Meeting

Bruce Hamilton reported back on the meeting he had had with the Minister of Conservation on 6 May when she visited the West Coast Conservancy. She has emphasised the importance of the work of the Forum and the hoped-for outcomes of meeting the protection objectives together with community buy-in. Potential alternative mechanisms can be considered, other than those methods available through the Marine Reserves Act or the fishing regulations. Potentially new legislation or tweaked legislation is not unthinkable, with the caveat that the Minister of Fisheries would also need to agree and would also require general community support. The Minister of Conservation is following the WC Forum process with interest and is very supportive. She is also keen to come down and meet with the Forum, as is the Minister of Fisheries; they would like to visit together possibly for an hour or so.

This visitation offer received general discussion and it was agreed that the purpose of the meeting from the Forum perspective would be to ensure that Ministers are alongside the Forum process and with each other, so that they will reaffirm their commitment to the WC Forum process and the forum's recommendations. Two ideas emerged about the best timing for this visit, one to invite them now and the other for later in the process. Bruce Hamilton noted that the Forum could provide representatives to meet with Ministers, if required. A motion emerged, as follows:

*The Forum is to invite the two Ministers to a future meeting of the West Coast Forum to discuss the draft recommendations after the public consultation process, but prior to the final report being written. The purpose of the meeting would be to reaffirm their commitment to the WC Forum process and recommendations.*

**Action:** A letter from Bruce Hamilton as chair will be drafted asking Ministers if they can come to the Coast later this year.

Moved: Eugenie Sage/Carrol Browne

Carried

### 6.0 Correspondence

*Inwards* – None

*Outwards* – None

### 7.0 Deep-water Representatives Meeting

Bruce Hamilton reported back on the outcome of the meeting with the deep-water representatives held in Wellington around the SEAFIC conference. He referred the Forum to the notes of the meeting attached to the agenda. He said the he thinks the deep-water representatives are not interested in relitigating any inshore decisions, but do not want the

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Forum to continue to work outwards into the 200m depth zone without their involvement. It was noted that two important fishing species cross the 200m depth boundary line (hoki and ling). The deep-water representatives are concerned about the overarching national set-up but acknowledge that the Forum is regional decision-making.

Carol Scott made the comment that she views the Forum as part of a national process under a national policy. Rick Barber noted that as he had not been chosen to be a Forum representative to the meeting in Wellington, he would have liked to have been offered the chance to listen to the meeting. Rick further noted that commercial versus customary uses is an important issue for Maori, and Maori have had to lobby hard for customary values to be acknowledged. TOKM wears the commercial/customary hat. He thinks that a definition of commercial fishing has to include a customary element.

Stuart Thomson noted that local boats do fish outside the 200m depth line, and the Forum should not forget the inshore commercial fishing groups. Local fishers depend on the zone greater than 200m depth for their livelihoods. Bruce Watson commented that cross-boundary issues will arise in any case and will have to be managed. Any parties affected by what the Forum does will need to be consulted, and the Forum needs to decide the appropriate process. Carol Scott advised that the Forum needs to broaden its outlook to wider commercial issues. Campbell Robertson advised that the deep-water representatives are not keen for the Forum to even think of the 200m depth zones. Nikki Pindur advised that some of the reps at the meeting said they were comfortable with the Forum identifying principles such as connectivity and for this to be highlighted with the 12nm zone, rather than consideration of types of tools for the deeper waters. She also noted that some has said at the meeting at Te Papa that the 'least cost' principle would not be met by consideration of the 200m and deeper canyons, because all deep-water fisheries need to be considered together for that to apply. Bruce Watson commented that he can't see why relevant recommendations can't be arrived at and 'parked' in the Forum's recommendations.

Stuart Thomson advised that lots of canyons are not fished much, and he further noted that deep-water representatives do not represent areas or habitats, just fishing species. Denis Shannahan thanked Stuart for his willingness to share his knowledge. Rick Barber further noted that tangata whenua have always fished Tai Poutini, both offshore and inshore. Richard Wallace noted that the protection of Tangaroa is what the Forum exists for; it may be that the canyons have not all been explored and it would be good to identify one canyon area for protection, but everyone would need to agree to it. Bruce Watson revisited the notes of the deep-water representatives meeting, he noted the comments that the deep-water reps felt that the process was too far progressed to involve them at this stage. Bruce Watson thinks the Forum process can proceed and consideration of the 200m depth zones can be included in the recommendations as 'parked' items. Carrol Browne commented that the process could be left to run and by doing so this issue may be naturally be resolved; perhaps the different views about how to deal with the 200m depth zone are somewhat over-stated.

Nikki Pindur queried what information the Forum wants to use re the deep-water zones, noting that the Forum's Report does not contain any 200m depth data. Nikki noted that at a previous meeting Carol Scott had suggested the forum ask the deepwater group for a characterisation of their fishery. Nikki noted that the group might not share this information if the Forum will not let them join. Carol Scott advised that MinFish could look at their database to discover the least costs areas of canyons. Eugenie Sage noted that the fishing data Scott Williamson provided at

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the last meeting seemed very useful, and that he had undertaken to improve it to the point where it should be good enough for the Forum to use. Nikki Pindur advised that the maps shown by Scott have been revised and should be available later in the meeting. Eugenie Sage advised that in her view the Forum representatives had been "stonewalled" by the deep-water representatives, who had not wanted to engage. Rick Barber supported this view and the view of Bruce Watson, who wishes to consider deep-water zones. Rick also supports open and robust discussion within the Forum.

Bruce Hamilton noted that he thinks the deep-water representatives are concerned about national precedent setting. The change between the draft and the final national standards in terms of the 200m depth was noted again by the Forum. Nikki Pindur advised that the deep-water reps felt that they would need time to get up to speed if they were to be involved in the Forum deliberations. Carol Scott considers that these reps will not yet have a good understanding of the national standards and policy, and that a lack of knowledge about the process is a factor in the discussions to date. Eugenie Sage requested indicative maps of fishing effort in the canyons, to see if any real deep-water fishing issues apply, and Carol Scott agreed with this approach. Nikki Pindur reported that one of the reps at the meeting stated that up to 10% of a fish species is caught within the canyons. Nikki Pindur also noted that in the past, affecting up to 10% of a person's catch has caused concerns when other previous marine reserve applications have been assessed.

Geoff Rowling considers that if deep-water reps are included the discussion will be much more about property rights, as these reps work for large companies driven by corporate profits. Compensation for loss of fishing rights should be considered. Kerry Eggeling also noted that inshore fishers also have property rights, which they need to protect. Rick Barber noted that it is more than livelihoods involved being also family life, cultural knowledge and links to the sea. He thinks that the deep-water reps will be keeping a watching brief.

Emily Arthur moved that the Forum's ideas about the deep-water zones could be appended to the Forum's Report to Ministers. These ideas should be welcomed as useful information and recommendations to go into the deep-water process. A number of members supported this motion but discussion continued. Carol Scott suggested that MinFish be asked to plot data of where fishing effort occurs in the deep-water areas (MinFish could discuss this data capture with deep-water groups and TOKM). Lets see whether there is any real fishing effort. If yes, then deep-water involvement would be appropriate, but if not then Emily Arthur's approach would be correct. Bruce Watson supported that suggestion that the deep-water fishing effort be modelled and brought back to the Forum first; Carrol Browne and Geoff Rowling supported this order of events.

Discussion turned to the information required; Carol Scott suggested the plotting of any fishing effort (all species and methods) but not necessarily all on one map. Eugenie Sage suggested plotting by different species, annually. Stuart Thomson noted that some years some species are not fished (e.g., albacore). It would be good to have different methods mapped. Note that quota shares can change from year to year. Several species are probably worth plotting, including hoki, ling, warehou, bluenose). The discussion was wrapped up with the following motion:

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*The Forum requests that MinFish plot/map the current fishing effort in the West Coast deep-water areas (TCRR) and brings this information back to the Forum. All species and fishing methods are to be mapped, if possible year-by-year.*

Moved: Carol Scott/Rick Barber Carried

Forum moves into committee, Tuesday 20 May

Moved: Kerry Eggeling/Denis Shannahan Carried

Forum moved out of committee, Wednesday 21 May

Moved: Denis Shannahan/Carrol Browne Carried

### 8.0 Minutes of 2 May 2008

Various amendments were tabled by Kerry Eggeling, Eugenie Sage, Stuart Thomson and Rick Barber and it was agreed that Andrea would amend the minutes and re-circulate them for approval. As a matter arising from the minutes, Rick Barber sought clarification as to why only Ngati Apa and not all of the 'top of the south' iwi were to be involved in Forum boundary matters. It was agreed that Scott Williamson would provide clarification at the next Forum meeting.

### 9.0 Next Meeting Dates

After considerable discussion it was agreed that the following dates would be set aside for future Forum meetings:

- 17 June
- 29 & 30 July (Richard Wallace advised he could not attend on 29 July)
- 2 & 3 September

It was noted that Bruce Watson and Ian McKenzie were not present and that the dates need to be checked with them.

It was agreed that the 17 June meeting would focus on progressing the identification and refinement of candidate sites. The Forum has requested further information or report back on a number of issues including; deepwater, whitebaiting, activities in marine reserves, and consultation sub-committee, however it was agreed that these items would be deferred until the July meeting in order to progress the potential candidate site selection process.

### 10.0 Consultation Sub-committee Process

The Consultation Sub-committee had met at lunchtime and reported back to the Forum. General discussion ensued and included whether Forum members could discuss possible candidate sites with their sectors. Bruce Hamilton reminded members that it had been agreed that what is discussed in-committee stays in-committee, as the decision-making process is not complete.

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Others agreed the possible candidates be refined more before consultation with sectors occurs. It was suggested that only hard-copy maps be supplied at the Forum meetings only, while CD's of maps could be mailed out for members to refer to. Nikki Pindur advised that if people want to gather more information, like Stuart and Kerry have been, then recording this on the maps they have is appropriate, but that no maps with candidate sites marked should be shown to anyone.

**11.0 Media**

It was agreed that a news release be prepared to update the public that good progress had been made but no actual decisions had been made. A story opportunity has arisen, offered by Carol Scott, to insert a 700-word story in a fishing magazine. It was agreed that Campbell Robertson and Nikki Pindur would draft this story and circulate. Rick Barber advised that he would draft an item for another organisation, which he will circulate. Don Neale advised that he is to do a paper related to the forum process for a conference he is to attend.

The Forum was reminded that the protocol for working with the media was that all releases and contact must in the first instance be made through the Chair, this included **all material to be made public, whether formal releases or articles.**

**12.0 General Business**

It was noted that Bruce Hamilton would vacate the Chair when he travels overseas, from 6 June until 27 July and **it was agreed that Denis Shannahan would deputise in his absence.**

The two observers from DOC/MinFish Otago/Southland gave thanks for their opportunity to attend this meeting, and advised that they have learned many things and have great respect for the work of the West Coast Forum members. They would be happy to receive any comments from members about what had worked best in terms of maps or whatever. Briefly the Forum members advised key aspects were the growth of trust between members and using informal meeting time and dinner discussions to build relationships.

Meeting closed at 3.30pm.

Confirmed  
Bruce Hamilton  
Chairperson

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**Papers Tabled**

Draft minutes of Forum meeting of 2 May 2008 (public and in-committee)